

FACT SHEET

The Accountability, Coherence and Transparency Group – Better Working Methods for today's UN Security Council

ACT is a cross-regional group of 27 small and mid-sized countries working to improve the Accountability, Coherence and Transparency of the UN Security Council. Launched in May 2013, ACT addresses both the Council's internal functioning as well as its relations to the broader UN membership. ACT recognises and commends efforts by the Security Council to improve its working methods but notes that oftentimes the implementation of measures adopted has proven to be unsatisfactory or inconsistent. We believe that additional measures are needed to enable the Council - in its present composition - to carry out its mandate with maximum efficiency, effectiveness and legitimacy. ACT will therefore continue to offer concrete and pragmatic proposals to help improve the working methods of the Security Council, in dialogue with Council members as well as through building political momentum outside of the Council.

Objective: All UN Member States have a fundamental interest in the Security Council's decision-making process and its outcomes. After all, the Council "*acts on their behalf*" as stated in Article 24(1) of the UN Charter. In turn, the members are obliged "*to accept and carry out*" decisions of the Council in accordance with Article 25. Given the extensive authority of the Council and the impact of its decisions, it is legitimate for UN members to wish for a *well-functioning* Security Council and to expect to be *informed* as well as, to the extent possible, *involved* in the decision-making process of this important UN organ. A Security Council working in a *more transparent, accountable and inclusive* way - both within its own structure and in relation to the wider membership - is *more legitimate, coherent and efficient*. The ultimate objective is a Security Council carrying out more effectively its primary responsibility for the maintenance of international peace and security.

Strategy: ACT focuses on the Security Council *in its present composition*. It seeks to improve working methods here and now through *concrete and pragmatic measures*. ACT is committed to working constructively with members of the Security Council, as well as with the larger membership.

The group pursues its initiative *independently of the intergovernmental negotiations (IGN) on the comprehensive reform* of the Security Council. Whereas the IGN process addresses the issue of the broad reform of the Council, including its enlargement and composition, ACT's initiative intends to improve the working methods of the Council in its current composition. ACT shall therefore stay outside of the IGN process and does not want to prejudge the results in any way.

Focus areas for 2015: The priorities of ACTivities in 2015 are as follows:

- Request for a more transparent and inclusive *selection and appointment process of the next Secretary General*;
- Advocate for the voluntary *suspension of the use of the veto* in cases of atrocity crimes (that is, when the Council's actions aim at preventing or ending genocide, war crimes or crimes against humanity);
- Call for improving substance as well as analytic quality of the *Security Council annual report*.

Other areas of interest: ACT requests the introduction or improvement of specific measures such as:

- *more public and open meetings* (currently about 40% of the meetings take place in "closed" consultations);
- *regular briefings of the wider membership* on the Council's consultations;
- *enhanced consultations* with the wider membership and/or particularly interested/affected states when *drafting, inter alia, resolutions*;
- *substantial wrap up sessions* (formal) and *interactive briefings* (informal) at the end of presidencies;
- *improved meetings / relationship with Troup/Police Contributing Countries (TCC/PCC)* ;
- *standing invitation for the Chairs of the country-specific configurations of the Peace Building Commission* to the Security Council's consultations, when the country of their configuration is the subject of discussion;
- *more Arria formula meetings* (which are informal meetings organized by Council members with representatives of the civil society, the UN or other international and regional organizations, open or closed to non-Council members);

- a fairer and more inclusive allocation of penholderships (which is the leading role of one or more Council members in initiating and negotiating Council draft decisions);
- a more inclusive and transparent process when electing the Chairs of the Council's subsidiary bodies;
- a more pronounced conflict prevention perspective in the work of the Security Council, either through "Horizon scanning" meetings or other appropriate ways, in order to identify and discuss potential risks and to take action at an early stage.

Progress made: The working methods reform is an *ongoing process*. It is too early to take stock of possible results. Nevertheless, ACT commends a number of important steps improving working methods:

In 2013, the so called *wrap up sessions* and *interactive briefings* at the end of Security Council presidencies - sessions that are open to non-Council members - have become much more frequent. In general, the quota of *open sessions* of the Council (as opposed to closed consultations) has increased to 61% in 2015 (2014: 55%). This sets a trend to more transparency and interactivity.

Since 2013 the Security Council has specified its working methods in a number of presidential Notes:

- Presidential Note S/2013/515 (August 2013) whereby the Security Council commits itself to enhance its efficiency and transparency in regard to the wider membership for example by "*making more effective use (...) of public meetings, informal interactive dialogue and Arria-formula meetings (...) bearing in mind the importance of informally consulting in an early manner...(...)*".
http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2013/515
- Presidential Note S/2013/630 (October 2013) whereby the Security Council commits itself to "*enhancing interaction and consultation with troop- and police-contributing countries*".
http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2013/630
- Presidential Note S/2014/268 (April 2014) whereby the Security Council commits to a "*wider participation of Council members in the drafting of Council products (...)*" also stating that "*any member of the Security Council may be a penholder.*"
http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/268
- The latest Presidential Notes on SC working methods concern the *Handover of the chairmanship of subsidiary bodies* (S/2014/393), the *Intra-Council dialogue* (S/2014/565) and the *Speakers' list* (S/2014/739).

There are (still rare) cases of elected members acting as penholders taking the lead in negotiating a Security Council resolution. One example was Australia and Luxembourg 2014 holding the pen in drafting important humanitarian resolutions of the Council concerning the ongoing war in Syria.

In 2012 France joined the calls for a *limitation of the use of the veto* by launching its concept of a code of conduct (suspending the right to veto in the event of mass crimes): "*In concrete terms, if the Security Council were required to make a decision with regard to a mass crime, the permanent members would agree to suspend their right to veto.*" (Laurent Fabius, French Minister of Foreign Affairs, October 2013)

Membership: ACT comprises 27 countries from all continents: Austria, Chile, Costa Rica, Denmark, Estonia, Finland, Gabon, Ghana, Hungary, Ireland, Jordan, Liechtenstein, Luxembourg, Maldives, New Zealand, Norway, Papua New Guinea, Peru, Portugal, Rwanda, Saint Vincent and the Grenadines, Saudi Arabia, Slovenia, Sweden, Switzerland, Tanzania and Uruguay. Switzerland is the coordinator of ACT.

Reference Documents:

- The *UN Charter* (<https://www.un.org/en/documents/charter/>)
- The *Provisional Rules of Procedures of the Security Council* (<http://www.un.org/en/sc/about/rules/>)
- *Presidential Note S/2010/507* (incl. possible revisions and additions)
(http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2010/507)
- The measures listed in the *Annex of the draft resolution L.42Rev.2 of May 2012*
(<http://www.eda.admin.ch/etc/medialib/downloads/edazen/topics/intorg/un/missny/other.Par.0082.File.tmp/S%205%20resolution%20A%2066%20L%2042.pdf>)

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