

**Informal Meeting of the Plenary on the Intergovernmental Negotiations  
on the Question of Equitable Representation on and Increase in the  
Membership of the Security Council and Other Matters**

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**Statement by**

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Mr. Chairman

My delegation would like to make a few comments as we start the second exchange of the fourth round as indicated in your letter of 13<sup>th</sup> January 2010.

In this regard, I note with interest the premise on which you are providing guidance to Member States of what you have described “the path to early reform of the Security Council”.

We note in particular that you link the definition of the areas of convergence “in light of all the interconnected five keys areas”, which in your own words, “can serve as beacons lighting the path towards prompt membership-driven decision-making on SC reform”.

My delegation endorses these pronouncements as they reconfirm the contents of decision 62/557 including in particular the inter-linkages of the five key issues, a principle which was agreed by the U.N. Membership and which ensures that any consideration of any one of these issues must ensure a coherent and cohesive progression on the other key issues.

In your letter you also refer to a letter which you received on 23 December 2009 and which you attached to your letter of 13 January 2010. In taking note of this reference and attachment, my delegation notes that unfortunately, and perhaps through an oversight, you did not attach the other letters which you received from other groups and individual delegations.

My delegation feels that such an omission is regrettable since this does not embrace a transparent and delicate representation of the state of facts in what until now has been an open and inclusive process as well a constructive engagement among all delegations.

Moreover, as it will be noted that a substantial number of delegations have not signed the letter raising questions as to why this is so. For my delegation, which is not among those delegations that have not signed the letter of 23 December 2009, one specific reason

stands out among other reasons – namely that my delegation was not approached or asked to sign the letter. I will leave it to other delegations to decide on whether Malta should have been approached or not. Indeed, my delegation could have favourably considered signing the letter with some clarifications on the real reasons behind such an initiative considering that the contents of the letter reiterates the contents of Decision 62/557 which rather curiously, or perhaps again through an oversight, is not mentioned in the said letter.

Indeed, it will be recalled that at the meeting of the Intergovernmental Negotiation held on 8 December 2009, my delegation had stressed “the necessity to carry the discussions forward, with an all-inclusive and comprehensive representation of all the options that were put on the table, including those in the previous rounds”.

My delegation takes cognizance of the fact that you “will carefully study the appeal contained in said letter of 23<sup>rd</sup> December, as well as other inputs received”. Indeed, it is the hope of my delegation, and I am sure also that of many other delegations, that you will carefully study the more substantive and objective inputs of the proposals of the African Group, the UfC, the OIC, the Arab League, the S-5 and the Philippines, so that the exercise you intend to undertake ensures that the Chair is “impartial to any position yet partial to progress.”

Considering the progress achieved during the 63<sup>rd</sup> Session of the General Assembly, it is appropriate that we look forward to identifying and defining the areas of convergence. The principle agreed by all Member States that all the five key issues are interconnected is a solid basis for further negotiations, a principle which has not been challenged by any delegation during these Intergovernmental Negotiations.

My delegation strongly feels that once again you should request those delegations or group of delegations that have as yet not responded to your numerous appeals to table their proposals to do so at the earliest. Indeed, in your statement of 8 December 2009, you said that you “will carefully listen to your statements... and I am also ready to receive any proposals or elements thereof in writing afterwards”. It is our hope that your appeals are heeded and that such proposals are received in writing and hopefully within an agreed dateline so that these can be considered by these Intergovernmental Negotiations.

My delegation believes there is ground for optimism on a number of issues where there is a ‘convergence’, at least in principle. These include in particular on the size of an enlarged UN Security Council, on the working methods, in the relationship between the General Assembly and the Security Council and the review mechanism of the veto enjoyed by the current Permanent Members of the UNSC. On the question of categories as well as on regional representation there is still no convergence with many positions far apart and with a considerable number of delegations not yet taken a definite position because of the variants of the different proposals on the negotiating table.

On the size of an enlarged Security Council, there is a common understanding, if not a position already discernable, that the UNSC has to be enlarged to take into consideration the considerable increase of the UN membership since the Security Council was last enlarged. In this regard, the number which has been quoted repeatedly and is gaining the support of the large majority of delegations taking part in those Intergovernmental Negotiations is an expansion in the mid-20s. In this context, there is also a considerable majority that supports the legitimate claim being made by small States that in such an enlarged Security Council small States are given added recognition, opportunities and access to serve on the Security Council. Indeed, the Italy-Columbia paper recognizes this fact, and in fact is the only proposal so far which would go to fulfill the aspirations of small States. Malta would therefore like to see that such a proposal is fully reflected in any document which could be issued at the appropriate time for the consideration of all UN Member States.

There is an overwhelming majority that would like to see an improvement in the working methods of the Security Council and the relationship between the Security Council and the General Assembly. It has already been acknowledged by many Member States that an improvement in the work of the Security Council would lead to more transparency and accountability to the wider membership of the United Nations. The valid and detailed contribution made so far by the S-5 as well as the formal proposal put forward by Italy and Columbia dwell on how better access for non-council members to the work of the Council could be enhanced including through information, consultation and cooperation.

The relationship between the General Assembly and the Security Council is another area where a wide majority of UN Member States felt that progress could be achieved during these Intergovernmental Negotiations. Such an enhanced relationship would ensure the transparency and accountability of a reformed Security Council. For example, among the practical measures which have already been proposed is that the Council submits more substantive and analytical annual reports to the General Assembly on a regular report besides special reports. While some progress has been already registered in this area, yet we feel that a special effort must be made especially by the UNSC Members to ensure that accountability is truly being implemented. Another important link which must be seriously considered and put into effect is the role which the General Assembly should play in those instances where action is blocked in the maintenance of international peace and security because of the exercise of a veto by a permanent members of the Security Council.

Another area where my delegation feels there is an emerging convergence is that where it concerns the use of the veto by a Permanent Member in the current structure of the Security Council. An overwhelming majority of Member states have declared their opposition to the use of the current veto in the event of genocide, crime against humanity and serious violations of international humanitarian law. Likewise, a considerable number of delegations have validly proposed that the current Permanent Members of the Security Council formalize an explanation when casting a negative vote detailing the reasons why they intend or are using the veto.

In highlighting those areas where a degree of convergence is evident, we feel we cannot ignore those areas where no convergence is in sight and on which further discussions need to continue to try and find a possible understanding if not a convergence at this stage.

Two areas where there is still no indication of convergence is that relating to ‘categories’ and ‘regional representation’. Indeed, the creation of new permanent seats on the enlarged Security Council still harbours different views, opinions and positions. It brings into question whether the enlargement in both current categories of membership, especially in the permanent seat category, would enhance and secure the ownership of the vast majority of the UN Member States. The question here also arises as to whether by focusing on such a narrow perspective of allocating new permanent seats we would be aggravating the current situation by limiting the aspirations of the majority of UN members States.

The issue of regional representation also is one of those areas which in my delegation’s view requires further thought and discussion since there are still divergent opinions in these Intergovernmental Negotiations. Until now there has not been an in-depth consideration of this issue which is closely linked to the question of under-representation as well as to the other four key issues. So far different interpretations have been given to such an issue, with some delegations even rejecting such a concept as forming part of the overall objective of an enlarged Security Council. There is also another school of thought that regional representation could have a positive and constructive contribution in an enlarged and reformed UN Security Council.

As you will note, my delegation has tried to highlight what you have said in your intervention this morning, namely, “add another level of concreteness to our discussions by clearly identifying the different areas of convergence in the light of all the interconnected five key issues.”

My delegation does not interpret our intervention as adding fuel to the process but rather a sincere and objective contribution by a small UN Member State towards the process for a democratic, transparent, effective and accountable reformed UN Security Council.

My delegation, reiterates its readiness to work with other delegations, towards this end.

Thank you.