



Malaysia

Permanent Mission to the United Nations

(Please check against delivery)

**Statement by H.E. Ambassador Hussein Haniff, Permanent Representative of Malaysia,
at the Security Council Open Debate on the Working Methods of the Security Council
New York, 26 November 2012**

Mr. President,

I wish to commend you for the efforts taken to engage the wider membership on this important issue of improving the working methods of the Security Council, which comes at a time when the Council is perceived to be in paralysis in finding a lasting solution to the pressing events that is currently evolving in the Middle East, in particular in the Occupied Territories of Palestine and Syria. I also wish to align my statement with the statement delivered by Iran on behalf of the Non-Aligned Movement.

2. Malaysia welcomes the efforts taken by the Security Council in enhancing the efficiency of the Council's work, as well as interaction and dialogue with non-Council members. In this connection, the Note by the President of the Security Council S/2010/507 and Japan's subsequent efforts as the Chair of the Informal Working Group on Documentation and Other Procedural Questions in 2010 in producing the handbook, known as the "Green Book " are landmark efforts. These are steps that are pushing forward the reform process of the Security Council and Malaysia stands ready to contribute to this process.

Mr. President,

3. Article 30 of the UN Charter stipulates that the Security Council shall adopt its own rules and procedures. This led to the Council adopting its Provisional Rules of Procedures S/96 in 1946, which later saw the Provisional Rules of Procedures being modified on several occasions. The last revision was made in 1982 through S/96/Rev. 7. It has been 30 years since these provisional rules were last amended.

4. The Provisional Rules of Procedure of the Security Council, in many ways, is a relic of the Second World War and the days of the Cold War. While other major organs of the UN have had their fair share in changes to their Rules of Procedures, regrettably the Security Council has refused to move with times. More positive changes could be made to the Working Methods of the Security Council if members of this organ interpret Article 30 of the Charter with a view of making it more democratic and to further improve the efficiency of the work of the Council. Members have to rise above their entrenched national interest and move ahead to make the Council an organ that serves the wider membership as a whole.

Mr. President,

5. How can we further improve the Working Methods of the Security Council, making the Council much more according to current situation? While the President's Note 507 was indeed a positive

move, the Council should also consider favorably the General Assembly draft resolution A/66/L.42. Many elements of change that was proposed in this draft resolution, if not all, could be taken on board by the Council, with the view of helping to move the reform process ahead and without the need to amend the UN Charter. It is time for the Council to move beyond weak arguments put forward with the sole intention to maintain the status quo on working methods, and indirectly ensuring their national interest continues to be protected.

6. The world today is extremely disappointed that the Council has not been able to do what it has been mandated – to maintain international peace and security. Look at what is happening in the Middle East today. Can the Council claim that it has been at the forefront in dealing with the tragedy in Palestine and Syria? Has the Council moved beyond national interest in stopping the ongoing violence that has led to the death of 30,000 people in Syria and the rising number of casualties in Palestine? Were non-members of the Council, as responsible members of the international community, allowed to present their views in the Council's meeting on the attack on Gaza on 14 November and the meeting of 21 November?

7. Unfortunately, Mr. President, the answers to all these questions are a resounding NO. Why is it so? Clearly, it is because the Provisional Rules of Procedures and subsequently the Working Methods of the Council have failed the international community, to an extent that the format of a Private Meeting and restriction to the speakers list in the open meeting of 21 November 2012 was invoked, so as to deny non-members from condemning the illegal occupier and aggressor in Palestine. We have to search our consciences and ask ourselves if this was the right thing to do. To get a clear answer, we have to put ourselves in the shoes of the victims of this aggression, be it children, women or the old.

Mr. President,

8. In this debate, it would be remiss if the issue of the use of the veto is not addressed. Malaysia has been consistent in its views on the veto. The use of veto has led us all into this deadlock on how the international community should address bloodshed in the different regions, especially in the Middle East. The irony, Mr. President, is that the veto is a double edge sword. Permanent members of the Council are finding that the veto, time and again, is being used against them by other permanent members. The adage "what goes around, comes around" cannot be more true in the current deadlock faced by the Council on issues relating to the Middle East. The world is told that country X is blocking action to resolve the crisis in a certain country through the use of the veto but at the same time, the complainant does the same when action is due in another country in the region.

9. Let me reiterate again, Mr. President, that the use of the veto should be prohibited in situations involving genocide, war crimes and crimes against humanity. If the reform process can start with an agreement on this, then the working methods of the Council has actually improved tremendously. Until such time, the working methods of the Council are still the one agreed in 1946. The Council today seems to operate in a time warp, refusing to acknowledge the changes that have happened since the end of the Second World War.

10. In conclusion, Mr. President, it is clear and known to all that national interest of members of the Council and their close allies are hindering the improvement of the working methods of this important organ. Political courage should be found to move beyond these entrenched interests and to make the Council more democratic and according to current situation, reflective of the geo-political reality. Then only the Council would regain the respect of the international community and the reform process of the UN, including reform in the working methods of this Council, would see some real and meaningful improvements.

I thank you, Mr. President.