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**Permanent Mission of**  
**Malaysia**  
**to the United Nations**

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**STATEMENT BY H.E. MR. HAMIDON ALI, PERMANENT REPRESENTATIVE OF MALAYSIA TO THE UNITED NATIONS, ON AGENDA ITEM 9: REPORT OF THE SECURITY COUNCIL AND AGENDA ITEM 111: QUESTION OF EQUITABLE REPRESENTATION ON AND INCREASE IN THE MEMBERSHIP OF THE SECURITY COUNCIL AND RELATED MATTERS, AT THE PLENARY OF THE 63<sup>RD</sup> SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY, NEW YORK, 19 NOVEMBER 2008**

Mr. President,

At the outset, I wish to thank the Permanent Representative of Costa Rica, in his capacity as President of the Security Council for November 2008, for introducing the Report of the Security Council, contained in Document A/63/2.

2. My delegation regards this debate as an important opportunity for member states to appraise the performance and effectiveness of the Security Council in discharging its responsibilities. Article 24 of the UN Charter states that the Security Council is conferred primary responsibility for the maintenance of international peace and security, but that in carrying out this responsibility the Security Council acts on Member States' behalf. Since this is the mandate, Member States should ideally be the ones to periodically assess the work and performance of the Security Council. This report of the Security Council to the General Assembly is one such way to discharge this responsibility. We thank the Permanent Representative of Vietnam for organizing a meeting in July during his presidency to hear views from member states in preparing this report.

3. Another avenue in which Member States can be kept apprised of Security Council deliberations is through periodic briefings by the President of the Security Council. We thank those that had briefed us during their presidency. We note however that these briefings are sporadic, Malaysia reiterates its call for there to be more regular open briefings on the work of the Security Council so that non-Members States of the Security Council may be kept abreast of the work of its work.

Mr. President,

4. We note that the overall international peace and security situation remains very challenging including during the period covered by the report. The Security Council has maintained the same rigorous pace as last year by holding 219 formal meetings (in 2007, there were a total of 224 meetings) including 191 public meetings. The Council also adopted 58 resolutions and 50 presidential statements. We note too that the Council held 177 closed

"consultations of the whole" and an undisclosed number of informal consultations. We see much sense and need for non-members of the Security Council, particularly those directly involved with the issue being considered, to participate and provide their inputs at these meetings and consultations. My delegation reiterates the oft-repeated calls from member states for greater transparency, accountability and improved participation of the general membership of the United Nations in the work of the Security Council.

Mr. President,

5. We note the continued focus given by the Security Council on the challenging situation besetting several regions in Africa, which also reflects the complex socio-economic and political developments of the continent as a whole. A third of the 42 main issues under the maintenance of peace and security relate to conflicts in Africa. Several debates were organized directly relating to Africa including 'Peace and Security in Africa' and 'Role of the Security Council in conflict prevention and resolution, particularly in Africa'. In addition, several thematic issues also have reference to Africa including on the issues of the role of regional and sub-regional organisations in the maintenance of peace and security, post-conflict peacebuilding, children and armed conflict, small arms, and women and peace and security. We note also that a Security Council mission was organized to visit five (5) African countries. There have been some encouraging results in mitigating a number of conflicts in Africa with some moving towards peacebuilding mode. But there still remain many daunting challenges that pose serious threats to regional and international peace and security, notably with regard to the situation in the Horn of Africa, the Great Lakes region and Sudan/Chad. Malaysia had been among several countries from outside the region that were affected by situation in the Horn of Africa, in particular piracy in the Gulf of Aden. Piracy in that area has become more pronounced recently. We therefore urge the Security Council to continue to increase its efforts at restoring and ensuring peace and stability of the region. Efforts at continuing to engage and working closely with regional organizations including the African Union, are among several options that the Security Council could pursue.

Mr. President,

6. While we share the need of the Security Council to give greater focus on developments in Africa, we regret that little, if at all, is given to addressing the Palestine question. This continues to remain the main cause of instability and insecurity of the not only the Middle-east region but the world at large. Despite the monthly public briefings and debates conducted by the Security Council, the Council has of late failed to adopt a single outcome on the question. What is most frustrating is that even the most obvious violation such as the construction of illegal settlement, which has been acknowledged at many meetings including at Annapolis has failed to get any response or reaction from the Security Council. We do not understand why the Security Council could be so concerned and eager to act on matters such as climate change where security implications are debatable, and be stone silent on the Palestine question. We are deeply disappointed and we regret that the Security Council has been rendered ineffective in finding a workable solution to the Palestinian question an issue that has been with the Security Council since its inception. We also regret that the Security Council has failed to implement its own resolutions on this

subject including 242, 338. The continued failure of the Security Council to solve the Palestine question has undermined its credibility in the maintenance of the international peace and security, which I should remind, is conferred on it by Article 24 of the Charter.

Mr. President,

7. Malaysia takes note of the Security Council's own effort to improve its working methods. During the period covered in the report, the Council adopted Presidential Note S/2007/749 that outlined new measures regarding participation of the general membership of the United Nations and experts in informal consultations, the issuance of the summary statement of issues on which the Council is seized, and on the preparation of the annual report to the General Assembly. We applaud the thickness of the volume of this year's Security Council report, but note that even with the extra details, the report is limited merely to the factual presentation of the activities of the Security Council and its subsidiary bodies.

8. My delegation is of the view that the report of the Security Council should be more substantive and analytical to enable the member states to form a proper assessment and understanding on the effectiveness of the Council in discharging its responsibility. The report should provide justification and rationale behind major actions and decisions by the Council. Likewise, the report should also be transparent concerning the failure of the Council to adopt a particular resolution or action.

9. In August 2008, the Security Council held an open debate on the subject of improving its own working method. Malaysia believes that there were a number of useful proposals made during this open debate, which are worth revisiting. We hope that these proposals will not merely be relegated to the annals of history.

10. It seems to my delegation that the workload of the Council has increased in this past years. This seems to be a continuing trend, and is likely to continue in view of the outstanding issues and breaking new conflicts that necessitate the Council's attention. The Council is therefore fast reaching its capacity. In order to avoid the Council becoming overstretched in areas which are not within their specific mandate to oversee, the Council should refocus on its core business of the maintenance of international peace and security under Chap. VI and Chap. VII of the UN Charter.

Mr. President,

11. The item on "Question of Equitable Representation On and Increase in the Membership of the Security Council and other Matters related to the Security Council" has been on the agenda of the General Assembly since September 1992, though attempts were made as early as 1979 to include it in the agenda of the General Assembly. The background to this we understand also, was the increase in the membership of the United Nations from then 113 countries to 152 countries since the amendment made on the Charter in 1963. The amendment resulted in the increase in the membership of the Council from 11 to 15. The membership of our Organization has since increased to 192 which render it even more relevant to address this question. Fifteen states, with five having permanent membership and

the right to veto, seems an incongruous arrangement for a body entrusted with international peace and security.

12. The inclusion of the agenda item in the work of the GA and the establishment of an Open-ended Working Group have enabled us to have discussion. Yet very little progress has been achieved on this question. While we advocated that there was much value in taking carefully considered steps rather than giant leap into the unknown, the movement was too snail-paced for the comfort of all.

13. The adoption of decision 62/557 on 15 September 2008 however give us cause to be optimistic that the day has finally arrive when we all can begin to engage in intergovernmental negotiations. I believe we actually have a chance at making concrete progress. Decision 62/557 provides a definitive timeline in which we should at the latest begin intergovernmental negotiations, no later than 28 February 2009.

14. We saw the divisiveness apparent in the first meeting of the Open Ended Working Group which concluded last Monday. There seemed to be a re-interpretation of 62/557 that we had adopted by consensus. We are quite concerned at this development and hope that this is not a reflection of what we would expect to encounter when we begin intergovernmental negotiations. We reiterate that amidst the interpretation of 62/557 including whether the commencement of intergovernmental negotiations would be determined by the outcome of the Open-ended Working Group addressing framework and modalities, the intergovernmental negotiations will proceed as agreed by 28 February 2009.

Mr. President,

15. We trust in your leadership and wisdom to ensure that the process towards reform of the Security Council will yield concrete results in a negotiation that is open, transparent and inclusive. We reaffirm our support and cooperation to work with you and other members to successfully complete our task to reform the Security Council for it to be more democratic, representative, effective and transparent.

I thank you, Mr. President.