



THE PRESIDENT  
OF THE  
GENERAL ASSEMBLY

27 June 2017

Excellency,

I have the honour to transmit herewith a letter from the Co-Chairs of the Intergovernmental Negotiations on Security Council reform (IGN), H.E. Mr. Ion Jinga, Permanent Representative of Romania and H.E. Mr. Mohamed Khaled Khiari, Permanent Representative of Tunisia, circulating the final version of the document entitled “Elements of Commonality and Issues for Further Consideration on the question of equitable representation and increase in the membership in Security Council and related matters”.

I welcome this outcome, which I consider as a step in the right direction.

I would like to convey my appreciation to all Member States for the constructive way in which they engaged in the IGN process this year and for the support shown to the Co-Chairs, and more generally for their willingness to continue moving the process forward. I would also like to extend my gratitude to Ambassador Jinga and Ambassador Khiari for the very effective and innovative manner in which they led the IGN throughout this session.

I am confident that the rich discussions held during this session and the final outcome will help maintain the momentum in taking the IGN forward towards the much-needed comprehensive reform of the Security Council.

As in previous years, a draft roll-over decision will be circulated shortly for consideration by Member States and for adoption by the General Assembly in due course.

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

Peter Thomson

To All Permanent Representatives  
to the United Nations  
New York



PERMANENT MISSION OF ROMANIA  
TO THE UNITED NATIONS

PERMANENT MISSION OF TUNISIA  
TO THE UNITED NATIONS



23 June 2017

Excellency,

Following the IGN meetings held in the 71<sup>st</sup> session of the UN General Assembly, please find attached herewith the final version of the document entitled: "Elements of commonality and issues for further consideration on the question of equitable representation and increase in the membership of the Security Council and related matters."

We were honoured for having been entrusted with the task of guiding this process during this 71<sup>st</sup> session and we are grateful to the Member States for their continued support granted to us in fulfilling our mission as Co-Chairs of the IGN.

Please accept, Excellency, the assurances of our highest consideration.

**H.E. Dr. Ion Jinga**  
Permanent Representative of Romania  
Co-Chair, IGN 71<sup>st</sup> Session

**H.E. Mr. Mohamed Khaled Khiari**  
Permanent Representative of Tunisia  
Co-Chair, IGN 71<sup>st</sup> Session

**The Permanent Representatives of the Member States to the United Nations  
New York**

**ELEMENTS OF COMMONALITY  
AND ISSUES FOR FURTHER CONSIDERATION**  
**On the question of equitable representation and increase in the membership  
of the Security Council and related matters**

**I. Background and Current Context**

On 11 December 1992, the General Assembly adopted Resolution 47/62 on “Question of equitable representation on and increase in the membership of the Security Council”, by which it: *“1. Requests the Secretary-General to invite Member States to submit, not later than 30 June 1993, written comments on a possible review of the membership of the Security Council; 2. Also requests the Secretary-General to submit to the General Assembly at its forty-eighth session, for its consideration, a report containing comments made by Member States on the subject; 3. Decides to include in the provisional agenda of its forty-eighth session the item entitled “Question of equitable representation on and increase in the membership of the Security Council”.*”

On 3 December 1993, the General Assembly adopted the Resolution 48/26 on “Question of equitable representation on and increase in the membership of the Security Council”, by which it: *“1. Decides to establish an Open-ended Working Group to consider all aspects of the question of increase in the membership of the Security Council, and other matters related to the Security Council; 2. Requests the Open-ended Working Group to submit a report on the progress of its work to the General Assembly before the end of its forty-eighth session; 3. Decides to include in the provisional agenda of its forty-ninth session an item entitled “Question of equitable representation on and increase in the membership of the Security Council and related matters”.*”

On 23 November 1998, the General Assembly adopted Resolution 53/30 on “Question of equitable representation on and increase in the membership of the Security Council and related matters”, stating that: *“The General Assembly, Mindful of Chapter XVIII of the Charter of the United Nations and of the importance of reaching general agreement as referred to in resolution 48/26 of 3 December 1993, determines not to adopt any resolution or decision on the question of equitable representation on and increase in the membership of the Security Council and related matters, without the affirmative vote of at least two thirds of the Members of the General Assembly”.*

“The World Summit Outcome Document of 2005” adopted by GA Resolution A/RES/60/1 reaffirmed Member States’ commitment to strengthen the United Nations, with a view to enhancing its authority and efficiency, as well as its capacity to address effectively, and in accordance with the purposes and principles of the Charter. It supports in this context an early reform of the Security Council as an essential element of the overall effort to reform

the United Nations to make it more broadly representative, efficient and transparent and thus to further enhance its effectiveness and the legitimacy and implementation of its decisions.

On 15 September 2008, the General Assembly adopted Decision 62/557 on the “Question of equitable representation on and increase in the membership of the Security Council and related matters”, which stipulates: *“To commence intergovernmental negotiations on Security Council reform in informal plenary of the General Assembly during the sixty-third session of the General Assembly, but not later than 28 February 2009, based on proposals by Member States, in good faith, with mutual respect and in an open, inclusive and transparent manner, on the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Council, seeking a solution that can garner the widest possible political acceptance by Member States”*.

Decision 62/557 also mentions that the intergovernmental negotiations on Security Council reform should refer to five key issues: categories of membership; the question of the veto; regional representation; size of an enlarged Security Council and working methods of the Council; and the relationship between the Council and the General Assembly.

The intergovernmental negotiations officially started in early 2009, and continued since then in informal plenary of the General Assembly.

During the GA 71<sup>st</sup> session, the intergovernmental negotiations on Security Council reform (IGN) *“built on the informal meetings held during its 70<sup>th</sup> session, as well as the positions of and proposals made by Member States, reflected in the text and its annex circulated on 31 July 2015 and using the elements of convergence circulated on 12 July 2016”*, as stipulated by Decision 70/559 of July 27, 2016.

Following the IGN GA71 meetings of 6-7 February, 7-8 March 2017, 3-4 April 2017, 8-9 May 2017 and 12-13 June 2017, the following commonalities and issues for further consideration related to all five key issues listed by Decision 62/557 have been identified:

## **II. Commonalities**

### **1. General**

- a) The reform of the United Nations Security Council is in the interest of Member States and the United Nations system as a whole.
- b) The reform of the Security Council is a Member States driven process.
- c) The objective of reform is to make the Council more *“broadly representative, efficient and transparent and thus to enhance its effectiveness and the legitimacy and implementation of its decisions”*, as stipulated by “the World Summit Outcome Document”.
- d) Member States consider that reform of the Security Council shall *“ensure a transparent, efficient, effective and accountable functioning of the Council”*, as mentioned in the elements of convergence of 12 July 2016.

- e) To improve the prospects for early reform, a continued, substantive and enhanced engagement is of utmost importance.
- f) Although expressing different views on substance, Member States are driving the IGN process forward together, in accordance with the usual practices and procedures of the General Assembly.
- g) The reform of the Security Council should reflect the realities of the contemporary world.
- h) All five key issues are strongly interconnected and therefore negotiations should be based on the principle: *"nothing is agreed until everything is agreed"*.
- i) The IGN process should build on the work done in previous years, so that convergence will increase gradually, with a view to garner the widest possible political acceptance.

## **2. Relationship between the Security Council and the General Assembly**

- a) The relationship between the Security Council and the General Assembly should be mutually reinforcing and complementary, as per the UN Charter. Following discussions during the IGN GA71, the elements of convergence identified by the IGN GA70 under the "Relationship between the Council and the General Assembly" may also be considered commonalities.
- b) The previous deliberations of the AHWG on the revitalization of the work of the GA, including resolution 70/305 of 13 September 2016, might also be taken into consideration when updating the progress on this issue.

## **3. Size of an enlarged Council and Working Methods of the Council**

- a) The reform of the Security Council should lead to an expansion of the Council and therefore certain areas of working methods need to be addressed as a result of expansion.
- b) In line with the elements of convergence identified during the IGN GA70, Member States consider that an enlarged Security Council should consist of a total of members in the mid-20s, within an overall range of 21-27 seats.
- c) Member States acknowledged the need to ensure an increase in membership that would allow for equitable representation, as well as cross-regional balances, while maintaining the effective and operational character of the Council.
- d) Member States attach great importance to adapting the Security Council working methods to any increase in its membership, in order to ensure a transparent, efficient, effective and accountable functioning of the Council.

## **4. Categories of membership**

In an enlarged SC, the expansion of the category of 2-year term non-permanent members is accepted by all Member States as part of a comprehensive Security Council reform. The Council's expansion in other categories (permanent, longer term

seats, transitional options) remains to be agreed through negotiations by the Member States.

#### **5. The question of veto**

The question of veto is a key element of the SC reform.

#### **6. Regional representation**

- a) The enlargement of the Council should serve to improve the representation of underrepresented and unrepresented regions and groups.
- b) A fair and equitable geographical distribution should be ensured in an expanded Council's membership.
- c) Due attention has to be paid to the equitable representation of developing countries, including small states.
- d) Africa should be equitably represented in a reformed Security Council.

### **III. Issues for further consideration**

The list of issues for further consideration is not an exhaustive one.

#### **1. General**

- a) Although a large variety of opinions on the Security Council's reform persist, particularly in relation to the following three clusters: categories of membership; the question of the veto; regional representation, many member states express a desire to move to the next phase.
- b) Taking into account art 23.1 of the UN Charter, should contributions of Member States to the maintenance of peace and security be reflected in the duration of their presence in the Council?
- c) More discussions are needed on how to take into account the principles of democracy and representation in pursuing the objective of a more democratic SC.

#### **2. The relationship between the Security Council and the General Assembly**

In addition to the elements of convergence identified during IGN GA70 session, further ways to enhance the accountability of an enlarged Council to the UN membership and to increase the transparency of the Security Council's work in relation to the General Assembly have to be explored.

#### **3. Size of an enlarged Council and Working Methods of the Council**

- a) In line with the element of convergence identified during the IGN GA70 referring to *"ensuring the holding of the Presidency of the enlarged Council by non-permanent*

*members (NPM) at least once during their tenure*”, concrete ways for holding the rotating presidency in an enlarged Security Council need to be examined.

- b) When discussing the size of the Security Council, Member States expressed different views on how to ensure a balance between the representativeness and effectiveness of an enlarged Council. Ensuring such a balance is also an element of convergence identified by the IGN GA70.
- c) The appropriateness of the ratio between the number of SC non-permanent members and the number of permanent members could be examined.

#### **4. Categories of membership**

- a) The UN Charter mentions only two categories (permanent and non-permanent), but GA decision 62/557 refers to “*categories of membership*” without specifying them, which leaves it to the member states to decide if additional categories may be created.
- b) During discussions in IGN GA71 and in previous IGN sessions, Member States expressed preference for one or more of the following options, in a reformed Security Council:
  - Enlargement of the SC with both permanent and 2-year term non-permanent members;
  - Enlargement of the SC with 2-year term non-permanent members and creation of a new category of longer-term non-permanent members with possibility of re-election;
  - Enlargement of the SC with 2-year term non-permanent members.
- c) While bearing in mind the close connections between all five key issues, categories of membership might be discussed in parallel with regional representation, the size of the Security Council and the question of veto.
- d) The possibility of accommodating the options mentioned in III.4.b. in an enlarged Security Council could also be explored

#### **5. The question of veto**

- a) More in-depth discussions are needed to explore how the veto impacts the work and the effectiveness of an enlarged Security Council.
- b) During discussions in IGN GA71 and in previous IGN sessions, the following options were mentioned:
  - If new permanent members are approved:
    - the veto might be expanded to all permanent members; or
    - new permanent members might not benefit from the veto, which will be kept only by the current P5; or
    - the veto might be extended to new permanent members after a reviewing period.

- Progressive restraint / abolition of veto.
- Voluntarily refrain from the use of the veto in cases of mass atrocity crimes.

## 6. Regional representation

- a) What might be the appropriate ratio between the number of SC members and GA members?
- b) What might be the appropriate ratio between the number of SC non-permanent members and number of countries in regional groups?
- c) The question of whether a country represents only itself in the SC, or its region, or the whole of UN membership needs further clarifications. UN Charter, Article 24, para 1: *"In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf."*
- d) In an enlarged Security Council, how to reflect the increasing role of regional groups and regional organizations in international relations, particularly in the fields of peace and security?
- e) Further clarification is needed on the role of regional groups in selecting new members.
- f) In relation with equitable representation, further clarification is needed on the concepts of "equitable geographic distribution" and "regional representation".
- g) More in-depth discussions are needed to clarify questions pertaining to cross-regional representation in an enlarged SC.
- h) While bearing in mind the close connections between all five clusters, regional representation might be discussed in parallel with the size of the SC and categories of membership.
- i) In seeking a solution that can garner the widest possible political acceptance by Member States for an enlarged Security Council, ways should be sought to ensure consistency between the principles listed in paragraph II.1.d. with art. 23.1. of the UN Charter which refers to *"the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution"*?