

OPEN-ENDED WORKING GROUP
ON THE QUESTION OF EQUITABLE REPRESENTATION ON
AND INCREASE IN THE MEMBERSHIP OF THE SECURITY COUNCIL
AND OTHER MATTERS RELATED TO THE SECURITY COUNCIL

STATEMENT

BY

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TO THE UNITED NATIONS

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CHECK AGAINST DELIVERY

Mr. President,

In spite of unprecedented diplomatic efforts, the year 2005 did not result in reform of the Security Council. I was personally privileged to follow this process very closely, as then Co-Chair of this Open-Ended Working Group which is convening today for the first time since the September Summit and in fact since early last summer. After two eventful years under the Presidents Hunte and Ping, the conclusion of the Summit seemed a good moment to relinquish this position, and I am happy to address the Open-Ended Working Group today from my national seat. You will of course recognize in my statement today the impact of my previous work as co-Chair.

Mr. President,

While the Summit did not result in a restructuring of the Security Council, our Heads of State and Government nevertheless gave us a clear mandate for early reform of the Council. The Outcome Document recognizes Council reform as an essential element of the overall reform of the United Nations, and we must take this task seriously. Of course, there is no denying the fact that the momentum for Council reform was significantly stronger twelve months ago and that we must devise ways to bring the process back on the right track. We appreciate the heavy demands the follow-up to the Summit places on all of us and you in particular, Mr. President, and that the overloading of the agenda is slowly leading to a reform fatigue. However, reforming the Security Council will not become an easier task, and procrastination is rarely the way to finding the magic formula some believe is necessary in order to reform the Security Council.

Mr. President,

The outcome document addresses in equal measure what has been traditionally – almost historically – been referred to as Clusters I and II in the discussion of this group, i.e. it deals both with enlargement and working methods. Together with Switzerland, Costa Rica, Jordan and Singapore, we have tabled draft resolution L.49 entitled “Working Methods of the Security Council”, on 17 March 2006. We emphasize that we

submitted this text under agenda item 120 "Follow-up to the outcome of the Millennium Summit", because it is solidly based on paras. 152ff of the Outcome Document which contain all the keywords relevant for the issue of working methods: Transparency, effectiveness, legitimacy and accountability. During the two years of my co-chairmanship, the Open-Ended Working Group focused very heavily on the issue of working methods – not least because the discussions on enlargement had reached an impasse. The tide turned with the initiatives presented last year, first by the G-4, then by the African Union and finally by the Uniting for Consensus Group. The three initiatives were of course fundamentally different in their approach to the question of enlargement, but they still had one element in common: Working methods were given secondary importance and therefore escaped the attention both of large parts of the membership and the world media. This is not to criticize the sponsors of those resolutions. Quite to the contrary, we believe that combining enlargement and working methods will inevitably lead to lesser importance being given to the cluster II issues: Enlargement in itself – no matter what approach is chosen – is a challenge to the existing power structure, and ambitious measures on working methods would only exacerbate that already formidable challenge. We must thus ask ourselves if it is materially justified to give lesser importance to the issue of working methods than to the enlargement efforts. For us, the answer to this question is a clear no. Much rather, we believe that working methods require the urgent attention of the membership as a whole. Legislative work carried out by the Security Council, massive expansion of the activities of subsidiary bodies such as sanctions committees, often carried out with complete lack of transparency and inclusion, migration of topics from the General Assembly to the Security Council are but a few keywords from the debates of the last few months that we are all familiar with. This leads us to conclude that the working methods of the Security Council are at least as important as and certainly less elusive than the enlargement of the Council.

Giving the working methods their rightful place is one motivation for the S-5 initiative. There is also a very important conceptual consideration which underlines the merits of dealing with working methods in a separate resolution: Enlargement, under all models,

requires a Charter amendment and is essentially a one-shot game, while possibly carried out in several steps: Once the necessary Charter amendment is adopted, two-thirds of the membership must ratify it – including all Permanent Members of the Security Council – and the enlargement of the Council is effective. Reforming the working methods, on the other hand, is an ongoing process without a clear endpoint. We have always made it clear that the measures contained in the annex of our resolution are in no way intended to be exhaustive and that additional measure might well be required in the future. Most importantly, the draft resolution submitted by the five of us establishes a dialogue between the General Assembly and the Security Council – a dialogue we strongly believe will prove mutually beneficial.

Mr. President,

We are very encouraged by the overall response of the membership to our draft resolution. In particular, we appreciate the growing understanding for our conceptual approach and for the argument that dealing with working methods also creates momentum for the enlargement of the Council. We will continue our wide consultations and in due time ask for a date to be set in the General Assembly, so it can take up our draft resolution under item 120 of its agenda.

Mr. President,

As far as enlargement is concerned, last year's experience leads us to conclude that neither of the draft resolutions on the table will be able to command the necessary required two-thirds majority or, possibly, a stronger political support. Creative new thinking is required in order to rebuild momentum on this highly complex topic. We are of the view that the reluctance to create new permanent seats has not decreased since 2005. A positive, while indirect development is the redefinition of consensus, as we witnessed it when the Human Rights Council was established. It became clear that unanimity is not the only and perhaps not even the best way of expressing the strongest possible political support that an institutional change of the magnitude of Security Council reform requires. It can even be argued that the Human Rights Council, as we

speak, is enjoying stronger political support than the Peacebuilding Commission – which was established without a vote.

Mr. President,

Let me offer, in conclusion, some thoughts on the future of this group. As a past co-chairman, but not only in that capacity, I am not among the detractors of this group, but I believe it is important to state what purpose it can serve. Much of what is in the S-5 resolution flows directly or indirectly from the discussions in this working group, and we acknowledge as much in the preamble to our text. The Working Group has had a strong positive impact in the area of working methods in particular. Changes and improvements have been made due to the discussions in this group, while they have never been formalized and their application has been erratic. In the final analysis, this group has been a fine forum for discussion and can perhaps remain that in the future as well. It has, however, proven woefully inadequate in bringing issues to a closure and in producing concrete results. This is why all concrete action on Security Council reform can only take place directly in plenary, ideally on the basis of the previous deliberations in the Open-Ended Working Group

I thank you.