



# Security Council

Seventy-fourth year

**8539**<sup>th</sup> meeting  
Thursday, 6 June 2019, 10 a.m.  
New York

*Provisional*

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<i>President:</i>	Mr. Alotaibi . . . . .	(Kuwait)
<i>Members:</i>	Belgium . . . . .	Mr. Pecsteen de Buytswerve
	China . . . . .	Mr. Wu Haitao
	Côte d'Ivoire . . . . .	Mr. Adom
	Dominican Republic . . . . .	Mr. Singer Weisinger
	Equatorial Guinea . . . . .	Mrs. Mele Colifa
	France . . . . .	Mr. Delattre
	Germany . . . . .	Mr. Schulz
	Indonesia . . . . .	Mr. Djani
	Peru . . . . .	Mr. Meza-Cuadra
	Poland . . . . .	Ms. Wronecka
	Russian Federation . . . . .	Mr. Polyanskiy
	South Africa . . . . .	Mr. Matjila
	United Kingdom of Great Britain and Northern Ireland . . . . .	Mr. Allen
	United States of America . . . . .	Mr. Cohen

## Agenda

Implementation of the note by the President of the Security Council (S/2017/507)

Working methods of the Security Council

Letter dated 29 May 2019 from the Permanent Representative of Kuwait to the United Nations addressed to the Secretary-General (S/2019/450)

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*The meeting was called to order at 10.05 a.m.*

### **Adoption of the agenda**

*The agenda was adopted.*

### **Implementation of the note by the President of the Security Council (S/2017/507)**

#### **Working methods of the Security Council**

#### **Letter dated 29 May 2019 from the Permanent Representative of Kuwait to the United Nations addressed to the Secretary-General (S/2019/450)**

**The President** (*spoke in Arabic*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representatives of Argentina, Bahrain, Brazil, Canada, Colombia, Costa Rica, Cuba, Egypt, Estonia, Guatemala, India, the Islamic Republic of Iran, Ireland, Italy, Japan, Liechtenstein, Mexico, Morocco, New Zealand, Norway, Portugal, Romania, Saint Vincent and the Grenadines, Singapore, Slovakia, Slovenia, Sweden, Switzerland, Turkey and Ukraine to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite the following briefers to participate in this meeting: Ms. Karin Landgren, Executive Director of Security Council Report; and Mr. James Cockayne, Director of the Centre for Policy Research at the United Nations University.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2019/450, which contains a letter dated 29 May 2019 from the Permanent Representative of Kuwait to the United Nations addressed to the Secretary-General, transmitting a concept paper on the item under consideration.

I now give the floor to Ms. Landgren.

**Ms. Landgren:** It is a pleasure to address the Security Council on behalf of Security Council Report (SCR). SCR acknowledges the dedicated work of Kuwait, now in its second year under Ambassador Alotaibi as the Chair of the Informal Working Group on Documentation and Other Procedural Questions, and the intense commitment of the Working Group's members.

Small changes can be potent. The Council has steadily, if slowly, improved aspects of its working

methods. In 2007, Slovakia — then Chair of the Informal Working Group — proposed to hold an open debate on Council working methods. It was too controversial to implement. Now, the open debate on this item is an annual event.

Security Council Report is an independent think tank, reporting on the work of the Council in the interests of Council transparency, accountability and effectiveness. SCR has published four research reports on Council working methods. Our work is made possible through our good working relationships with, among others, Security Council members, other Member States and United Nations colleagues across the system. I thank them all.

Today's acute challenges include declining trust worldwide in multilateral institutions and the Council's persistent failure to prevent or respond adequately to several serious conflicts. I will look at working methods in this context, through three sets of actions: the strengthened role of elected Council members, deepening the Council's engagement with the wider membership, and measures to enhance the Council's mandating of peace operations and preventive actions.

Since the adoption of the most recent note 507 (S/2017/507), in 2017, stellar work has been done to enhance the readiness of incoming Council members, which can now observe Council meetings from October onwards and which often start preparing early, drawing on a range of capacity-building support, including from my own organization.

The elected members (E-10), have found common ground on several working methods. In late 2018, for the first time, the E-10 joined with the incoming five to write to the Council presidency seeking greater burden-sharing among all members in chairing the Council's subsidiary bodies. Until now, that task has gone primarily to the elected members. The Council, they argued, should also make better use of the expertise of the chairs of specific sanctions committees — these chairs being an obvious choice as co-penholders on the related issues. Since January, an elected member is co-penholder on Darfur; additionally, the elected member chairing the Committee established pursuant to resolution 1970 (2011) concerning Libya is a co-penholder for sanctions issues on Libya. These are modest changes, but a step towards more equitable distribution of work and towards a more participatory

process around addressing country situations on the Council's agenda.

Process affects outcomes, and as far back as 2005, leaders at the World Summit recommended that the Security Council continue to adapt its working methods so as to increase the involvement in its work of States not members of the Council. That was linked to the Council's accountability to the wider membership and to the transparency of its work. Wider Member State engagement in the Council's work could include more interaction around the annual report that the Security Council submits for the General Assembly's consideration. It is due in the spring; this timing is optimal for an engaged and well-prepared debate. This year, and in the past two years, summer has arrived with no report. And yet, the discussion of the annual report is a primary format through which the wider membership can underline its views and expectations of the Security Council. Perhaps this reporting process can be elevated. One suggestion has been that the Secretary-General take part.

Other ways for Member State engagement to reinforce Council accountability would be more analytical and interactive monthly Council presidency wrap-up sessions. As well, Member States with a particular interest in a given situation — which may already participate in public discussions under Article 31 of the Charter of the United Nations — could be invited to meet with the Council in a more private setting, such as the informal interactive dialogue format.

The tools are available. And meanwhile, in a further form of Member State engagement, regional organizations continue to develop their relationship with the Council, refining their efforts to feed in concerted perspectives.

Turning to initiatives for strengthening the Council's role in preventing deadly conflict and in peacekeeping, the Council has used visiting missions to good effect, including to countries not on its agenda — most recently, Burkina Faso. Field visits are valuable; members come away with a different sense of local dynamics, of how mandates are implemented in practice, and of the work of the United Nations country team, which is deeply involved in addressing development- and governance-related causes of conflict, but whose members rarely interact with the Security Council. These visits have occasionally been used with a preventive intent. Field visits are also phenomenally

expensive, and they are rarely coordinated with field travel undertaken by the Council's subsidiary bodies, including the Peacebuilding Commission. Active coordination and the revived use of mini-missions could give such trips greater strategic impact, while reducing overall costs.

Still on prevention, while Arria Formula meetings cannot substitute for formal Council meetings, used strategically they can frame debate and even generate political initiatives on fragile situations and issues that the Council finds itself unable to discuss. Wherever possible, the Council should strengthen informal formats that allow for conflict prevention discussions.

It is widely acknowledged that mandate consultations do not always focus on political strategy, even though political strategy should drive the design of peace operations. Better mandating engages several working methods, of which the most important are keeping discussions interactive, direct, operational and focused on political strategy. Members will find additional practical proposals in SCR's recent report, "Is Christmas Really Over? Improving the Mandating of Peace Operations".

Finally, as a former Special Representative of the Secretary-General, let me say how valuable it is to have a resolution with meaningful language and the entire Council lined up behind it. In 2018, however, four missions had their mandates adopted non-unanimously; this year, the tally already stands at three.

A great deal can be achieved through adaptation of the Council's working methods. In these testing times, the challenge is to use the tools creatively and flexibly, contributing to a culture where better and more consultative decisions can be taken.

**The President** (*spoke in Arabic*): I thank Ms. Landgren for her briefing.

I now give the floor to Mr. Cockayne.

**Mr. Cockayne**: For most people, struggling to make ends meet, a debate on the working methods of the Security Council may seem an almost theologically abstract affair. It is far removed from the pressing demands of routine daily life. That does not mean that these working methods are unimportant. On the contrary, the effective work of the Council has contributed to a long period of relative calm in international affairs. Threats to the effectiveness and

legitimacy of its working methods must be considered very carefully.

Today, it is my humble role to share early warning of a fairly clear risk to that effectiveness and that legitimacy, in an area of particular significance for the Council. These are targeted sanctions. Hardly a day goes by without evidence of the role that targeted sanctions play in efforts to maintain international peace and security, from the Democratic People's Republic of Korea to the Democratic Republic of the Congo. Ten years ago, due process concerns around the working methods used to take sanctions listing decisions in the counter-terrorism context led the Council to adapt those working methods. The Council created the Office of the Ombudsperson to strengthen due process protections in that context, and the focal point arrangements for other sanctions contexts.

Today, a new wave of due process litigation is successfully challenging listing decisions relating to those other contexts, already including the Central African Republic, the Democratic Republic of the Congo, Iran, Iraq and Libya. And so today, the Security Council may once again wish to consider adapting its sanctions committees' working methods to strengthen due process protections and maintain control over this central tool for maintaining international peace and security.

The good news is that there are numerous practical options available for the Council to explore. The extension of the Ombudsperson arrangements is one option, but, as I shall explain, not the only one and not necessarily the best one for all sanctions contexts.

It is my great honour to brief the Council today. Unusually, as Director of the Centre for Policy Research at United Nations University, I am both a United Nations staff member and an academic researcher. The University is an autonomous organ of the General Assembly, afforded academic freedom by the Members of the United Nations. Our Charter mandates us to conduct "research into the pressing global problems ... that are the concern of the United Nations".

My remarks today draw on a research study, *Fairly Clear Risks Protecting UN sanctions' legitimacy and effectiveness through fair and clear procedures*, that I conducted with two colleagues, Ms. Rebecca Brubaker, who is here with me today, and Ms. Nadeshda Jayakody. The study was commissioned by the Federal Department of Foreign Affairs of Switzerland. It involved a review

of over 47 due process legal challenges to Security Council imposed sanctions over 15 years. That litigation took place in Belgium, Canada, the European Court of Human Rights, the European Court of Justice, Italy, the Netherlands, Pakistan, Switzerland, Turkey, the United Kingdom, the United Nations treaty bodies and the United States of America.

The first part of the study identifies three separate waves of due process litigation testing sanctions committee working methods.

The first wave of litigation, running from roughly 2002 to 2011, challenged the sanctions regime under resolution 1267 (1999) on due process grounds. Responding creatively, the Security Council adjusted the working methods of that sanctions committee, instituting the Ombudsperson system. It also put in place the focal point arrangements for other sanctions contexts.

The second wave of litigation, running from around 2012 to 2016, saw courts grappling with those changes to working methods. Courts increasingly recognize the due process protections offered by the Ombudsperson, while expressing a more sceptical attitude to the protections provided by the focal point arrangements.

The third wave of litigation, starting in 2016, takes aim at those other arrangements, beyond the 1267 regime context. Litigants are harnessing the precedents developed in the 1267 counter-terrorism context to contest the working methods of other Security Council sanctions committees dealing with armed conflict and counter-proliferation. Precisely because the Ombudsperson arrangements are not in place in those regimes, the due process protections are weaker. Litigants are succeeding.

That presents a fairly clear risk, not only to those sanctions regimes' legitimacy but also to their effectiveness. If courts find that the working methods used to impose and review sanctions listings do not meet countries' due process obligations, those countries may prove unable to implement the binding decisions of the Council under Chapter VII of the Charter of the United Nations. The Council's control of that crucial sanctions instrument will be fragmented as domestic courts and, perhaps in time, parliaments begin to assert themselves to protect their citizens' due process rights.

To date, that third wave of litigation has taken place in Europe, in courts with jurisdiction over one-quarter

of the United Nations membership, including three of the five permanent members of the Council. Those countries are at the heart of international finance, trade and travel, and therefore of implementation of United Nations sanctions, but it would be wrong to conclude that the effects are strictly European.

For one thing, the first two waves of litigation reached beyond Europe, to Canada and the United States to the west and Pakistan and Turkey to the east. There is no reason to think that the third wave will be any different. For another thing, States that provide the information underpinning listings will face administrative costs, fielding inquiries from those States required by their courts to check that due process was respected when the listing was adopted.

History offers not only warnings but also lessons, and the lesson here is that those risks can be dealt with, precisely through the kind of creative adaptation of the working methods under discussion today. Ten years ago, litigation on due process grounds posed a fairly clear risk to the 1267 regime. Today, after the Council adapted that Committee's working methods, courts increasingly recognize them as meeting international due process standards.

With that new wave of litigation targeting other sanctions regimes, it may be time for the Security Council to consider adapting its working methods for those regimes. What might that adaptation look like? Some legal experts say that the only way to ensure a completely fair process in sanctions listing and delisting is through independent judicial review. The Security Council has been reluctant to accept that argument. It may not align with the letter or the spirit of the United Nations Charter, which gives the Council the primary responsibility for maintaining international peace and security.

The imposition and removal of targeted sanctions are not a penal decision, as the Council has stressed, but a political decision, taken to generate and harness leverage to fight terrorism, manage armed conflict and counter proliferation. In fact, the United Nations University study found that the test in courts is not whether the working methods used by the Security Council or those implementing its decisions offer judicial protection; the test is whether the working methods offer equivalent protection to that available if analogous restrictive measures were imposed at the domestic level.

There are two central components to that test. First, the working methods must meaningfully protect the rights of the affected person to be heard. Secondly, the working methods must offer an impartial review of the fact base underpinning the sanctions listing. That is a review not of the final decision to list, but of the determination that the person was or is eligible to be listed, according to the criteria set by the sanctions committee. The final decision on listing is a political one, for the Council or its sanctions committees.

How those due process protections are afforded may therefore differ, depending on the sanctions context. It will depend in particular on how the right to be heard can be organized practically and how a reviewer can access relevant information. Thus, what works for counter-terrorism may not be what works best for armed conflict or for counter-proliferation.

In the counter-terrorism context, it may not be feasible to share all listing information with the target, and it may or may not be feasible for the reviewer of the fact base to meet in person with the target. The Monitoring Team and Ombudsperson arrangements have shown, however, that States will trust individuals with appropriate law enforcement, intelligence, national security and judicial experience to undertake an impartial review of the fact base, realize the right to be heard and assess eligibility for listing.

In the context of armed conflict, however, impartial review and the right to be heard may require different information-gathering modalities and a reviewer of fact with a different profile. A reviewer of fact might need the ability to visit conflict theatres and engage directly with conflict parties, while maintaining independence and neutrality. That could suggest a different set-up than the Office of the Ombudsperson, perhaps closer to the modalities used by mediators or commissions of inquiry, rather than by judges.

Thirdly, in the counter-proliferation context, where the vital national security interests of the great Powers are squarely in play, special arrangements may be needed to ensure that the reviewer is both trusted by all parties and has the requisite technical expertise. That may suggest a profile like that of a senior official of the International Atomic Energy Agency or the Organization for the Prohibition of Chemical Weapons. It might require special information-gathering, sharing and handling arrangements.

The simple extension of the Ombudsperson arrangements to all the other sanctions regimes may not be the only, or necessarily even the best, answer. Careful further reflection by the Security Council may in time identify other better ways to operationalize the Council's stated commitment to human rights and the rule of law through an adjustment to the working methods of different types of sanctions committees.

Finally and very briefly, our study also identifies five specific ways in which the Council might strengthen due process protections by adapting the existing working methods of sanctions committees.

First, in order to lock in the growing judicial recognition that the Ombudsperson offers due process protections in the counter-terrorism context, adjustments could be made to the contractual arrangements of the Office of the Ombudsperson and the workflow for interaction between the Ombudsperson and Council members.

Secondly, the provision of detailed reasons letters for refusals to delist would help protect those decisions against due process legal challenges in all sanctions regimes. The same is true for the denial of requests for humanitarian exemptions, which are increasingly coming under judicial scrutiny.

Thirdly, greater use of open source material in listing decisions will protect against due process challenges, because it makes it easier to provide reasons for delisting decisions and refusals.

Fourthly, automated periodic reviews of sanctions regimes and lists would ensure that they do not become outdated and more vulnerable to due process challenges.

Fifthly, there may be easy wins from developing publicly available guidance on the fair and clear procedures during investigations to be used by groups and panels of experts, with training in those procedures provided to the experts.

Most people, like me, are simply observers of the Council's deliberations, although our lives are affected by its choices. We can only hope that, faced by that new risk to its control of the sanctions instrument, which has proven so crucial in the Security Council's maintenance of international peace and security, that the members of the Council will once again find creative ways to adapt the working methods of sanctions committees to forestall that risk. It happened once, 10 years ago, with the adoption of the Ombudsperson

arrangements. Perhaps it is not too much to hope that it will happen again.

**The President** (*spoke in Arabic*): I thank Mr. Cockayne for his briefing.

I now give the floor to those members of the Council who wish to make statements.

**Mr. Matjila** (South Africa): Before I deliver our joint statement for the 10 elected members (E-10) of the Security Council on the working methods of the Council, allow me to reflect for a moment on the momentous events that took place 75 years ago today. I would like to commemorate and pay homage to the thousands of servicemen, servicewomen and civilians who gave their lives on this day 75 years ago during the D-Day assault on the beaches of Normandy. This act of valour and self-sacrifice to free the world of the tyranny and oppression of fascism should never be forgotten, as it was an important building block in laying the foundation for the creation of the United Nations. As our search for peace and security in the world continues through our work in the Security Council, we should always be reminded of and honour through our actions and decisions the ultimate sacrifice that many men and women made for a peaceful and just world so that all of us could enjoy greater and larger freedoms.

Let me now turn to our business at hand. On behalf of the current 10 elected members of the Security Council, let me express our appreciation to you, Mr. President, for convening today's timely and important debate. We thank the briefers, Ms. Karin Landgren, Executive Director of Security Council Report, and Mr. James Cockayne, Director of the United Nations University Centre for Policy Research, for their excellent briefings. We welcome the presence of the honourable Ministers of Romania and Estonia in the Chamber today.

Allow me also to pay tribute to all those who endeavoured to improve and codify the Council's working methods, which are critical to its functioning. In particular, I would like to express our gratitude for the work done within the Informal Working Group on Documentation and Other Procedural Questions over the past year and a half under the President's most able and dedicated chairmanship.

Today, as in previous open debates, we see a large number of Member States on the speakers list. This clearly illustrates the importance that all States Members of the United Nations attach to the working

methods of the Council. We share this position, hence our joint statement, corresponding both with our unity in efforts aimed at improving the Council's functioning and with the provisions relating to the conduct of open debates, contained in the most recent comprehensive note of the President on the Council's working methods (S/2017/507, annex), the so-called note 507.

The adoption of consecutive notes developed within the Informal Working Group marks important steps in the steady advancement of the Council's working methods that are of special significance for elected members. This is particularly important given the short period during which elected members serve on the Council and given that the codification of working methods allows for all members of the Council to be more effective. This in turn contributes to the efficiency of the Council in executing its mandate. Therefore, while we welcome the provisions of note 507 of 2017, adopted under the excellent chairmanship of the Permanent Representative of Japan, Ambassador Koro Bessho, whom I see in the Chamber this morning, and are committed to their full implementation, we see room, and an urgent need, for further progress.

Consequently, the E-10 supports and stands ready to further improve the draft notes of the President, which are currently being discussed within the Working Group. These notes are intended to take into account the concerns expressed by the broader United Nations membership during previous debates, as well as during the annual General Assembly debate on the report of the Security Council. We are convinced that the adoption and implementation of these notes will contribute to enhancing the efficiency and transparency of the Council's work, as well as the dialogue with the broader United Nations membership.

As E-10 members, we have also taken it upon ourselves to attempt to bridge the gap created by our limited term on the Council by fostering greater cooperation and coordination among ourselves. This intention was manifest in the November 2018 coordination meeting launched in Pretoria, which brought together incoming, current and outgoing E-10 members to explore mechanisms and areas for collaboration and coordination, so that elected members could better serve the Council in pursuit of the maintenance of international peace and security.

As the elected members and incoming members emphasized in their letter to the Council last year, there

is a need for burden-sharing and equal distribution of work among Security Council members, including the Council's permanent five members. Two draft notes regarding the Chairs of subsidiary bodies and co-penholderships specifically address these concerns. The notes could eventually increase opportunities for engagement by all Council members and allow for greater use of expertise and knowledge accumulated by the Chairs of the subsidiary bodies. We are therefore convinced that the Security Council should consider promoting the Chairs' role as penholders, as well as making their role as co-penholders on related dossiers automatic, should the Chairs choose to accept that role.

Additional measures could facilitate the planning and preparations of newly elected Council members both in New York and in capitals in order to allow them to hit the ground running. These measures may also allow for members' better preparation for Council meetings and visiting missions. Another proposal aims at strengthening fair and clear procedures for the Security Council sanction regimes and considers the need to respect international due process standards when implementing decisions of the Security Council.

The rule of law should particularly apply in situations in which the actions of the United Nations directly affect individual rights. In this regard, the establishment of the Ombudsperson was a significant step forward in improving the fairness and transparency of the Committee pursuant to resolutions 1267 (1999) 1989 (2011) and 2253 (2015) concerning ISIL (Da'esh) Al-Qaida and associated individuals groups undertakings and entities.

We strongly believe in the need to continue to render United Nations targeted sanctions more effective and legitimate by further pursuing efforts to strengthen procedures and due process guarantees in other sanction regimes of the Council, including by creating review mechanisms, similar to that of the Ombudsperson, for other sanction regimes. This would strengthen the effectiveness, legitimacy and uniform implementation of all sanctions adopted by the Council. Furthermore, there have been calls for the promotion and advancement of women and greater gender inclusivity and equality, thus adapting the Security Council's working methods to current realities and commonly shared expectations that have already been advanced in the substantive work of the Council, for example in the women and peace and security agenda.

We look forward to achieving an agreement on the aforementioned proposals and improving the ways the Council operates. The E-10 reiterates that the previously mentioned notes were introduced separately with the intention of issuing any note that has been agreed by Member States in the context of the Informal Working Group and that these notes were never intended to be agreed or issued as a package. We call upon the five permanent members to show more flexibility in ensuring a swift adoption of the notes going forward, based on the extensive discussions that have already taken place in the Informal Working Group.

Our commitment to working together towards that goal stems from our shared ambition of enhancing the Council's functionality and efficiency while ensuring that its interactions and cooperation with other stakeholders are more robust. That approach can only serve to improve the Council's ability to maintain international peace and security, drawing on the diverse and distinguished expertise, fresh perspectives and dynamism that the 10 non-permanent members and other stakeholders bring to the table.

Such an approach is reflective of the expectations of the States Members of the United Nations, who have conferred on the Council the primary responsibility for the maintenance of international peace and security, that the Council's actions should be prompt and effective. It also answers the call for enhancing the Council's performance and inclusiveness and ensuring its accountability to the entire United Nations membership, on whose behalf it acts in carrying out its duties.

We look forward to hearing concrete proposals and feedback during this debate from the wider membership on further measures that the Council could undertake to improve its working methods, and we hope to pursue those ideas further within the Informal Working Group for the remainder of the year.

Five new members of the Council will be elected tomorrow, after which consultations on the distribution of the chairmanships of the subsidiary bodies starting from 1 January 2020 will soon begin. Note 507 states that the informal process of consultations on the selection of the Chairs will be undertaken in a "balanced, transparent, efficient and inclusive way" (S/2017/507, *para.* 113).

We are confident that the consultation process will be conducted in a manner consistent with that provision

and that the end result will conform to the need for burden-sharing, collective responsibility and a fair and equitable distribution of work among all members of the Council, including its permanent members. The call for a more equal distribution of work is not new and has been persistently brought forward by members and non-members of the Security Council. We strongly believe that such an equal distribution of work is not just a matter of fair burden-sharing but will also positively affect the overall effectiveness of the Council.

In conclusion, I would like to once again thank Kuwait for convening this meeting and reiterate the elected members' commitment to the improvement of the Security Council's working methods. Guided by the spirit of the Charter of the United Nations, whose seventy-fifth anniversary we will be celebrating next year, we remain fully committed to promoting the Security Council as a body that serves and represents the entire United Nations membership.

On behalf of the three African members of the Council, I would also like to inform the Council that the Peace and Security Council has, with immediate effect, suspended the participation of the Republic of the Sudan in all African Union activities until the effective establishment of a civilian-led transitional authority as the only way to allow the Sudan to exit from the current crisis.

**Mr. Cohen** (United States): I would like to thank today's briefers and welcome the Ministers who are joining us for this open debate.

The United States extends its appreciation to Kuwait for chairing the Informal Working Group on Documentation and Other Procedural Issues over the past year. Under Ambassador Alotaibi's leadership, the Informal Working Group has engaged in a number of collaborative discussions that address the Security Council's work and effectiveness.

We are pleased to participate in this annual debate on the working methods of the Security Council. It provides an opportunity to reflect on the successes and challenges over the previous year.

On the specific matter of the note by the President (S/2017/507, annex), known as note 507, and Security Council procedure, the United States would like to once again recognize the leadership of Japan and Ambassador Bessho in chairing the negotiations of the Informal Working Group on that document two

years ago. We are pleased that the Informal Working Group has adopted a number of innovative and useful provisions to improve the work of the Council.

While we believe that today's discussion and our tasks in the coming months should focus primarily on the implementation of revised note 507, the United States is open to changes that would improve the Council's work and will continue to actively engage in the process to further improve its working methods. We will continue to assess new proposals to improve the Council's working methods through several lenses. We will ask whether a new idea is practical and realistic and whether it enhances efficiency. We will also ask whether the idea is designed to retain flexibility and avoid rigidity.

Informal Security Council consultations can serve as important forums for the exchange of views, but speakers at such consultations too often read from prepared remarks. Several recent Council presidents have encouraged greater interactivity during informal consultations and we commend those efforts. We believe strongly that informal consultations should remain just that — informal. We have seen innovation and cooperation between consecutive presidencies, most recently in those of France and Germany. Closer collaboration among the presidents for the previous, current and following months enhances the continuity and leadership of the Council and makes us stronger as a whole.

We take very seriously the fact that the Charter gives the Council the role of maintaining international peace and security on behalf of the entire United Nations membership. While the Council remains the master of its own procedure, we recognize that our procedural work, as well as our substantive work, are both ultimately for the benefit of the wider international community.

We thank Kuwait for chairing today's open debate and look forward to continuing our work in the Informal Working Group.

**Mr. Delattre** (France): First of all, I would like to express my appreciation to you, Sir, for the organization of this open debate on the working methods of the Security Council and for your work over the past year as Chair of the Informal Working Group on Documentation and Other Procedural Issues.

I would also like to sincerely thank Ms. Karin Landgren, Executive Director of Security Council

Report, for her very informative briefing and for the high quality of the work she has accomplished with her team, as well as Mr James Cockayne, Director of the Centre for Policy Research at the United Nations University. I am very grateful to them both for the clarity and quality of their proposals, which make a very useful contribution to our exchanges.

Finally, I welcome the participation of a very large number of Member States in the debate on this topic, to which France, which organized the first debate in 1994 (S/PV.3484), is very committed. I welcome especially the presence among us today of two Ministers for Foreign Affairs.

With the annual debate on the Security Council's report to the General Assembly, this open debate is an important moment of reflection on our working methods, which we are conducting with all the Member States of the United Nations, who have entrusted our Council with the primary and distinguished responsibility for the maintenance of international peace and security. I have listened carefully to the intervention of our South African colleague, who was speaking on behalf of the non-permanent members of the Council. I broadly agree with his approach and my statement is intended to demonstrate that this debate should not pit the permanent members of the Council against the non-permanent members.

France fully shares both the concern for efficiency and the desire to reform the Council and its working methods that the representative of South Africa expressed. I will not go into detail on our position, but I would like to point out that France is very committed to the reform of the Security Council in order to broaden its membership and thereby strengthen its legitimacy and effectiveness. It has also made proposals with Mexico for the voluntary and collective suspension of the use of the veto of permanent members in cases involving mass atrocities.

In the immediate future, we are fully prepared to work with all members of this Council to continue and conclude the work that Kuwait has initiated to supplement the note by the President (S/2017/507, annex) known as note 507, which originated in a 2006 document (S/2006/507, annex) that Japan took the excellent initiative to revise twice, in 2010 (S/2010/507, annex) and 2017, for which I again congratulate the Japanese Ambassador.

In that endeavour, we are guided by three key principles: effectiveness, transparency and inclusivity. The proposals on the table will certainly enable us to make progress in that direction, particularly by better integrating the members we will elect on Friday, the troop-contributing countries and the other Member States. We will work with all members to reach the necessary compromises.

But the work of collating, clarifying and codifying procedures and good practices must not be carried out at the expense of flexibility, which remains a guarantee of effectiveness and responsiveness, particularly in matters of war and peace, where human lives are at stake. In that respect, the principle of freedom for any member State of the Council to present a text at any time on any subject must absolutely be preserved, as it ensures that the Council will be responsive and that the majority of its members will always strive to reach a consensus. Any *ex ante* or automatic allocation of penholders would be detrimental to the effectiveness of the Council. Similarly, the allocation of the chairmanships of sanctions committees to non-permanent members, in addition to allowing regular rotation, which is useful, is mainly intended to avoid possible deadlocks in conflict situations, which unfortunately are not lacking.

We must also be careful that our attention to the adoption of new methods does not make us forget that we must first properly implement the agreed recommendations. France is actively striving to do so with all its partners in and outside the Council. With my German colleagues — Mr. Heusgen and Mr. Schulz — whom I warmly thank for giving me their speaking time for this debate, we have tried to be exemplary during our joint presidency of the Council by presenting our programmes and the outcome of our work to all States Members of the United Nations; by involving civil society stakeholders, particularly women, in our meetings; by doing our best to prepare our missions in Mali and Burkina Faso; and by encouraging speakers and Council members to be more concise, but especially to be more focused and interactive in their statements.

As penholders on several issues, a responsibility which we take very seriously, France has always ensured the participation of host States and troop-contributing countries, as well as the chairperson of the Peacebuilding Commission's country configuration, where appropriate — as we did with Morocco in the case of the Central African Republic — and has

always facilitated informal meetings with Member States to strengthen our joint analysis of the issues. In conducting discussions on the texts, we have always tried to give everyone enough negotiating time and to find the necessary compromises to ensure the Council's adoption of such texts, which has almost always been unanimous.

Finally, beyond our current and future working methods, our priority must be to ensure the effectiveness of the Council's action in our daily practice. We therefore strongly encourage the collaboration of the Council with regional organizations and we have called for meetings with the African Union, the European Union and this month, for the first time, with the League of Arab States.

We also favour the organization of interactive dialogues or Arria Formula meetings, which significantly contribute to informing the Council on important issues and preparing the work on future texts. Further efforts are needed to streamline the ever-increasing programme of work in order to release time for crisis response, strategic reflection and substantive dialogue. We must be able to collectively disengage the autopilot in order to try in good faith to find points of convergence, which are necessary for any agreement. That is at the heart of our responsibilities.

However, we must avoid excessive public meetings to the detriment of work on Council decisions. After five years in the Council, I regret to say that we are spending more and more time in the Chamber presenting our respective positions and less and less time in the consultation room deciding on joint action. Naturally, public meetings are very important and have the advantage of being transparent, but they tend to polarize positions at the expense of the consensus we seek in order to effectively make decisions and bring our influence to bear. We must therefore together seek the right balance.

The five-year trend is quite clear. We now spend three times more time in public meetings than in consultations, while — even if not to the same extent — we negotiate and adopt fewer texts. That trend is unfortunately exacerbated by the current geopolitical polarization and by an erosion of confidence in the multilateral method and should be a cause for joint reflection. But I am confident, by nature and conviction, that this debate and our collective determination will enable us to pull ourselves together so that, amid

increasing crises and threats, the Council can prioritize its mission of conflict prevention and resolution. The Council can count on the firm resolve of France in that connection.

**Mr. Allen** (United Kingdom): I very much welcome the opportunity to discuss working methods today. It is an important subject and it affects the Council's ability to deliver on its responsibilities under the Charter of the United Nations as an effective, efficient and transparent organ.

I also thank you, Mr. President, for your chairmanship of the Informal Working Group on Documentation and Other Procedural Questions.

I would also like to highlight the progress that has been made in recent years, in particular the renegotiation in 2017 of the note by the President (S/2017/507, annex), known as note 507, led by the Japanese Ambassador, whom I see in the Chamber today. That was an important step — note 507 is both a record of the evolution of Council practice and an aspirational document that sets out the Council's collective ambition for how it should function.

We are still falling short of that ambition, including on such important issues as timekeeping and interactivity. I agree with my American and French colleagues on the need for both greater interactivity in consultations and the right balance of public and private meetings.

There is an important balance struck in note 507 between flexibility and the need to ensure that the Council's working methods are clear and transparent. Flexibility has been one of the hallmarks of the Council's working practices over many decades and remains a priority for the United Kingdom in its consideration of any proposal to amend working methods.

The Council is busier than ever; there are ever-more meetings and products. The increased volume of work does not necessarily translate into effective action on the ground. More effective working methods will not by themselves deliver that but they can make a contribution. Since the open debate in January 2018 (S/PV.8173), the United Kingdom has focused its efforts in two key areas and taken a number of actions.

On meetings, we believe that the Council needs to spend its time discussing the right issues. We spend too much of our time on yesterday's conflicts. We are pleased in that context that at the end of last year

the Council was able to agree on a reduction in the frequency of meetings on Kosovo.

It is also important that we respond to the Secretary-General's call for a surge in diplomacy to support conflict prevention. The Council needs to shoulder its responsibilities under Article 34 of the Charter. Too often, we have seen members of the Council block or attempt to block discussions of situations that may endanger the maintenance of international peace and security.

In that context, the United Kingdom recently initiated a monthly, informal discussion at the level of permanent representatives to encourage a frank exchange among ambassadors on developing threats to peace and security. That is a positive development, but I would like to emphasize that it is no substitute for proper Council consideration, not least for reasons of transparency. I agree with what Ms. Landgren had to say on the importance of well-considered Security Council missions that are properly aligned with the activities of other bodies and ensure a focus on conflict prevention as well. Given the comments that she made about the cost of such missions, I think we should look again at the possible use of mini-missions.

With regard to products, they are the principal way through which the Security Council exercises its authority. In order to have impact on the ground, Council products should be concise and use clear and straightforward language. That has not always been the case. If I were to read out one of last year's resolutions on Somalia, resolution 2431 (2018), it would take me more than 45 minutes. Last week, we collectively adopted resolution 2472 (2019) on Somalia, which brought the length down from 12 pages to seven. The United Kingdom is committed to continuing its efforts in that area, in line with our commitments to improve mandates, under the Secretary-General's Action for Peacekeeping initiative.

I would like to address some of the issues raised by my South African colleague in his statement. Where penholding is concerned, in recent years we have seen growing flexibility in that area and a variety of penholding configurations. For its part, the United Kingdom shares the pen with Germany on the African Union-United Nations Hybrid Operation in Darfur and on Libyan sanctions. We are currently working with Poland on a draft resolution on disabilities and conflict. We believe it is an important principle to keep the

practice of penholding informal, and we maintain the principle that every Council member has an equal right to take up the pen on any issue.

But I also want to underline the importance of how penholders discharge their responsibilities, particularly their commitment to conducting negotiations in an inclusive manner. The United Kingdom is committed to close consultation with all relevant stakeholders during negotiation processes. We consult with troop- and police-contributing countries, Chairs of Sanctions Committees, countries of the region and Chairs of the Peacebuilding Commission's country-specific configurations, and we do that routinely on every draft resolution for which we are the penholder. When we last held the presidency of the Council, in August, we made sure that we spoke to the Permanent Representatives of every country that was on the Council's agenda that month or was directly affected.

The Council's subsidiary bodies, including, as Mr. Cockayne said, its Sanctions Committees, are a vital element in our work, and I would like to pay tribute to their Chairs and the work they do. We support efforts to strengthen their working methods. Every subsidiary body is different, and it is right that we therefore consider their working methods primarily on a case-by-case basis, but there are also cross-cutting issues, including, of course, with regard to due process. I definitely agree about the vital role that targeted sanctions play in giving effect to the Council's decisions, and about the importance of our ability as a Council to ensure that those sanctions regimes are strong. We continue to be happy to discuss those issues in more detail our Council colleagues. On the subject of the distribution of chairmanships, the United Kingdom has chaired subsidiary bodies in the past and we have no objection in principle to doing so again. Those decisions should be the result of the annual negotiations between the current and incoming members of the Council, and that has always been a process of consensus.

I would like to take this opportunity to underline our support for the code of conduct of the Accountability, Coherence and Transparency group, which asks members to refrain from voting against credible Council action aimed at stopping mass atrocities and crimes against humanity, and also, of course, for reform of the Security Council generally.

Lastly, I welcome the information that the representative of South Africa shared about the

decision of the African Union Peace and Security Council to suspend the Sudan in the wake of the violence and killings by its military authorities, which are unacceptable and should be condemned by us all. The United Kingdom supports the African Union's decision, and the leadership that it is showing in seeking to enable a transition to a civilian-led Government in the Sudan. We call on all Council members to support it in that regard.

**Mr. Polyanskiy** (Russian Federation) (*spoke in Russian*): I would first like to express our gratitude to Ms. Karin Landgren and Mr. James Cockayne for their detailed briefings. We also want to thank the delegation of Kuwait for organizing today's meeting. The Security Council has been discussing its working methods in an open format with the participation of a wide range of States Members of the United Nations for a number of years now. We consider this a useful practice, since periodic reviews of our existing toolkit enable us to determine what is needed to improve it further.

It is important that today's meeting is being presided over by the delegation that heads the Informal Working Group on Documentation and Other Procedural Questions. We are confident that this discussion, as well as the very fact of the external assessment of the current state of affairs, will make a special contribution to the activities of the Working Group and help to enrich it with new ideas. That is of course in the understanding that the Council's working methods themselves, and any steps taken to modify them, belong to the members of the Council. The issue of the Security Council's working methods is a very sensitive one. We believe that any changes in this area should focus on increasing the Council's effectiveness and efficiency in executing its primary task of maintaining international peace and security. Using populist rhetoric about this, including in the context of the endless calls for increasing the transparency of the Security Council's work, not only does not help to achieve results, it often actually does damage.

We welcome the efforts of the delegation of Kuwait to improve the working methods of the Security Council and have taken note of its intention to introduce changes into the revised note by the President (S/2017/507), which is important as a compendium of Council working practices and is actively used by non-permanent members as a serious source. For our part, we are ready to give the Kuwaiti delegation every assistance in this painstaking work, which must be

done thoughtfully, thoroughly and without undue haste. We operate on the assumption that the starting point of our efforts should be the importance of ensuring Council members' unity on as many issues as possible. We note non-permanent members' active interest in procedural aspects of the Council's work, which should undoubtedly help our collective efforts to improve our best practices.

We want to continue to draw attention to the Council's overburdened documentary workload. The Security Council produces several hundred documents every year, some of which, it has to be admitted, have dubious added value, and the excessive predilection for micromanaging resolutions is not helpful either. We believe that the Security Council's final products should be short, clear, easy to understand and above all action-oriented, an area in which I support our British colleagues.

We take a very cautious approach to the consideration of thematic subjects in the Council, especially those that according to the Charter of the United Nations come under the remit of the General Assembly, the Economic and Social Council or other bodies of the Organization, violating the established division of labour and distracting the Council from its work on its priority tasks on which it can and should make concrete decisions.

We support the notion of the importance of expanding the Security Council's coordination with a wide range of Member States and those that can provide it with important information for decision-making. The Council has appropriate mechanisms for that in its arsenal, including interactive dialogues and informal Arria Formula meetings. However, they are not official meetings of the Council, and we believe that such formats should be used only to raise Council members' awareness of issues on its agenda. It is unacceptable to use those platforms for propaganda performances or for individual delegations' controversial unilateral approaches. I should point out that the costs of using the premises of United Nations Headquarters, its conference services and, in some cases, its translators for such events are covered by the Organization's regular budget.

The Kuwait presidency's proposals for further modernizing and democratizing the Council's work through an equal distribution of responsibilities for informally supervising certain dossiers deserve special

attention. Individual Council members should not consider certain countries and even regions as their fiefdoms or act as mentors on certain issues. We must expand the circle of penholders, particularly in favour of non-permanent members.

We also strongly oppose the practice of working to artificial deadlines. It is no secret that the adoption dates for the majority of Security Council resolutions are usually known by the stage of agreement on the monthly programme of work. We nevertheless receive many draft texts unreasonably late, which does not allow us to gather multiple expert assessments, let alone hold comprehensive consultations. We sometimes get the impression that penholders are doing that deliberately, on the assumption that in their haste, their colleagues will simply not notice problematic points. The wording of Security Council draft resolutions sometimes changes just minutes before a vote, leaving us with half-baked documents that do not take the concerns of Council members into account. All of these issues are unacceptable, in our view, and we will fight such tactical tricks. We do not exclude the possibility that ultimately we may also be obliged to assess the effectiveness of the penholders' work based on these parameters.

**Mr. Wu Haitao** (China) (*spoke in Chinese*): We thank you for convening this open debate, Mr. President. We have listened attentively to the briefings by Ms. Karin Landgren, Executive Director of Security Council Report, and Mr. James Cockayne, Director of the Centre for Policy Research at United Nations University.

The Security Council has a sacred duty to work to maintain international peace and security. It is the shared responsibility of all Council members to improve its working methods and efficiency and meet the expectations of the broader membership of the United Nations. The Council's Informal Working Group on Documentation and Other Procedural Questions has made useful efforts and achieved a great deal of excellent progress to that end. China commends Kuwait, as Chair of the Informal Working Group, for facilitating updates to the note by the President of the Security Council (S/2017/507). China is very committed to improving the Council's working methods and enhancing its authority and effectiveness so that it can better discharge the duties mandated for it by the Charter of the United Nations, and I would like to share the following observations.

First, the Council should concentrate on its priorities and discharge its duties in strict accordance with its mandate. That means focusing on major issues of great urgency that threaten international peace and security, rather than intervening in domestic settings that do not represent such threats. In recent years we have noted an increase in the number of cross-cutting items on the Council's agenda, some of which exceed its mandates, and the Council must take the concerns that Member States have expressed about this seriously.

Secondly, the Council should strive for as broad a consensus as possible by holding in-depth consultations. That requires that we preserve the Council's unity while carrying out consultations patiently and based on equity. Council members must increase their communication and cooperation in order to fully accommodate the concerns of all parties, and should spare no effort to reach consensus-based decisions. Any attempts to railroad draft texts through in the face of stark differences of opinion must be discouraged with a view to enhancing the authority and effectiveness of the Council's actions.

Thirdly, the Council should continually improve its working methods in order to ensure that it has real impact. We have given long-standing support to the Council in its efforts to step up communication with all Member States, particularly host and troop- and police-contributing countries. China advocates providing newly elected non-permanent members with greater access to make it easier for them to perform their new duties. Penholderships should be allocated according to the principle of equity so that every member can have an opportunity to contribute to resolving hotspot issues.

China has always consistently supported the Council's efforts to improve its working methods and efficiency. We support it in enhancing its interaction with the General Assembly, the Economic and Social Council and other bodies to make its work more transparent. During its presidency of the Council for the month of November 2018, the Chinese delegation sent reminders to Council members and briefers in advance to ensure that meetings began punctually and were focused on priority issues. We encouraged short, concise interventions, thereby creating a culture of results-oriented, efficient meetings. We also made a point of improving our interaction with the Presidents of the General Assembly and the Economic and Social

Council, the press and others, a move that was well received by all of them.

Improving the Council's working methods is a long-term process. We are ready to work with all the parties concerned so that the Council can better fulfil its mission, as mandated by the broader membership.

**The President** (*spoke in Arabic*): I shall now make a statement in my national capacity.

At the outset, I would like to express my sincere appreciation to all the Member States participating in this open debate, and to welcome the Minister for Foreign Affairs of Romania and the Deputy Foreign Minister for Foreign Affairs of Estonia. I also welcome Ms. Karin Landgren and Mr. James Cockayne and thank them for their valuable briefings.

We fully align ourselves with the statement delivered by the representative of South Africa on behalf of the non-permanent members of the Council, so I will not repeat the points he made.

It has been a year and a half since the State of Kuwait assumed the chairmanship of the Informal Working Group on Documentation and Other Procedural Questions. We listened to many proposals by Member States during the first open debate (S/PV.8175) on the subject, held during our presidency of the Council in February 2018, which sought to improve the efficiency and transparency of the Council's work. During that time, the Working Group has held 15 formal and informal meetings at which we have discussed a number of issues and matters pertaining to the working methods of the Council, including on many of those proposals from Member States during the first open debate, aimed at distributing the burden of the responsibilities of penholders and the chairmanships of the Council's subsidiary organs more fairly, and improving our due process and monthly wrap-up sessions, as well as proposals on visits to missions, the Council's programme of work and the preparation of newly elected members.

The proposals were very important to the members of the United Nation, and we hope that the members of the Council can reach an agreement on the draft note changes. I would like to take this opportunity to express my sincere appreciation to all members of the Council for their cooperation and active participation in the negotiation process. In that regard, I want to express my deep appreciation to the many States that

are not members of the Council that have supported the work of the Informal Working Group since we assumed the chairmanship, particularly former non-permanent members and the groups interested in the Council's working methods, especially the Accountability, Cohesion and Transparency group (ACT).

The improvement and development of the Council's working methods are decisive factors in its ability to fulfil its responsibility for the maintenance of international peace and security. There has been much improvement in the working procedures and methods of the Council in the course of the past 25 years, particularly since the end of the Cold War. Communication has improved between the Council and non-members as well as between the Council and other United Nations organs such as the General Assembly. In addition, information has flowed both into and out of the Council, and there has been a marked increase in formal and thematic meetings, and in other meetings in which non-governmental organizations and civil-society organizations take part, as well as in efforts to provide non-Council members with the results of Council consultations before they are adopted as resolutions. Those are all improvements that should not be overlooked or underestimated and that redound to the credit of the Council, particularly the non-permanent members, in addition to other initiatives launched by groups and States within the intergovernmental negotiations on Security Council reform.

I would like to point out that the State of Kuwait is one of the countries that have signed the code of conduct launched by ACT whereby Council members pledge not to vote against draft resolutions that address crimes against humanity, genocide and war crimes, in addition to the French-Mexican initiative that calls for refraining voluntarily from using the veto power with regard to crimes against humanity. We hope that an agreement will be reached on refraining from the use of the veto on humanitarian issues, for example, so as to allow for assistance to reach civilians in urgent need, medical evacuations and humanitarian truce.

Despite the importance of recent improvements in making the work of the Council transparent, we see that they are not sufficient. There is still room for improvement towards enhancing the role of the Council in carrying out its tasks and shouldering its responsibilities in accordance with the Charter of the United Nations.

I now resume my functions as President of the Council.

I would like to remind all speakers to limit their statements to no more than four minutes in order to enable the Council to carry out its work expeditiously. Delegations with lengthy statements are kindly requested to circulate their texts in writing and to deliver a condensed version when speaking in the Chamber.

I now give the floor to the Minister for Foreign Affairs of Romania.

**Mr. Meleşcanu (Romania):** At the outset, allow me to express our appreciation to the Kuwaiti presidency for convening this timely and important debate on the working methods of the Security Council, as well as to Ms. Karin Landgren, Executive Director of Security Council Report, and to Mr. James Cockayne, Director of United Nations University Centre for Policy Research, for their excellent presentations and briefings.

I would also like to personally thank you, Mr. President, in your capacity as Chair of the Informal Working Group on Documentation and Other Procedural Questions, for your consistent contribution to the development and improvement of the working methods of the Security Council.

Romania approaches this debate as a strong supporter of multilateralism. We believe there is an intrinsic link between discussing the working methods of the Council and reinforcing multilateralism. As a country that has had the privilege of serving in the Security Council before and is running for re-election tomorrow for the 2020-2021 mandate, Romania has worked to strengthen the capacity of the Security Council to increase its effectiveness in achieving its mandate.

Please allow me to showcase three instances in which Romania has done so.

First, during our most recent mandate from 2004 to 2005, we promoted resolution 1631 (2005) — the very first United Nations resolution on cooperation with regional organizations — which was adopted by the Security Council under the Romanian presidency of the Council. In that context, we restate our strong support for the systematic practice of the Council in briefing different regional organizations and mechanisms, such as the European Union or the African Union.

Secondly, Romania has significantly contributed to advancing cooperation with non-Council bodies, most notably with the Peacebuilding Commission. A significant number of delegations have asked for closer cooperation between the Security Council and the Peacebuilding Commission (PBC). We are proud to say that during our presidency of the PBC, the practice of holding regular consultations within the Security Council was institutionalized.

Last but not least, Romania formally contributed to advancing the discussions on the working methods of the Council at the seventy-first session of the General Assembly, when the Permanent Representative of Romania, together with his Tunisian colleague, co-chaired 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.

We commend the progress that has been achieved in the past couple of years in adapting the methods of work to address emerging security challenges. In that regard, we reiterate our support for the regular updating of the note by the President (S/2017/507, annex), known as note 507, and we will continue to support its provisions and invite newly elected members of the Council to observe Council meetings, perhaps as early as three months prior to their membership of the Council.

Please allow me to recall also the essential role that the 10 non-permanent members play in the good functioning of the Council. Romania welcomes the unity of the non-permanent members of the Security Council on that issue, which stands as an example for the activity of the Council. If elected tomorrow as a non-permanent member of the Council, we will work assiduously so that the momentum of that collaboration will not be lost.

Yet more can be done on certain topics. For example, we would like to have more time to hear from people on the ground, especially representatives of civil society or representatives of affected populations, such as women and youth affected by conflict.

In a world that is constantly changing and faced with emerging security threats and challenges, the Council needs to have the ability to adapt to those changes. We reiterate our strong conviction that holding these debates and improving the transparency, accountability, efficiency and predictability of the Council, is without a doubt one of the key ways to do so.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Estonia.

**Mr. Teesalu** (Estonia): We very much welcome today's discussion and thank you, Mr. President, for organizing the open debate.

Estonia, as a member of the Accountability, Coherence and Transparency (ACT) group, fully endorses the statement to be delivered by the representative of Switzerland. I would also like to make a few additional remarks in my national capacity.

Estonia cannot yet speak first-hand about the everyday work of the Security Council since we have never served as one of its members, but we truly believe in the positive impact of open and inclusive processes. Estonia has therefore put forward its candidacy in 2005 for a non-permanent seat in the Security Council for the period 2020-2021. The elections for that period will be held tomorrow and we truly hope that the States Members of the United Nations deem us worthy of the position.

As a member of the ACT group, Estonia advocates greater accountability, coherence and transparency in the Council's activities through increased inclusiveness and targeted action. We believe that a more open and inclusive process will have a positive impact on the decision-making of the Council. Through transparency, we will achieve better results in maintaining and sustaining peace.

The note by the President (S/2017/507, annex), known as note 507, is a valuable document that compiles many of the Council's current working methods and helps us to continue the discussions on how to further enhance the decision-making process of the Council. However, if we are to make a real difference in bringing more efficiency to the Council's work, we need to concentrate on the implementation of note 507 and other presidential notes.

The effectiveness of the Council's decisions is maximized if all members, including the non-permanent members, are fully involved from the beginning in a coordinated and inclusive manner. We are fully aware that there are discussions and situations that need to be dealt with behind closed doors, but we encourage Council members to hold open meetings whenever possible and seek interaction with the wider membership and other organs, as well as civil society. It is important

that the decisions made in the Council be explained to the wider membership in a transparent manner.

The Security Council's working methods should support and strengthen its capacity to prevent conflict. That includes strengthening the Council's situational awareness, and in that regard the Secretariat can play an important role in providing information and highlighting the developments that could lead to instability. Therefore, it is necessary to continue discussions on the issues with countries, as well as with regional organizations, as stated in Article 31 of the Charter of the United Nations.

As a member of the ACT Group, Estonia fully subscribes to its code of conduct regarding Security Council action against genocide, crimes against humanity or war crimes, which calls upon the permanent members of the Security Council to voluntarily and collectively commit to not using their right to veto to block Council action aimed at preventing or ending situations involving mass atrocity crimes.

In conclusion, Estonia commends the work of Kuwait in chairing the Informal Working Group on Documentation and Other Procedural Questions. It is in our interest that working methods reinforce our efforts to fulfil the obligation of the Security Council to maintain international peace and security. Estonia will be supporting calls in the future for greater empathy, equality and efficiency in the working methods of the Council.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Turkey.

**Mr. Sinirlioğlu** (Turkey): I would like to congratulate you, Sir, on your presidency and thank you for organizing today's open debate. We appreciate the important role that Kuwait has been playing with regard to the issue of the working methods of the Council, particularly by steering the related Informal Working Group on Documentation and Other Procedural Questions.

I would also like to thank the briefers for their insightful remarks.

The leitmotif of today's open debate is probably that we are still far from a transparent, accountable and effective Council. That has to do not only with the interaction between the Council and the wider membership, but also with the dynamics in the Council, particularly the relationship between the elected

members and permanent members, which also play a large part. Finding ways to ensure increased and better interaction between the Council and the wider membership is crucial to improving the Council's working methods. That entails keeping closed meetings and informal consultations to a minimum. It also requires ensuring the meaningful participation of States with a legitimate stake in the Council's deliberations throughout the decision-making process. Voices from the field also need to be heard. Civil society must be given more opportunities to brief the Council, particularly on issues that make a difference.

Transparency is especially important for the mandates of peacekeeping operations and sanctions regimes. The Council must cooperate more closely with troop- and police-contributing countries. The success of sanctions depends on the cooperation of all Member States. The details of sanctions regimes must be more accessible and transparent.

When it comes to the dynamics within the Council, ensuring that the elected members are on an equal footing with the permanent members is the absolute minimum we should aim at to guarantee an effective and accountable Council. Today, three permanent members are the sole penholders on the overwhelming majority of country situations on the Council's agenda. The responsibility of penholdership should be distributed evenly among permanent and elected members. Drafting should also be carried out in an inclusive manner. The penholders should engage in timely consultations with all relevant actors with openness and flexibility.

Another improvement would be to better incorporate conflict prevention into the Security Council's agenda. The current experience indicates that the Council often finds itself responding to crises in an incremental manner, making more use of the tools at its disposal only as situations deteriorate. There is broad consensus among Member States on the need to enhance our efforts on prevention, including through mediation efforts. Better outcomes could be achieved and more humanitarian tragedies prevented if the Council's tools were utilized much earlier, without resorting to the veto as a tool to advance national interests. The use or even the threat of the use of the veto has proven to hamper the most needed role that the Council has to play on behalf of the entire United Nations membership.

Needless to say, we need to increase coordination and cooperation between the Council and the other main

bodies of the United Nations. The Council is the main organ for the maintenance of peace and security, but not the only one. Council members should bear that in mind in all their efforts and make more conscious efforts to ensure better coordination with the General Assembly, the Economic and Social Council and the Secretariat, as well as with the Peacebuilding Commission. More interaction with regional organizations would also contribute to the Council's effectiveness.

Finally, I would also like to emphasize that we consider the topic of working methods to be one of the components of the broader Security Council reform agenda. Updating the working methods cannot be a substitute for engaging in more substantive, forward-looking discussions on Security Council reform. We must continue to search for a constructive solution by identifying common denominators to channel the debate on the Council's reform agenda. In the meantime, we need a Council that is more responsive to the United Nations membership, which will be better placed to meet the challenges of an increasingly complex world. Improving transparency and effectiveness will only enhance the legitimacy of this body, which is much needed.

**The President** (*spoke in Arabic*): I now give the floor to the representative of New Zealand.

**Mr. Hawke** (New Zealand): I thank you, Mr. President, for convening today's debate and for your efforts both as Chair of the Informal Working Group on Documentation and Other Procedural Questions and as Council President.

I would also like to acknowledge and thank our briefers for their expert insights.

Inspired by the current elected members' delivery of a joint statement today, I have the honour to deliver this statement on behalf of 22 former elected Council members from all regional groups, whose representatives sat around this table between 2011 to 2018: Argentina, Australia, Azerbaijan, Chad, Chile, Egypt, Guatemala, Italy, Jordan, Kazakhstan, Lithuania, Malaysia, the Netherlands, New Zealand, Nigeria, Portugal, Rwanda, Spain, Senegal, Sweden, Ukraine and Uruguay.

Getting working methods right is essential to the work of the Council. It goes to the heart of the Council's performance and accountability to the whole United Nations membership and the Charter of the United Nations. Good working methods create an environment

enabling each and every Council member to be fully involved, contribute to informed discussions and play a full and meaningful role in the Council's work. That becomes even more important when there is disunity in the Council and seemingly no space for a political solution. With that, we want to talk to two issues.

The first is shared responsibility. The Council comprises 15 members. All Council members should have equal opportunity to exercise their Charter obligations to uphold international peace and security. That includes a balanced division of labour for penholdership and the chairing of subsidiary bodies, which we have worked hard to achieve during our respective terms. It was not easy and the gains we were able to secure were small. We risk that cycle of behaviour repeating from tomorrow, when another group of non-permanent members are elected to the Council. We call on the permanent members to shoulder the burden of chairing and share the pens that they hold.

The second issue is about how to better deliver on the Council's conflict prevention role. That requires doing the big and small things right as Council members, including, first, requesting "Any other business" items to ensure that emerging threats are addressed with the right timing; secondly, inviting briefers who can deliver insights to add value to the Council's deliberations; thirdly, demanding appropriate briefings, including maps and graphics, from Secretariat briefers to better support discussions; fourthly, tailoring the format and focus of meetings to secure the best chance of a meaningful outcome from the Council's deliberations and, when an outcome is reached, keeping the Council accountable to it; fifthly, making better and more frequent use of situational awareness briefings; and, sixthly, ensuring that we are not just speaking about countries concerned but also speaking to them.

I would like to end with a message to the current elected members of the Council. We are encouraged to see that they are continuing the legacy of elected members and we urge them to continue to be brave. Meaningful change, while enabled by rules and procedure, is driven by taking the initiative and leading by example.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Switzerland.

**Mr. Favre** (Switzerland): I am pleased to be taking the floor on behalf of the members of the Accountability, Coherence and Transparency (ACT) group — Austria,

Chile, Costa Rica, Denmark, Estonia, Finland, Gabon, Ghana, Hungary, Ireland, Jordan, Liechtenstein, Luxembourg, Maldives, New Zealand, Norway, Papua New Guinea, Peru, Portugal, Rwanda, Saudi Arabia, Slovenia, Sweden, Uruguay and my own country, Switzerland. One of the core objectives of the ACT group is to encourage better working methods in United Nations organs, particularly the Security Council. We commend the efforts deployed by Kuwait to that end in its capacity as Chair of the Informal Working Group on Documentation and Other Procedural Questions. We thank you, Mr. President, for organizing today's open debate, and we also thank today's briefers for their statements.

The working methods of the Security Council have been a subject of discussion almost since the creation of the United Nations and of the Council itself. Over the years, there has been some progress, as demonstrated by the subsequent updates and improvements contained in the note by the President (S/2017/507), note 507. However, we have to acknowledge that overall progress has been slow and the implementation of what has been agreed on has been uneven. If we are to safeguard the effectiveness and reputation of the Council and the United Nations at large, as well as gain the support of the wider United Nations membership for the implementation of Security Council decisions, we believe it is important to keep our attention constantly focused on improving the Council's working methods, implementing good practices in a consistent manner and not backtracking from previous decisions and commitments. Today we would like to highlight three areas where the ACT group would like to see specific improvements.

First, the relationship of the Council with the membership and other organs is an area where we have been happy to note some positive developments over the years. There are now regular interactions, for instance, with the Peace and Security Council of the African Union and the Peacebuilding Commission in its role as an advisory body to the Council. We also note a positive trend in seeking interaction with Member States, other organs and civil-society representatives who can provide the Council with useful advice. This typically takes place through regular open debates, whose *raison d'être* should continue to be the opportunities they afford the membership to inform Security Council deliberations.

Today's open debate, with no predefined Council product, but rather the stated intention of the presidency to follow up on action in the framework of the Informal Working Group on Documentation and Other Procedural Questions, and thereby listen to the voices of the wider United Nations membership to inform Security Council action, constitutes a good practice that should be replicated. Close interaction is also necessary in situations where the Security Council drifts away from the larger membership, and therefore the world as a whole, including when it is unable to take decisions due to the use of the veto. In that regard, ACT encourages all States, members and non-members of the Security Council alike, to join the 119 signatories to the ACT code of conduct and to implement it.

More must be done to improve interaction between the Security Council and the wider membership. For instance, adequate consideration of the annual report of the Security Council to the General Assembly, which is mandated by Article 24 of the Charter of the United Nations, must be ensured so as to enable an inclusive and substantial exchange of views. We call on the Council to expedite the adoption of its 2018 annual report and to set a date for its timely consideration by the General Assembly, as per the presidential notes related to this matter, including note 507. At the informal level, wrap-up sessions constitute another important vehicle for transparency and accountability regarding the Security Council's work. If they are to serve their purpose, wrap-up sessions must take place at the end of every month, preferably in the Toledo format so as to enhance interaction. The main purpose of the meetings should be interaction with the wider membership, ideally without extensive time devoted to briefings from Council members. They should also be announced in the monthly programme of work, or at least with sufficient advance notice to ensure wide participation and substantive discussions.

Secondly, the responsibilities of Council members for Security Council matters must be more equally shared so as to enhance the participation of all members, including elected members. For instance, the consultation process for selecting the Chairs of subsidiary bodies should take place in a way that enables balanced burden-sharing and an equal distribution of work among all members of the Council, including its permanent members. As a general rule, no member should chair more than two subsidiary bodies, unless members choose otherwise. Enhancing the Council

members' responsibilities for drafting Council products is another key route to greater participation by all members in decision-making, for instance by providing more opportunities for any member of the Council to be a penholder and for more than one member to act as a penholder on a single dossier.

There is a legitimate expectation that Council members elected by the General Assembly can meaningfully and effectively contribute to Council products. The Chairs of subsidiary bodies should have specific responsibilities in decision-making processes and their expertise should be used more consistently through formal and informal meetings of the Council. We want to underline that issues relating to balanced burden-sharing are particularly relevant in the light of tomorrow's elections for non-permanent seats on the Council, which will bring another tranche of incoming Council members.

Thirdly and finally, we firmly believe that fairness and clarity in sanctions processes are important factors in the implementation and impact of United Nations sanctions. Resolution 1904 (2009), which established the Office of the Ombudsperson, was a significant step forward in improving the fairness and transparency of the sanctions regime for Al-Qaida and the Islamic State in Iraq and the Levant and enhancing the rule of law in the implementation of Council decisions. The Ombudsperson mechanism is a key element in preserving the integrity and therefore the effectiveness of the Security Council sanctions system. We therefore call on the Council take all necessary measures to further strengthen the independence and impartiality of the Office of the Ombudsperson and expand the Ombudsperson's mandate to other sanctions regimes.

We welcome the fact that most of the issues highlighted today have been or are being discussed in the framework of the Informal Working Group on Documentation and Other Procedural Questions. As today's open debate demonstrates, the Security Council's working methods are of interest to the entire United Nations membership and improving them is our collective responsibility. It should therefore be a matter of concern to all that no formal progress has been made in the framework of the Informal Working Group since the last open debate on working methods in the Council in February 2018 (see S/PV.8175). We call on all Council members to engage constructively in efforts to achieving concrete and tangible progress on those matters. The ACT group is committed to

doing its part in this joint effort and to supporting any initiative, particularly the efforts of elected Council members, towards a more efficient and transparent Security Council.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Singapore.

**Mr. Gafoor** (Singapore): My delegation welcomes your very strong leadership, Mr. President, in steering the work of the Informal Working Group on Documentation and Other Procedural Questions in an open and transparent manner. I thank you also for your continued personal presence here to listen to all our views. We also appreciate the work of Japan, the previous Chair of the Informal Working Group, and its role in issuing and revising note 507 (S/2017/507, annex).

I believe that we have been fortunate today to have had two comprehensive briefings, by Ms Karin Landgren of Security Council Report and Mr. James Cockayne of the United Nations University Centre for Policy Research. They gave us plenty of food for thought. This morning, we also heard a very important statement, which was delivered by the Permanent Representative of South Africa on behalf of the 10 elected members (E-10) of the Security Council. Singapore endorses that statement in its entirety.

The statement of the E-10 is significant because it speaks for the wider membership. Indeed, it is our expectation that all elected members will seriously take the working methods of the Council as their responsibility during their terms, and we also hope that all elected members will be committed to improving the working methods of the Council. From Singapore's point of view, that is how we will judge the performance of elected members: their commitment to improving the working methods of the Council.

That is not a question of dividing the Council between the permanent members and the elected members. For Singapore, it is a question of making the work of the Council more transparent and accountable so that the large majority of the United Nations Members that are not in the Council and have difficulties in being elected to the Council can participate in and support the important work being done in the Council.

As a small country, Singapore strongly supports improvements to the working methods of the Council, and we believe that this would bring benefits to all States, big and small, including the permanent members.

It is an area where we can all make an immediate and noticeable difference without getting caught up in the legalities and technicalities pertaining to amending the Charter of the United Nations.

I would like to focus my remarks on a few areas.

First, we are pleased that good progress has been made on transparency and accountability. There has been an increased number of open debates and informal briefings on the work of the Council to the wider United Nations membership and more meetings are being covered by webcast, which is a trend we encourage.

Notwithstanding that, the practice of closed consultations remains. My delegation fully understands the necessity for closed discussions on certain issues; indeed, they are often necessary in order to have a very candid and frank discussion among the main stakeholders. Nevertheless, we believe that it would be useful if some form of summary records or at least decision points were maintained for those meetings and shared with the wider membership. In addition, the Council should seriously think of beginning a conversation on formalizing its provisional rules of procedure. They constitute the only set of rules guiding the working methods, and yet they remain provisional after more than 70 years. If codified, the rules of procedure would help the Council to account for its own performance and, more importantly, enhance the Council's legitimacy and credibility.

Secondly, on inclusiveness, we are encouraged that the Council has made greater use of formats such as Arria Formula meetings and Toledo-format dialogues to engage more interactively with the General Assembly. We are also encouraged by the regularization of introductory and wrap-up meetings with the wider membership by each month's President. We hope that these meetings will continue as a standard practice, and that they will contain more interactive discussion and greater analysis. We would suggest that the monthly wrap-up meetings be reflected as part of the programme of work of the Council and that the date and time of these meetings be fixed well in advance and communicated to all Members with ample notice so that all of us can come prepared to participate.

My delegation is also encouraged by signs of increased intra-Council inclusiveness. The E-10 have held regular meetings, including with the Secretary-General, and we think that they have promoted the E-10's more inclusive performance within the Council.

We are heartened to see more E-10 members taking on penholder roles in the Council. A Council where members feel sidelined is not only non-inclusive, but will also be ineffective in representing the interests of the wider membership.

With regard to inclusiveness, the report of the Security Council to the General Assembly plays an important role because it is the means by which the Council reaches out and communicates to the wider membership in the Assembly. As was pointed out earlier, the report is due by the spring and yet we do not have it yet. In order for all Members to have a considered debate on the work of the Council, these reports should be made available to all members in good time. Unfortunately, in recent years we have seen a trend whereby the report has been submitted later and later and, worst still, the debate on the report has been rushed and held at very short notice, thereby not enabling Members to be prepared properly for a substantive discussion. We hope that Council members will take note of this and submit the reports in good time so that the wider membership can have a substantive debate on the work of the Council. In our view, a delay in the submission of the report does not help the credibility or legitimacy of the Security Council. In fact, a thorough debate in the General Assembly on the work and report of the Council would help to enhance the Council's credibility and legitimacy.

My third point relates to effectiveness. The Council's record on this remains mixed, with a strong voice being raised on some issues, but a lack of adequate action on others. The veto, unfortunately, has too often been used to block Council action aimed at preventing mass atrocity crimes. Singapore joined more than 100 countries in supporting the French-Mexican initiative and the Accountability, Coherence and Transparency group's code of conduct on limiting the use of the veto against mass atrocity crimes. While the five permanent have special privileges, these, in our view, must be wielded with increased responsibilities. Otherwise, the Council will not be able to discharge its duties in the maintenance of international peace and security.

Let me conclude, Mr. President, by thanking your country for the attention it has brought to bear on this issue and you personally. We support your intention to follow up on today's meeting by further discussing practical proposals within the Informal Working Group on Documentation and Other Procedural Questions. We call on all members to continue constructive

engagement in improving the working methods of the Council. In line with the E-10's earlier statement, we support the adoption of specific notes by the President on specific working method issues as and when they are agreed in order to allow for practical reforms. We look forward to a good outcome under your able leadership.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Japan.

**Mr. Bessho** (Japan): Let me begin by congratulating you, Mr. President, on assuming the presidency of the Council. I hope that you will find your presidency a useful occasion to reflect the discussions you have led in your capacity as Chair of the Informal Working Group on Documentation and Other Procedural Questions in the real working methods of the Council.

I would also like to thank Ms. Karin Landgren and Mr. James Cockayne for their very useful briefings this morning. I would especially like to express my appreciation to Ms. Landgren for basing some of her comments on her experience as Special Representative of the Secretary-General. That really added power to her statement. I further thank Mr. Cockayne for focusing in his briefing on a specific issue and through it informed us of the complexities of the discussion that we are undertaking right now.

We believe that note 507 (S/2017/507, annex) is a living document and that it should therefore serve as an inspiration for further improvement of working methods rather than something that we merely just follow, as the Permanent Representative of South Africa said earlier this morning, speaking on behalf of the current elected 10 members of the Council. We are also of the view that reforms to the Council's working methods must balance the dual needs for transparency and effectiveness and for ambition and feasibility. This requires a flexible approach that takes into account many views from both inside and outside the Security Council. We would therefore like to commend the President for organizing today's open debate.

Improving the Security Council's working methods is a process that has evolved over time. It is vital for ensuring the Council's legitimacy by pursuing a decision-making process that is transparent and draws on the wisdom of all 15 members of the Security Council working together. We must also be conscious that the prime objective of upgrading the Council's working methods should be to enhance its capacity to

take the best action in the timeliest manner to restore and maintain international peace and security.

Every year five non-permanent-member countries are elected to bear indispensable responsibilities. We believe that it is necessary and important to give these new members enough opportunities to prepare in advance and then actively participate in the Council's work from day one. Tomorrow, five members are to be elected to serve on the Security Council from 2020. We hope that they will be able to make the best use of the recent improvements of the Council's working methods so that they are well prepared to hit the ground running. From this perspective, we welcome the ongoing discussions in the Council on important issues, including penholdership and subsidiary bodies.

Lastly, I would like to point out that working methods are an essential part of Security Council reform, but not the only one. Ultimately, a comprehensive reform of the Council must include an expansion in its membership to reflect current realities through adding more Member States that have the capacity and willingness to take on major responsibilities with regard to the maintenance of international peace and security. Japan will continue to work with all Member States towards this goal.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Ireland.

**Mr. Flynn** (Ireland): Thank you, Mr. President, for convening today's debate. I would also like to thank our briefers.

At the outset, I would like to align myself with the statement delivered on behalf of the Accountability, Coherence and Transparency (ACT) group.

Working methods are not an end in themselves. We and others seek to improve the way the Security Council operates because we want the Council to be more effective. This means we want the Council to be able to effectively tackle the many and complex challenges to international peace and security we face. We also want the Council to operate in a way that maximizes its legitimacy, which means making it as representative, transparent and accountable as possible. We believe that a reformed, more accountable and transparent Council would be better placed to meet its core tasks of preventing and resolving conflicts. It is with this in mind that my country, Ireland, approaches the issue of working methods.

Kuwait deserves special praise for its efforts to improve the working methods of the Security Council. In addition to convening two open debates on working methods, last year's (see S/PV.8175) and today's, as Chair of the Informal Working Group on Documentation and Other Procedural Questions, Kuwait has done valuable work in seeking to update elements of note 507 (S/2017/507, annex). In particular, it has advanced the role of incoming elected members and troop- and police-contributing countries. It has also secured agreement on important improvements to the day-to-day operation of the Council.

The foregoing reforms build on other recent improvements to working methods, for example, the improvements made to the selection process for the current Secretary-General. Due to the work of ACT colleagues and others, it was possible to arrange a much broader and more transparent process. For the first time, all candidates were publicly declared, and all of them appeared in hearings before the General Assembly. Such a process greatly enhanced the democratic legitimacy of the selection and reinforced the authority of the candidate selected.

Mr. President, I know that you are also pushing for further improvements. There are, as others have noted, many important areas that need to be addressed. I would just like to highlight three, starting with the issue of the Sanctions Ombudsperson. The Ombudsperson mechanism is a key element for ensuring the integrity and effectiveness of the Security Council's sanctions system, but it needs to be strengthened by extending the mandate of the Ombudsperson to the other sanctions regimes. This is an important issue of due process and the rule of law.

Secondly, there is the issue of fairness and equality in the allocation of Council responsibilities. There is nothing in the Charter that states that only permanent members can draft resolutions. In fact, as the Council's work has grown, it makes little sense not to share the burden of this task and utilize the skills and experience of elected members. Equally, allocating excessive workloads in respect of subsidiary bodies to elected members may affect their ability to participate effectively in other aspects of the Council's work.

Finally, I would refer to the relationship between the Council, the General Assembly and other bodies. In this context, I would like to welcome the positive developments we have seen, in particular the regular

interaction with the Peacebuilding Commission in its role as an advisory body to the Council, and also with regional and subregional organizations, including the European Union and the African Union. But there is more we can do.

Working methods are not only what we put down on paper, but also the mindset with which we approach the challenges we face. Ireland believes that many recent and current elected members have brought new thinking and a new dynamic to the Council. They have rightly looked askance at the sterile debates and grandstanding that can sometimes characterize the work of the Council and have asked what we can do differently. Sometimes, as with Germany's recent presidency, it was literally letting in the light and trying to promote more interactivity during debates. New Zealand initiated more regular informal interaction among permanent representatives, and also a focus on situational awareness to prevent conflict. Others, including Kuwait and Sweden, have shown how they can play a key role on humanitarian issues, and, in so doing, bridge divides on the Council.

Five new Council members will be elected tomorrow. This continual process of renewal of the Council should also be an opportunity to reflect on and improve the way the Council operates. We need a sense of urgency and shared purpose. We need a strong commitment to preventing and resolving conflict. For some, the rules of procedure are used to block action, not to facilitate it. This has to change. As an aspiring elected member, Ireland will continue to work to ensure that the Council's working methods are fit for purpose and to help the Council meet its primary responsibility of maintaining international peace and security.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Canada.

**Mr. Blanchard** (Canada): Allow me to say a few words to commemorate the 14,000 Canadians who stormed Juno Beach on 6 June 1944. They joined British, American and French allies in the massive D-Day amphibious assault on the beaches of Normandy. Some 5,000 Canadians died during the Battle of Normandy. I would like to quote from remarks made by the Prime Minister of Canada, Mr. Justin Trudeau, today, speaking about the young people who disembarked on Juno Beach:

“They served under different flags but fought for one cause. They stood up to tyranny and stood for

freedom and laid down their lives in defence of human rights and democracy.”

*(spoke in French)*

I wish to thank Kuwait for holding this open debate and for its leadership in improving the working methods of the Council. I would also like to thank Ms. Landgren and Mr. Cockayne for their informative briefings.

Today's debate is a welcome opportunity to reflect on the functioning of an organ entrusted by the membership of the United Nations to maintain international peace and security. For this reason, Canada welcomes the joint statement by the elected 10 members (E-10) of the Security Council and aligns itself with its content.

We often think of the Security Council as rigid. In reality, the Charter of the United Nations affords it the flexibility it needs to evolve and adapt as required. By refining its working methods, we continue the work of translating a paper document into a living institution.

Canada is firmly of the view that the Council can and must evolve to be more responsive, effective and transparent. Indeed, since the establishment of the United Nations, the number of Member States has grown by 278 per cent. Over the past 20 years, the number of subsidiary bodies of the Council has increased threefold. At the same time, new information and communications technologies have increased both the ability and the expectations of transparency in international institutions. And as the countries represented around this table are aware, geopolitical realities have shifted significantly since the founding of the United Nations, with a legitimate expectation from elected members for meaningful involvement in the work of the Council.

*(spoke in English)*

There is much left to be done to make the Security Council more democratic, inclusive, representative and efficient. Fundamentally, by improving the working methods of the Security Council, we are also strengthening the multilateral institutions that underpin the rules-based international order.

As a starting point, the Council's working methods should empower elected members to be fully involved in collective decision-making. Elected members bestow legitimacy on the Security Council while injecting a diversity of ideas and perspectives. Over the years, they

have been motors of innovation in this Chamber. But in order to reap the benefits of diversity, incoming elected members need access to information and the ability to act on such information. They should therefore be privy to documents and consultations of the Security Council as soon as possible after they are elected.

Canada salutes the efforts undertaken by the current E-10 to work in a more integrated manner. This is not about pitting the E-10 against the five permanent members. It is about trying to make the Security Council more effective for all. Fair and clear procedures and respect for due process should therefore guide the implementation of Security Council sanction regimes, and we support the role of the Ombudsperson in this regard.

Like most Member States, Canada believes that prevention and peacebuilding are important pillars of maintaining peace and security. To play its role and be more effective, the Council needs to continue to open itself to in-depth discussions around the root causes of conflict. Such discussions will better inform mandates authorized by the Council. The Council has started to do just that with climate change. If Canada were elected to the Security Council, it would enhance that practice and include more in-depth consideration of economic security to ensure that mission mandates are more effective.

For example, it is just wrong that economic security is not further considered in the current development of the mandate for the special political mission to be adopted for Haiti. Failure to do so may lead the Council to adopt a mandate that does not address the root cause of insecurity in Haiti. The Security Council could do more with regard to conflict prevention, for example, through regular horizon-scan briefings from the Secretariat and more frequent briefings from the heads of United Nations regional political offices or other regional organizations, such as the African Union.

Furthermore, the Council could do more to institutionalize linkages with the Peacebuilding Commission (PBC). We welcome the practice of holding informal interactive dialogues with the PBC and the Council on countries and regions such as the Sahel, where both bodies have important roles to play. The Council could also consider inviting the Chair of the PBC or the Chairs of country-specific PBC configurations to join Council missions to countries where both bodies are engaged.

Canada recognizes the need for a division of labour, but disagrees about silos, which make multilateralism not as effective as it should be, to say the least. The Council ought to build on the ongoing United Nations reform and lead by example in breaking the silos.

In addition, Canada supports the calls of elected members of the Council for more consultation, transparency and burden-sharing in the distribution of chairmanships of its subsidiary bodies. Similarly, the Council should drop the informal penholder system, by which certain members exercise an unspoken monopoly in drafting resolutions, often with little or no consultation or meaningful input from the elected members or relevant committee chairs. That practice is undemocratic and has no basis in the Charter.

We know that transparency generally improves the quality of governance and decision-making. The Council should consider a standing referral to the PBC of countries undergoing United Nations mission transitions so as to ensure that adequate attention is paid to addressing root causes of conflict and longer-term risks to peace in order to avoid relapses and the need for a return of peacekeepers. Limitations on the use and threat of use of the veto needs to be a crucial element of the Security Council's evolution. Canada calls on all that have yet to do so to join the French-Mexican initiative and the Accountability, Coherence and Transparency code of conduct regarding Security Council action against genocide, crimes against humanity or war crimes.

Above and beyond the incremental recommendations contained in note 507 (S/2017/507), Canada believes that far more needs to be done to make the Security Council gender responsive. Through resolutions and statements, members of the Security Council have stressed the importance of women's equal participation and full involvement in all efforts for the maintenance and promotion of peace and security.

We commend efforts to increase the number of women civil society briefers speaking to the Security Council on both geographic and thematic agenda items. Their perspectives need to be heard in the Chamber. We also commend efforts led by Kuwait to increase the use of gender-neutral pronouns and other such language in United Nations documentation. The creation of a Security Council informal experts group on women and peace and security was a major step in the right direction. It should be fully leveraged, with the participation of all

Council members, to enhance gender perspectives in debates, resolutions and mission mandates.

When the Security Council undertakes field visits, it should meet with local women's civil society groups. Ideally, that should be included in the terms of reference of the visits themselves. If elected to the Security Council for 2021-2022, Canada will seek to ensure that multilateralism works for everyone. It is really important.

**The President** (*spoke in Arabic*): I give the floor to the representative of Italy.

**Mrs. Zappia** (Italy): Let me congratulate you, Mr. President, on assuming the presidency of the Security Council and thank you for dedicating today's open debate to the very important issue of working methods. These are at the very heart of the increasing demand to strengthen the institutions on which the international system is based today. A more transparent and legitimate Security Council is absolutely needed if we want to foster the trust of public opinion in the Organization and achieve the common goal of strengthening multilateralism.

I also wish to commend your work, Mr. President, as Chair of the Informal Working Group on Documentation and Other Procedural Questions, as well as the work done before you by Ambassador Bessho of Japan. Your work is very important in improving the working methods of the Security Council and in updating and implementing revised presidential note 507 (S/2017/507, annex).

Finally, I thank the briefers for their insightful presentations.

Italy aligns itself with the statement delivered today by the representative of New Zealand, on behalf of a number of recently elected Council members from all regional groups, and would like to make some additional remarks in its national capacity.

Revised note 507 responds to the demand for enhanced transparency, inclusiveness and interaction of the Council with the rest of the United Nations membership, but additional measures are needed. Among these, it is paramount to ensure fair burden-sharing and equal distribution of penholdership and chairmanship of subsidiary bodies among permanent and elected members. The Council is a collective body, made up of a number of members that should act together on an equal footing as much as possible. And we believe that such fair and equal distribution of duties,

for example through the practice of co-penholdership, is consistent with a more transparent, representative, accountable, democratic and efficient Security Council.

We firmly believe that the elected 10 members (E-10) of the Security Council play a crucial role in the full implementation of revised note 507 and in ensuring better working methods. During our term on the Security Council in 2017, we saw how coordination and concerted action on the part of its elected members can be useful tools for overcoming stalemates in the Council, fostering the participation of civil society, especially women, and spotlighting cross-cutting issues related to peace and security. Moreover, our split term with the Netherlands proved that coordination between outgoing and incoming members is key to ensuring a smooth transition, in particular in the work of subsidiary organs, since it enables newly elected Council members to hit the ground running. We encourage the Council to make use of all the tools at its disposal, and we would like to stress the following.

First, as my friend the Permanent Representative of Canada just said, we believe in closer cooperation between the Security Council and the Peacebuilding Commission (PBC), and we look forward to seeing the Council regularly request, deliberate and draw on the PBC's specific, strategic and targeted advice. Secondly, in reviewing the mandates of peacekeeping operations, due consideration should be given to the views of troop-contributing countries (TCCs) and police-contributing countries (PCCs), whose men and women are actually risking their lives on the ground. A more inclusive involvement of TCCs and PCCs when renewing mandates is key to nurturing trust between these countries and Council members. Thirdly, Italy is in favour of inviting briefers from civil society, particularly women, to Council meetings. Again, as my friend from Canada just said, the participation of women, and greater gender inclusivity and equality, allows Council members to hear different voices and points of view before deliberating. Fourthly, Council members should promote more regular horizon-scanning meetings, with a view to responding to crises before they erupt.

The aim of improving the Council's working methods is to have a more transparent, accountable and efficient Council. As such, it is inevitably intertwined with the issue of comprehensive reform of the Security Council, including its structure and composition. We must strive for a modern Council that enjoys greater authority and legitimacy and that is also more inclusive

and democratic. We should then earnestly debate whether and how an expansion of veto powers would make the Council more responsive to international crises and more efficient, democratic, accountable and transparent. In that respect, Italy is ready to engage with the rest of the membership in a constructive dialogue leading to reform through which elected members can make a bigger contribution to the Council's work, as well as act as a bridge between non-Council members and their concerns.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Slovenia.

**Ms. Bavdaž Kuret** (Slovenia): I would like to begin by thanking the Kuwaiti presidency for organizing today's open debate. We want to commend you personally, and your whole delegation, for your excellent work in chairing the Informal Working Group on Documentation and Other Procedural Matters and for the draft presidential notes regarding issues related to specific working methods. I would also like to the briefers.

My delegation aligns itself with the statement made by the Permanent Representative of Switzerland on behalf of the Accountability, Coherence and Transparency (ACT) group, of which Slovenia is a member, and I would like to add some remarks in my national capacity.

As a member of the ACT group, but also individually as a State Member of the United Nations, Slovenia has always asserted that for the Security Council to be successful and effective, it has to be transparent and efficient in its work. We understand that many of the specific improvements regarding working methods have been agreed on by Council members, and I want to add how important those improvements are. I will mention just a few.

Consultations with troop- and police-contributing countries are essential if the Council wants peacekeeping operations to be effective and successful. The Security Council should listen to Member States that deploy their personnel and address any open issues accordingly. In our view that will make operations and missions better prepared, carried out, tailored and hopefully shorter.

We also encourage continued interaction with the Peacebuilding Commission (PBC), which unquestionably adds a dimension that makes for better-

informed decisions. At the same time, interaction with civil society, especially women's groups, as my colleagues from Canada and Italy mentioned, is very important. We therefore urge for including more of such briefers. They can provide useful first-hand information from the ground while receiving guidance from Council members. We encourage the continuation of this kind of dialogue.

We strongly support including newly elected members in the Council's work in advance of their formal membership as much as possible and exploring additional ways to promote even greater participation. It is in the interests of all member States of the Security Council, as well as the broader membership, to have new members who come fully informed, prepared and able to start working constructively from day one.

Wrap-up sessions are very valuable to the wider membership. Not all States are able to follow every debate, and wrap-ups, besides giving us useful information, also provide us with the unique perspectives of individual Council members. We can only encourage each presidency to plan for a wrap-up that is as interactive as possible and to include them in the programme of work.

As the representative of Switzerland pointed out, there are some difficult outstanding issues on which we would like to see more progress. For example, the General Assembly's discussion on the annual report of the Security Council should be more substantive and should allow for an honest exchange of views. We add our voices to those calling for the timely submission of the 2018 report.

In our view, the issue of responsibilities of Security Council members should be addressed honestly and transparently. We do not believe that the Council, with its obviously unequal distribution of burden-sharing, can be called transparent. All Member States should have the possibility to be penholders, and there can be more than one penholder on a single issue. We are happy that we are already seeing more progress and greater shared responsibility in that area, representing a foundation on which the Security Council can build further.

We call for a consultative procedure for selecting Chairs of subsidiary bodies that is as transparent as possible. We also want to add our voice to those who advocate for expanding the mandate of the Ombudsperson. We believe that fairness and due process are important factors when implementing

sanctions regimes. Resolution 1904 (2009) was an important step forward in that regard, and we call for further improvement in terms of the independence and impartiality of the Office of the Ombudsperson and for expanding it to other sanctions regimes besides that for Al-Qaida and the Islamic State in Iraq and the Levant.

We want to avoid situations where the Council is unable to make decisions, including as a result of the use of the veto. I would therefore like to reiterate Slovenia's desire to see a strong Security Council that can make and implement responsible decisions on behalf of the international community, and to add our call to that of others for Council members and the wider membership of the United Nations to subscribe to and implement the code of conduct of the ACT group.

As today's debate clearly shows, the Council's working methods are of importance to the membership of the Organization. It is the primary organ responsible for the maintenance of international peace and security, and we all want to see it efficient, effective and transparent.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Mexico.

**Mr. De la Fuente Ramirez** (Mexico) (*spoke in Spanish*): We thank Kuwait for taking the initiative to convene this debate on the working methods of the Security Council, which is unquestionably a priority issue, as we have seen in the statements made during this meeting.

The States Members of the United Nations have conferred on this organ the responsibility to act in order to ensure swift and effective action in the maintenance of peace and international security. On a number of occasions, however, the Council has not been up to the task. It has allowed crimes against humanity, war crimes and genocide to occur as a result of its failure to take timely action. Unfortunately, the veto has been used more as a right than what it really is — a responsibility. That is why we once again invite States that have not yet done so to join the initiatives on restrictions on the use of the veto, including the French-Mexican initiative, the purpose of which is to voluntarily restrict the use of the veto in the event of mass atrocities, and which has already been endorsed by more than 100 States. Blocking the action of the international community in the face of such crises has serious consequences, and those who do so must take on the political and moral

responsibility that it entails and be held accountable to the international community.

The Security Council must be more transparent and improve its accountability mechanisms. The United for Consensus movement has been emphatic in arguing that Council reform must be comprehensive and that one of its fundamental aspects consists precisely in its working methods. The Council has an obligation to inform the General Assembly about measures it has decided to adopt in order to maintain or restore international peace and security. Mexico deplores the fact that those reports often lack complete, rigorous and objective information. As the most representative organ of the Organization, the General Assembly must and can act with greater independence in matters that are still the exclusive domain of the Council, bearing in mind the powers related to international peace and security enshrined in the Charter of the United Nations. Resolution 377 (V), better known as “Uniting for peace”, is a clear example of that possibility.

We must also recognize that until now it has been mainly the elected members of the Security Council who have tried to promote ongoing improvements in its working methods. During its most recent term on the Security Council, Mexico frequently had recourse to inclusive formats, such as Arria Formula meetings and informal interactive dialogues, in order to be able to listen to all States involved and civil society, especially in cases that directly concerned them. We commend Indonesia and the other delegations that have held Toledo-format meetings at the end of their presidencies, which we believe represent a good opportunity to have more fluid exchanges with States that are not Security Council members. We also believe that issues of transparency should be reviewed within the framework of the various Sanctions Committees, and that there must be accountability to Member States with regard to the deliberations and decisions of those subsidiary organs.

Finally, I would like to touch on the ongoing invocations by some States of Article 51 of the Charter of the United Nations with regard to using military means to address threats to international peace and security, especially from non-State actors. We are concerned that this practice, coupled with the ambiguous language of some recent Security Council resolutions, increases the risk of broadening in practice the exceptions to the general prohibition on the use of force in paragraph 4 of Article 2 of the Charter. We are concerned about

the insufficient transparency with which those issues, which are of interest to the international community, are addressed, especially given the seriousness of their implications.

Mexico will continue to seek to open up spaces for analysing and discussing these issues, because of the importance they represent for Member States and the international community.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Portugal.

**Mr. Duarte Lopes** (Portugal): I thank you, Mr. President, for convening this open debate on a subject that is always timely. This new opportunity to address the Security Council’s working methods constitutes further evidence of your diligent role, both as President of the Council and as Chair of the Informal Working Group on Documentation and Other Procedural Questions. I also thank the briefers for their comprehensive contributions.

Portugal is a committed member of the Accountability, Coherence and Transparency group, and we therefore align our statement with that delivered by the representative of Switzerland. We also associate ourselves with the statement made by the representative of New Zealand on behalf of a cross-regional group of countries. We also especially welcomed the statement by the Ambassador of South Africa on behalf of the 10 elected members of the Council.

As a complement to those statements, I would like to briefly reiterate the following. First we must definitely guarantee due process in all the Sanctions Committees through the potential expansion of the Office of the Ombudsperson’s mandate and by strengthening its independence. Secondly, it is also crucial to ensure all Council members’ equitable access to the chairmanships of its subsidiary bodies, as well as a fair share of penholderships on dossiers. Thirdly, we advocate for involving incoming elected members in the work of the Council as early as possible.

In conclusion, we trust that during the coming months and under your able stewardship, Mr. President, the Informal Working Group will make further progress on all open items and adopt the draft presidential notes on specific working methods of the Security Council. That will certainly contribute to further enhancing the inclusiveness and effectiveness of the Council’s work.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Norway.

**Ms. Skåre** (Norway): I am delivering this statement on behalf of Denmark, Finland, Iceland, Sweden and my own country, Norway.

Improving the Security Council's working methods enhances the Council's ability to take meaningful action in an efficient, results-oriented and accountable way. We commend Kuwait's efforts to that end in chairing the Informal Working Group on Documentation and Other Procedural Questions. We welcome the progress achieved and support the initiatives taken to ensure the full implementation of the revised note 507 (S/2017/507).

Permanent and elected members share obligations under the Charter of the United Nations for the maintenance of international peace and security. They should have equal access to the means to shoulder that responsibility. That includes a balanced division of labour in areas such as penholderships and the chairmanships of subsidiary bodies. Improving the inclusion of newly elected members in the Council's affairs is also important.

The Office of the Ombudsperson is central to safeguarding due process. The Nordic countries urge the Secretary-General to ensure that the Office's capacity is strengthened. The necessary arrangements must be made "to ensure its continued ability to carry out its mandate in an independent, effective and timely manner", as stated in paragraph 65 of resolution 2368 (2017). We also recommend that the Council consider creating an Ombudsperson for other sanctions regimes.

The Nordic countries would further like to acknowledge the valuable role of the Security Council Report. Every year, Finland arranges a Hitting the Ground Running retreat for the Council and its newly elected members, in close cooperation with the Security Council Report and Professor Edward C. Luck of Columbia University. Its informal discussions have proved to be useful and important.

In the past few years, it has been made abundantly clear that the continued use, or threat of use, of the veto seriously hampers the Council's ability to respond to global crises. The Nordic countries therefore strongly support all measures aimed at limiting the use of the veto. That includes the Accountability, Coherence and Transparency group's code of conduct against mass

atrocities crimes, as well as the French-Mexican initiative to restrain the use of the veto. We encourage member States that have not yet supported those initiatives to do so without delay.

We recall that Article 24 of the Charter enshrines the Council's responsibility to act on behalf of the entire United Nations membership. We call for broader engagement in that regard. The Council should also find a role in the decision-making process for States that are concerned with issues it is discussing. They should also be involved in informal consultations, in accordance with Article 31 of the Charter. Interaction with the broader membership should be improved and enhanced. The Council needs to talk with countries — not only about them.

The Council must also be open to voices from outside the Chamber. The practice of inviting civil society briefers should be maintained in order for the Council to broaden its understanding of the issues on the agenda. The Council should also improve its ability to address problems at all stages of a conflict cycle. More attention needs to be given to the prevention of conflict. Informal situational awareness briefings by the Secretariat is a format that should be fully utilized. Recent progress regarding the role of the Peacebuilding Commission as an advisory body to the Council should be harnessed and developed further.

A relevant and strong United Nations requires an efficient, transparent and inclusive Security Council to meet today's challenges to international peace and security and to improve global governance. I can assure the Council of the Nordic countries' full support in the important work of improving the working methods of the Council.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Morocco.

**Mr. Hilale** (Morocco) (*spoke in French*): First of all, I would like to thank the Kuwaiti presidency for organizing today's open debate on the working methods of the Security Council. This is the second open debate on the subject since Kuwait assumed the presidency of the Informal Working Group on Documentation and Other Procedural Questions. We welcome the institutionalization of that very commendable practice.

My delegation would like to express its appreciation for the considerable work undertaken over the years by the Informal Working Group. The note by the President

(S/2017/507, annex) known as note 507 has in itself made a significant contribution to developing the Council's working methods.

I would also like to commend Ms. Karin Landgren and Mr. James Cockayne for their very informative, enlightening, comprehensive and focused briefings. I invite Council members to reflect further on their contributions.

Articles 24, 25 and 26 of the Charter of the United Nations grant the Security Council considerable powers and privileges, which it cannot exercise without adopting an effective and efficient approach. The Council must in particular support the development of its working methods by ensuring the proper implementation of its mandate. Needless to say, such methods concern all States Members of the United Nations, including both permanent and non-permanent members of the Council.

In addition, the catalytic role of the 10 non-permanent members of the Council, in particular, has been decisive in more than one respect. I would like to thank my brother Ambassador Matjila in that regard for his relevant statement earlier on behalf of the non-permanent Council members. Their proposals are indeed very specific and are derived from their participation in, and contribution to, the daily work of the Security Council. We ask that their proposals be duly considered and reflected upon.

Morocco acknowledges the tangible efforts made in recent years and welcomes the positive developments in improving the functioning of the Council and in enhancing its effectiveness and inclusiveness. Indeed, greater openness and more frequent interaction with the non-permanent members of the Council, elections of the Chairs of the Council's subsidiary bodies and the standardized use of new technologies are significant advances.

Similarly, interactions with the Chairs of the Peacebuilding Commission and of its country-specific configurations would benefit from further institutionalization. Morocco also welcomes the fact that the Council has taken into account the proposals and recommendations of the Central African Republic configuration of the Peacebuilding Commission, which Morocco has the honour to chair.

Such new practices help improve the transparency, credibility and quality of the Council's work. They also enable it to benefit from the diversity of positions and

views of the States Members of the United Nations because the process of improving the Council's working methods is unrestrained, evolving and above all ongoing. Moreover, in the quest for transparency and efficiency and to strengthen the authority of the Council, it is crucial to take into account the current global international context in any debate relating to the Council's working methods.

The Kingdom of Morocco attaches great importance to developing preventive diplomacy, in line with the requirements for rapid and effective action to maintain international peace and security, and to promoting political solutions to disputes and providing the support of the international community for measures taken by the Security Council.

As a troop-contributing country, the Kingdom of Morocco can attest to the lasting repercussions of the Security Council's efforts to prevent conflicts, maintain peace and settle disputes peacefully, in particular in our continent of Africa. Troop-contributing countries have considerable first-hand knowledge of the field, which is why the Council's interaction with contributing countries is not only enriching but indeed essential. Ultimately, consolidating cooperation with troop-contributing countries will be a significant contribution to improving the Council's work.

In conclusion, we should not lose sight of the fact that discussions on improving the working methods of the Security Council are part of an overall vision of the reform of the United Nations architecture. It is for that reason that Morocco welcomes the fact that the Kuwaiti presidency has convened the first debate on the issue. We hope that it will not be the last.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Argentina.

**Mr. García Moritán** (Argentina) (*spoke in Spanish*): Argentina thanks Kuwait for convening today's open debate on a topic that has always been of particular interest to us. We also thank Ms. Karin Landgren and Mr. James Cockayne for their valuable briefings.

Argentina believes that the note by the President (S/2017/507, annex), known as note 507, is a valuable tool for increasing the Council's transparency, inclusiveness and efficiency, as well as a balanced text that can serve as a useful guide on agreed measures or best practices in relation to its working methods.

My country has historically advocated the need for constant efforts to improve transparency, inclusiveness, openness, democratization and efficiency in the work of the Security Council. We are guided in that regard by the conviction that, without prejudice to the effectiveness of its decision-making, the Council can and should be more transparent and democratic in its relationship with a broader membership.

There is no doubt that improvements have been made to the Council's working methods in recent years — the product of efforts made by the non-permanent members, who are the patient and determined architects of those achievements.

It was indeed Argentina, during its presidency of the Security Council in February 2000, that urged the adoption of a note by the President of the Council (S/2000/155), in which newly elected non-permanent members were invited to observe informal consultations for the period of one month immediately preceding their term as elected members of the Council. During our tenure in 2005-2006, we were also a driving force in support of various initiatives for achieving greater transparency and access to the membership of the Council.

When Argentina last chaired the Working Group on Documentation and Other Procedural Questions, during the 2013-2014 biennium, several presidential notes were adopted on subjects such as consultations with troop- and police-contributing countries, dialogue with the non-permanent members of the Council and other bodies, the participation of Council members in the drafting of Council products and their broader responsibility for drafting, and the continuity of the work of its subsidiary bodies, among others.

With regard to dialogue with troop- and police-contributing countries, we recall the joint proposal we made with New Zealand in 1995 to establish a mechanism for monthly Security Council consultations with those countries. We also call on the Working Group on Peacekeeping Operations to continue holding regular and predictable meetings with troop-contributing countries on relevant issues.

Argentina values the periodic assessment of the implementation of note 507 and other relevant notes and the identification of successful practices and possible shortcomings, as well as the consideration of necessary adjustments. Argentina calls on the Informal Working Group on Documentation and Other Procedural

Questions to continue working in that regard towards producing a single comprehensive document in order to consolidate and rationalize all decisions taken on working methods.

Dialogue between the Security Council and other bodies, whether from within the United Nations system or elsewhere, is essential in order for the Council to fulfil its functions. It is important in that regard to ensure that there is fluid dialogue between the Council and the General Assembly, including the timely submission to the Assembly of the annual reports of the Council, in accordance with Article 24, paragraph 3, of the Charter of the United Nations.

Similarly, the Peacebuilding Commission, the International Criminal Court and the humanitarian assistance agencies are among the bodies that we consider crucial in the fulfilment of the mandate of the Council. The Security Council has a multiplicity of responsibilities and coordination with other actors is vital in order to meet them. However, Argentina is not in favour of the Security Council absorbing the functions of other organs given that its function is to maintain international peace and security.

One of the areas in which the Council has not made substantive progress is the follow-up of referrals made to the International Criminal Court. The Council periodically receives the required reports from the Prosecutor of the International Criminal Court relating to its own resolution but does not take action accordingly, even in cases in which the Court has reported that the cooperation required to comply with Council resolutions has not been provided.

We also wish to highlight the lack of significant progress in due process in the framework of the Council's Sanctions Committees. Argentina therefore continues to support the need for the independent and impartial Ombudsman procedure applied in the framework of the ISIL (Da'esh) and Al-Qaida Sanctions Committee to be extended to all other sanctions committees.

We are starkly aware of the fact that, in improving the working methods of the Security Council, the culture of this organ in terms of its decision-making and the effectiveness of its performance are at stake. That is why Argentina welcomes the constructive discussions on the subject that have been held as part of the intergovernmental negotiations on Security Council reform.

I would like to conclude by reiterating that the task of reviewing and updating the working methods of the Security Council, in response to the demands of the international community for its greater democratization, inclusivity, accountability and transparency, is an important goal that my country fully endorses.

**The President** (*spoke in Arabic*): I now give the floor to the representative of India.

**Mr. Kakanur** (India): I thank you, Mr. President, for organizing this open debate on the working methods of the Security Council.

At the very outset, I would like to express my delegation's appreciation for the work done by the delegation of Kuwait on this crucial issue in its capacity as the Chair of the Informal Working Group of the Security Council on Documentation and Other Procedural Questions.

As an organ of the United Nations tasked with the maintenance of international peace and security on behalf of all Member States, the work of the Security Council — and the way it chooses to organize that work — is a matter of interest to all those who are affected by its outcomes.

The edifice of the working methods of the Council is erected on the nebulous expanse of rules of procedure that remain provisional even 70 years after adoption and a series of quasi-formal presidential notes. For a body with responsibilities as significant as those of the Security Council, the procedure is as political as its politics. As the challenges to international peace and security evolve and expand, it is our expectation that the Council will change with evolving norms to match with the emerging challenges. The Council's record, however, has been lagging behind. The working methods of the Council have, in several cases, regressed. Let me make three points to highlight that issue.

First, I want to touch upon the issue of the Council's engagement with the General Assembly. One way in which that engagement is intended to be meaningful is through discussion of the report of the Security Council to the General Assembly. While there have been longstanding demands for such reports to be more substantive and analytical, those reports are more often full of the usual factual indicators — how many times the Council met, how many debates it had and so on. The way in which those reports are submitted also causes delays in how and when they are discussed by the

General Assembly, thereby depriving the membership of an important opportunity to engage with the Council. Such engagement between the two organs needs to be restored and strengthened.

Secondly, with regard to the issue of the subterranean world of subsidiary bodies, we have seen several such bodies over the years being created and tasked with crucial responsibilities, such as taking decisions on listing and delisting individuals and entities from the various sanctions regimes of the Council. Not only do those subsidiary bodies have varied and custom-made working methods, but they also follow obscure practices that do not have any legal basis in the Charter of the United Nations or any Council resolutions.

Those committees undertake their work outside the norms of transparency and hardly any efforts are taken to make the broader United Nations membership or the international community aware of their various deliberations and decisions. For instance, while we are informed about those committees' decisions to list individuals and entities, the decisions taken to reject listing requests submitted by Member States are neither made public nor conveyed to the larger membership. Furthermore, just as the efforts of Member States to designate terrorist leaders go unnoticed by the membership, the efforts of terrorist leaders trying to get themselves delisted are also going unnoticed.

Thirdly, I would like to touch upon the issue of the Council's peacekeeping-related work, the impact of which is highly visible and relevant to many of us. While it is a common understanding that listening to the views and concerns of troop- and police-contributing countries is crucial for improved implementation of peacekeeping mandates, it is even more important for such understanding to be translated into action.

My delegation hopes that the abovementioned suggestions, as well as those offered by my colleagues, will find their way into the rulebook of the Council sooner rather than later.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Brazil.

**Mr. Vieira** (Brazil): I thank you very much, Mr. President, for convening this open debate. We hope that our discussions today will have a direct bearing on our efforts to increase the levels of transparency and accountability of the Security Council.

I also thank Ms. Karin Landgren and Mr. James Cockayne for their insightful briefings and for their continuous efforts to disseminate information and analyses concerning the activities of the Security Council.

We commend the attention devoted by the Security Council to enhancing its working methods and encouraging its members to commit themselves to fully implement the recommendations contained in the note by the President (S/2017/507, annex), known as note 507. I would also like to highlight the valuable work done by Japan during the latest update of note 507 in 2017, as well as the leadership of Kuwait in steering the discussions of the Council's Informal Working Group on Documentation and Other Procedural Questions.

Brazil has long upheld the need for the Security Council to operate within the letter and the spirit of the Charter of the United Nations. The Charter establishes that this organ should act on behalf of the wider membership and should therefore guarantee adequate levels of inclusivity and transparency, including by listening to the Member States affected by its decisions.

One particular challenge is to maintain, whenever appropriate, regular coordination, cooperation and interaction with the principal organs of the United Nations. The relationship between the Security Council and the General Assembly must be dynamic and complementary. One key provision is Article 10 of the Charter of the United Nations, according to which the General Assembly may make recommendations to the Security Council. That enhanced exchange could contribute to mitigating the cases of encroachment on and consequent erosion of the authority and mandate of the General Assembly by the Security Council. In that regard, the Security Council must make strides in holding more regular and substantive consultations with the General Assembly, either to review work plans or to consult specific issues of mutual concern.

Let us not lose sight of the fact that a healthy relationship with the General Assembly is also a matter of accountability. Article 24, paragraph 3, of the Charter of the United Nations establishes that the Security Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration. There has been a long-standing call from the wider membership for the submission of an analytical and comprehensive annual report with an assessment of its work and the challenges ahead.

Special reports have rarely been presented to the General Assembly, even though the Charter envisions them as another way of keeping the wider membership abreast of the Council's activities.

More should be done to enhance the consultations with troop- and police-contributing countries (TCCs/PCCs). Keeping in mind the current efforts to improve the effectiveness of our peacekeeping operations, the views of TCCs and PCCs should have a bearing on the formation, review and drawdown of peacekeeping operations and the mandates of special political missions. To that end, TCCs and PCCs should be consulted in a regular and timely manner. Unfortunately, the mechanism for consultations that is in place today does not have the desired impact on the deliberations of the Security Council.

We believe that the Security Council should be open to all United Nations bodies that can substantively contribute to its work. The Peacebuilding Commission (PBC) is one of the most prominent examples, given that it was conceived to play an advisory role to the Security Council. Nevertheless, after 13 years of existence, the potential of the PBC has unfortunately not yet been fully tapped by the Security Council. Having been an active member of the PBC since its inception, and as Chair of the Guinea-Bissau configuration, Brazil still feels that there is ample room to improve the coordination, coherence and cooperation between those two bodies.

As for the decision-making process within the Security Council, Brazil believes that elected members should be offered real opportunities to be penholders. A fair and adequate distribution of penholderships should be seen not as an exception but as a common practice essential to fostering appropriate levels of transparency and accountability in the Council. The possibility of co-penholderships envisaged in presidential note 507 is a positive development and the Chairs of the subsidiary bodies are uniquely placed to be considered co-penholders on issues pertaining to their activities.

Access for affected Member States to the Security Council's subsidiary bodies should also be ensured, as appropriate, especially in view of the fact that those bodies usually deal directly with issues that concern the wider membership. Let me once again invoke the Charter of the United Nations, whose Article 31 states that any Member of the United Nations which is not a member of the Security Council may participate in the discussion of any question brought before the Security

Council whenever the latter considers that the interests of that Member are specially affected. That provision should also be applied to the subsidiary bodies.

Finally, we encourage efforts to review the use of the veto in the Security Council, in view of the ample call of the wider membership for its abolition or restriction. Even though that topic goes beyond presidential note 507, it also has a direct impact on the functioning of the Security Council.

Undertakings to improve the working methods of the Council do not replace but rather complement the need for a structural reform of the Security Council, with the creation of new permanent and non-permanent seats. The effectiveness of the Council cannot be reduced to procedure; it is also related to substance. Many of the shortcomings in the operation of the Security Council are related to the absence of actors that can contribute to bridging differences and avoiding blockages. A structural reform will necessarily entail a broad revision of the Council's working methods in order to align them with the desire expressed by the majority of Member States for greater transparency and accountability. An updated Council that is more inclusive, transparent and accountable will also be more efficient.

Unfortunately, Security Council reform is long overdue. It is high time for us to intensify our efforts in moving forward and bringing about a Security Council that reflects the contemporary reality.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Sweden.

**Mr. Skoog** (Sweden): I wish to congratulate you, Mr. President, on assuming the presidency of the Council for this month, and pay tribute to the very strong, energetic and dynamic leadership of Kuwait on the issue of the working methods of the Security Council. I also wish to thank the Kuwaiti presidency for convening this open debate today.

I also wish to thank the briefers for their very useful and interesting statements. I think that, having listened to many statements by the wider membership today, there are a host of extremely useful issues that will help the Council in improving its working methods.

I will address the Council today on behalf of the Group of Like-minded States on Targeted Sanctions, which is made up of Austria, Belgium, Chile, Costa Rica, Denmark, Finland, Germany, Liechtenstein,

the Netherlands, Norway, Switzerland and my own country, Sweden. I will focus on one of the issues raised in the concept note for this debate (S/2019/450, annex), namely, how transparency and efficiency can be improved in the work of the Council's subsidiary bodies, including the strengthening of due process.

December will mark the 10-year anniversary of the creation of the Office of the Ombudsperson for the sanctions regime of the Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning the Islamic State in Iraq and the Levant (ISIL/Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities, which was established precisely for the particular purpose of strengthening due process and fair and clear procedures in the sanctions regime. We have seen the work of the Ombudsperson develop and deepen. It has had a real impact on individuals' right to due process in the sanctions listing and delisting process. That achievement of the Ombudsperson has also been recognized by various regional and national courts.

When the function and Office of the Ombudsperson were established, it was underscored that it should be able to carry out its mandate in an independent and impartial manner. The members of the Group of Like-minded States on Targeted Sanctions are today especially concerned that this independence is being undermined by the current contractual status of and institutional arrangements for the Office of the Ombudsperson in the Secretariat. We therefore urge the Secretary-General to ensure that the capacity of the Office of the Ombudsperson is strengthened and that necessary arrangements are made "to ensure its continued ability to carry out its mandate in an independent, effective and timely manner", as stated in paragraph 65 of resolution 2368 (2017).

This is a matter not only of working methods but also of ensuring that individuals placed on United Nations sanctions lists enjoy fair and clear procedures and are afforded due process. The fairness of such processes is a determinant for the effectiveness and legitimacy of the Security Council's sanctions system, which could otherwise be challenged by national or regional courts. In that regard, we wish to recall our letter to the Security Council dated 7 December 2018 (S/2018/1094), which also includes other proposals for improving due process with regard to the Office of the Ombudsperson. We all have an interest in ensuring efficient sanctions that are legitimate as well as perceived to be legitimate. The

Group of Like-minded States on Targeted Sanctions therefore urges the Security Council and the Secretary-General to pursue their efforts to ensure that due process is afforded and that human rights are respected, both in the process of imposing sanctions and in subsequent implementation measures.

Similar due process concerns to those faced in the ISIL/Da'esh and Al-Qaida sanctions regime exist in relation to other Security Council sanctions regimes. Courts and tribunals are increasingly faced with questions emanating from other sanctions regimes and have underlined the lack of due process protection that they provide. That is why we ask that the Council address this issue by creating an Ombudsperson or a mechanism that provides equivalent protection for other sanctions regimes.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Liechtenstein.

**Mr. Wenaweser** (Liechtenstein): I would like to express my country's appreciation of your personal leadership, Mr. President, on the topic under discussion today. We hope that it will be possible to reach agreement on some of the measures on which there have been informal consultations. We are disappointed to note that that has not yet been possible.

Efforts to make the Security Council more inclusive, transparent and accountable are of essential importance and need to be discussed with the wider membership. Progress on this file has been steady, albeit uneven and certainly slow. The most difficult aspect remains the inconsistent application of working methods issues that the Council itself has agreed on over the past years. We look forward to seeing further improvements on the implementation of those working methods. In that respect, it is certainly helpful that the elected members of the Council work in closer coordination, both inside the Council and with partners outside of it, such as the Accountability, Coherence and Transparency (ACT) group, of which we are a member.

We very much commend the joint statement delivered earlier today by our colleague from South Africa on the issue of the Council's working methods.

The Security Council was not designed as a democratic organ, given that its permanent members have the competence to single-handedly block majority decisions. For that reason, we expect the elected members to play a dynamic and independent role on

the Council. More precisely, our expectation in electing them is that they fully and effectively contribute to the work of the Council; after all, they are directly accountable to the membership.

For us, subscribing to the code of conduct on mass atrocities, developed by the ACT group, is a minimum standard for Council membership and a precondition for our support in Council elections. However, we also believe that some of the practice that has evolved in the recent history of the Council is detrimental to the active role of elected members. We therefore favour agreements under which elected members can serve as penholders on resolutions submitted for the Council's consideration. We welcome in particular the suggestion that the delegation chairing the sanctions committee on a specific country situation should also have a joint leadership function with the traditional penholder in drafting resolutions on that situation. More than anything else, this seems to be an issue of quality management and common sense. We would also like to see the chairmanships of subsidiary bodies more equitably distributed among the Council's membership. Having permanent members taking on their share of those tasks is a good way of ensuring a healthier working relationship in the Council.

We have, for many years, paid particular attention to the work of the Council on sanctions, rooted in our commitment to the rule of law and the requirements of due process. We fully subscribe to the statement delivered by the representative of Sweden and we would like to thank Mr. James Cockayne from the United Nations University for his very insightful briefing on this topic earlier today. The establishment of the Office of the Ombudsperson 10 years ago was an important and overdue step, following legal challenges in the courts of various Member States. The work of the Ombudsperson has been effective and hardly controversial, contrary to the expectations of many, yet the Council denies the Office the appropriate institutional arrangements and continues to labour over the obvious next step that is necessary — to extend the mandate of the Ombudsperson to the remaining sanctions regimes. We see no good reason for not taking that decision and hope that the Council will respond expeditiously to the call of the wider membership in that respect.

We participate actively and regularly in wrap-up sessions whenever they are organized at the end of a Council presidency. Those are important opportunities for us to voice our opinions and ask questions, and they

provide valuable opportunities for the Council to hear from us, its constituency. We look forward to seeing further improvements in the format of those meetings and we welcome the proposals that have been made in that respect. We hope that those meetings will be institutionalized to take place at the end of every month.

The format of open debates, such as the one we are holding right now, is also much talked about. The most relevant point for us is ensuring open debates that are organized in such a way that they can help make the decision-making process more inclusive among Council members and thereby more legitimate. The easiest way to do that is by separating the debate from the moment at which a decision is adopted. That, as we understand it, is the case today. We thank the Kuwaiti presidency for leading by example.

In conclusion, the mandate of the Security Council deals with the core original task of the United Nations. The effectiveness of the Organization as a whole therefore depends on the manner in which the Council carries out its work. Deep political divisions among the permanent members of the Council, pressure to reduce funding for necessary peacekeeping operations and increasing political disengagement are therefore alarming signals. As Members of the Organization that are politically invested in multilateralism, we cannot just sit on the sidelines and occasionally voice our frustration. We have to claim ownership and, where possible, step in through action in the General Assembly when the Council fails in its duties. The creation of the International, Impartial and Independent Mechanism for Syria through the General Assembly illustrates that that can be done, and done effectively.

The ultimate expression of the Council's inability to operate is when its decisions are blocked by the veto, as has happened 15 times in the past five years. We are therefore of the view that the General Assembly should be automatically convened every time a veto is cast. That should be done without prejudice to a possible outcome of such a discussion. Member States would, of course, have the option to put forward proposals, but there is no need for automaticity. We believe that important value would be added and significant improvement made in the area of accountability by holding discussions on vetoed decisions with the involvement of the entire membership.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Costa Rica.

**Mr. Carazo** (Costa Rica) (*spoke in Spanish*): We wish to thank you, Mr. President, and your delegation for having convened today's open debate, and congratulate you on having assumed the leadership of the Informal Working Group on Documentation and Other Procedural Questions with responsibility and integrity. We are also grateful for the briefings delivered by Ms. Karin Landgren, Executive Director of Security Council Report, and Mr. James Cockayne from the United Nations University.

Costa Rica associates itself with the statements delivered by the representatives of Switzerland, on behalf of the Accountability, Coherence and Transparency (ACT) group, and of Sweden, on behalf of the Group of Like-minded States on Targeted Sanctions.

We are pleased to have seen the progress made in recent years — albeit slowly — in the definition of the working methods of the Security Council, as reflected in presidential note 507 and its updates, which, in our view, contributes to bolstering the transparency of the work of the Security Council. While acknowledging the progress made on this topic, there are still many aspects that must be addressed in order to not only increase the effectiveness of the Council's work but also enhance the democratization of its functioning and ensure the equitable inclusion of all members of the Council in carrying out the work of that organ.

First of all, we wish to underscore that the responsibilities of the Security Council must be distributed equitably. In that regard, and in respect of the subsidiary bodies, we call for greater transparency in the appointment of chairpersons to those bodies and for those appointments to be carried out in a timely manner and in consultation with new members of the Council. We also reiterate our view that any member of the Council should be able to act as penholder for draft resolutions or, failing that, as co-penholder in the drafting of Council resolutions. We call for greater participation to be encouraged among the 10 elected members of the Council, as well as the holding of consultations among all members of the Council in the decision-making process regarding the distribution of those responsibilities. We also call for continued progress to be made in coordinating elected members of the Council with a view to allowing more open discussion and allowing those members to generate support from others for their potential new initiatives.

With regard to open debates, it is imperative that spaces be provided for stakeholders who may be able to contribute positively to those debates. The participation of civil society must be guaranteed, especially that of women representatives, who can provide insight based on their experiences and understanding of their rights. We believe that the Council should show greater interest in receiving input from those who have a legitimate interest in or may be affected by its decisions. In order for open debates to contribute substantively to the work of the Council, it would be advisable to take into consideration the contributions made by participants in those debates as input to the decisions or outcomes that may be adopted.

In order to encourage the transparency and accountability of the Security Council, the annual report of the Council to the General Assembly should be submitted in a timely manner and should contain analytical elements of its daily work, avoiding a simple description of what it has carried out, in order for States to have the opportunity to participate actively in an interactive and inclusive debate on that analysis. We urge the Council to comply as soon as possible by submitting its annual report for the year 2018 for the consideration of the General Assembly. We reiterate the need to improve the relationship, communication and cooperation between the General Assembly and other relevant organs and the Security Council. That is a practice that should be institutionalized, along with regular consultations with troop- and police-contributing countries.

The United Nations sanctions regime must be transparent and fair in its application. The appointment of an Ombudsperson to the sanctions regime of the Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning the Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities has contributed to that objective. Costa Rica believes that this practice should be institutionalized and replicated in the other sanctions regimes in order to guarantee due process, while always ensuring the functional and operational independence of the Ombudsperson.

Finally, we reiterate the need to move towards defining limitations on the use of the veto, such as those put forward in the code of conduct of the ACT group and in the French-Mexican initiative. That is imperative in fulfilling the prevention work that the Security Council

must carry out, as well as in its mandate to maintain international peace and security.

We urge all members of the Security Council to engage constructively in the ongoing process of formalizing and improving its working methods. We reiterate to the delegation of Kuwait our support for its commendable work and leadership in the relevant working group.

**The President** (*spoke in Arabic*): I now give the floor to the representative of the Islamic Republic of Iran.

**Mr. Al Habib** (Islamic Republic of Iran): I thank the Kuwaiti presidency of the Council for having organized this meeting.

The most effective way of enabling the Council to dutifully fulfil its responsibilities is indeed its reform. That is why one of the five core subjects of the intergovernmental negotiations is enhancing the Council's working methods, within which accountability is an essential concept. Accountability starts from Articles 24 and 25 of the Charter of the United Nations, according to which the Council — acting on behalf of the Organization's entire membership and being accountable to it — is obliged to act in accordance with the Charter and according to which Member States agreed to carry out its decisions. Nevertheless, in practice, while Member States continue to fulfil their respective commitments, the Council has regrettably not acted in accordance with the Charter in many cases.

The living example is the Council's exploitation by a certain State to impose sanctions against other countries owing only to that State's animosity against those countries. The Council's sanctions against Iran in the past was a case in point. The most recent example is the United States violation of resolution 2231 (2015), which was drafted by the United States itself, adopted unanimously — including with the United States' affirmative vote — and expressly recalled the obligations of all Member States under Article 25 of the Charter of the United Nations. The irony is that the United States now brazenly threatens other States to either violate that resolution or face punishment. Unfortunately, such cases are increasing significantly and becoming seriously alarming.

In such situations and without being in breach of their Charter obligations, Member States have the right to defy the Council's decisions simply because a

decision that is ultra vires does not command a duty of compliance. Furthermore, according to a conditional link between Articles 24 and 25 of the Charter, States have no obligation to comply with a decision that is not in conformity with the Charter. Even beyond that, States have a duty to defy such ultra vires decisions by the Council given that compliance with them would lead to the violation of the rights of other countries, which is prohibited under international law. States therefore have both the legal and legitimate right and duty to defy the Council's ultra vires decisions.

It was based precisely on that fact that we witnessed past cases in which States made individual and collective decisions to defy the Council's measures. Should the Council continue to make decisions that are inconsistent with the United Nations Charter and international law in the future, States would again certainly exercise their rights and carry out their duties to defy them. Therefore, in order to prevent the further erosion of the Council's credibility, which is already suffering from a serious trust and confidence deficit, this body should stop acting arbitrarily and inconsistently with the Charter. That is imperative and urgent.

That, of course, cannot be done without ensuring that the Council, as a body, and its members are completely accountable vis-à-vis their actions and missions. It means that, under any circumstances, they have to act in full conformity with the Charter and international law, avoiding making any ultra vires decisions and refraining from the politicization of the Council's activities. It also means that Council members should take decisions based not on their own national interests or that of the geopolitical or geographical groups to which they belong but based on the common interests of the entire United Nations membership.

In conclusion, due to the importance and urgency of promoting the Council's accountability, I propose that an open debate be convened specifically on that subject.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Cuba.

**Ms. Rodríguez Abascal** (Cuba) (*spoke in Spanish*): At the outset, I would like to acknowledge your leadership, Mr. President, on this important topic.

Cuba supports a comprehensive reform of the Security Council, including its working methods, in order to make it a transparent, democratic and

representative organ, in keeping with the evolution of the United Nations and international relations.

The enlargement of the Security Council should be in both permanent and non-permanent categories of membership in order to correct the inadequate representation of developing countries. Its membership should be no less than 26 members. Effective formulas are needed to eliminate exclusive practices and to ensure genuine participation and democratization of the work and decision-making of the Council, including the elimination of the veto.

Pursuant to Article 24 of the Charter of the United Nations, Members recognize that, in the discharge of its functions, the Security Council acts on their behalf and that the work of the Council is therefore the shared responsibility of all Member States. Greater transparency in the work of the organ will therefore contribute to the effective exercise of that shared responsibility. Informal consultations of the organ should be the exception, not the rule, and a record should be issued.

While we acknowledge the increase in recent years in the number of public meetings, including open debates and wrap-up sessions, as well as the innovative practice of consultations and exchanges with Member States for the selection and appointment of the Secretary-General, the Security Council continues to work primarily in closed formats, to take decisions without heeding the concerns of Member States and to force decisions on draft resolutions even when there are significant differences over their content.

Furthermore, Cuba reiterates the need for the Council to adopt a definitive text that regulates its work and puts an end to the provisional status that has characterized its rules of procedure for more than 70 years. That is essential in terms of transparency and the need for accountability.

We regret that the Security Council continues to submit to the General Assembly annual reports that are merely a descriptive overview of its meetings, activities and decisions, rather than providing an explanatory, comprehensive and analytical description of its work that enables us to assess the reasons for and implications of its decisions. The lack of special reports on measures to maintain international peace and security for consideration by the General Assembly, as requested under Articles 15 and 24 of the Charter, is another shortcoming that the Council must overcome.

In addition to a change in working methods, the Security Council must align its functions with the mandate entrusted to it by the Charter of the United Nations. It must cease taking up issues beyond its remit, in particular those that fall under the mandate of the General Assembly. Pursuant to the mandate entrusted to it under the Charter, the Security Council should focus on the most urgent issues that threaten international peace and security. As envisaged, Chapter VII should be invoked as a last resort. We oppose the selective manipulation of the Council's methods and practices in terms of political agendas and control, in particular attempts to introduce topics that are not on its agenda, as well as politicization in the consideration of other issues of which it is seized.

We reaffirm that there can be no genuine reform of the United Nations until the Security Council is reformed. We support the intergovernmental negotiations in the General Assembly, which should continue to be transparent and inclusive. The way forward can be found only through debate, within the established timelines and frameworks, on the basis of consensus among all Member States. We reiterate the need for a reformed, democratic, transparent and efficient Security Council that represents the interests of all States Members of the Organization in order to preserve multilateralism and the long-term credibility and legitimacy of the United Nations.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Guatemala.

**Mr. Castañeda Solares** (Guatemala) (*spoke in Spanish*): We thank the delegation of Kuwait for convening this open debate on the working methods of the Security Council. We align ourselves with the statement made by the Permanent Representative of New Zealand at the beginning of the meeting. We trust that our deliberations will not only allow us to renew our commitment to continuing to make progress in improving the efficiency, transparency and interactivity of the Security Council, but also serve as a solid basis for the effective implementation of note by the President S/2017/507, to which our delegation attaches great value and importance. We also thank Ms. Landgren and Mr. Cockayne for their briefings at the start of this meeting.

Guatemala acknowledges the progress made with regard to some practices and the strengthening of other measures included in note by the President

S/2017/507 thanks to the commendable work of the Informal Working Group on Documentation and Other Procedural Questions, chaired by your delegation, Mr. President, and previously chaired by the delegation of Japan. Codifying best practices is an infinite task but an extremely useful exercise for the work of this organ. Also taking into account our own experience as a non-permanent member of the Security Council for the period 2012-2013, we believe that there is always room for improvement. In that regard, we would like to highlight three issues that are currently important to the working methods of the Security Council.

First, the quest for information and understanding regarding the activities of the Council remains a fundamental and legitimate request. Although there has been an increase in the number of the Council's public meetings, continuing the practice of open debates that promote greater participation of non-members of the Council and the holding of a number of Arria Formula meetings in recent years have enabled the Council to obtain accurate information so as to be more effective in fulfilling its responsibility to maintain international peace and security.

We believe that it is important to continue to hold wrap-up meetings and to pursue greater interaction with the Peacebuilding Commission (PBC) — an advisory body to the Council that plays an important role in preventing the recurrence of conflicts — and with the Chairs of the Commission's country-specific configurations, as well as with other United Nations bodies. We welcome the ongoing implementation of the provisions of note S/2017/507 regarding according due importance to the Peacebuilding Commission. That would clearly make it possible to obtain reliable, first-hand information and specific guidance on the PBC country configurations.

Secondly, in the past the Security Council took decisions on the appointment of the Chairs of the subsidiary bodies in a balanced, transparent and inclusive manner. That allowed for a change, since there is now the impression that consultation on the process take place, in particular among the newly elected members of the Council. My delegation hopes that this practice and trend will be reinforced in the future. It is also necessary to ensure that the selection and appointment processes of the various expert groups are more transparent and balanced, so that there is as wide a geographical and gender representation as possible, bearing in mind the guidance in paragraph

111 of the annex of note S/2017/507, which indicates that the appointment of the Chairs of subsidiary bodies should be agreed by 1 October each year.

Thirdly, we appreciate section VIII of the annex, which indicates the importance of consultation among the Security Council, the Secretariat and troop- and police-contributing countries, which is a valuable contribution to enhancing the capacity of the Security Council to take appropriate, effective and timely decisions in the discharge of its responsibilities. Such coordination is relevant in the case of transitions from peacekeeping operations to special political missions, as well as possible changes in mandates.

In conclusion, our delegation appreciates the work to update the working methods of the Security Council, which has been firmly sustained in recent years. We welcome the steady progress over the past two years. Past practice reminds us that elected members, who are accountable to regional groups and to the entire membership of the United Nations, are the ones most likely to improve the Council's working methods.

The best way to highlight the representative and democratic character of the Council is to strengthen the standards of accountability and transparency. That, in addition to cooperation with permanent members, would lead to greater synergy and effectiveness in the Council around the common goal of improving its working methods, since the decisions of this organ have an impact on the membership of the United Nations as a whole.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Egypt.

**Mr. Gad** (Egypt) (*spoke in Arabic*): At the outset, I would like to thank the Kuwaiti presidency of the Security Council for the month of June for organizing today's open debate on this important topic. The aim is to hear the views and proposals of countries, which is considered in itself a practical way to improve the working methods of the Security Council. I would also like to thank Ms. Karin Landgren and Mr. James Cockayne for their valuable briefings this morning.

The delegation of Egypt aligns itself with the statement made by the Permanent Representative of New Zealand.

Egypt welcomes the points set forth in document S/2017/507, as well as other additional points and proposals that could contribute to further enriching

note 507. In this regard, we would like to make seven observations that we deem necessary for improving the working methods of the Security Council and its subsidiary organs and Committees.

First, periodic briefings should be made to the wider membership on the monthly programme of work of the Security Council in order to give an overview of the most important meetings, activities and visits to be carried out by the Council for a given month. Furthermore, the chairs of the subsidiary organs and Committees should also present periodic briefings before the wider membership.

Second, the frequency of public meetings, whether of the Security Council or its subsidiary organs and Sanctions Committees, should be increased. Let us not forget that the Security Council represents the wider membership, so its meetings and work must not as a general rule be kept from the wider membership, unless they concern matters related to the national security of a State and the State has made a request to that end.

Third, it is important to ensure that the documents and reports of the Security Council be made available to the wider membership and in all six official languages of the United Nations unless they include information related to the national security of States that do not wish to make this information available to the public.

Fourth, draft resolutions and presidential statements that come before the Security Council should be shared with the wider membership. Countries should be consulted so as to allow the wider membership the opportunity to share their views and proposals on these drafts with members of the Council.

Fifth, it is important that the Security Council consult with States and relevant regional and subregional organizations, especially the African Union and the League of Arab States, on conflicts covered by the Council or any of its subsidiary organs or committees.

Sixth, consultation between the Security Council and the troop-contributing countries to United Nations peacekeeping operations should be improved, in accordance with paragraph 91 of note 507.

Seventh, the role of the subsidiary organs of the Security Council in general, and the Sanctions Committees in particular, is extremely important and sensitive because they follow up on the implementation of sanctions regimes and monitor compliance. It is therefore important that the working methods of those

organs and committees be periodically reviewed to ensure that they are able to carry out their functions in an effective and transparent manner. In this regard, Egypt calls for increasing the number of open briefings by the Chairs of those organs and committees, and for regular sharing of the summaries of their meetings with States that are not members of the Security Council.

Furthermore, the sanctions list must be translated into all six official languages of the United Nations, and the information published on the websites of related organs and committees updated. The technical bodies and expert panels of the Security Council organs and committees should consult States concerned when preparing reports related to those States. It is important for the Chairs of the subsidiary organs and committees to invite the States concerned to participate in their meetings whenever such States are being discussed, in accordance, *inter alia*, with paragraphs 101 to 110 of the annex to note 507.

Proposals for developing the working methods of the Security Council and its subsidiary organs and committees are numerous. What matters the most, however, is having the political will to implement them. There should be a conviction that improving the Council's methods will enhance the added value of the Council and its subsidiary organs and committees, and increase its credibility before the wider membership, and, of course, *vice versa*. In this regard, we call on members of the Security Council to study note 507 and its relevant updates and implement any procedures set forth therein that might improve the working methods of the Council and its subsidiary organs and committees.

We stress that States elected as non-permanent members of the Security Council must be fully informed about the procedures contained in the note and its update. During their membership in the Council, they must seek to implement those procedures, especially when they preside over the Council.

In conclusion, I would like to once again thank the State of Kuwait for highlighting the topic under discussion today, as it has since the beginning of its membership in the Security Council and its chairmanship of the related committee. This open debate is important and will surely contribute to improving the performance and efficiency of the Security Council and its subsidiary organs.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Ukraine.

**Mr. Yelchenko** (Ukraine): Let me start by joining previous speakers in wishing you, Sir, a successful and fruitful presidency this month. I am also grateful that the working methods of the Security Council have become one of the prime issues to be considered by the Council. I also want to thank both of our briefers for their useful and important input.

This meeting also has a practical meaning, in the light of the upcoming election of new Council members for the term 2020-2021. I am very pleased that, thanks to the change of election dates, those members will have sufficient time to get acquainted with practical aspects of the Council's work in preparing for their term.

Ukraine has always been among the proponents of a more transparent Council. During our membership in 2016-2017, we did our best to contribute to further opening up the Council's activities to the wider world and enhancing the role of elected members. The negotiations on updating presidential note S/2010/507 during our membership, had a very practical outcome. The new document adopted in 2017 (S/2017/507, annex) is a significant achievement in further streamlining the Council's practices, and we are pleased to see several of Ukraine's priorities reflected in it as well, including on making the Council's field visits more transparent.

Presidential note S/2016/619, regarding the selection of Chairs of the Council's subsidiary bodies, has also become another useful instrument for the elected 10 members (E-10) by making the Council more transparent and effective. Ukraine aligns itself with the statement delivered earlier by the representative of New Zealand on behalf of a number of former elected Council members. We also encouraged by the joint E-10 statement today. It is important that the E-10 are sharing the responsibility for the way the Council conducts its work. From our recent membership experience, I would also like to highlight some approaches that my country considers important to retain and further develop in the Council's practice.

First, the Council should conduct its work in the open as much as is practically possible. Closed consultations should be the exception rather than the rule.

Secondly, if consultations are held, the general United Nations membership deserves to know what was discussed. To that end, the continuation and development of the practice of summarizing respective discussions for further presentations at the media stakeout would be highly appreciated. It is encouraging

to see that this trend towards greater openness now enjoys the necessary traction among Council members.

Thirdly, we remain staunch supporters of the practice of formal monthly wrap-up sessions of the Council, which we see as an important element of the proper implementation of presidential note 507. It is necessary, in that regard, to find a way to seek the input of Member States on issues they would like Council members to reflect on during those wrap-up sessions.

Fourthly, we are convinced that the timely issuance of monthly assessments is not something to be overlooked, since those assessments constitute a valuable source for preparing annual reports.

Fifthly, it would be useful for Council members to consult with the countries concerned and the broader United Nations membership, if necessary, on draft decisions under the consideration of the Council, which could certainly contribute to maximizing the comprehensive implementation of their provisions by the States Members of the United Nations.

The working methods of the Council are what Council members do every day. There certainly are positive changes, but they are much slower than we would have hoped. Now I would like to say a few words about the broader context of the day-to-day functioning of the Council, including recent developments and some ways of bringing about short- and longer-term improvements.

First, we are very much disappointed about the continuing practice of a particular Council member of manipulating and misleading the Council with false information and statements aiming to cover up its military aggression against Ukraine and its interference in my country's internal affairs. We are convinced that the Council should utilize its precious time more effectively, giving due attention, first and foremost, to agenda items that seek to uphold respect for the sovereignty, independence and territorial integrity of the States Members of the United Nations; to addressing and preventing armed conflicts; and to facilitating the settlement of international disputes by peaceful means, in accordance with Chapter VI of the Charter of the United Nations.

Secondly, the use of the veto remains one of the most divisive issues. Unfortunately, the repeated use of the veto has tarnished the Council's reputation to a point almost beyond repair. In particular, we see a

clear lack of implementation of Article 27, paragraph 3, of the Charter, both in the spirit and the letter. In that connection, while a veto-free Council is still a distant and uncertain reality, we believe that a Council member should refrain from using its veto power and abstain from voting when it is a party to a conflict under consideration in the Council. How can such a member be expected to exercise its responsibilities and privileges in an impartial manner?

We will obviously pursue that issue within the intergovernmental negotiations process in the General Assembly, together with Georgia, but any voluntary pledge or action along those lines in the Council would be warmly welcomed and could contribute to restoring the Council's credibility.

In conclusion, let me restate that any effort to increase the openness and transparency of the Council will be strongly supported by the wider United Nations membership, including Ukraine.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Colombia.

**Mr. Gonzalez** (Colombia) (*spoke in Spanish*): At the outset, I would like to thank you, Mr. President, for convening this important debate on the working methods of the Security Council. I also wish to thank Ms. Karin Landgren and Mr. James Cockayne for their valuable and informative briefings.

This debate is most timely, as the implementation of reform requires the greatest possible exchange of views on the part of the entire United Nations membership in seeking mechanisms that are commensurate with the nature of the challenges that the Security Council must face today if it is to fully carry out its mandate.

The first issue we would like to highlight is the need to continue to explore mechanisms that will lead to the formal adoption of the rules of procedure of the Security Council. We trust that today's dialogue will be constructive and advance that effort.

We also cannot ignore the fact that the adoption of resolutions and decision-making within the Council requires broad and complex debate. Nevertheless, if the Council is to be more effective in taking more integrated and inclusive decisions, we must ensure that interested Member States participate in preliminary debates so that those resolutions are adopted in their entirety and take such considerations into account.

My delegation is of the view that such participation with sufficient time prior to the adoption of resolutions would greatly encourage the entire membership to contribute to and fully support the work of the Security Council. It would also enable progress in the goal of ensuring more transparent working methods in this organ. It would make more sense to convene an open debate before the date of adoption of the respective Council decision, which would allow the necessary time to reflect upon the points of view presented by the Council members.

Colombia deems it very worthwhile to offer more informal opportunities to States that are not members of the Council to interact both with the Council and with the subsidiary bodies, for example the Peacebuilding Commission (PBC). We wish to highlight that one of the priorities of Colombia in its capacity as Chair of the PBC for 2019 is the strengthening of the Commission's advisory role to the Security Council. The Commission has seen the relevance of that advisory role increase, particularly with regard to country-specific issues, and the Security Council has been increasingly requesting the advice of the Commission. That is a positive trend, and we wish to strengthen even further the relationship between the Council and the Commission.

Additional briefings, interactive meetings and events that encourage that methodology are just some of the complementary tools that would be very beneficial for that purpose. Consequently, for my delegation, a top-tier, high-priority issue is the institutionalization of the Council's practice of holding frequent and informative informal meetings on the issues under discussion by the Council and subsidiary bodies that States that are not members of the Council can attend. This morning we heard statements reiterating the need for that mechanism, with the purpose of reinforcing the principle of representativeness within the Council, moving forward in line with the aspiration of the entire membership to be better reflected in decisions. The use of the veto power and aspects of the regional composition of the Council are matters requiring continued dialogue. However, the Council can also take the initiative to allay the concerns of the States Members of the Organization by implementing more inclusive working methods, such as those that have been mentioned.

Secondly, we think it is necessary to increase the quality and analytical content of the annual report of the Security Council to the General Assembly. The

report is an integral part of the responsibilities of the Council, in accordance with the Charter of the United Nations, which is why it should not be treated as a procedural matter, in which decisions and agenda items are referenced. Rather, it should incorporate greater detail on the tenor of the discussions that are held and the results achieved based on the resolutions adopted, with a view to adding value to the considerations and observations of the General Assembly regarding the actions of the Security Council.

Ensuring greater and improved access to information through informative briefings addressed to all interested parties, including regional and subregional organizations, would be very significant and provide essential elements for the Council, in the light of its democratic nature. Increasing the number of open-format Security Council meetings and keeping to a minimum the number of closed or private meetings, in the understanding that the latter should be the exception and not the rule, is an option that should be taken into account for the definitive rules of procedure of the Council.

Facilitating timely access on an equal footing by those States that are not members of the Security Council to draft resolutions and draft presidential statements, as well as to other documents issued by the Security Council, is a step that should not be overlooked.

In the light of the aforementioned and against the backdrop of the need to take steps towards the consolidation of the rules of procedure of this body, Colombia is of the view that all of these provisions would serve to strengthen the role of the Security Council as a body that responds to the aspirations of all the States Member of the Organization, which are being voiced in increasingly insistent ways for a more transparent, democratic, representative and systematically accountable body.

The Security Council is a very valuable body in the broader architecture that underpins multilateralism, and it cannot be left behind with respect to the implementation of the aforementioned measures. That is the view of my delegation and of many others. This is a body that carries great weight and inspires others as the epicentre of dialogue and understanding among nations. For that reason, the time is right to be more strategic, concrete and pragmatic in living up to the mandate that has been conferred upon this body.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Bahrain.

**Mr. Alrowaiei** (Bahrain) (*spoke in Arabic*): At the outset, we would like to thank the sisterly State of Kuwait for convening this meeting. We also wish its brotherly delegation success in assuming the Security Council presidency in June. We also commend the dedication and efforts made by His Excellency the Ambassador and the entire delegation of Kuwait.

In addition, we thank the briefers, Ms. Karin Landgren, Executive Director of Security Council Report, and Mr. James Cockayne, Director of the Centre for Policy Research at the United Nations University.

We appreciate the convening of this open debate, which is aimed at giving an opportunity to all Member States to take stock of the latest developments in improving the working methods of the Council since the issuance of the revised note 507 (S/2017/507, annex). It also gives an opportunity to identify the gaps and provide additional practical proposals that can enhance the efficiency of the working methods of the Council, which will enable the Council to assume its responsibility for maintaining international peace and security in an efficient and effective manner.

In that context, we would like to raise the points that could lead to improving the working methods of the Council, in addition to promoting more objective and interactive consultations, the increased participation of non-member States in the Council's work, as appropriate, enhanced accountability of the Council to the members, increased transparency, more detailed agenda items and the convening of more public meetings.

We stress the importance of regularly holding open debates on the working methods of the Council, as continued discussion of this issue is of interest to all Member States that seek to see the Council working in the best possible way. The working methods should be commensurate with the continued changes and the progress made should be reviewed in order to identify the shortcomings and hear a variety of ideas on addressing them. In that regard, we commend the efforts of the Informal Working Group on Documentation and Other Procedural Questions to increase the transparency in its work.

We emphasize the content of the note by the President contained in document S/2016/619, which

covers the work of the chairs of the subsidiary organs. The note also states that the chairs of the Council's subsidiary organs, including those of Sanctions Committees, should provide all non-member States with informal periodic briefings on their activities, as appropriate, and indicate the time and venue of these meetings in good time since Member States are the ones to implement the recommendations of the committees and to coordinate the implementation of the content of binding Security Council resolutions. The committees should therefore have a high-profile presence in the Security Council's meetings.

Increased coordination, cooperation and interaction among the main organs of the United Nations, in particular the Security Council, the General Assembly, the Economic and Social Council and the Secretariat, as well as with other relevant bodies, including main committees, is extremely important. We welcome the fact that your delegation, Mr. President, will hold a public meeting on this topic next week. We stress the importance of coordination among the Council and regional and subregional organizations, pursuant to Chapter VIII of the Charter, in order to maintain international peace and security. Those organizations are crucial in achieving stability in the regions where conflicts are taking place due to many factors, including their geographical and political proximity, as well as cultural links.

We also stress that enhancing the Council's approach to conflict prevention is important, including through negotiation, enquiry, mediation, conciliation, arbitration and other peaceful means set out in Chapter VI of the Charter. It is important that the Council support the good offices of the Secretariat, regional organizations and Member States in order to achieve peace and stability and preserve human rights.

In conclusion, the Kingdom of Bahrain recognizes the importance of continuing this debate on improving the working methods of the Council. We look forward to further meetings on this issue in order to achieve total harmony among the organs of the Organization and encourage the achievement of changes necessary to ensure the success of the Council in assuming its tasks in the best way.

**The President** (*spoke in Arabic*): We have heard the last speaker on the list of speakers.

Before I conclude this meeting, I would like to thank everyone for their participation and for the views

and proposals expressed in this meeting. I would also participation, their briefings and their presence for the entire duration of this meeting.

like to thank Ms. Landgren and Mr. Cockayne for their

*The meeting rose at 2.10 p.m.*