

REMARKS BY PAKISTAN

Meeting of the Open Ended Working Group on Security Council Reform-10 September 2008

Mr. President

1. We thank you for convening this meeting. The revised draft report that you circulated last night, we are in the process of considering. At this stage, based on the consultations that you have held during the past few days, we are in a position to offer a few preliminary remarks.

Mr. President

2. The desire to engage in “negotiations” is a fundamental shift in the dynamics of the Security Council reform process. It is a shift from the years of deadlock and failed attempts to push divisive votes. The objective of the negotiations is to reach a compromise, to achieve a reform that would correspond to the interests of all, and would thus be effective and legitimate.

3. The larger objective of the negotiations process is therefore none other than to reach ~~“general agreement”~~ among member states. This is the key issue before us today. The problem is that some who profess negotiations but insist on the requirement of 2/3rd as an objective are still fixated to the voting scenarios. It is for the same reason that one year down the road they have rejected, even attacked, the ~~“Even principles”~~. These principles “the pillars of the edifice called intergovernmental negotiations” (in your own words) laid down the ground rules to advance the process. They were meant to facilitate the implementation of decision 61/561. They were widely accepted by the membership.

4. Our task for the 62nd session was to agree on the basis, framework and modalities for negotiations. Clarity on these issues is essential to lay the foundation for successful negotiations. But while you called for an objective and transparent process to identify the negotiables, some ventured to launch a so-called overarching process. You recommended that the Open-ended Working Group should carry out consultations on the framework and the modalities for intergovernmental negotiations. But some wanted to by-pass that step as well as the Working Group. Yet they complain that the Working Group does not deliver. You said that further steps must contain components and notions that will allow the membership to reach a general agreement. But some keep telling that after all a decision has to be taken by vote. Yet they say that they want negotiations.

5. You asked the Task Force to suggest a way forward. They made a sincere effort. Except for an aberration, their conclusions were mostly in line with the Facilitators. You believed that with the Task Force report, necessary preconditions had been achieved to begin intergovernmental negotiations. However, that report, especially its annex, was not accepted as a basis.

6. The bridge between the results achieved during the 61st session and the way forward, that you said needed to be constructed, has not been constructed. The fact of the matter is that there exists ~~no clear basis to commence negotiations~~.

7. Yet, we want to advance the process. We want to remain on the track of negotiations because we are convinced that only a negotiated solution can accommodate the interests of all sides and garner general agreement.

8. Our position on the key issues is well known. We have also demonstrated flexibility to reach compromise. But the draft in its current form is far from such compromise. In a constructive spirit, we would like to propose some changes to the draft in order to make it more acceptable.

Amendments

Firstly, we regret that our suggestion not to open the main part of the report has not been heeded to. We are therefore obliged to offer the following remarks on that part of the report.

- Paragraph 6 is an incomplete and incorrect depiction of decision 61/561. We propose to delete it, except for the last sentence.
- We prefer to keep paragraph 8 as in the initial draft. We also suggest that the President's concluding remarks of 14 November 2007 be attached as an annex to the report.
- We prefer to keep paragraphs 13 and 15 as in the initial draft.
- In paragraph 19, we propose to delete the last sentence. We believe that this was not in line with the sense of discussion in the 17th June meeting.

Secondly, on the recommendations part:

1. Paragraph 22 (chapeau): The following should be added at the end of the first sentence "building upon the work done during previous sessions and with a view to facilitating the process of reaching general agreement". In the second sentence, add "To that end" in the beginning. This would be consistent with previous years' reports.

2. In paragraph 2 of the preamble, there are new elements, which are not useful in the current discussion. We believe the thrust of the decision is on the negotiations process. The reference to relevant resolution is already there in the first preambular paragraph. What should be clearly stated in para 2 is the important objective of reaching general agreement. We suggest reverting to the language contained in the initial draft.

3. We have difficulty agreeing with the new placement of the seven principles i.e. para 3 of the preamble. Seven principles constitute the main progress in the 62nd session. They have to be reflected in the operative part as well. We can live with this preamble if "taking note" is replaced by "taking into account".

4. In paragraph (c), we propose to ~~delete the timeline of end of October~~, which is artificial and unfeasible. We propose to delete “as well as the positions of and proposals made by member states”. It would be more logical to replace it by “as reflected in paragraph d)”. We propose to replace “General Assembly” in the 8th line by “the Open Ended Working Group” followed by the wording “that can garner the general agreement among member states” and delete the new text until “article108”. We understand this new text has been taken from the Reports of the 5 Facilitators. It is ironic that we are reverting to that report, which some members had rejected at that time. I would like to recall that we had accepted that report as a framework for further work. We propose that the last sentence of c) reads as follows: “In this context, decides to agree, at the outset, on the framework, modalities and the negotiables of intergovernmental negotiations”.

5. In paragraph (d), bullet (ii) we would like to seek clarity as to which negotiables are being referred to in document A/61/47. In bullet (iii), for the first report, we should add at the end “on its work during the 61st session”. As we have earlier stated, we would like to retain the seven principles as a bullet in this paragraph.

6. Finally in paragraph (e): for the sake of clarity we propose to add “to this end” after “Working Group” in the first line.