

Adapted from extempore remarks

Remarks by H.E. Ambassador Nirupam Sen, Permanent Representative of India to the United Nations at the Inter-governmental negotiations on UN Security Council Reform in the Informal Plenary of the General Assembly on March 24, 2009

Mr. Chairman,

Let me begin by appreciating your leadership and thanking you for your letter of March 20, 2009. This afternoon, you asked us to be sharp and short. I can do something about the sharpness; shortness is more difficult but I shall try my best.

Permit me to read out a slightly detailed extract from your letter which is essentially from document A/61/47:

“However, a wide number of delegations felt that, at this stage, the non-permanent members of the Security Council, although proposed on a regional basis, could not represent their respective regions. Rather, as members of the Council, they should have a global accountability and an obligation to the international community as a whole.

In addition, many delegations were of the view that the concept of regional seats, given the different character of each regional group as well as the existing differences in their internal working procedures, was not feasible at this stage.

Although the composition of the existing regional groups was challenged as not accurately reflecting geopolitical realities, there seems to be a wide understanding that the restructuring of the current system is not realistic. The majority is thus still of the view that the principle of the equitable geographic distribution should be exercised through the existing structures.”

I have listened carefully to all statements and remarks with only a very short break when I had to go and speak on the Modalities Resolution on the June Economic Conference. It is amply clear that the situation remains exactly what it was in A/61/47. This is where the majority remains. And the situation will not change however often we discuss this. We cannot move beyond this. This only reinforces the need for a composite text on which we can actually negotiate.

The Charter speaks of member states being elected on the basis of their contribution to peace and security and keeping in mind equitable geographical distribution. This distribution is between different regional groups. In the case of clean slates, the regional groups concerned occasionally show a greater measure of agreement. It is not possible to go beyond this. The leading light of the UFC used the term 'Masters of the Universe'. This is usually applied to investment bankers, brokers and hedge fund managers: they certainly follow only their self interest as the financial and economic crisis demonstrates. But representatives of the UFC claim that member states speak only for their national interest. Of course they do, but not only or exclusively. They often consult the interest of their regions, of the international community and especially of the functional groups to which they may belong. That is why there is a NAM caucus even in the Security Council. The other difficulty with the UFC proposal is that most of the time there is no regional interest. How do you represent something that does not exist? What is the regional interest of Asia (the regional group does not discuss any political or economic issue), GRULAC, WEOG? There is not even a regional interest or support for regional seats. Therefore if the UFC really believes in the regional interest, it should give up the proposal on regional seats.

With the possible exception of Africa, regions do not have the kind of unity that would justify regional seats. Even in the case of the EU (which is not a regional group in the UN) the present economic crisis shows the distance from this kind of unity. In some EU states fiscal policy is difficult because the benefit will go to others in other EU countries. As for monetary policy, the European Central Bank cannot go further because there is no political backing. Even the European Parliament has the power to oppose rather than to propose. It has not gone very much beyond Bismarck's Reichstag. In purely geographical terms Europe is simply the western peninsula of Asia. In actual fact, EU coordination in the UN is that of a functional group like NAM. The UFC therefore should not talk of regional seats. If it wishes to discuss the creation of new functional seats, then it should talk of seats for representatives of NAM, G-77, SIDS; UFC speaks of regional seats for OIC and Arab League, neither of which is a regional organization: they are also functional organizations. A UFC representative spoke of sauce; let us consider donuts. This inconsistency and welter of contradictions in the UFC proposals is like sub-optimal and even irrational choice taught in college philosophy courses: a person goes to Dunkin Donuts and is told that they have chocolate, raisin and plain donuts; he chooses the raisin donut. After a few minutes, he is told that they also have sugar glazed or glaze donuts. In that case he says he would choose a chocolate donut.

A couple of UFC representatives spoke of regional accountability. Even in the case of clean slate, is the member state accountable to his region? In any case, since he is elected by the General Assembly, he is accountable to the GA. The only way of ensuring complete regional accountability is for the region to propose a candidate and for him to be accepted without any election process. That a proposal whose logical consequence is abolishing election should emanate from the UFC is not surprising. Ultimately, how do you ensure accountability except through review and challenge? It is therefore logical to elect new permanent members who would be held accountable in this manner, to the General Assembly, and who can bring about a real change.

My distinguished friend, the Permanent Representative of Canada, mentioned the need to have working methods where TCCs are fully consulted. Many of us may not know that it is Canada that got Article 44 included in the Charter for which we are grateful. The Article states that if a non-member of the Security Council provides armed forces then, if it desires, it can "participate in the decisions of the Security Council concerning the employment of contingents of that Member's armed forces." Please note – "decisions" (meaning voting), not just consultations. This Article has remained a dead letter. Canada has been several times a non-permanent member of the UNSC. Was it able to operationalise this Article? That is the case for expansion of permanent membership. We need new permanent members who would be held accountable not only for implementing new provisions of the Charter (after amendment) but even existing provisions. As many countries from Africa group have pointed out, their demand is not for regional seats but for two permanent members: having stated that they want the same privileges and prerogatives as existing permanent members, the Ezulwini Consensus can have no other meaning.

For a long time, the leading lights of the UFC have repeated the charge of national selfishness against those who, in their view, aspire to permanent membership. Let us therefore closely examine the proposal of the selfless UFC, these paragons of regional virtue and altruism. As the Charter makes clear, non-permanent members are elected from regional groups. In this sense, the regional seat is permanent though the individual member's tenure is for two years. The leading light of the UFC has proposed regional seats. Presumably these are longer term seats than the existing regional seats. But whether a seat is two years or longer, it really does not matter to a region since it is always represented. So, the proposal will only benefit some countries (the leading lights of the UFC hope it would be the larger members of the UFC) while pretending that the region is benefiting. Furthermore, this logically means that the proposal implicitly acknowledges what the leading light of the UFC is trying to avoid accepting – that the duration of membership is important for real reform: any genuine reform, involving a change in the co-relation of forces in the UNSC will only come through new permanent members, elected and held accountable.

A close examination will show a similar disguised national interest behind the UFC's proposal on the veto, namely that rotational regional seats should be given the veto, which supposedly will make these seats the same as permanent national seats. Surprisingly, this argument is made by the same group that vehemently argues against any extension of the veto to new permanent members. Ironically, given the lack of a common regional position in most cases, such a veto will effectively become a national veto.

The leading light of the UFC also misinterpreted the proposal made by the distinguished Permanent Representative of Jamaica on behalf of the Caricom. He was perfectly clear that he was neither arguing for a regional seat nor a functional non-geographic seat, outside existing categories. His proposal was squarely within existing categories based on equitable geographic distribution. The proposal could also include LDCs and LLDCs. When we discuss the details, it would be perfectly simple to also take care of the fact that the numbers of SIDS may be different in different regional groups. For instance, specific dedicated seat/seats distributed to regional groups could

at any time be filled by a SIDS/LDC/LLDC (which are recognized groupings) and these seat/seats could rotate among Asia, Africa and GRULAC in the ratio 2:2:1.

As for the phrase “master of the universe”, used by the leading light of the UFC, let me say that we do not think that he is less eloquent. We think that he is equally eloquent, in fact more eloquent. The point however is that a false argument is like a false coin – it is found out and rejected not because it has less lustre but because it has inferior weight.

I thank you, sir.

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