Statement by Ambassador Munir Akram, Permanent Representative of Pakistan to the United Nations at the informal meeting of the General Assembly Plenary, January 27, 2005

Mr. President,

I thank you for convening this important meeting to further advance our consideration of the High Level Panel report.

2. The Pakistan delegation associates itself with the statement delivered by the Ambassador of Malaysia on behalf of the Non-Aligned Movement (NAM).

Mr. President,

3. The United Nations has been, and is even more now, an indispensable instrument for the promotion of humanity’s shared goals of peace, security and prosperity. Strong public support for the United Nations is now critical. We must all work together to reinvigorate the Organization – an Organization which symbolizes mankind’s best hopes for a better future.

Mr. President,

4. Pakistan commends the Secretary-General for spearheading the debate on reform and we have welcomed his decision to appoint the High Level Panel on Threats, Challenges and Change. The Panel’s report is of course one input, perhaps an important one, for the decisions which will be taken by Member States at the 2005 Summit.

5. We are at the dawn, not only of a new century, but also a new era in world affairs — a moment when we are searching for a new paradigm to manage state relations in a world marked paradoxically by asymmetry of power and interdependence of nations; by plenty and poverty; by interconnectedness and fragmentation.

6. The United Nations is an indispensable instrument for the promotion of humanity’s shared goals and for a consensus on how to manage peace and security. The reform of the United Nations is not an end in itself; it is a means to an end: i.e., the realization of a shared vision of a more secure and prosperous world. Reform of the United Nations must be guided by the Purposes and Principles of the Charter, which remain immutable, and not dictated solely by power realities. Collective solutions to common problems must flow from a vision shared by all member states – big and small, strong and weak, rich and poor and it must serve the interests of all members. A future system must be based on cooperation. It must reflect a cooperative approach, which is the essence of the Charter, and not a coercive imposition of a new order.

Mr. President,

7. Development is the foundation of security. But development is also the primary means to advance the central Purposes and Principles of the UN Charter. The 2005 Summit was supposed to focus primarily, if not exclusively, on development. We have received the MDGs report and shall receive inputs from other inter-governmental organs, including the Economic and Social Council. It is our hope that we will thus be able to utilize the international commitments which have been undertaken by the international community for advancing the goal of universal development.

8. The Panel has made a useful effort to analyze threats and challenges. The report reflects, however, threat perceptions of the strong and prosperous, rather than those of the weak and vulnerable. Although the Panel’s listing of the 6 clusters of threats is only illustrative, not
exhaustive, much greater premium has been placed on so-called “new” threats, as opposed to “old” threats including inter-state conflict, foreign occupation, the suppression of peoples’ right to self-determination. The Panel seems to assume that all the 6 clusters of threats should be addressed by the Security Council, whereas in 4 of the 6 areas, the responsibility rests primarily with the General Assembly and the Economic and Social Council.

9. The full implications of the diversity of perceptions among member states on the nature and urgency of threats have not been examined by the Panel, nor even sufficiently discussed. There is, for example, no mention of the troubled relationship between the world of Islam and the Western world. Is it, one might ask, politically incorrect to raise this subject?

10. The overall approach reflected in the report is unfortunately coercive. It speaks of “combating” threats – and not cooperating to resolve problems and disputes. Flowing from this, the Security Council is accorded a role which is beyond its mandate under the Charter and which would act to the detriment of the functions and responsibilities of the other Principal Organs -- the General Assembly and the ECOSOC.

Mr. President,

11. The need for prevention has been appropriately emphasized in the report. The vast potential in the provisions of Chapter VI of the Charter on the Pacific Settlement of Disputes, however, needs to be fully explored. The Pakistan delegation intends to shortly circulate a paper which would reflect the ideas for pacific settlement of disputes that were presented in a debate held by the Security Council in May 2003 under Pakistan’s Presidency.

Mr. President,

12. We welcome the stress laid in the report on development as part of a strategy of prevention. The development-security linkage must be operationalized inter alia by building on the existing global consensus on development issues and meaningfully addressing the challenges of poverty and underdevelopment.

Mr. President,

13. The Panel’s discussion of collective security and the use of force, we believe, will have far-reaching implications. The wisdom of restricting the use of force to Articles 42 and 51 has been proven overtime. We welcome the Panel’s clear statement against rewriting or reinterpreting Article 51. Yet, we are troubled by the “explanation” advanced by the Panel on Article 51. It would do well to recall that under Article 51, the right of individual or collective self-defense arises only if “an armed attack occurs” against a member of the United Nations and only until the Security Council has taken measures necessary to maintain international peace and security.

14. The Panel’s discussion of “state failure” and the so-called “responsibility to protect” is in our view highly controversial. It would be a mistake to prescribe interventionist approaches. Let us recall that inaction in the face of genocide, ethnic cleansing or massive killings in the past have stemmed from the lack of political will by the international community to act. It has not arisen due to absence of international law. It is also pertinent to ask, when does this so-called ‘responsibility to protect’ arise? Does it arise at the verge of state collapse, on the eve of genocide? Or earlier, when conditions of poverty and underdevelopment make state collapse an inevitability? We believe that any presumed “responsibility” to protect can become legitimate if it flows from the prior right to development of all peoples – when it is a continuation of sustained and visible international solidarity.
15. The 5 criteria proposed by the Panel for the use of collective enforcement action are unworkable. Any proposed criteria will always be subjectively interpreted, selectively invoked, and frequently abused. We believe the Charter's constraints on the use of force need to be strengthened – rather than weakened – to preclude interventionist approaches, whether unilateral or multilateral.

16. As for peace-building, Pakistan has long held that many of the complex crises being handled by the Security Council should be entrusted to mechanisms involving other major United Nations organs, especially the Economic and Social Council and the General Assembly, so that comprehensive action can be taken to address the political, economic and social dimensions of such crises. Our view remains that, rather than a Peace-building Commission, a more practical mechanism would be the creation of ad hoc composite committees under the joint responsibility and joint membership of General Assembly, the Security Council and the Economic and Social Council.

Mr. President,

17. The Panel’s focus on terrorism is appropriate, but its recommendations are inadequate. An international convention in itself will not advance the objective of eradicating terrorism, unless this is supported by all concerned states. A consensus on the definition of terrorism is vital.

18. To be effective, the counter-terrorism strategy must go beyond the symptoms and address the root causes, especially the political and economic injustices which are being perpetrated against Muslim peoples in so many different parts of the world. We would, therefore, urge serious consideration of the strategy of “Enlightened Moderation” which has been proposed by President Musharraf of Pakistan.

Mr. President,

19. The Panel’s focus on proliferation as a threat is also appropriate and timely. But it is deficient in analyzing the factors which motivate states to seek WMD and other weapons. It is insecurity which drives the build-up of armaments and which drives proliferation. The primary purpose of disarmament and non-proliferation must be to promote the security of all states, not only some states. And this cannot be achieved only by the Security Council; nor can it be achieved only through enforcement action.

Mr. President,

20. Efforts for institutional reform must preserve the fine balance established between the Principal Organs of the United Nations under the Charter. This means a reaffirmation of the central position of the General Assembly as the principal deliberative and policy-making organ of the United Nations and the enhancement of its authority and role. It also means the empowerment of the Economic and Social Council to enable it to play its mandated role in economic and social development.

21. With regard to Security Council reform, the Millennium Declaration had clearly stipulated that it must be “comprehensive in all its aspects.” Accordingly, we believe that reform of the Council should not focus only on enlargement, but also cover its size, composition, working methods and decision-making.

22. With regard to the two Models for expansion of the Council proposed by the Panel, our views are clear. In our view, Model A is undemocratic and unfair. Eleven members would occupy their seats for ever. The remaining 180 Member States will only have 13 seats to compete. The Security Council will become less, not more, representative of the general membership.
23. Secondly, this Model will create tensions and divisions in every region since it will accommodate the ambitions of one or two regional states while ignoring the aspirations of the rest. This will create a negative impact not only in the work of the UN but also in the political climate in the regions.

24. Thirdly, it will accentuate the accretion of power in the Security Council at the expense of the General Assembly and the ECOSOC.

25. Fourthly, Model A will concentrate most powers and functions of the United Nations in the 11 permanent members and make the rest of us – as third class Members – and virtual spectators of decisions on practically everything under the sun taken by the Security Council.

Mr. President,

26. Model B is not perfect. But it can provide a basis for evolving a consensus solution. This Model has necessary space and flexibility to accommodate the interests of all UN Member States, including those who aspire to be permanent members. We believe that all 19 “elected” seats -- 8 longer-term renewable seats and 11-non-permanent seats -- should be available as a matter of principle to 186 Member States to seek representation in the Council. Regional groupings could negotiate a suitable rotation formula within their geographical groups. Some important countries would obviously be more frequently, perhaps almost continuously, serve on the Council. Yet, through the requirement of periodic election by the General Assembly, those claiming greater responsibilities could be held accountable to the general membership.

Mr. President,

27. In conclusion, the Secretary-General, in paragraph 24 of his forwarding letter transmitting the Panel’s report, underlined the “urgent need for the international community to reach new consensus on the future of collective security and on the changes that are needed in the United Nations.” Such a new consensus must be achieved by consensus.

28. It is surprising, how responsible states, who normally extol the virtues of working by consensus, are so insistent that this proven method not even be mentioned in our decisions regarding the process for preparations for 2005.

29. One divisive vote – for example on Security Council expansion – will lead to other votes on other sensitive or divisive issues before us. Such divisions will derail the entire reform process, further discredit the United Nations, and frustrate even the objectives of those who aspire to acquire the label of new permanent members of the Security Council.

I thank you, Mr. President.