



په ملگرو ملتو کی
د افغانستان اسلامي جمهوریت
دایمی نمایندگی - نیویارک

**Permanent Mission of the Islamic
Republic of Afghanistan to the
United Nations**

نماینده گی دایمی
جمهوری اسلامی افغانستان
در ملل متحد - نیویارک

18 May 2009

Excellency,

In strict conformity with the Work Plan elaborated by the President of the General Assembly and embraced by Member States during our successful 19 February launch of the Intergovernmental Negotiations on Security Council reform, I am herewith providing an overview of the first round. Meant to catalyze, not circumscribe, this overview shall serve as a point of departure and reference for the second round, which will consist of the following exchanges as defined in the overview itself:

22 May 2009	Exchange 1
11 June 2009	Exchange 2
23 June 2009	Exchange 3

As Chair of the Intergovernmental Negotiations, I will continue to promote the interactive nature of our meetings. Member States will thus again be given the opportunity to intervene twice, so they can react to and reciprocate the flexibility shown by their peers, but are also again urged to be concise and to limit their interventions to no longer than three minutes. I remain confident that the good faith and mutual respect in full display over the course of the first round will take us very far very fast in the second round.

Please accept, Excellency, the assurances of my highest consideration,

Zahir Tanin

Permanent Representative of the Islamic Republic of Afghanistan to the United Nations

Chair of the Intergovernmental Negotiations on the question of equitable representation and increase in the membership of the Security Council and other matters related to the Council

Attached:

Overview of the first round of the Intergovernmental Negotiations on the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council

Overview

The first round of the Intergovernmental Negotiations on the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council

1. It is in strict conformity with the Work Plan elaborated by the President of the General Assembly and embraced by Member States during the successful 19 February 2009 launch of the Intergovernmental Negotiations in the informal GA plenary on Security Council reform, that the Chair, under the auspices of the President, provides this overview of the first round.
2. In no way does the present overview supplant the substantive underpinning of the Intergovernmental Negotiations, defined in subparagraphs i and iii of paragraph e of GA Decision 62/557:

"(i) The positions and proposals of Member States, regional groups and other Member States groupings;

(iii) The following documents: report of the Open-ended Working Group on its work during the sixty-first session of the General Assembly;¹ General Assembly decision 61/561 and the report of the Open-ended Working Group on its work during the sixty-second session of the General Assembly;²"

3. The first round of the Intergovernmental Negotiations consisted of 15 meetings on the five key issues as defined in subparagraph ii of paragraph e of Decision 62/557.
4. Over the course of all these meetings, Member States implemented Decision 62/557 and the Work Plan by, with regard to the key issue under discussion, clarifying their original position where necessary and by not seldom demonstrating flexibility on it, including through new oral and written proposals. For his part, the Chair throughout the first round actively promoted interaction, particularly by giving Member States the opportunity to intervene twice, so they could react to and reciprocate the flexibility shown by their peers. In addition to interaction, the exchanges were characterized by an intense interest among Member States, with more than three quarters of the membership engaging – a substantial increase in comparison with the level of engagement in the Open-Ended Working Group of late.

¹ Official Records of the General Assembly, Sixty-first Session, Supplement No. 47 (A/61/47).

² Official Records of the General Assembly, Sixty-second Session, Supplement No. 47 (A/62/47).

5. On 4 and 5 March, Member States took advantage of the 4th, 5th and 6th meetings of the informal plenary to focus on categories of membership. The first cycle saw no less than 80 interventions, followed by 10 interventions in the second.
6. On 16 and 17 March, Member States took advantage of the 7th, 8th and 9th meetings of the informal plenary to focus on the question of the veto. The first cycle saw no less than 74 interventions, followed by 8 interventions in the second.
7. On 24 and 31 March, Member States took advantage of the 10th, 11th and 12th meetings of the informal plenary to focus on regional representation. The first cycle saw no less than 67 interventions, followed by 9 interventions in the second.
8. On 7 and 8 April, Member States took advantage of the 13th, 14th, 15th and 16th meetings of the informal plenary to focus on size of an enlarged Council and working methods of the Security Council. The first cycle saw no less than 79 interventions, followed by 11 interventions in the second.
9. Finally, on 20 April, Member States took advantage of the 17th and 18th meetings of the informal plenary to focus on the relationship between the Council and the General Assembly. The first cycle saw no less than 51 interventions, followed by 2 interventions in the second.
10. The first round of the negotiations, conducted by Member States in good faith, with mutual respect and in an open, inclusive and transparent manner, has evinced the membership-wide political will to make decisive progress during this GA session towards achieving the objective set by world leaders in paragraph 153 of the 2005 World Summit Outcome³:

"We support early reform of the Security Council – an essential element of our overall effort to reform the United Nations – in order to make it more broadly representative, efficient and transparent and thus to further enhance its effectiveness and the legitimacy and implementation of its decisions."

³ A/RES/60/1.

11. On their way to decisive progress, Member States during the first round received guidance from the Chair, in particular through letters preceding each exchange on a key issue. These letters, welcomed by the membership as an important impetus to the process, contained literal and integral excerpts from document A/61/47, defined in subparagraph iii of paragraph e of Decision 62/557 as part of the basis for the Intergovernmental Negotiations. Since overall the first round bore out and built on the content in general and the reform options in particular of those excerpts, the Chair's letters, attached herewith, should be considered an integral part of the present overview.
12. The principal options have been laid out below in paragraphs 14-17, incorporating the main thrust of the productive exchanges of the first round. This point of departure and reference for the second round should catalyze yet never circumscribe the forthcoming exchanges between Member States. After all, as also stated in paragraph 2 of the present overview, the substantive underpinning for the negotiations will continue to be constituted by documents A/61/47 (quoted in the Chair's letters) and A/62/47, GA Decision 61/561, and by the positions and proposals of Member States, regional groups and other Member States groupings, including new positions and proposals, oral and written, introduced in the first round.
13. All throughout the first round, the membership repeatedly and insistently professed its aspiration to move on towards an ever more comprehensive consideration of Security Council reform. For this purpose, guided by and based on the supreme authority and logic of our organization's constitution, the five key issues have been placed under the headings of Chapter V of the UN Charter on the Security Council: composition; functions and powers; voting; and procedure.

14. Composition

- a. Size
 - i. Low-twenties
 - ii. Mid-twenties
- b. Categories of membership
 - i. Enlargement in both current categories of membership, permanent and non-permanent two-year seats (negotiable: criteria for selection; nature of review or challenge).
 - ii. Enlargement in a new category of extended seats and in the current category of non-permanent two-year seats (negotiable: criteria for selection; length of terms [3-15] of extended seats; possibility of re-election to extended seats; nature of review or challenge; provisions to prevent “flip-flopping”⁴).
 - iii. Enlargement only in the current category of non-permanent two-year seats (negotiable: criteria for selection; possibility of re-election; nature of review or challenge).
- c. Regional representation
 - i. Addition of seats to current regional groups, giving due consideration to the criterion of equitable geographical distribution through an emphasis on the underrepresented regional groups, particularly Africa, Asia and the Group of Latin American and Caribbean States and, also, on the Group of Eastern European States (negotiable: arrangements for representation on the seats to be decided by the respective regional groups).
 - ii. Addition of seats to current regional groups specifically with a view to ensuring the representation of small and medium-sized states and of all cultures, religions and civilizations (negotiable: arrangements for representation on the seats to be decided by the respective regional groups).

⁴ Provisions to prevent countries from presenting candidatures for both the new category and the current non-permanent category at the same time or in short intervals.

15. Functions and powers

a. Relationship between the Security Council and the General Assembly

- i. Strict adherence to the functions and powers of, respectively, the Security Council and the General Assembly as set out in the Charter.
- ii. Submission by the Security Council to the General Assembly of a more substantive and analytical annual report, including on the implementation of Council decisions (and the organization of an informal and interactive debate on the report), and of special reports as provided for in paragraph 3 of Article 24 of the Charter.
- iii. Regular consultations between the President of the Security Council and the Presidents of other principal organs.

16. Voting

a. Veto

- i. Reform of the current veto (negotiable: formalizing explanations for the use of the veto; limiting the instances where it is used).
- ii. Extension of the veto to any new permanent members (negotiable: commitment not to use the veto until a future review).
- iii. No extension of the veto to any new permanent members.

17. Procedure

a. Working methods

- i. Better access for non-Council members to the work of the Council and its subsidiary bodies through transparency and information (negotiable: the adoption of formal rules of procedure; more public meetings, especially when UN officials brief the Council; more frequent substantive and detailed briefings on the work of the Council and its subsidiary bodies and early distribution of relevant documents, particularly draft resolutions and presidential statements).
- ii. Better access for non-Council members to the work of the Council and its subsidiary bodies through consultation (negotiable: rigorous implementation of Articles 31 and 32 of the Charter; timely and regular consultations with countries contributing human or financial resources to a peacekeeping operation; regular consultations with relevant regional arrangements and agencies, in accordance with the provisions of Chapter VIII of the Charter).

18. In order to sustain the considerable momentum generated by Member States over the course of the first round, new steps forward are imperative in the second round. As an overwhelming number of Member States have emphasized, within a more comprehensive consideration of Security Council reform, the achievement of decisive progress demands an explicit exploration of the connections between the key issues, with a view to further unlocking convergence potential. A nexus connecting both the five key issues to each other and, in the same vein, connecting a substantial mass of positions and proposals to each other, is the concept of review or challenge. The widely raised prospect of a reassessment of any arrangement by means of a review or challenge puts each and every component and the entirety of the reform in a different light.
19. Therefore, this nexus constitutes a logical entry point into the second round. Exchange 1 on the general nature, agenda, timing and frequency of any review or challenge will be followed by exchange 2 on the key issues under composition (paragraph 14) and exchange 3 on the key issues of paragraphs 15, 16 and 17. This act of scheduling by the Chair, who will continue to promote interaction as in the first round and to assist Member States in accordance with the President's Work Plan, shall enable the membership to advance in more in-depth and more comprehensive negotiations, before, in strict conformity with Decision 62/557, continuing during the third round to seek a solution that can garner the widest possible political acceptance by Member States.

Annex

- A. Letter dated 2 March 2009 from the Chair of the Intergovernmental Negotiations on Security Council reform
- B. Letter dated 13 March 2009 from the Chair of the Intergovernmental Negotiations on Security Council reform
- C. Letter dated 20 March 2009 from the Chair of the Intergovernmental Negotiations on Security Council reform
- D. Letter dated 3 April 2009 from the Chair of the Intergovernmental Negotiations on Security Council reform
- E. Letter dated 16 April 2009 from the Chair of the Intergovernmental Negotiations on Security Council reform