Sixth Session
Agenda Item 10

Report of the
Intergovernmental Negotiations
On Security Council
Reform
Note
This report briefly outlines the: 1) history, 2) evolution of discussions, and 3) key documents on the work of the Intergovernmental Negotiations (IGN) on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council.
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I. Brief History and Background

1. When the United Nations was created in 1945, the UN Charter stated that the Security Council should be composed of five permanent members and six elected members.

2. By 1963, the number of Member States had increased from 51 to 113. and the General Assembly adopted resolution 1991 A (XVIII) which added four non-permanent members to the Council.

3. In 1979, “the question of equitable representation on and increase in the membership of the Security Council” was added to the General Assembly agenda at the request of Algeria, Argentina, Bangladesh, Bhutan, Guyana, India, the Maldives, Nepal, Nigeria and Sri Lanka.

4. In 1993, the General Assembly adopted resolution 48/26 which established an Open-Ended Working Group (OEWG) to consider all aspects of the question of increase in the members of the Security Council, and other matters related to the Security Council. From that point on, the General Assembly began holding both formal and informal discussions on this topic. The Working Group submitted progress reports to the General Assembly at its forty-eighth to fifty-ninth sessions.


6. In General Assembly resolution 55/2 (the United Nations Millennium Declaration) adopted on 18 September 2000, Member States resolved to intensify their efforts to achieve a comprehensive reform of the Security Council in all its aspects.

7. In March 2005, Secretary-General Kofi Annan proposed two models for Security Council reform in preparation for a world summit at UN Headquarters on development, security, human rights and reform of the United Nations. In the period leading up to the summit, three groups also put forward alternative proposals to reform the Security Council.

8. The Group of Four (G4, composed of Brazil, Germany, India, and Japan) sought expansion of the number of permanent and non-permanent seats, with the additional

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4 Ibid.

permanent members composed of the G4 members plus two African member states and suspending the right to veto for a period of time.

9. The 12-member Uniting for Consensus group submitted a proposal that called for a doubling of non-permanent seats with six African seats, five to Asia-Pacific, four to Latin American and Caribbean states, three to WEOG, and two to the Eastern European group but no increase in permanent members.

10. The African Group proposed to increase the Council from 15 to 26 members through an expansion in both categories, with Africa gaining two permanent seats along with the right of veto and five non-permanent seats; this position is linked to what is referred to as the “Ezulwini consensus”.

11. Following the 2005 World Summit, Member States adopted an outcome document by consensus on 16 September 2005 stating that they “support early reform of the Security Council…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.”

12. After several meetings of the General Assembly where views on Security Council reform were exchanged, a group of 25 Member States tabled draft resolution A/61/L.69/Rev.1 in 2007 that called for the expansion of both permanent and non-permanent seats on the Council, with better representation of the developing world. The group—which was nicknamed the “L.69” Group because of the number that was assigned to the draft resolution—proposed adding six new permanent members, two from Africa, two from Asia, one from Latin America and the Caribbean, and one from WEOG. Additionally, L.69 advocated for a rotating non-permanent seat for “small island developing states,” or SIDS. The text was never put to a vote.

13. The Arab Group, made up of 22 members, also continued to promote the idea of a permanent seat for one of its members.

14. In 2008 the General Assembly adopted Decision 62/557 “to commence intergovernmental negotiations (IGN) in informal plenary of the General Assembly”. 6 Up until the the 22008 Decision was adopted, discussions on Security Council reform were nothing more than an oral exchange of views. With the creation of the IGN, the aim was have a text on which discussions could be based. The first round of the IGN was held on 19 February 2009. The General Assembly has renewed its mandate annually, and it remains the principal vehicle for Council reform discussions today. To date, the IGN has not been able to agree on a text to be negotiated.

15. Decision 62/557 laid out five key issues to be discussed during these negotiations: 1) categories of membership to the Council (i.e. permanent, non-permanent, or a third option), 2) the question of the veto, 3) regional representation, 4) size of an enlarged Council and working methods, and 5) the relationship between the Council and the

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General Assembly”. Although all five issues are generally addressed, key groups regularly promote specific proposals on one or more of these issues.7

16. At the 69th session of the General Assembly, Member States contributed to a Framework Document8 that included a range of ideas on the 5 key areas of Security Council reform from Member States for consideration in line with Decision 62/557.

17. A note from the Chair of the IGN to the President of the General Assembly, cautioned that “this document represents but a single stage in our work and that it is not yet an operational text upon which we can begin negotiations. I believe that with the continuing good faith participation of Member States the process on which the membership is embarked will take us further towards the development of a workable document that is fit for text based negotiations.”

18. Instead of developing and working through the positions of the Framework Document, new papers on Security Council reform were created that have found varying levels of acceptance by the members involved in the intergovernmental negotiations.

19. Elements of convergence were first circulated on 12 July 20169 which were followed several months later by “Elements of Convergence, Commonalities and issues for further consideration: Food for Thought for the 3rd IGN Session GA 71” in March 2017 to help inform discussions during the next IGN session in the General Assembly.10

20. After a series of meetings during the 73rd Session of the General Assembly, the co-chairs of the IGN produced a revised summary of commonalities and issues for further consideration related to all five key issues listed by Decision 62/557 in June 2019.

21. In December 2019, the Permanent Representative of the United Arab Emirates and Poland to the United Nations were reappointed as Co-Chairs of the Intergovernmental Negotiations.


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7 Ibid.
II. Common Positions of Key Groups

1. The Africa Group’s position can be found in the *Ezulwini Consensus* document. They appeal for the allocation of two permanent seats for Africa with the right to veto, and five non-permanent African seats. However, the group also supports taking away the veto entirely.

2. The Arab Group appeals for a minimum of two non-permanent seats for Arab states, as well as the inclusion of a permanent Arab seat in the possible expansion of the Security Council permanent membership.

3. The Caribbean Community (CARICOM) calls for further work and reflection on Member State proposals when considering the achievements of the IGN. CARICOM recognises that the IGN made limited progress and anticipates that the elements of convergence will be a foundation for Security Council reform deliberations.

4. Group of Four (G4) are seeking their own permanent membership on the Security Council.

5. The L.69 Group is a group of developing countries from Africa, Latin America and the Caribbean, Asia and the Pacific. It’s position appeals for the overall expansion of the Security Council membership.

6. Uniting for Consensus (UfC) opposes the expansion of permanent membership and veto power but supports the expansion of non-permanent representation.

7. The S-5 Group (Jordan, Liechtenstein, Costa Rica, Singapore and Switzerland) are focused primarily on improving the working methods of the Security Council and do not favor any of the enlargement proposals. On April 4, 2012 the group of Small 5 presented a draft resolution on improving the working methods of the Security Council, and called for the General Assembly to vote on the matter.

30. Throughout the IGN process, divergent views have consistently been expressed by the Member States/groups; the issue of expansion is particularly contentious. Some Member States also identify with more than one group.

31. As the IGN moves into its eleventh year, delegations have raised concerns about the negotiating and stressed the urgency of reforming the Security Council to make it more representative of the current UN membership.

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12 Ibid.


14 A discussion of the proposal and responses to it is available at: https://www.globalpolicy.org/component/content/article/200-reform/51541-the-s-5-presents-draft-resolution-on-the-improvement-of-the-working-methods-of-the-security-council.html
III. Evolution of IGN Discussions Since 2008

1. 62nd Session of the United Nations General Assembly - 2007/2008: Towards the conclusion of the 62nd Session of the General Assembly, Member States renewed the mandate of the OEWG on Security Council Reform. The conclusion - Decision 62/557 - included transitioning from the OEWG to IGN in the General Assembly.15

2. 63rd Session of the United Nations General Assembly - 2008/2009: During the 63rd session, Member States started IGN on Security Council reform and decided to continue its deliberations into the 64th session.17

3. 64th Session of the United Nations General Assembly - 2009/2010: During the 64th Session, IGN aimed to get Member States to discuss specific language on the 4th key issue - “The question of veto”. However, multiple Member States chose to use this opportunity to simply restate their positions rather than negotiate specific changes.19

4. 65th Session of the United Nations General Assembly - 2010/2011: On 14 April, 2011, the Small Five Group (S5), introduced a draft resolution entitled Improving the Working Methods of the Security Council. The resolution was introduced under agenda item 115 of the General Assembly that dealt with the follow-up to the outcomes of the Millennium Summit. The S5 Group had presented its first draft resolution A/60/L.49 on Improving the Working Methods of the Security Council - in 2006.20

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19 Ibid.


5. **66th Session of the United Nations General Assembly - 2011/2012:** The IGN on Security Council reform during this session considered the reform initiative of the L.69 Group.\(^\text{22}\)

6. **67th Session of the United Nations General Assembly - 2012/2013:** On May 2, 2013, the Accountability, Coherence, and Transparency (ACT) initiative was officially launched. It is an initiative for “better working methods of the Security Council”\(^\text{23}\). This initiative is a continuation of the efforts of the S-5 during the 66th Session.

7. **68th Session of the United Nations General Assembly - 2013/2014:** On September 7, 2014, Member States adopted the *Draft Oral Decision on Security Council Reform* to continue the deliberations in the 69th session. However, “The draft circulated by PGA resembles previous decisions and does not push for the Chair's recommendations of July 2014”\(^\text{25}\).

8. **69th Session of the United Nations General Assembly - 2014/2015:** On September 14, 2015, the General Assembly adopted a decision to advance efforts to reform and increase the membership of the Security Council to the next General Assembly session. This decision reaffirmed the General Assembly’s role in Security Council reform.\(^\text{26}\)

9. **70th Session of the United Nations General Assembly - 2015/2016:** On July 27, 2016, the General Assembly held a plenary meeting on agenda item 121, *Question of equitable representation on and increase in the membership of the Security Council and other related matters*. The oral decision under consideration was the result of the President of the General Assembly’s consultations with the Member States regarding the *elements of convergence* text \(^\text{27}\) - which was adopted.


10. **71st Session of the United Nations General Assembly - 2016/2017:** The President of the General Assembly transmitted a letter on Security Council reform consisting of a final version of the document entitled *Elements of Communality and Issues for Further Consideration* on the question of equitable representation and increase in the membership of the Security Council and other matters. The report concludes with “issues for further consideration” reflecting lack of progress.\(^\text{28}\)

11. **73rd Session of the United Nations General Assembly - 2018/2019:** After the IGN concluded deliberations in June 2019, the President of the General Assembly announced that only two documents would be rolled over during the 74th Session of the United Nations General Assembly (starting September 2019). These are the framework document and the *Revised Elements of Communality and Issues for Further Consideration*\(^\text{29}\).

IV. Key Documents

A. **Decision 62/557**\(^\text{30}\)

**Commencement of IGN and affirmation of key issues for consideration**

1. 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 specifies: To commence intergovernmental negotiations on Security Council reform in informal plenary of the General Assembly during the 63rd 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.\(^\text{31}\)

2. Decision 62/557 mentions that the IGN on Security Council reform should refer to: *The 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*.\(^\text{32}\) Since

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\(^{31}\) Ibid.

\(^{32}\) Ibid, see para (e)(ii).
its official inception in 2016 the IGN has deliberated in informal plenary of the General Assembly. See also Decision 72/557\textsuperscript{33}.

B. Elements of convergence on two of the five key issues of Security Council reform

Proposed convergence of: “the relationship between the Council and the General Assembly”, and “size of an enlarged Security Council and working methods of the Council”\textsuperscript{34}\textsuperscript{35}.

3. The elements of convergence emerged from the proposals Member States presented in the informal meetings of the IGN on Security Council reform held during the 70th session of the General Assembly; reflecting in the text the convergence of two of the five key issues outlined in General Assembly Decision 62/557\textsuperscript{36}, namely “the relationship between the Council and the General Assembly” and “size of an enlarged Security Council and working methods of the Council”\textsuperscript{37}.

4. The elements assist in providing a framework and guiding the work of the IGN - to focus the discussions on the other remaining three key issues: “categories of membership”, “regional representation” and “the question of the veto”, with the aim of achieving a comprehensive reform of the Security Council\textsuperscript{38}.

C. Revised Elements Of Commonality And Issues For Further Consideration\textsuperscript{39}

5. Following the IGN meetings between January and May, 2019 of the General Assembly 73rd Session - the following updates were made to the Revised Elements Of Commonality And Issues For Further Consideration “ (relevant to all five key areas):


\textsuperscript{35} Ibid.


\textsuperscript{37} Ibid.

\textsuperscript{38} Ibid.


40 Ibid.
1. “Relationship between the Security Council and the General Assembly”\textsuperscript{41} - 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 including in respect to matters related to international peace and security.;

2. “Size of an enlarged Security Council and Working Methods of the Council”\textsuperscript{42} - The reform of the Security Council should lead to an expansion of the Security Council and therefore certain areas of working methods need to be addressed as a result of expansion.;

3. “Categories of membership”\textsuperscript{43} - In an enlarged Security Council, the expansion of the category of 2-year term nonpermanent members is accepted by all Member States as one part of a comprehensive Security Council reform. The Council’s expansion in other categories (permanent, longer term seats, transitional or intermediate options) remains to be agreed through negotiations by the Member States.;

4. “The question of veto”\textsuperscript{44} - The question of veto and the modalities of its exercise is a key element of Security Council reform.; and

5. “Regional representation”\textsuperscript{45} - a) Enlargement of the Security 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 an effective and operational character of the Council; c) Due attention has to be paid to the equitable representation of developing countries, small states, Small Island Developing States and Arab States; [and] d) Africa should be equitably represented in a reformed Security Council.

Further Reading

General Assembly Seventy-third session 92nd plenary meeting\textsuperscript{46}

\textsuperscript{41} Ibid, see point 2.

\textsuperscript{42} Ibid, see point 3.

\textsuperscript{43} Ibid, see point 4.


\textsuperscript{45} Ibid, see point 6.