



*Partly adapted from extempore remarks*

**Remarks by Ambassador Nirupam Sen, Permanent Representative of India during negotiations on UN Security Council Reform at the Informal Plenary of the General Assembly, March 4, 2009**

Mr. Chairman,

I thank you for convening this meeting and for your efforts towards changing the format of our meeting.

As regards the various options presented, we remain convinced that genuine reform of the UNSC can come only from an expansion in both its permanent and non-permanent membership. This is the option that has the overwhelming majority support. There is no question of second preferences regarding this - any reform that does not expand the permanent membership will be incomplete and futile.

Some have argued that since first preferences of all cannot be fulfilled, the interim option is the best way forward. This is fallacious - the number of countries that oppose the interim model far exceed those that oppose the proposal to expand both permanent and non-permanent membership. Hence, the intermediate model cannot be defended as having the largest, or even a large, support. The interim model has been rejected by many African states, by the overwhelming majority of small states, by the L-69 group and its supporters. A representative of the UFC spoke of the under representation of Africa. The problem is far

more serious: Africa's non-representation in the Permanent category. Any proposal that does not address this does grave injustice to Africa's aspirations to equality. The terms 'intermediary', 'intermediate' and 'interim' have been described by some speakers as the same. They are very different. It is important to note precisely what we mean. 'Intermediary' means go between or facilitator. Therefore the only intermediary model is you yourself Mr. Chairman. 'Intermediate' is simply something in between without balancing either the weight of numbers or political weight. 'Interim' is implicitly predicated on a common understanding of 'interim to what' since it is transitional. As currently put forward, the 'intermediate' model is simply reform for the sake of reform like art for arts sake, purely mechanical reform that would not address any of the real problems, provide no check or balance to permanent members, no institutional memory to ensure optimal decision making and its wide acceptance. In short, it would give the illusion of reform and thereby set back real reform. It would merely add to numbers and would make the Security Council unwieldy without making it effective. It would not empower African or other developing countries. It will simply postpone a decision that there is no reason to suppose would be any easier after 10 years than it is now. In short, the 'intermediate' model represents the kind of compromise described by Lord David Cecil: "an agreement between parties to do what most of them agree to be wrong". It is worth recalling that the main feature of this model, immediate re-election, was introduced in the League of Nations. It neither worked well nor helped the League of Nations work well. In fact, shortly thereafter, the League of Nations collapsed (I am not suggesting that this was the only reason but it certainly did not help to prevent the collapse). When I listen to the supporters of the 'intermediate' model, I am therefore reminded of what the great American novelist Thomas Pynchon asks in his "Against the Day" (I have had occasion to refer to him in the course of an earlier debate): "What are they doing here, so late in history" with "the dismal metonymies of the dead behind them?"

A leading light of the UFC has proposed regional seats that will permit longer / more frequent presence on the Council. We believe that the current non-permanent seats are actually regional

seats, that permit each region to be represented at all times. If the reference is to the “intermediate approach” of new longer-term seats, but with incumbents from particular regions, or to new non-permanent seats / longer-term seats with immediate reelection, this is truly disingenuous! Both alternatives actually seek to benefit individual countries, under the guise of correcting regional under-representation! What is more, with the possible exception of Africa, no region has reached the stage. As the response to the current economic crisis, particularly as it manifests itself in Eastern Europe, shows this is true of even the European Union. If this UFC member is so sure of his position, why did this position not carry in the June 22, 2007 EU Summit which took decisions on an EU high representative backed by an EU external service but had nothing to say about regional EU seat in the UNSC.

The other suggestion of reserved seats reserved for Small States, and for Medium-sized States, and the OIC (as another UFC member proposed) actually deals with allocation of seats, and is not a proposal for a new category of membership. However, I would like to emphasize that current allocation of non-permanent seats is on regional basis, and the UFC proposal seeks to them on non-regional basis, contradicting its other proposal of regional seats! It should make up its mind what it wants. The logic has to be consistent: if it wants to discuss non-regional seats then let us discuss seats for the NAM, G-77, etc. Moreover, the categories mentioned are not recognized UN groups, rather than SIDS, LLDCs or LDCs (which could be considered). However, we should discuss the details of this under the issue of representation. The leading light of the UFC who referred to OIC opposed permanent membership. He is obviously not acquainted with para 73 of the OIC Communiqué of April 2008 even if there was the slightest reason to suppose that he has read it: the OIC Communiqué speaks of representation in both categories, which logically includes the permanent category. He has to make up his mind whether he belongs to UFC or OIC. Or is he following the example of Mr. Facing Bothways in Pilgrim’s Progress, or in this case the Pilgrim’s Regress?

There is an overwhelming demand for improvement in the UNSC’s working methods, of greater transparency and access, of

making it more inclusive. There have been numerous efforts to improve UNSC working methods, particularly by non-permanent members. However, these efforts have not succeeded, and this is a reflection of the reality that reform of working methods requires a change in the composition of the permanent members of the UNSC, who would be held accountable for introducing these working methods. The S-5 proposal could not even be put for adoption. The General Assembly actually adopted a very radical proposal on working methods in its Resolution 267 (III) of 14<sup>th</sup> April 1949. Not one of these has been implemented for more than half a century. This proves the point. This assertion is also borne out by the fact that an expansion of only non-permanent members was carried out in 1965. This did not result in the improvement in the working methods - it is unrealistic to expect the situation to change now. Non-permanent members remain excluded from the core decision making of the UNSC, and increasing their numbers will not change this fact.

Access and participation of non-Members, particularly small island states and landlocked countries and other vulnerable countries, in the work of the UNSC is crucial to any reform effort, apart from a dedicated seat for them. Given that non-permanent seats, including those occupied by some of these countries, have not resolved the problem, the only effective response is to elect new permanent members, who can be held accountable for implementing this, through a review.

Another representative of the UFC confused elections with accountability. Are all non-permanent members accountable? Even in the case of a clean slate? It is incorrect that accountability of the UNSC would increase with more non-permanent members. There are already 10 non-permanent members against only 5 permanent members, and each non-permanent seat is filled by election. Yet, greater accountability has not been achieved. Clearly, the solution will not be found only by adding more non-permanent members, who will face the same structural problems of today in ensuring that the UNSC is more accountable. Accountability also is not only of individual members but of the Council to the General Assembly. Have non-permanent members have brought this

about? We need new permanent members, who will be able to ensure a real change, and be held accountable for doing this through the initial election and mandatory review / reviews. The most fruitful way therefore is the one suggested by a small state, Singapore, namely that we should negotiate how to ensure the accountability of new permanent members.

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