



# PAKISTAN

PERMANENT MISSION TO THE UNITED NATIONS

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REMARKS

BY

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PERMANENT REPRESENTATIVE OF PAKISTAN  
TO THE UNITED NATIONS

AT

THE MEETING OF THE OPEN-ENDED  
WORKING GROUP ON SECURITY  
COUNCIL REFORM

New York,  
17 June, 2008

**Remarks by Ambassador Munir Akram, Permanent Representative of Pakistan at  
the Meeting of the Open-Ended Working Group on  
Security Council Reform-17 June 2008**

**Mr. President,**

1. We would like to thank you for convening this meeting of the Open-Ended Working Group. Our mandate is to strengthen the representation of the general membership on the Council – mostly small & medium States – not to enlarge the coterie of the powerful and privileged.

2. Under your sagacious leadership, your Task Force (Co-Vice Chairs, Ambassador Ismat Jahan of Bangladesh, Ambassador Heraldo Munoz of Chile, Ambassador Roble Olhaye of Djibouti and Ambassador Joao Salgueiro of Portugal) have produced a report that seeks to advance agreement on the reform of the Security Council and, as decided by the General Assembly, to build on the significant progress achieved in the 61<sup>st</sup> Session. That progress was significant. The Facilitators had drawn the conclusion that the only way forward on Security Council reform was a compromise intermediate approach. The present report confirms many of last year's conclusions. It states that none of the original positions of Member States or groups – which are listed in the Report – has sufficient support to be realizable. The report mentions that the positions among major interest groups have not moved significantly. It rightly identifies the issue of “category” of seats as the “main source of disagreement”. It could have perhaps mentioned more explicitly that there is no agreement to install new individual permanent members of the Council just as it states there is no agreement on the veto. The Report also lists some areas of “agreement”, including creation of additional non-permanent seats and the need to improve working methods.

3. No one can disagree with the conclusion of the Report – also reached last year – that in order to move forward, compromise is needed. It states “only a realistic approach that allows agreement on what is achievable in the near term, without excluding any preferred option to be revisited at an agreed time through a mandatory review, is the way to move forward”. In essence, the Report presents the compromise intermediate approach of last year's Facilitators in a “timeline perspective”. It asks us to identify what may be achievable in the short-term and to leave the issues on which there is no agreement and no likelihood of agreement to a later mandatory review. Thus, for the present, the negotiables would be only those on which it is possible to reach agreement in a short timeframe. As you know, Pakistan and the UfC are prepared to explore and build on this compromise approach. This is a reflection of our desire for results and our flexibility. Our fundamental position remains as in document – A/59/L.68 and outlined in the Report. Our flexibility stops at our red lines, principally our opposition to the addition of new individual permanent members on the Security Council.

4. While the body of the Report is well considered and balanced, even if overly cautious, the Annex which address categories of membership is rather deficient. It does not reflect the main conclusion of the Report that we focus on an achievable compromise which, last year's Facilitators clearly concluded, would be limited to the four options or "notions" set out in paragraph 9 of their Report. The reference in the Annex, albeit in brackets, to "Extended or Permanent" seats is incongruous with these conclusions of the present and earlier Reports. Indeed, it is inconsistent with the heading of the Annex itself. The approach of the Annex appears to emulate the paper submitted by one Ambassador in his personal capacity last April. This was not accepted as the basis for further work.

5. There are not only two options for the categories of seats. There is also the option – on which the Report has noted agreement – of creating only additional non-permanent seats. This option is entirely missing from the Annex. Indeed, it should be recalled that the Non-Aligned Movement in its position paper presented to the OEWG in 1995, in what is termed as the NAM fallback position, had also indicated to such a possibility. The NAM paper stated: "if there is no agreement on other categories of membership, expansion should take place only, for the time being, in the non-permanent category."

6. Indeed, in the consideration of categories of membership, the only two realistic and achievable options are either the creation of only non-permanent seats or the creation of mostly non-permanent seats and a few so-called extended seats. Such extended seats could be of various kinds. As noted, four options were listed in para 9 of the Facilitators Report last year. Moreover, the smaller the size of the expansion, the smaller the likelihood of creating such "extended" seats. Is it not inequitable that the first scenario of expansion in the Annex to 22 members would allocate 6 of the 7 new seats for "extended" seats, allocated presumably to large States while leaving only one to the rest of the membership, the vast majority of small and medium States? We believe that in any scenario of expansion, whether 22 or preferably a larger number, the majority of seats ought to be non-permanent seats for allocation to the small and medium States with only a few "extended" seats, if agreed, to cater to the desire of larger States for more frequent or longer representation on the Security Council.

7. It is unfortunate that neither the body of the Report, nor the Annex, reflects on the issue of regional representation. Since, under any proposed scheme for Council expansion, new seats will be allocated to the regions, the countries of these regions should be able to determine the nature of representation on those seats. It is not for one or more major powers to determine such representation. Nor can some countries self-select themselves. Indeed, equitable geographical distribution envisaged in Article 23 of the Charter would make little sense if a seat allocated to a region were to be occupied permanently by one country. That is why we respect and understand Africa's position. Africa's demand for "permanent seats" is for the entire region and is therefore different from other proposals that seek permanent membership for individual States. As we understand it, against the two empowered seats which are sought by Africa, representation on the Council could be from two or, through rotation, by a larger

number of African States, under arrangements to be made by Africa itself. Africa would thus retain the power to ensure accountability on the part of those States which would represent it and act on its behalf on the Council. The African model of regional representation, if it is applied to all regions, appears to be an approach that may help to evolve agreement on Security Council reform. Using the African model, other regions could also be enabled to decide their own arrangements for representation of their respective regions on the Council.

**Mr. President,**

8. The Report has rightly pointed to the need to clarify the framework and modalities for eventual negotiations. A process of negotiations – any negotiations – can only be successful once: (i) its objectives are clearly defined; (ii) the options to be explored are within the range of acceptability for the negotiating parties; (iii) the forum and modalities for negotiations are identified; and (iv) these negotiations are not threatened by disruption by arbitrary/unilateral moves made by one or the other party.

9. In this context, it is relevant to recall the letter (of 5 March) sent by the UfC to you proposing a clear framework and parameters for opening negotiations on Security Council expansion. We are re-circulating this proposal. This proposal is based on the decision of the General Assembly and the Facilitators Reports of last year. It sets out 3 simple propositions:

- **One**, that the objective is to reach general agreement on an intermediate approach on the basis of the variations outlined in paragraph-9 of the Report of the Facilitators. These options excluded the idea of new individual permanent seats. It did not exclude a regional approach, which would envisage designating special seats for regions. It could encompass the African position. The idea in the Task Force's Report of a compromise solution based on what can be agreed within a short timeline is consistent with the intermediate approach set out in the Facilitator's Report last year.
- **Two**, that this OEWG be clearly designated as the forum for the conduct of negotiations. If general agreement is to be achieved, it can only be done through an open and transparent process, which excludes unilateral moves. The desire to move this process from the OEWG to the UNGA is suspect because it would facilitate unilateral moves. No one can negotiate while such unilateral options remain open. Intimidatory tactics are not conducive to compromise. We are already witness to such unilateral moves - first through the L.69 tabled last year, then through a paper evolved in the selective "overarching" process, and lately in form of a draft resolution being circulated by some whose ambitions for permanent membership and individual privilege outstrips and undermines the pursuit of a general agreement that we are supposed to be advancing in this process.

- **Third**, the UfC proposal envisages that, as next steps, we should reach agreement, in this OEWG, “on the negotiables” and then proceed to conduct such negotiations in this forum. We are glad that the Report of the Task Force also envisages the need for evolving agreement on the negotiables in this Working Group. These “negotiables” cannot be arbitrarily determined by a few countries and imposed on the rest of the membership.

**Mr. President,**

10. The UfC is convinced that the approach I have outlined holds the best promise of progress on Security Council reform. Therefore, we suggest that, at the conclusion of this debate, member states decide that:

- One** The objective of negotiations is to reach general agreement on a compromise intermediate approach encompassing both enlargement in the composition and improvement in the Council’s working methods, within a short timeframe, without prejudice to the declared positions.
- Two** Open and transparent consultations in this OEWG to agree on the “negotiables”. Such discussions could be organized under the five key areas identified in the present and previous reports i.e. size, category, regional representation, veto and working methods. These consultations, so organized, should lead to identification of what is within the range of the acceptable and feasible within a short timeframe, without prejudice to the initial declared positions of various member states. These “negotiables” could then be the basis for negotiations within the OEWG.
- Three** There should be a solemn agreement that while this process of consultations and subsequent negotiations is underway, there will be no resort to unilateral proposals or moves seeking votes and decisions proposed by some states.

**Thank you.**

## Framework for further consultations/negotiations

1. Objective: To reach general agreement on an “intermediate” solution to Security Council reform on the basis of the variations outlined in (para-9)\* the Report of the 5 Facilitators at the 61<sup>st</sup> GA Session, and encompassing both the enlargement and working methods of the Council, without prejudice to the declared positions of all States/Groups:

2. Modality: Transparent and open consultations and intergovernmental negotiations within the OEWG to achieve a general agreement. No unilateral initiatives or action outside the OEWG.

3. Next Steps: Further informal consultations to:

first, identify “Negotiables”; and

second, elaborate a paper to serve as a basis for intergovernmental negotiations.

\* A/61/47, annex I, Notions on the way forward

9. As regards categories, the transitional approach, without prejudice to the prospect of creating new permanent seats, could explore the creation of new non-permanent seats as well as an intermediate category. Member States may wish to consider, inter alia, the following variations on an intermediate category:

- Extended seats that could be allocated for the full duration of the intermediary arrangement, including the possibility of recall
- Extended seats, which would be for a longer period than the regular two-year term, but with the possibility of re-election. The length of the terms as well as the re-election modalities should be decided in negotiations.
- Extended seats, which would be for a longer period than the regular two-year term, but without the possibility of re-election. The length of the term should be decided in the negotiations.
- Non-permanent two-year seats with the possibility of immediate re-election.