

Extempore Remarks by Ambassador Hardeep Singh Puri, Permanent Representative, at the Eighth Round of Intergovernmental Negotiations on the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Council on February 21, 2012

Mr. Chairman,

I would like to begin by welcoming your decision to convene today's meeting. Last month we looked at the position of the G4. Next month we will be discussing comprehensively what the L69 has to offer. In April, we will be focusing on the African position, which would be followed by a discussion on the improvement in the working methods of the Council as demanded by the S5.

Mr. Chairman,

I think your decision to follow this format is well considered. The statements that I have heard so far this morning clearly demonstrate this.

The statements from Italy, the Republic of Korea, Colombia and Mexico were very helpful. They indicate how much flexibility the UfC could possibly have. May be some of the flexibility I am seeing in the UfC position is because I want to see that flexibility.

But equally, I think other statements, including from my colleague from the Netherlands who has very sharply focused on the fundamentals of the UfC position, help enrich this debate.

I must also thank my friend, the Egyptian Ambassador whose statement is perhaps the best I have heard from him to date. He said that this is his third tenure here and on two occasions he had served on the Security Council. I do not have that richness of experience. I am serving on the Council only for the first time but I tell you what he is saying about institutional memory and all other issues which he did not deal in more detail are essentially correct.

When a non-permanent member comes on the Security Council, the attitude of those who sit there permanently is somewhat along the lines that he described. They are very nice to you. They want to initiate you into the work of the Security Council. They say we know you have views and we respect your views but what we need ultimately is your vote and not your views.

Mr. Chairman, this is the structural issue which I think my distinguished friend from Egypt hinted at. Today, he clearly said what Africa demands is qualitatively different from what is being offered by the UfC.

I think we have to be very clear on that. UfC says that Africa has a special case. I ask why a special case? We are talking about democracy. We are talking about rights. Africa has as many as 54 countries on that continent. There is another continent, Latin America and the Caribbean which also has something like 30 plus countries. Why should 86 countries belonging to two major continents on the world not be represented on the Security Council with permanent membership?

And somebody said African issues take up 70% of the Council's work. In fact, it is much higher.

But, Mr. Chairman, let me come back to the UfC position.

I will have a chance of responding to some of the other points later in interactive mode but I think my task today has been made much easier by the statements of my distinguished colleagues from Jamaica and Japan. I would like to align myself with the statement made by the Ambassador of Jamaica on behalf of L69 and by the remarks of my Japanese colleague who was the first amongst the G4 to take the floor.

Mr. Chairman,

All groups that are being given an opportunity in this process other than the UFC, I mean the G4, L69 and Africa, call for an expansion in both categories, permanent and non-permanent. The divergence, to the extent that there is any, is confined to what is loosely termed as the use of the veto. And clearly, we are today not in the final negotiating phase. We are in what I would say is a stage which has evolved only a little compared to when the process of Intergovernmental Negotiations began, a stage in which groups are still only stating their positions.

And somebody said that we are only debating yet. I hope it is a little more than that and that these statements will result in a concomitant serious phase of negotiations when we will have to seek genuine convergence. I am sure that we can find the convergence. My worry is that that convergence should not be on the basis of the minimalist platform which the UfC puts forward. The convergence will have to come with a much higher degree of ambition.

Let me go back to the G4 position on veto, Mr. Chairman.

Our draft resolution of 2005 states, in operative paragraph 5, clause (a) "That the new permanent members should have the same responsibilities and obligations as the current permanent members." Further, paragraph 5, clause (b) states "That the new permanent members shall not exercise the right of veto until the question of the extension of the right of veto to new permanent members has been decided upon in the framework of the review," i.e., the review after 15 years, which was contemplated.

Again the draft resolution is dated 2005.

Not surprisingly, well into the seventh of those 15 years, we are still discussing the same subject.

It should not be surprising, therefore, that the L69 is inclined more toward the African Group position which calls for an expansion in both categories and is more categorical in terms of how it views the issue of the veto.

Mr. Chairman, I think we do great disservice, to ourselves and to the process that we are involved in when we choose to either mischaracterize or misrepresent the position of our negotiating partners. Therefore, we would like today to be absolutely fair to the UfC and we would like to understand how the UfC can reach out to the African Group and to the other groups, in terms of the lowest common denominator.

I recall my friend, the distinguished colleague from Egypt, saying that in 2005 there were meetings between the G4 and the African Group. Indeed the G4, as my Japanese colleague said, is flexible. The G4 wants to reach out to others. So does the L69. The L69 is also trying to see how best we can capture consensus but based on its basic position.

And since all of this is predicated on the so-called maximalist position, let me read out to you what the Ezulwini Consensus says in para 3 on this issue. It says, "In that regard even though Africa is opposed in principle to the veto, it is of the view that so long as it exists and as a matter of common justice, (*I underline that*) it should be made available to all permanent members of the Security Council."

So where do we find ourselves today? Is this a case where a large number of member states are dying to use the veto? I hope all of us understand how difficult it is to use the veto? What the cost involved is? I suggest you ask those who had some recent experience.

The issue, Mr. Chairman, is of equity. The core issue is that if you are to deal with Security Council reform, you cannot leave the essential core of the current architecture untouched to continue to represent an architecture that was introduced 65 years ago.

And I do not want to get into a discussion here and now as to what constitutes legitimacy. Yes, the Charter is legitimate. I am one of those who says that but the Charter also contains in it a clear provision that the structure needs to be reviewed after 15 years. We were not able to undertake that review after 15 years because the review that took place involved a mere tinkering of the system.

If you do not review the Charter after 65 years, that is when some people turn around and say it may not be legitimate. That the new permanent members have to be elected but so should the existing permanent members in order to retain their privileged position.

I am not saying this but I heard the debate this morning and that is the kind of clamour that could arise.

So, Mr. Chairman, the veto has for too long been a bogie holding us back. Let us have a frank discussion on that. Let those who want to stand up and be seen exercising a veto, stand up and be counted and let us understand what this is. I think we can move forward on that provided we are sincere about the objectives of this process.

Mr. Chairman,

Since today's session is structured to get a better understanding of the position of the UFC, I choose to draw inspiration from Lewis Carol to describe the situation that we face. And I am reminded of the discourse between the walrus and the carpenter in 'Alice in wonderland', and I quote:

"The time has come," the Walrus said,

"To talk of many things:

Of shoes--and ships--and sealing-wax--

Of cabbages--and kings--

And why the sea is boiling hot--

And whether pigs have wings."

Mr. Chairman,

Words have meaning. Uniting for Consensus sounds impressive. It is relevant, therefore, to ask as to who or which countries are uniting and for what kind of consensus? These are very important countries in their own right and we need to understand why they chose to unite for a consensus that essentially calls for maintenance of the *status quo*, i.e., an expansion only in the non-permanent categories with different categories with slightly shorter or longer term non-permanent seats.

Another analogy, from my own country best sums up the situation.

There is a story frequently heard about the crab seller in the State of Kerala - from which one of my young colleagues sitting here comes from - the southern province of

India, who became extremely successful in his export business. When someone asked him the secret of his success, the exporter is reported to have said I always fill my baskets just close enough to the brim and then the crabs amongst themselves take care of the rest. As one of them tries to jump out, the others pool in all their efforts to pull him back.

Mr. Chairman,

This is what the UFC is doing to your process.

This is a group of very influential countries, perhaps one and a half dozen altogether who are intellectually very agile. I heard three of them here today. The Permanent Representative of Italy, who starts with saying that you should not conduct a straw poll. Then I heard the Permanent Representative of the Republic of Korea followed thereafter by my very dear friend, the Permanent Representative of Mexico say the same thing: We should not have a straw poll, we should not have a vote.

I am in your hands Mr. Chairman. We need to find a way of moving forward.

When the short resolution was introduced by the G4, which has now, as I keep saying, 85 signatories - and we have two more today and another 50 countries in the pipeline.

So, we were told no, no! This is a divisive way. We should not go down that road. Alright, we say let us have a discussion. Let us not put it to a vote yet.

But, how are we to proceed? We, those who want expansion in both categories, the *demandeurs* of expansion in both categories, have been accused of being divisive. So much so that one of my distinguished colleagues from the UfC accused us of diplomatic harassment. Another one, who is an even closer friend of mine, said the G4 proposal is a zero sum in nature with 4 winners and 184 losers.

We were able to expose that arithmetic. Everybody would be a gainer because there will be more seats for Small Island Developing States, for smaller developing countries and others.

Mr. Chairman,

I think we need to be very clear about what we are saying. We were told that a particular conference was organized in a capital which you attended Mr. Chairman, and there were a large number of countries. When we saw the composition of that, we found that 31 signatories to the short resolution calling for expansion in both categories had attended that meeting! So, there goes the argument about large numbers!

The other one is that two-thirds majority is narrow. Now, this is more worrying because this two-thirds requirement is prescribed in the Charter. And the word

“narrow” has been put in the words of the then PGA. This is even more worrying because the PGA derives his position from the Charter and the Charter prescribes two-thirds as the number required in case you want a vote to change the Charter.

Alright, what do we do in case we do not want to go down that road. Can we then agree here and now on a method whereby, if you do not conduct a straw poll, can you at least, be allowed to take a sense of the house after these five meetings and then come up with a proposal which we should agree to consider. Can we at least agree to that?

If not, then the question arises as to what are we to do? I think the only way of empirically verifying whether party A is right or party B is right is to test their strength through a vote.

Last year, Mr. Chairman, we had to interrupt the negotiating process when the then PGA conducted meetings of the Group of Friends. That Group of Friends wanted to push for an interim or intermediate model.

And we kept saying then, as I heard from the Deputy Permanent Representative of France today that his President had mooted such a proposal in 2008 along with the Prime Minister of United Kingdom.

We were and continue to be subjected to two difficult challenges.

We are being told that there is another proposal, an interim or intermediate proposal but we do not know what it is. If the proposal is non-permanent members, different categories with slightly longer term seats, my submission, Mr. Chairman, on behalf of India, is that that is a non-starter.

If, however, there is another proposal, knowing, as you do, our views, would not it be fair to the membership of this IGN process to see that proposal and evaluate the merits of that proposal along with what Africa stands for, what the L69 stands for, what the G4 stands for and then take this process to its logical conclusion.

Mr. Chairman,

I want to conclude by saying that you have, for the first time, an opportunity to take this process forward and to ensure that the Council becomes more democratic, effective, representative and legitimate. But for that you have to reform the central core of the Council, namely, the composition of the existing permanent membership. Leaving the core of the Council intact is tantamount to leaving the legacy of 65 years ago to prevail in the 21<sup>st</sup> century.

Thank you.

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