

FACT SHEET

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

ACT is a cross-regional group of 23 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. The work of the ACT group builds on the multi-year efforts of a former group of states called the *Small 5* (Costa Rica, Liechtenstein, Jordan, Singapore and Switzerland).

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 that UN members want a *well-functioning* Security Council and that they 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 more effectively carrying out its mandate regarding 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 on the comprehensive reform* of the Security Council dealing with major questions concerning the composition and enlargement of the Council. It shall stay outside of this process and does not want to prejudice the results in any way.

Topics: ACT requests the introduction or improvement of a number of specific measures such as:

- *more public and open meetings* (currently about half 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*;
- *Wrap up sessions* (formal) and *interactive briefings* (informal) at the end of presidencies;
- *Consultation with the wider membership when preparing the Security Council's annual report* leading to a more substantive and analytic report and its presentation to the General Assembly;
- *monthly assessments* by the Council's presidencies that are *more substantive and timely issued*;
- *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;
- *the suspension of the use of veto in cases of "atrocious crimes"* (that is, when the Council's action aims at preventing or ending genocide, war crimes and crimes against humanity).

Latest developments: 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:

- 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).

Since beginning of 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. These sessions help to make the Council more transparent and interactive.

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

Reference Documents:

- The UN Charter (Chapter IV and V: <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>)

For more information: Adrian Sollberger, Spokesperson of the Permanent Mission of Switzerland to the UN cell. +1 917 757 3389; adrian.sollberger@eda.admin.ch