Statement in the Security Council by Ambassador Munir Akram Permanent Representative Chairman of the Security Council Committee established pursuant to resolution 1521(2003) concerning Liberia (22 December 2004)

Mr. President,

I welcome this opportunity to share some personal thoughts as Chair of the Liberia Committee for the last two years.

2. I would like to take this opportunity first of all to thank all Council members, in particular the Committee experts, as well as the Secretariat staff for their contribution to the Committee's work and their support to the Chairman. I commend in particular Loraine Rickard-Martin, the Committee's Secretary during 2003 and her equally able successor James Sutterlin as well as their colleagues Tilo Stolz and Armine Decepida for their outstanding performance.

3. Our work over the past two years, Mr. President, could be divided into two distinct periods – first from January to December 2003 as the 1343 Committee; and second from December 2003 to the present time as the successor 1521 Committee. The first period was marked by ongoing civil war and continuing violations of the sanctions and the arms embargo; and the second period during 2004 was marked by an improvement in the situation as Liberia underwent a transition from conflict to peace-building.

4. Since August 2003, there have been no violations of the arms embargo that have been reported. However, the Committee has agreed to adopt a differentiated approach in the continuation of sanctions – between the arms embargo and the economic sanctions.

Mr. President,

5. The Committee has had to rely a great deal on the Panel of Experts in the absence of a reporting mechanism by member States. Also, the Guidelines for the Committee's work have not been approved ever since the Committee was established in 2001. It is my hope that these would be finalized as a matter of priority next year.

Mr. President,

6. My first and foremost priority in the Committee has been to maintain transparency in its work. But I would like to briefly comment on some aspects of this Committee and perhaps these comments also apply to others. In my view:

- In devising and implementing measures under Chapter VII, we must remain focussed on the initial objectives that led to their imposition. The goal-posts for maintenance of sanctions should not be shifted in mid-course.
- Monitoring and implementation of sanctions is a difficult task and an expensive one.
- The sanctions need a closer cost-benefit analysis. Socio-economic and humanitarian impact of sanctions must be clearly and regularly assessed.

- It is equally important to objectively assess the capacity of the government concerned to fulfil the conditionalities imposed by the Council.
- There is need to promote coordination in policies with regional and sub-regional organizations - in Liberia's case with the ECOWAS and the African Union.
- The lifting of sanctions should be based on a political judgement rather than technical requirements linked to conditions for lifting such sanctions; and
- In transitional situations, ways must be found to remove the stigma of sanctions against the country.

Mr. President,

7. Having offered these comments as Chairman of the Liberia Committee, I would like to add a few comments as Pakistan completes its two year term on the Security Council at the end of this month.

8. It has been a singular privilege for the members of my delegation and myself to serve on the Security Council with so many able and outstanding colleagues. Our term has coincided with momentous developments in international relations – developments in which the Council and the United Nations was in the eye of the storm. We have entered a new era in history, marked, paradoxically, by the asymmetry of power as well as the interdependence of nations. We have yet to determine a new paradigm to manage global affairs in this new era. But the United Nations and the Security Council will have a central role in this paradigm.

9. The United Nations is an indispensable instrument for the promotion of humanity's shared goals. The Security Council is the crown jewel of the United Nations entrusted with the primary responsibility for the maintenance of international peace and security and empowered with the unique capacity to create international obligations and take enforcement action. Yet, the essence of the Charter is cooperative, not coercive multilateralism.

Mr. President,

10. The Security Council's scope of action extends sequentially from pre-conflict peace-making through conflict management and termination to post-conflict pacification. In our view, where the Council and the UN really fall short is in exploiting the tremendous possibilities contained in Chapter-VI of the Charter for the pacific settlement of disputes. The Secretary-General, his special representatives, the Security Council itself, its subsidiary bodies and Missions as well as other United Nations judicial and humanitarian structures, can play a much more active role in reconciling differences and settling disputes before they result in open conflict. The special debate on the pacific settlement of disputes, held during Pakistan's first presidency in May 2003, identified a number of views, ideas and proposals which need to be seriously pursued and promoted.

11. Over the recent past, the Council has been too quick to evoke its authority under Chapter-VII of the Charter – often where the threat to international peace was not imminent, nor fully visible. The provisions of Article-41 have been utilized with increasing frequency to impose sanctions and punish recalcitrant regimes and warring

parties. The effectiveness, value and negative consequences of such sanctions measures have yet to be fully analyzed and evaluated, as apparent from the report of our Working Group on Sanctions.

12. Moreover, there is a visible impatience on the part of some, once Chapter-VII has been invoked, to move rapidly towards the application of Article-42 of the Charter and to threaten or authorize enforcement action. In our view, the space between Articles 41 & 42 of the Charter is not always fully explored – including in some celebrated cases – to achieve the international community's objectives without the recourse to the use of force and military intervention.

13. One consequence of the proclivity to punish and enforce – rather than conciliate and mediate – is that the major threats to international peace and security – such as in South Asia, North Asia and the Middle East – are prevented by one or the other of our permanent members from being addressed substantively in the Security Council.

14. Thus while the Council expends most of its time in seeking, not always successfully, in managing internal conflicts, some admittedly with cross border or regional implications, and in worrying about putative threats from terrorism and WMD proliferation, the real threats to global security are being addressed through arrangements outside the Security Council. It is almost as if the real threats to international peace and security are considered to be too important to be entrusted to the Security Council.

Mr. President,

15. The Council's power of enforcement is most often directed at present against weak regimes or militias or mullahs. Since Iraq's occupation of Kuwait, the Security Council has not taken enforcement action against States which have resorted to the use of force, aggression and occupation against other States or peoples.

16. United Nations peacekeeping missions have emerged as the principal instrument of enforcement action by the Security Council. After the failures of Somalia, Srebrenica and Rwanda, United Nations peacekeeping "succeeded" in Sierra Leone. This success, and the Council's pre-occupation with intra-state conflicts, has led to a strong surge in demand for UN peace keeping especially in West Africa, Central Africa and perhaps soon in Southern Sudan. Today, the United Nations fields over 70,000 military and civilian personnel in 16 missions. Pakistan is proud to be the largest contributor to these UN peacekeeping operations.

17. However, the nature of peacekeeping has changed from simple operations involving the observance and enforcement of ceasefires, to the management of complex crises involving duties for disarmament, demobilization, reintegration and reconstruction. In short, the United Nations is now in the business of nation-building. The oversight and management of such nation-building consumes at least half the time and attention of the Security Council, inevitably diffusing its focus from the more existential threats to international peace and security. Huge expenditures are incurred on peacekeeping. But there are consistent shortfalls in the resources required to reconstruct broken nations and build sustainable security.

18. Pakistan has held the consistent view that many of these complex crises should be entrusted to mechanisms involving other major UN 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 complex crises. While the High-Level Panel has proposed the creation of a Peacebuilding Commission, under the Security Council, Pakistan's view remains that a more practical mechanism would be the creation of Ad-Hoc Composite Committees to address such crises, as and when they arise.

Mr. President,

19. The pre-occupation of the Security Council with intra-state conflict has been conceptualized in the thesis of the "responsibility to protect" populations which are at risk, in so-called failed or failing States. The question of course arises as to when does such "responsibility to protect" commence? Once the state is on the verge of collapse, or well before, when conditions of poverty and under-development clearly indicate that a country might collapse into state failure unless it is assisted by the international community? An international "responsibility to protect" can only become legitimate if it flows from an acceptance of the prior "right to development" of all peoples – a right which encompasses the right to food, shelter, fair terms of trade, relief from crippling debt, adequate access to finance and technology. Without the international solidarity implied by the "right to development", the world is destined to witness a host of failing States. Humanitarian interventions, invoking the "responsibility to protect" could come to be perceived as the birth of a new era of recolonization. Nor is it clear that such interventions could be funded or well managed by the international community. It would be much wiser, in our view, to devote the resources required for a pre-emptive strike against poverty and underdevelopment.

20. There are two other areas in which the work of the Security Council cannot remain exclusive – terrorism and weapons of mass destruction. After 9/11, the adoption of resolution 1373, creating the Counter-Terrorism Committee (CTC), was a necessary and desirable response. But if the CTC is to be effective in eradicating terrorism, rather than addressing only its symptoms, its scope of action must be broadened to address the root causes of terrorism, especially the political and economic injustice against Muslim peoples in Palestine, Kashmir and elsewhere. We look forward to the comprehensive strategy to be proposed by the Secretary-General. Clearly, counter-terrorism endeavours must involve the active participation of all those countries whose contribution is essential to achieving the objectives of a comprehensive strategy.

21. Similarly, the Security Council has adopted resolution 1540 as a stop gap measure to prevent the acquisition of weapons of mass destruction by terrorists and non-state actors. A comprehensive non-proliferation strategy can only be pursued with the universal participation and cooperative action of all the member States of the United Nations. It cannot be achieved by the Security Council alone, where some enjoy extraordinary powers and unequal privileges in the field of non-proliferation and disarmament.

Mr. President,

22. It is obvious that the Security Council can and should be made more effective and efficient. Due to the unequal power enjoyed by five of its permanent members, the Security Council is structurally constrained from always acting in an objective, consistent and just manner. But, some steps can be taken to improve its functioning. Transparency and accountability are pre-requisites to achieve this. As provided in the Charter and its Provisional Rules of Procedure, the Security Council's meetings should be, as a rule, open. Closed consultations should be the exception. The dictum: open covenants, openly arrived at, must also apply to the Security Council.

23. The election of non-permanent members is also an instrument of ensuring accountability on the part of those States which are accorded the privilege to serve on the Council. During its term, Pakistan has thus sought to reflect not only its national interests but also the aspirations of our constituency, the countries of Asia, of the Islamic, non-aligned and developing world. The accountability of Council members will not be enhanced by creating new permanent members since they will not be obliged to face the democratic test of a periodic election by their peers in the General Assembly. The privilege and claim of a country to represent its region or a group must be subjected to the periodic democratic test of elections by the General Assembly.

Mr. President,

24. During our two years in the Security Council, the Pakistan delegation has often been obliged to temper its idealism in the face of power realities. However, this has not shaken our belief that sustainable security can only be secured when principles have primacy over power. The world needs a Security Council which does not always mirror power realities, but one which also acts with moral authority and credibility. The world needs a Council which can also stand up for the weak and the powerless; a Council which is a force for objectivity, fairness, equality and justice in the management of international relations.

Mr. President,

25. I thank you very much and I am very glad to have ended our term on the Council under your presidency, which not only reflects the great skill of the Algerian diplomacy but also the spirit of the season.