



Permanent Mission of
Malaysia
to the United Nations

**STATEMENT BY H.E. AMBASSADOR HAMIDON ALI
PERMANENT REPRESENTATIVE OF MALAYSIA TO THE UNITED NATIONS
ON AGENDA ITEM 9: REPORT OF THE SECURITY COUNCIL
AND**

**AGENDA ITEM 117: QUESTION OF EQUITABLE REPRESENTATION ON AND INCREASE IN THE
MEMBERSHIP OF THE SECURITY COUNCIL AND RELATED MATTERS
AT THE PLENARY OF THE 60TH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY
NEW YORK, THURSDAY, 10 NOVEMBER 2005**

Mr. President,

My delegation is pleased to participate in this debate on both Agenda Item 9 and Agenda Item 117.

2. At the outset, I wish to express my sincere appreciation to the President of the Security Council for this month, Ambassador Andrey Denisov of the Russian Federation, for his presentation of the Annual Report of the Security Council to the General Assembly. My delegation has taken note of the Council's report as contained in document A/60/2. I should also like to congratulate the newly elected members of the Council for the year 2006 to 2007, namely Congo, Qatar, Slovakia, Ghana and Peru. We are confident they will bring fresh impetus to the work of the Council.

3. The consideration of the annual report of the Security Council by the General Assembly provides a good opportunity for the larger membership of the Organization to assess the work and performance of the Council during the period under review. This is in keeping with Articles 15 and 24 of the Charter of the United Nations where it is stipulated that the General Assembly shall receive and consider annual and special reports from the Security Council and these reports shall include an account of the measures that the Security Council has decided upon or taken to maintain international peace and security.

4. The Report before us is a useful reference, which summarizes the extensive work carried out by the Security Council over the period under review. We appreciate the vital contribution made and the pivotal role of the Council plays in the maintenance of global peace and security. Discussion on the Report of the Security Council provides an opportunity for Member States to reflect upon the importance of the Security Council's role and how its efficiency and effectiveness may be further enhanced. This should be seen in context of promoting transparency in the work of the Security Council.

5. While my delegation commends the continuous trend towards transparency of the Council's work, more could be done in the promotion of greater transparency and accountability in the work of the Council, by convening an open meeting of the Council for the purpose of discussing its report before its submission to the General Assembly.

Mr. President,

6. My delegation notes that the Council had addressed a wide range of issues during the period under review. This reaffirms the trend in recent years towards a continuously increase in the volume and scope of activities of the Council. A total of 229 meetings were held, 61 resolutions adopted and 58 presidential statements were issued. Conflicts and instability in Africa continue to be in the forefront of the Council's agenda. Despite the severity of the circumstance of the crisis in Sudan, Malaysia is pleased that the situation has considerably improved following the successful conclusion of the Naivasha peace process. My delegation commends the Council in taking the effort in adopting eight resolutions on Sudan and convening the extraordinary session in Nairobi on 18 and 19 November 2004, its fourth outside the United Nations headquarters. The deployment of the United Nations Mission in Sudan shows clearly the Security Council's commitment to peace and security in the country that opens a new chapter in the country's history. Malaysia looks forward to the Council taking more effective decisions on conflict situations particularly in Africa.

7. The increasing practice of holding open sessions of the Council contributes importantly as it renders opportunities to general membership to participate in the Council's work. We especially welcome the growing practice of Council's field-missions, such as those being conducted to Central Africa from 21 to 25 November 2004, to assess the prospects for peace and stability in the region. Further we commend the briefings by the Under-Secretary-General for Humanitarian Affairs, Jan Egeland on the humanitarian situation in Africa, to bring the Council's attention the challenges of trying to secure enough resources to help deal with acute humanitarian needs in Africa. We appeal to the international community to come forward and contribute generously to lessen the burden and sufferings of the people in need in Africa.

8. We also commend the public debate on the African dimension in the work of the Security Council at a wrap-up session of the 25 meetings on African issues held by the Council during the month of March this year. My delegation underlines the need to combine peace and security efforts with long-term development strategies with a view to moving from logic of resolution to one of prevention. We welcomed the joint efforts by the Economic and Social Council and the Security Council in this regard. This is all the more pertinent with the recognition of the interconnectedness of threats and challenges faced by the international community and the need to face them in an integrated fashion, taking into account the linkages between development, peace and security and human rights. We should also emphasize the importance of strengthening coordination within the United Nations system with regional organizations and the growing interaction with the African Union and ECOWAS in Africa should further be encouraged.

Mr. President,

9. Malaysia agrees that the holding of thematic discussions is useful to improve the effectiveness of the Council. We consider thematic discussions and open debates as avenues for allowing Council members and the wider membership of the United Nations to offer views and suggestions on issues directly related to the work of the Council. However, it is still unclear whether these have actually been fully considered by the Council when arriving at decisions. Given the increasing workload of the Council, we believe that thematic discussions should be kept to the minimum and held specifically with a view to achieving concrete results which would have an impact on the performance not only of the Council but also the United Nations at large. We continue to believe that thematic discussions and other important issues addressed by the Council from time to time would merit the submission of special reports to the General Assembly as provided for under articles 15 and 24 of the Charter and in keeping with the intent of General Assembly Resolution 58/126.

10. Malaysia has actively participated in the thematic debates and has been a long-standing proponent of addressing the protection of civilians affected by armed conflicts by the Council. Recognizing the importance of gender mainstreaming in peacekeeping operations we are particularly pleased with the Council's ongoing attention on women and peace and security. The same goes for the issue of children and armed conflict and the need for a systematic and comprehensive monitoring

and reporting mechanism. In the open debate on the role of the Security Council in humanitarian crisis, my delegation views any action that is aimed at humanitarian intervention per se as having no basis in the Charter and International law. Therefore it should be clear that while the Security Council has a role to play, its response should be based on a distinction between crises arising out of conflict situations and those, which result from other causes, including natural disasters. While action to deal with conflict is laudable, it also remains the Council's responsibility to ensure that conflict is avoided. Hence, there is definitely a need to learn from past experience and to continue to find ways and means to avert conflict. The effort in holding the discussion on this matter points in the right direction.

11. We recognize that the Council has the responsibility to address humanitarian issues that specifically relates to situations of conflict and has taken appropriate action to deal with such situations. The Council's consideration of those issues has laid the groundwork for actions in the areas of peacekeeping and peacebuilding and in preventing a return to conflict. We agree that return to conflict often hinges on the extent to which three key issues in post-conflict situations are adequately addressed or not, namely the promotion of the rule of law; security sector reform, and the disarmament, demobilization, and reintegration of ex-combatants. My delegation is supportive of the view that these pillars for post-conflict security be further strengthened in order to achieve long lasting peace.

Mr. President,

12. Malaysia applauds the Council's continued interest on the Palestinian Question through the monthly briefings and open debates. However, we are disappointed the Council failed to adopt the draft resolution on 5 October 2004 due to a negative vote of a permanent member of the Council. From the 77 vetoes used by this permanent member of the Security Council, 26 have been in attempt to cripple any tangible international role in the ongoing Middle East conflict. My delegation recalls only one resolution was adopted by the Council, namely resolution 1544 of 19 May 2004 that pertains to the demolition of Palestinian homes in the Rafah refugee camp by Israel, the occupying power.

13. We call on the Security Council to improve and maintain its credibility by enforcing its authority concerning the Palestinian Question, in particular in respect of commitment to the Road Map and the two-State solution, the end of the occupation of Palestinian and Arab territories, and the termination of Israel's settler colonialism activities and the reversal of the construction of the Separation Wall. The Council must not allow its resolutions to be manipulated or that the Council itself be prevented from being constructive. The council must resolutely take action concerning the construction of the Israeli expansionist Separation Wall, which has been declared illegal in the Advisory Opinion issued by the international Court of Justice. The sufferings of the Palestinian people under the occupation of Israel have been going on for far too long. Malaysia hopes the Council will live up to its commitment in continuing to support a comprehensive and just settlement in the Middle east based on resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003), the foundations of the Madrid Conference, and the principle of land for peace.

Mr. President,

14. Turning to Agenda Item 117, my delegation wishes to state that we agree with the prevailing view that the United Nations including the Security Council, needs to be reformed in a comprehensive manner, both in terms of its working methods and expansion of its membership to make it more legitimate, representative, democratic and transparent. We note the extensive discussions we have had on this issue over the years, but it is time that we move on. In this regard, we note with interest the non-paper that has been circulated by a group of countries on improving the working methods of the Security Council. Some of the proposals in this paper is not new, but the fact that they have been resurfacing in various non-papers over the years shows that these are elements that Member States view as crucial to the reform of the Security Council.

15. Malaysia has been supportive on the question of enlargement of the Security Council. Malaysia supports the expansion in both categories, based on equitable geographical distribution to make it more broadly representative reflecting the geopolitics of today. Malaysia would once again reiterate its position that if there is no agreement on the expansion in the permanent membership, we should proceed on the expansion in the non-permanent membership, while keeping the issue of the expansion of the permanent membership on the active agenda of the United Nations.

16. The reform should also address the question of the veto, with a view that it should be eventually done away with in conformity with the principle of sovereign equality as envisaged in the Charter. Malaysia continues to hold to its position that the exercise of the veto by the Permanent Members of the Security Council should be regulated so as to prohibit that power being used at the sole discretion of its holder unjustly to overrule the wish of the majority. Malaysia had proposed on 28 April 2005, during the thematic discussion on the Secretary General's report, "In Larger Freedom", that until this objective of abolishing the veto is achieved, a modified veto where two veto powers backed by three other members of Security Council would be needed to block any Security Council resolution.

17. The Security Council should also seek the views of the general membership on issues that require Member States to implement those decisions before a decision is made. This would allow for Member States to voice their opinion, provide comments and suggestion on how to better improve it before a decision is taken. We have seen in the past, decisions by the Security Council have imposed a heavy burden on Member States in providing reports leading to a reporting fatigue.

Mr. President,

18. Malaysia will continue to support and work closely with you, other Members of the United Nations and the Secretary General to explore new ideas and produce a fresh outlook towards reforming the Security Council. We already possess the necessary tools to advance this process. What is required is the full support and political will of Member States.

Thank you, Mr. President.