



Govt. of India

STATEMENT BY MR. V.K. NAMBIAR, PERMANENT REPRESENTATIVE ON THE SITUATION BETWEEN IRAQ AND KUWAIT AT THE SECURITY COUNCIL ON OCTOBER 17, 2002

Mr. President,

At the outset, I would like to congratulate you for your initiative in holding this open meeting on the situation between Iraq and Kuwait. We have just concluded a lengthy debate in the General Assembly on the issue of Security Council report, its reforms and restructuring. One of the issues raised by a large number of speakers at this debate pertained to the desire to see greater transparency in the functioning of the Council and in the relationship between the Council and the general membership of the Organization. The decision to hold an open meeting to discuss an issue of considerable import to the larger membership of this Organization addresses this concern directly and is, therefore, both opportune and timely.

Mr. President,

India has a vital interest and high stakes in the peace and prosperity of the Gulf region. Our relations with this region have developed as a result of centuries of deep historical, cultural, religious and economic contacts. Today, there are approximately four million Indians that reside in the Gulf region. In Iraq itself, we had substantial trade interests and projects which were affected after 1991. Under the

“Oil-for-Food” programme, India is a significant exporter. Developments in the region thus affect India.

India had welcomed the remarks made by the President of the United States during the United Nations General Assembly on September 12, 2002 indicating that the US would work with the UN Security Council for the necessary resolutions on Iraq. We had also welcomed the resumption of diplomatic efforts under the auspices of the UN to try and end the impasse on inspections.

During the debate in the General Assembly, many leaders had emphasized that adherence to the multilateral system is an indispensable imperative for maintenance of international peace and security. The UN Secretary General too, in his address to the General Assembly had stressed this point and had conveyed that while Article 51 of the Charter provides for States the right of self-defence, if attacked, when it came to addressing the broader threats to international peace and security, there was no substitute for the unique legitimacy provided by the United Nations. In contemplating use of force, the question of legitimacy and the international rule of law are important. Twelve years ago, faced with a case of aggression, the member states had

shown their willingness to authorize action under the authority of the Security Council. These were reflected in Security Council resolutions 686 and 687 of 1991. Without such authority, any support for a campaign would not be forthcoming.

Mr. President,

India recognises the desire of the international community to see the full compliance by Iraq of all relevant UN resolutions, including those relating to the repatriation of Kuwaiti and third-country nationals and return of all Kuwaiti property. Such a desire cannot, however, justify any unilateral action on Iraq without the agreement of the UN. We are of the view that given the current configuration of circumstances, any undermining of the territorial integrity of Iraq could have unforeseen and destructive geo-political implications. This could extend even beyond the region

While saying this, we recognize that it has been four years since the last UN inspections in Iraq took place. The need for an update to tighten the inspection regime and sort out "loose ends" was recently elucidated by the Executive Director of UNMOVIC, Dr. Hans Blix. If the Security Council were to see the need to review the situation and lay down fresh guidelines for the weapons inspectors to go into Iraq, India would be supportive of that process. However, before deciding on a new mandate it would be important for the Council to reflect on the objective of such an exercise. The purpose of any such action should be to achieve disarmament in Iraq as laid down in relevant resolutions.

In ensuring this objective, the proposals concerning the inspection regime have to be commensurate to the task at hand,

that is inspections designed to enforce elimination of weapons of mass destruction in accordance with the relevant resolutions of the Security Council. Some of the proposals being advanced pertaining to the role and presence of Council Members in inspections, extra-territorial interviews of Iraqi nationals or the use of UN armed guards to accompany inspectors seem unprecedented and could attract adverse public attention internationally. We believe that the conditions attached to any new resolutions or the modalities of their implementation should not be such as to make them unworkable or effectively to invite their rejection.

Some speakers at the General Assembly debate on the Security Council have made reference to the exclusivity claimed by P-5 in the context of recent deliberations and contemplated actions with respect to Iraq. Our view is that such a narrow base of decision-making can only detract from the unity and cohesion required to be generated and sustained on an issue of such grave nature and magnitude.

India believes that while there may be a rationale for a tightened inspections regime, there is an equal case for the creation of an enabling environment for compliance with the relevant resolutions. Such a step has been envisaged in UN Security Council resolutions themselves, and I refer, in this context, to section D of resolution 1284 (1999). We believe that sanctions against Iraq should be lifted in tandem with full and effective compliance by Iraq with the relevant UN Security Council resolutions. We also believe that sanctions should not have adverse humanitarian impact on the lives of ordinary Iraqi citizens.

Mr. President,

In conclusion, I wish to join a large number of other delegations that have expressed themselves on this subject, and to reiterate that the sovereignty and territorial integrity of a State are inviolable. Any action to limit these attributes can only be taken under the express provisions enshrined in Chapter VII of the UN Charter.

It is, therefore, of the utmost importance that all possible alternatives that can help avoid recourse to military action be actively explored under UN auspices. Every effort must be made to ensure that peace and stability is maintained in the region for what

we do could well represent a defining moment in the way the relations among States are ordered. There should be no precipitate action that adversely affects the interests of the countries of the region as well as those of countries who have vital stakes in the region. The action of the Council must not only possess legitimacy; it must also be seen to possess legitimacy. On our part, we believe that the urgent task as a first step is to facilitate the return of inspectors to Iraq. The Council should fashion its approach with this basic task in mind.

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