



THE PRESIDENT
OF THE
GENERAL ASSEMBLY

23 March 2018

Excellency,

Following the second meetings of the Intergovernmental Negotiations (IGN) on the question of the equitable representation on and the increase in the membership of the Security Council and other matters related to the Security Council, held on 27-28 February 2018, I have the honour to transmit herewith a letter from the IGN Co-Chairs, H.E. Mr. Kaha Imnadze, Permanent Representative of Georgia and H.E. Ms. Lana Zaki Nusseibeh, Permanent Representative of the United Arab Emirates, circulating the document entitled "Revised Elements of Commonality and Issues for Further Consideration".

The letter also includes the agenda of the third meetings of the IGN, to be held on 27 and 28 March 2018, at the Trusteeship Council Chamber.

I was pleased to observe a high-level participation and commitment by the Member States during the second meetings of the IGN and I look forward to your active participation in the forthcoming meetings.

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



Miroslav Lajčák

To All Permanent Representatives
to the United Nations
New York



23 March 2018

Excellency,

We have the honor of addressing you in our capacity as Co-Chairs of the Intergovernmental Negotiations on Security Council Reform (IGN). During the first and second informal meetings of the IGN, Member States provided valuable feedback on the IGN process including on ways to advance the process during this session of the General Assembly.

In accordance with oral decision 71/553 the IGN should be “building onthe positions of, and proposals made by, Member States, reflected in the text and its annexes circulated on 31 July 2015, and using the elements of convergence circulated on 12 July 2016 and the elements of commonality and issues for further consideration circulated on 27 June 2017 to help inform its future work...”. Based on this mandate and drawing on the suggestions and inputs provided by delegations during the first and second IGN meetings, the Co-Chairs have the honor to share with you the attached document entitled “Revised Elements of Commonality and issues for Further Consideration”.

We are pleased to confirm that the third informal meeting of the IGN on Security Council Reform will be held on 27-28 March 2018 in the Trusteeship Council Chamber. The Co-Chairs propose that during this meeting Member States engage in more thorough discussions on the Regional Representation cluster of the IGN in view of the issues listed under section III/6 of the “Revised Elements of Commonality” document. Member States are also welcome to comment on the “Revised Elements of Commonality” document with suggestions to further enrich it.

Following requests from Member States and groups, the meeting on 28 March will commence at 11am instead of the usual 10am to provide delegations with sufficient time to prepare interventions.

We look forward to continuing our substantive discussions at this next informal IGN meeting and wish to reiterate that the Co-Chairs remain available for consultations throughout the negotiations.

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

**REVISED 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 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 72nd session, the intergovernmental negotiations on Security Council reform (IGN) “built on the informal meetings held during its seventy-first 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 and the elements of commonality and issues for further consideration circulated on 27 June 2017”, as stipulated by Decision 71/553 of July 19, 2017.

Following the IGN GA72 meetings of 1-2 February, 27-28 February, 27-28 March, 1-2 May and 6-7 June 2018, the following updates were made to the commonalities and issues for further consideration related to all five key issues listed by Decision 62/557:

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 previous deliberations of the AHWG on the revitalization of the work of the GA, including resolution 71/323 of 8 September 2017, might also be taken into consideration when updating the progress on this issue.
- b) The relationship between the Security Council and the General Assembly should be mutually reinforcing and complementary, in accordance with and with full respect for their respective functions, authority, powers, and competencies as enshrined in the Charter. In this regard, it is important to:
 - Ensure increased cooperation, coordination and the exchange of information among the Presidents of the Security Council and of the General Assembly and also with the Secretariat of the United Nations, in particular the Secretary-General,
 - Continue the practice of regular meetings between the President of the Security Council and the President of the General Assembly,
 - Strengthen the cooperation and communication between the Security Council and the General Assembly, in particular through the submission by the Security Council of annual reports of a more analytical nature and of special reports to the General Assembly, in full implementation of the relevant provisions of the Charter,
 - Improve the participation in and access to the work of the Security Council and its subsidiary organs for all members of the General Assembly, to enhance the Council’s accountability to the membership and increase the transparency of its work, in particular through:
 - o Holding open sessions, open briefings and open debates,
 - o Holding informal interactive dialogues and Arria-formula meetings,

- Further enhancing consultations between Security Council and troop- and police-contributing countries throughout all phases of Council-mandated peacekeeping operations,
- Further strengthening cooperation with regional and sub-regional organizations and arrangements.

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

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.

Size of an enlarged Council

- a) An enlarged Council should consist of a total of members in the mid-20s, within an overall range of 21-27 seats, with the exact number to emerge from the discussion of Member States on the key issues of “categories of membership” and “regional representation”, and with the total size ensuring a balance between the representativeness and effectiveness of an enlarged Council.

(This would entail amendments to Article 23 (1) and 23 (3) of the Charter of the United Nations.)

Working Methods of the Council

- a) Majority required for decision-making: the number of affirmative votes required should be in line with the current practice¹, with the exact number of votes required to emerge from the discussions of Member States on the key issues of “categories of membership”, “regional representation” and “the question of veto”.

(This would entail amendments to Article 27 (2) and 27 (3) and to Article 109 (1) of the Charter of the United Nations.)

- b) While recognizing the ongoing efforts of the Council towards keeping its working methods under consideration in its regular work, with a view to ensuring their effective and consistent implementation, the Security Council should be invited to consider the following measures in light of the increase in its membership:

¹ *Examples:*

- *If an enlarged Council consist of 21 members, 12 votes would be required*
- *If an enlarged Council consist of 22 members, 12 votes would be required*
- *If an enlarged Council consist of 23 members, 13 votes would be required*
- *If an enlarged Council consist of 24 members, 13 votes would be required*
- *If an enlarged Council consist of 25 members, 14 votes would be required*
- *If an enlarged Council consist of 26 members, 14 votes would be required*
- *If an enlarged Council consist of 27 members, 15 votes would be required*

- Adapting its working methods to ensure transparent, efficient, effective and accountable functioning of the Council,
- Adapting the working methods of its subsidiary organs,
- Ensuring the full participation of all members of the Security Council in its work, including the holding of the presidency of the enlarged Council by non-permanent members at least once during their tenure,
- Undertaking a revision of the Council's provisional rules of procedure to reflect these measures and further considering the formal adoption of its rules of procedure.

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) An increase in membership should allow for fair and equitable representation as well as cross regional balances, while maintaining the effective and operational character of the Council.
- 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 Article 23.1 of the UN Charter, the degree to which Member States' contributions to the maintenance of peace and security should be reflected in the duration of their presence in the Council remains to be further explored.
- 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

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 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.
- c) The appropriateness of the ratio between the number of SC members and GA members as well as 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 GA72 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 reelection;
 - 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 GA72 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, however some Member States argue that as long as it exists it should be made available to all permanent members of the Security Council including any potential permanent members from Africa – based on the common African position reflected in the Ezulwini Consensus adopted by the African Union in March 2005.
 - Voluntarily refrain from the use of the veto in cases of mass atrocity crimes in accordance with the “Code of Conduct regarding Security Council action against genocide, crimes against humanity and war crimes” by the Accountability, Coherence and Transparency (ACT) Group.

6. Regional representation

- a) The appropriate ratio between the number of SC non-permanent members and number of countries in regional groups needs further deliberations.
- b) 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 24.1: “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.”
- c) Member States expressed diverging views on the possibility of reflecting the increasing role of regional groups and regional organizations in international relations, particularly in the fields of peace and security.
- d) Further clarification is needed on the role of regional groups in selecting new members.
- e) The African Union reserves the right for the selection of Africa’s representatives in the Security Council, based on its criteria for selection, as reflected in the Ezulwini Consensus.

- 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 especially for Small Island Developing States and Arab States.
- 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. Africa’s demand for equitable representation is inseparably linked to categories of membership and the question of the veto as reflected in the Ezulwini Consensus.
- 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 Article 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”.
- j) During discussions in IGN GA72 and in previous IGN sessions, some Members States expressed different views with regard to the distribution of permanent and non-permanent seats among the regional groups, namely, but not limited to:

In case of expansion of both permanent and non-permanent seats:

- New/ Additional permanent seats: for African States: no less than 2 or 2; Asia-Pacific States: 2; Latin American and Caribbean States: 1; Western European and Other States: 1; Arab States across regions: 1.
- Additional two-year non-permanent seats: for African States: no less than 2, 1, 1-2, 2; Asia-Pacific States: 1; Eastern European States: 1; Latin American and Caribbean States: 1; Western European and Other States: 1; Small Island Developing States [SIDS] across all regions: 1; Arab States across regions: proportionate representation.

In case of creation of longer term non-permanent seats:

- New longer term non-permanent seats with a term length of 8 or 10 years to be equitable distributed among African States: 2; Asia-Pacific States: 2; Latin America and Caribbean States: 1; Western European and Other States: 1.
- Additional two-year non-permanent seats: for African States: 2; Asia-Pacific States: 1; Eastern European States: 1; Latin America and Caribbean States: 1.

In case of expansion of non-permanent seats only:

- African States: 6; Asia-Pacific States: 5; Eastern European States: 2; Latin American and Caribbean States: 4; Western European and Other States: 3; Small Island Developing States [SIDS] and small states: 1; Arab States across regions: proportionate representation.