

Thursday November 12th, 2009

Sixty-fourth session of the General Assembly

**Joint debate on the Report of the Security Council (A/64/2) [9] and the
Question of equitable representation on and
increase in the membership of the Security Council
and related matters [119]**

**Statement by the Permanent Representative of Spain to the United Nations, Ambassador Juan
Antonio Yáñez-Barnuevo**

New York, 12 November 2009

(Unofficial translation, check against delivery)

Mr. President,

My delegation appreciates the opportunity to have this joint debate on the annual report of the Security Council to the General Assembly and on the issue related to the Security Council reform.

As regards to the report of the Security Council to the General Assembly, I would like to thank the Permanent Representative of Austria, as President of the Security Council. The report submitted during this session is more analytical than last year's report, but we could make progress by including additional qualitative information.

Spain attaches great importance to the existence of a good interaction between the Security Council and the General Assembly. It is essential to improve the interaction and the collaboration between these two main bodies of the United Nations, through greater transparency and accountability, which would be of advantage to prevent and eliminate the threats to international peace and security.

The United Nations Charter provides interaction guidelines between the General Assembly and the Security Council. Articles 15 and 24.3 foresee the submission of annual reports by the Security Council for consideration of the General Assembly, as well as special reports. With this in mind, we believe that it would be interesting to receive special reports of the Security Council in cross section matters of special relevance to the General Assembly. I refer to issues related to protection of civilians in armed conflict, women in armed conflict, the fight against terrorism, non-proliferation and disarmament, or the reform of peacekeeping operations.

A greater transparency on the work performed by the Security Council and a greater participation of member States in the Council activities and decisions, particularly those issues that directly affect the Security Council. Article 48 of the Council's provisional regulations foresees that the Council convenes public meetings, unless the contrary is decided. My delegation believes that the public meetings of the Council should be the pattern, thus allowing greater information and participation in the Council's activities of non member States.

Articles 31 and 32 of the Charter anticipate the participation of non member States in the Security Council deliberations at the General Assembly when the countries' interests are affected or are part of a debate under the Council's consideration. It would be desirable to have Council's debates open to those States that have an interest on the issues under discussion and that a greater interaction with troop-contributing countries authorised by the Council. The fact that the Council meetings with troop-contributing countries have been moved ahead prior to the adoption of the extension of such operations is a step in that direction.

Mr. President,

Please allow me now to refer to the issue of Security Council reform (Agenda item 119). My delegation is willing to continue to engage actively and constructively in the fourth and future rounds of the intergovernmental negotiations, which will resume shortly.

During the first three rounds of negotiations, we have been able to review in detail each and everyone of the five key issues of Security Council reform included in decision 62/557 of the General Assembly: “categories of membership,” “the question of the veto”, “regional representation”, “size and working methods” and “the relationship between the Security Council and the General Assembly.”

We have done it individually, devoting a meeting to each item, and also collectively, in “clusters” as well as all together. We have also devoted a meeting to examine the so-called “intermediate model” for the first time, which has been presented as a possible compromise solution among the different positions of countries and groups.

My delegation has joined the “Uniting for Consensus” Group in introducing a new reform model, which includes some elements that are characteristic of the “intermediate model”, such as the creation of “longer term seats” and the “review” concept, which did not appear in our model presented in 2005 (A/59/L.68).

I sincerely believe that Spain and the “Uniting for Consensus” Group have already shown willingness to review their previous model, renouncing maximalist positions, in an effort to reach a compromise solution that can garner “the widest possible political acceptance by Member States”. We hope that other groups and countries are willing to do the same.

Having said that, we remain convinced that a more legitimate, democratic, representative and accountable Security Council can only be achieved through its enlargement exclusively in its non-permanent category, which is the only one providing for the periodical election of its members.

Mr. President,

Although we have certainly made progress during the first three rounds of negotiations, we have also noticed a troubling pattern that could create some problems during the fourth and future rounds if it is not properly addressed. In particular, we are concerned with the increasingly repetitive and redundant nature of our statements, as well as with the lack of flexibility and willingness to compromise shown to date, which could make us lose the necessary momentum and determination to reach an agreement.

For this reason, we await with great interest the “work plan” to be presented by the Permanent Representative of Afghanistan, Ambassador Tanin, to whom we offer our congratulations for his reappointment as Chair of the negotiations.

With regards to the “work plan”, I would like to make some recommendations in relation to three essential aspects: the starting date, the content and the format or modalities of the fourth and future rounds of negotiations.

First of all, regarding the starting date of the fourth round, my delegation is in favour of starting as soon as possible, and ideally before the end of the year. That being said, we are also aware that some delegations might have difficulties in combining the start of the fourth round with an adequate follow-up of other meetings, notably in the General Assembly main committees. For this reason, it would be understandable if the start of the fourth round would be postponed until the beginning of next year.

Secondly, regarding the content of the fourth and future rounds, my delegation would like to insist on the comprehensive nature of the Security Council reform, as well as on the indissoluble interlinkage among its five key issues. Thus, the negotiations should continue to include these five key issues, without leaving out any of them, even temporarily. We are concerned that some delegations have refused to tackle some of these issues, such as “the question of the veto”, “working methods” and “the relationship between the Security Council and the General Assembly.”

Thirdly, regarding the format or modalities of negotiations, my delegation wishes that they continue to be open and transparent, as well as inclusive, in accordance with decision 62/557 of the General Assembly. Therefore, no delegation or group, or any model, should be excluded, at least in the present setting of informal negotiations.

Finally, Mr. President, my delegation would appreciate your personal involvement in the negotiations, without prejudice to the role of Ambassador Tanin as its Chair. We would also appreciate your attendance to the meetings, whenever possible. It would give you a first hand impression of what is going on and it would allow you to make the right decisions, if need be, to reach a satisfactory conclusion during the present session of the General Assembly.

Thank you very much, Mr. President.

Permanent Mission of Spain to the UN