



PAKISTAN

PERMANENT MISSION TO THE UNITED NATIONS

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STATEMENT

BY

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IN THE
INFORMAL MEETING OF THE 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

New York
19 July 2007

Statement by Pakistan in the Informal Meeting of the 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

19 July 2007

Madam President,

Achieving an equitable and comprehensive reform of the Security Council is our common objective. It is an important part of our collective efforts for the overall reform of the United Nations. You have displayed, during your term in office, a clear understanding of this sensitive and important issue and sagacious leadership in advancing the common objective of Security Council reform through a process of consultations and consensus building.

2. We had welcomed the Report of the 5 Facilitators earlier. We also express appreciation for the additional Report of the Permanent Representatives of Chile and Liechtenstein. As stated in your letter of 26 June, this Report is complementary to the Report of the 5 Facilitators, and the two documents should be read together.

Madam President,

3. We commend your sincere efforts to evolve an agreed approach to Security Council Reform. The all inclusive dinner meeting hosted by the President of Pakistan and the Prime Minister of Italy, along with leaders of other like-minded countries in New York on 20 September 2006 was inspired by the objective of promoting such an approach and exploring ideas for a way forward on Security Council reform. At that event, all interested countries and groups had expressed the desire to sincerely explore the possibilities of achieving widest possible agreement through a consultative process.

4. The 5 Facilitators appointed by you early this year conducted extensive consultations. Their main suggestion was to explore an interim approach, which would enable all sides, while preserving their original positions, to explore and eventually accept a compromise, which while not reflecting their original positions, could command the support of widest possible majority of the UN membership.

5. Under "notions on the way forward", their Report listed 4 options for Security Council enlargement. Notably, these options excluded the creation of new permanent members, which is the most difficult issue in the reform of the Security Council. The Report also suggested that any agreement should: (a) be evolved through further

consultations and negotiations; (b) also cover improved working methods of the Security Council; and (c) secure the widest possible political acceptance by the membership, and in any case, well above the required majority in the General Assembly.

6. In the debate held in the informal Plenary on 3-4 May, the vast majority of those who participated were prepared to accept the Report of the 5 Facilitators as the basis of further consultations with a view to evolving agreement. My delegation had said that it was prepared, on the basis of the report, to explore a compromise within the framework of the premise i.e. an interim compromise solution utilizing the options it had outlined. Other members of the Uniting for Consensus also expressed support for taking the consultations process forward on the basis of the Report.

7. However, some members from among the G-4 assumed a rather negative approach. One of them questioned the intellectual capabilities and integrity of the 5 Facilitators. One or two others questioned the framework of the compromise approach and sought to reinterpret the Report's conclusions and recommendations in a manner that amounted to its rejection. While accepting further consultations, they reiterated their continued commitment to their own position. While asking for flexibility, they displayed none themselves. Indeed, their endeavour was to neutralize the 5 Facilitators Report by asking for the appointment of new Facilitators who would be asked to produce a new Report.

8. Your response, Madam President, was skilful: appointing two Permanent Representatives to conduct further consultations on "how to carry the process forward".

9. Nevertheless, some among those who asked for new Facilitators turned on them. In an informal note circulated to one large group, one of these members expressed concern that the two Permanent Representatives were trying to submit reports focusing on the transitional approach. The note reiterated that country's original position on reform, displaying its inflexibility, while urging others to show flexibility. Such lack of good faith does not instil the mutual confidence and trust that is necessary to make progress in our future work on this issue.

10. Although the mandate of the two Permanent Representatives was process-related, they, nevertheless, sought to narrow down perceived differences. In our view, this was done rather selectively. But we are reassured by the clear statement in your letter of 26 June that this Report of the two Permanent Representatives is complementary to the original report of the 5 Facilitators, and the two should be read together. Therefore, in our further work, the two Reports should be considered as one.

11. On the whole, the second report is based on and is within the confines of the 5 Facilitators Report. The consultations led by the two Ambassadors have inter alia reaffirmed the need for a comprehensive reform of the Security Council; requirement of flexibility from all sides; a concrete commitment to garnering the widest possible political agreement exceeding the legally required 2/3rd majority; and consequently the need to take into account the interests and concerns of all major interest groups and states, including the wide majority constituting small and developing countries, both with regard to working methods and enhanced representation in the Council.
12. The notion that issues on which there is no agreement in negotiations should be deferred to the "review" is sensible. It could be the way to break the present deadlock and thus change the status quo. By accepting this notion, the member states, would in fact commit themselves to seeking consensus, or the broadest possible agreement, thus ruling out any voting scenarios or submission by any side of unilateral proposals on which there is no possibility of achieving consensus or the widest possible agreement. As paragraph 23 of the Report indicates, the question of creating new permanent members is one such issue.
13. I would like to recall here Pakistan's principled opposition to any proposals that directly, or in disguise, seek to create new permanent members of the Security Council. In fact the claim to special privilege and status by some countries is, in our view, the main obstacle to breaking the status quo on Security Council reform. We continue to oppose such claims of permanent membership on grounds of equity, law and logic.
14. On the other hand, the African position is quite different. Their demand for equal rights and to redress the historic injustice against Africa is a demand made on behalf of the entire Continent. It is fundamentally different from the pursuit of national special privileges by a few countries. The objective of Pakistan and the Uniting for Consensus (UfC) likewise is to achieve a reform of the Security Council that accommodates and corresponds to the interests of all Member States and Groups.
15. Even those countries which may aspire for extended or longer-term seats under some of the options outlined in the 5 Facilitators Report, should have the support of their respective regions. This is so because the seats on the Council are presently distributed and in the future will also be distributed to the five regions represented at the United Nations. Any country seeking an extended term would obviously be doing so at the expense of the representation of other member states of that region. Their support as a region would therefore be essential to legitimise the occupation by any country of a seat in the Council for an extended term. We should therefore further explore suggestions to evolve some form of regional representation for all the regions, since equity demands that what is applicable to one region, should be applicable to the other regions.

Madam President,

16. We are prepared to explore an agreement based on the intermediate approach presented by the Facilitators as a possible compromise. This approach involves exploring the creation of additional regular non-permanent seats and a new intermediary category. It does not provide for an increase in permanent members. Irrespective of any eventual agreement on the nature or variation of an intermediate category, it is worthwhile pointing out that the addition of regular non-permanent seats is non-controversial and already commands consensus. Indeed creation of additional non-permanent seats is a common feature of all the reform proposals put forward during the past decade. Non-permanent membership is a tested mechanism that allows fair and equitable representation for all UN member states through rotation, and does not discriminate against any of them in accordance with the Charter's principle of sovereign equality of States.

17. Of course, further work on this intermediate approach will require addressing some other aspects, which have not yet been fully explored, especially the size of an expanded Council. The agreed size will have a direct co-relationship with the geographical distribution of the new seats. It will also have implications on the term of the new seats, especially those proposed to be created for an extended period beyond the normal two years. To accommodate the interests of all Member States - large and small - and of all regions and interest groups, the smaller the expansion, the shorter would have to be the term of any new "extended" seats.

18. Similarly, we need to hold further consultations to evolve agreement on the reform of the Security Council's working methods. In this context, we do not believe that the interests of the smaller countries can be accommodated solely through improvement in the Security Council's working methods. The smaller countries should also have the possibility of enhanced representation on the Council.

19. The Report under consideration has rightly noted that "negotiations" is the way to move forward. At the same time, it is important to prepare the ground and create a conducive political environment for successful negotiations. Otherwise, we may risk a failure or breakdown at the outset. What is needed, first of all, is an agreement on the framework of negotiations. The need for such agreement is clearly recognized in the Report of the 5 Facilitators as well as in paragraph 28 of the report of the two Ambassadors.

20. To carry the process forward, we would suggest that an agreement be reached on the following three elements:

One: the Report of the 5 Facilitators should be the basis for negotiations, together with the complementary report of the two Permanent Representatives;

Two: there should be an assurance, agreed by all, that no unilateral moves or initiatives, such as tabling of draft resolutions, will be resorted to by any one while the negotiating process is underway; and

Three: a decision or decisions on Security Council reform will be reached by the broadest possible agreement (i.e. well over stipulated 2/3rd majority).

21. Such an agreement or understanding should be reflected in your conclusions and in the formal transmission of the Reports of the 5 Facilitators and the two Permanent Representatives, to the President of the 62nd Session of the General Assembly, as part of the Report of the Open Ended Working Group. We understand the draft report of the Working Group, which you may like to submit for consideration of the member states, will be adopted in accordance with the normal procedures during the current session.

Thank you