

Remarks by Ambassador Hardeep Singh Puri, Permanent Representative, at the informal meeting (closed) of the plenary on the intergovernmental negotiations on the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Council, on 11 June 2010.

Mr. Chairman,

I did not have the privilege of delivering our statement at the meeting on 2 June 2010 as I was sent by my Government to represent my country elsewhere. If I had been here that day, I would have expressed appreciation for your leadership of the process and extended my support for the approach you have outlined for carrying our work forward. I was particularly pleased to note that you had invoked former American President John F. Kennedy in describing the potential inherent in the negotiation text. Specifically, you enquired: Ask not what the text can do for you but what you can do for the text.

If the text had been animate it would have cried out for help, for trimming out all the fat and for making it lean and thin. In other words, it would have liked to be reduced from the current 28/29 pages to something like two or two and a half pages. In my view, this is not difficult to accomplish.

I am happy to hear the views of Italy which said that they have been flexible. Let me also add that we are ready to show flexibility. Whatever be the criteria we use to shorten the text-and my good friend Maged [PR of Egypt], with his usual brilliance has made even the NAM position look like that of the African Group-we can work together to reduce the overlaps and repetitions and shorten the text.

Mr. Chairman,

You have given us a carefully constructed document. You have been fair in reflecting all positions and proposals in the text. We also understand why you are

asking us, the member-states to indicate the support for those proposals that should remain in the text and why you have refrained from passing judgment on the support that each proposal commands. But what we now have is a good and constructive process that needs to become more robust. For reducing the length of the text from the present 28 to something like two and a half pages, we must go through the current process.

I heard the statement from the US side which mentioned that they do not support the subordination of either principal organ by the other. And this is precisely our position as well.

Mr. Chairman,

In India's view, the General Assembly should lead in setting the global agenda and ensuring the centrality of the United Nations in formulating multilateral approaches to transnational issues. This was the role intended for the Assembly in Article 10 of the UN Charter, namely that it may discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the Charter.

I say this, of course, with the full knowledge of Article 12 that the GA should refrain from making recommendations on specific disputes or situations dealing with international peace and security that are before the Council but also being cognizant that the GA has risen to the occasion when the Security Council was grid-locked. I refer in particular to the Uniting for Peace resolution.

As I have stated earlier, Mr. Chairman, a perception that the prerogatives and authority of the General Assembly have been undermined, in particular by the Security Council, has gained ground. There are good reasons for this perception.

First, the Council is increasingly taking up issues traditionally dealt by the GA by accepting very wide and innovative interpretations to the threat of international peace and security by holding of thematic debates on issues that frequently fall within the purview of the Assembly or ECOSOC. Such encroachment has also affected the Assembly's competence in process of standard-setting and codification of international law.

Second, the Council has given short shrift to the Assembly by continuing to produce annual report that are a mere statistical compilation of events, a bland summary and listing of meetings and outcome documents which merely inform without educating, illustrate without elucidating.

We therefore associate ourselves with such concerns and would like to see a recalibration of the relationship between the GA and the Security Council.

In this we believe the Council would do well to eschew the tendency to give in to creative and permissive interpretations to the consideration of what constitutes a threat to international peace and security.

And in terms of its reporting obligations, the Council should not only inform the Assembly of the decisions, but also of the rationale, efficacy and impact of the Council's decisions, in terms of crystallized take-aways for the membership.

At the same time, however, we believe that remedial measures would be incomplete in the absence of serious introspection on what the General Assembly itself can do to mitigate the situation.

Clearly, the Assembly will not be empowered merely by strengthened procedures. What is really needed is the political will to take concrete measures to reinforce the role and authority of the Assembly keeping in mind the fact that today there is a plurality of multilateral mechanisms that deal with global issues.

Further, ownership of the Assembly's decisions is reflected in the degree of participation by member-states. So, if there is a foreboding sense of apathy towards the work done in the Assembly, all the member-states are also partly to blame, not just those who serve permanently on the Council.

And in this context, I must share with you that I sense a certain degree of apathy among delegations when they are attending the Assembly. There also seems to be a lacklustre atmosphere when the Security Council is meeting.

Mr. Chairman,

Having clarified our general views on the matter let me turn to the specific proposals noted in the negotiation text.

In our assessment, there is a clear convergence on the need for all organs to stick to their Charter mandates, regular consultations between the President of the General Assembly and the President of the Security Council as well as enhanced institutional linkages between the two organs and substantive annual and special reports by the Security Council to the General Assembly.

There are, however, also divergences. These are really on the issue of the GA's jurisdiction with respect to the maintenance of international peace and security.

In our view, therefore, it would be useful for the negotiation process if the Chair could produce a shorter version of the text which reflects the large middle ground of convergences along with a clear listing of the divergences. And should you, Chair, have any difficulty in doing so-and many of the other colleagues with whom I have had consultations are also of the same view-we the delegations can step in and produce such a text.

Thank you.

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