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SUPPLEMENT TO THE LAST REPORT OF
H.E. DR. ERNEST BAI KOROMA, PRESIDENT OF THE REPUBLIC OF
SIERRA LEONE AND CHAIRPERSON OF THE COMMITTEE OF TEN
ON THE UN REFORMS

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I. Introduction

1. At the 19th Ordinary Session of the Assembly of the African Union held in Addis Ababa, Ethiopia from 29 - 30 January, 2012 His Excellency Dr. Ernest Bai Koroma, President of the Republic of Sierra Leone and Coordinator of the African Union Committee of Ten Heads of State and Government on United Nations Reforms presented in compliance with the African Union Summit Decision Assembly/AU/Dec.409 (XVIII) a report entitled "Report of His Excellency Mr. Ernest Bai Koroma, President of the Republic of Sierra Leone and Chair Person of the Committee of Ten on United Nations Reforms" documented as Assembly/AU/8(XIX).

2. The supplement is accordingly intended to be in compliance with AU Decision Assembly/AU/Dec.430 (XIX) and as an update to the last report contained in Assembly/AU/8(XIX).

3. It covers the period 5th July 2012 to 20 January 2013, building on the last report submitted by the Committee of Ten Heads of State and Government on the reform of the United Nations Security Council to the 19th Ordinary Session of the Assembly of the African Union.

II. Recent Developments

4. Since the submission of the last report, the ninth round of Intergovernmental Negotiations in the informal plenary for this session is yet to commence. However, three major developments within the setting of the Intergovernmental Negotiations (IGN) process were the Chair's letter addressed to the President of the General Assembly, the roll over decision of the IGN process, and the Chair's letter of 4 December, 2012 addressed to all Member States.

5. Pursuant to its mandate, the Committee of Ten (C-10) on UN reforms continued canvassing, advocating and promoting the African Common position articulated in the Ezulwini Consensus and Sirte Declaration on Security Council reform. In that regard, the on-going dialogue and engagement between the C-10 and other interest groups, including the L-69 continues to evolve.

Facilitator's Outcome Document on the Eighth Round of the Intergovernmental Negotiations during the Sixty-six Session of the General Assembly

6. By a letter dated 25 July 2012 addressed to H.E. Mr. Nassir Abdulaziz Al-Nasser, President of the sixty-sixth session of the United Nations General Assembly, circulated to all Member States, Ambassador Zahir Tanin, Chair of the Intergovernmental Negotiations on Security Council reform, outlined an overview of the Intergovernmental Negotiations to date. The letter also attempted to suggest possible ways to move the process forward, including the proposal for a concise working document to be drafted by the Chair of the Intergovernmental Negotiations.

7. Commenting on the eighth round of Intergovernmental Negotiations, the Chair noted the divergent views expressed by Member States and interest groups on both process and substance, including the need to address issues such as working methods, and regional representation on an expanded Council. The need for representation for Africa, as well as concerns raised about the potential piecemeal approaches to the reform process, the urge for an accelerated pace of reform, and the note of caution against artificial deadlines or rushing the process were also mentioned.

8. The Chair's letter also noted that focus on the five Member States' initiatives in the eighth round did not provide an opportunity to explore all interim or intermediate solutions to Security Council reform in detail. Consequently, a number of Member States had indicated that it would be productive to address these options. Further, the letter noted the lack of wide spread agreement on the many requests for a more proactive role of the Chair, including focusing on particular reform options or producing a shorter text.

9. The letter observed that the focus of the eighth round on Member States' initiatives had narrowed down the scope of discussions which showed some potential to open up new avenues for progress, but cautioned that progress will not be possible unless steps are taken to enhance the current negotiation process.

10. In that context, proffered the following recommendations:

- a) "The membership has united behind the Intergovernmental Negotiations forum, its founding General Assembly decision 62/557 and the Member State driven nature of the process. During the eighth round of negotiations and in consultations, Member States have articulated requests to move the process forward. It is time to recognize the limits of what can further be achieved within the current framework of the Intergovernmental Negotiations without a deepened Member State commitment to undertaking robust negotiations, involving an active give and take. The transition to the sixty-seventh session of the General Assembly offers an opportunity for Member States to signal their commitment, and to inject additional energy and ideas into the process. Member States could, for example, use this opportunity to explore a variety of reform models including expansion in

both categories, interim and intermediate options within the framework of General Assembly decision 62/557.

- b) There is a clear demand from Member States for the Intergovernmental Negotiations to move to the next stage. The logical next step, after no less than four General Assembly sessions and eighth rounds, would be genuine give and take based on a concise document. The logical drafter for this document would, in the best interest of United Nations tradition, be the Chair. The document would naturally be drafted in keeping with the Membership-driven character of the process, the principles of General Assembly decision 62/557 in general and the recent progress in negotiations. Member States could, through the annual General Assembly decision on Security Council reform task the Chair with drafting the said document.
- c) Finally, it is necessary to recognize that the Intergovernmental Negotiations do not take place in a political vacuum. There are many other debates, formal and informal, about the future of the United Nations and the international system. It is important that capitals are fully engaged in the Intergovernmental Negotiations. It is also important to reinforce the political links to capitals.

I as Chair, encourage Member States to further discuss the implications of reform in a manner complimentary to the Intergovernmental Negotiations. Should the Chair see sufficient evidence of progress in the Intergovernmental Negotiations during the sixty-seventh session of the General Assembly, a high-level meeting on Security Council reform could be held, to assess the state of play and propose ways to keep the process moving forward.”

The General Assembly Roll over Decision on UN Security Council Reform

11. A roll over decision by the General Assembly on Security Council reform adopted by consensus on 13 September 2012 reaffirmed the central role of the General Assembly on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Council. It also, noted the Chair’s letter of 25 July 2012.

Statements by World Leaders during on Security Council Reform during the General Debate of the Sixty-seventh Session

12. World leaders participating in the general debate of the sixty-seventh session of the General Assembly, reaffirmed the urgent need for an early reform of the Security Council to better reflect present realities of the United Nation’s membership as well as creating an environment for effective and efficient global governance system if the United Nations were to remain relevant as well as continue to be at the core of

formulating and implementing global policies with far-reaching ramifications in pursuance of international peace and security.

13. In his concluding remarks on the general debate, H.E. Vuk Jeremić, the sixty-seventh President of the General Assembly among other issues noted that “speaker after speaker underlined the importance of ongoing UN revitalization efforts, including Security Council reform. Emphasis was also placed on improving working methods, with several delegations stressing the need for greater transparency and cooperation with other bodies in the UN System as critical issues.” Furthermore, in reviewing the many statements made, observed that irrespective of significant differences of opinion that remain to be overcome, common ground exists on a wide range of issues and therefore believed that there was room for optimism. In that regard, urged the Membership to be more transparent and efficient in conducting the affairs of the organization as well as to engage with a readiness to compromise in order to advance common objectives and in so doing, help to fulfill the hopes and aspirations of the 193 Member States of the United Nations.

Reappointment of Facilitator/Chair of the Intergovernmental Negotiations

14. By a letter dated 9 November 2012, H.E. Vuk Jeremić, the sixty-seventh President of the General Assembly reappointed Ambassador Zahir Tanin (Afghanistan) as Chair of the Intergovernmental Negotiations. The reappointment of Ambassador Tanin was informed by series of consultations the President held with Member States and assured the Membership of his intention to work closely with Ambassador Tanin on the issue of Security Council reform throughout the sixty-seventh session.

General Assembly Joint Debate

15. On 15 November 2012, in keeping with its programme of work for the sixty-seventh session, the General Assembly plenary meeting, held a joint debate on agenda item 117: “Question of equitable representation on and increase in the membership of the Security Council and related matters” and item 30 “Report of the Security Council (A/67/2).” During the debate, Member States whilst emphatically reiterating the importance and urgency of reforming the Council, with the view to making it more representative, legitimate, transparent, accountable and effective in carrying out its responsibility of maintaining international peace and security remained divided on both the process and model (substance) of reform to agree on. The key interest groups, namely the African Group, the Group of Four (G-4), Uniting for Consensus (UfC), the Five Permanent Members (P-5), the L-69 Group and members of the former S-5 Group continue to hold on to well known entrenched positions.

16. Several delegations and interest groups voiced frustration at the slow progress of the Intergovernmental Negotiations. Furthermore, the question of how to move the process forward as well as the need for real negotiations was raised by many delegations. In that context, some delegations including the G-4 reiterated their call for a concise working document and in that sense, expressed support of the Facilitators

recommendations outlined in the letter of 25 July 2012. Some other delegations cautioned against any initiative that is not membership driven be it the drafting of a concise working document, or streamlining of language and or merging text, as such move is considered not to be in accord with decision 62/557.

17. Based on the Chairs recommendation to draft such a document, the C-10 sought clarification from the Chair on the nature and scope and the proposed concise working document, which the Chair had recommended be drafted by him as Chair of the Intergovernmental Negotiations. C-10 further reiterated its objection to any streamlining of language or merging of the text without first agreeing on the principles and criteria of the negotiations.

Security Council Open debate on Working Methods of the Council

18. On 21 November 2012, the Security Council held an open debate on working methods. This open debate was designed to discuss the progress made on enhancing transparency, efficiency and interaction of the Council with Member States of the United Nations, as well as providing concrete proposals for further improvement of the Council's Working Methods. The C-10 together with several other delegations participated in the open debate.

C-10's Engagement with Interest Groups

19. Building on its principle of an open door policy in canvassing, advancing and promoting the African Common position, during the eighth round of exchanges, the C-10, as in previous sessions, engaged with all interest groups and Member States. To that end, efforts to narrow down divergences on both substance and process with other interest groups continue to be the main thrust of dialogue and engagement.

20. In that regard, the C-10 continues to dialogue with the UfC on the acknowledged need to correct the historical injustice done to Africa which emerged as an outcome of the 2011 Rome Ministerial Conference. But the UfC has yet to demonstrate flexibility within the IGN to operationalize the "Common will" expressed in Rome to correct "first of all the historical injustice done to Africa."

21. As a follow-up to the C-10's response to the L-69 proposed draft resolution submitted to the C-10 on 3 June 2012, a preliminary informal expert level meeting of the two groups as proposed inter alia by the C-10 was held on 20 December 2012.

22. The meeting was intended to identify areas of convergence and divergence as well as to ascertain the readiness and willingness of the L-69 to change its position in the compilation text in order to be on the same page with the Common African position.

The Chair/Facilitator's Letter of 4 December 2012

23. Following his reappointment, the Chair addressed a letter dated 4 December 2012 to all Member States expressing his willingness and availability to meet with any Member State or grouping of States who wish to discuss the way forward within the sixty-seventh session of the General Assembly.

24. The Chair further expressed the view that the present session was an opportune moment for delegations to carefully examine their positions on Security Council reform as they appear in revision three of the negotiation text, circulated in his letter dated 23 February 2011. To that end, in the spirit of transparency and given the exchanges of the eighth round of negotiations, urged delegations that wished to amend their position, to do so by Friday 11 January 2013.

25. The C-10's response articulated in a letter dated 11 January 2013 reiterated its stance against any streamlining of positions or merging language in the text without first achieving agreement on the principles and criteria vis-à-vis the negotiable clusters in the Intergovernmental Negotiations. In the spirit of the membership driven process and in accordance with decision 62/557, reaffirmed that its position as reflected in the second revision of the negotiations text should remain intact as it continues to engage in the Intergovernmental Negotiations towards building alliances and consensus as well as narrowing down divergences between the African Common position and other interest groups and Member States.

26. The G-4 in a letter dated 10 January 2013; welcomed the Chair's recommendations made in the Chair's letter of 25 July 2012, and in particular, offered strong support to the proposal to draft a "concise working document" which in their view could prove instrumental in focusing on efforts by Member States to find a common ground. The G-4 also expressed appreciation for the idea to hold a high-level meeting on Security Council reform.

27. By letter dated 9 January 2013, the L-69 Group endorsed the call by some Member States for a rotating non-permanent seat for small island developing states in an expanded Security Council. With regards to the "question of the veto", the letter recalled that on numerous occasions, the L-69 had expressed support for African aspirations for permanent membership with veto, and expressed the view that new permanent members should have the same prerogatives and privileges as those of the current permanent members, including the veto. The L-69 further expressed the hope that the Chair will adequately factor the views and position of the L-69 Group in future plans for the ninth round of Intergovernmental Negotiations.

28. China, a Permanent Five (P-5) member, by letter of 11 January 2013, reiterated its firm support for reasonable and necessary reform of the Security Council to enhance its authority and efficiency. However, with reference to the Chair's letter of 4 December 2012, reiterated as in previous sessions, its concerns and reservations on the third revision of the text. China remains opposed to it, in particular using the text as an

excuse to narrowing down options even before Member States could reach a consensus on the majority of issues of principle. China believes that streamlining of the text will not help bridge differences but rather bring about more problems.

29. The Russian Federation, also a Permanent Five (P-5) member by a letter dated 1 January 2013, reiterated its position as expressed in their letter dated 14 February 2011, stating that the revision three is, as any possible future version of such paper must continue to be, a compendium listing approaches of Member States to the Security Council reform. Also, it may serve as a useful reference paper facilitating the participation of Member States in the Intergovernmental Negotiations, but not the basis for the negotiations. It further states that Russia consistently stands for continuing the meticulous work on bridging Member States' positions in the framework of the Intergovernmental negotiations, which must remain exclusively the Member States driven process.

30. The UfC by letter of 11 January 2013, referred to the Chair's letter of 4 December 2012, in particular revision three of the text, reminded the Chair that through its letters of February 14 and September 6 2011, they had continued to engage in a constructive way by highlighting some concerns and requests of clarifications. Some issues they believe had been resolved; others need to be addressed yet. For this reason, they observed that only revision two reflects all positions and proposals as put forward by Member States.

Briefing of the African Group

31. On 17 January 2013, the Coordinator of the C-10 Permanent Representatives briefed members of the African Group in New York on the present state of play, highlighting the dynamics of the process as well as its dialogue and engagement with interest groups and delegations, in particular the L-69 group and the need to stay engaged in canvassing, promoting and advancing the Common African position.

32. Members of the African Group whilst welcoming the efforts made by the C-10 in their dialogue and engagement with other interest groups and delegations in canvassing, promoting and advancing the Common African position, encouraged the C-10 to stay their course.

III. Conclusion

33. As noted earlier, the ninth round of the Intergovernmental Negotiations in the informal plenary is yet to commence, and therefore no development in that regard.

34. The L-69 was the only group that in response to the Chair's letter dated 4 December 2012, requested for an amendment on the substantive position of the veto. Other interest groups merely raised concerns and reservations on revision three as a way forward in the process.

- 35.** The engagement between the C-10 and other interest groups continue to evolve. In that regard, the letter from the L-69 dated 9 January 2013 requesting the Chair to factor into the ninth round its views and position that the veto be extended to new permanent members is a positive development and enhances Africa's position to speak cohesively with one voice.
- 36.** Africa should therefore continue to engage with other delegations and interest groups aimed at building alliances with the view of narrowing down areas of divergence, as well as canvassing, advocating and promoting the Common African position.
- 37.** As support for the Common African position gains momentum, it is critical that Africa remains cohesive and united, continue to speak with one voice in support of the Ezulwini Consensus and Sirte Declarations as well as for an early reform of the Security Council.
- 38.** Africa should remain cautious and apprehensive of any reform proposal that does not address the concerns and special needs of Africa, in particular, correcting the historical injustice done to Africa in accordance with the Ezulwini Consensus and Sirte Declaration remains valid and imperative.

2012-01-28

Supplement to the last Report of H.E. DR. Ernest Bai koroma, President of the Republic of Sierra Leone and Chairperson of the Committee of ten on the UN Reforms

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