

**STATEMENT BY AMBASSADOR HARDEEP SINGH PURI,
PERMANENT REPRESENTATIVE OF INDIA TO THE UNITED
NATIONS AT THE AD-HOC WORKING GROUP ON THE
REVITALIZATION OF THE UN GENERAL ASSEMBLY IN NEW YORK
ON JUNE 5, 2009**

Distinguished Co-Chairs,

I am taking the floor for the first time in this Working Group. Permit me, therefore, to begin by expressing my sincere appreciation for your efforts for these comprehensive discussions in an open, inclusive and transparent manner.

Your work plan, which we are now following, forms a useful basis to focus on specific issues for achieving tangible results. Let me also reiterate that we will be constructively engaged in this process.

Distinguished Co-Chairs,

The topics for today's meetings cover a large gamut of important issues relating to the role of the General Assembly. Our considered view is that role of the General Assembly as the chief deliberative, legislative, policy-making and representative body of the international community needs to be strengthened and that we need to take up substantive issues in this Working Group.

Obviously, visibility and outreach of the General Assembly are important too. While concrete proposals in this regard should be considered, we believe that real visibility of the General Assembly can only be generated if the Assembly takes important decisions or contributes meaningfully to important decisions.

A critical issue in this regard is the appointment of the Secretary-General.

As we are all aware, the mandate for the appointment of the UN Secretary-General flows from Article 97 of the UN Charter. This *inter alia* states that 'The Secretary-

General shall be appointed by the General Assembly upon the recommendation of the Security Council’.

Clearly, this Article envisages a role for both the General Assembly as well as the Security Council.

The modalities of the appointment process have, however, come to be governed by para 4(d) of Resolution 11(1) of 24 January 1946. This states that “It would be desirable for the Security Council to proffer one candidate only for the consideration of the General Assembly, and for debate on the nomination in the General Assembly to be avoided. Both nomination and appointment should be discussed at private meetings, and a vote in either the Security Council or the General Assembly, if taken, should be by secret ballot.”

It is important to emphasize that these restrictions arise from a General Assembly resolution, rather than a Security Council resolution, and certainly not from Charter provisions. Further, the tone of the para is recommendatory, rather than mandatory.

It would appear strange that while we all promote the principles of transparency and an inclusive selection process, the General Assembly willingly agreed to impose such restrictions on its own Charter mandate.

The reason for Resolution 11(1) was the context of the post-1945 world, where it was preferable that the cold-war adversaries agree on a common candidate before putting forward the name.

And these concerns were not unfounded. Let us recall that in 1950, the Security Council informed the General Assembly about its inability to agree on a recommendation on the appointment of a Secretary-General, upon which the General Assembly decided to extend the tenure of the first Secretary-General Trygve Lie by three years.

However, more than sixty years since the adoption of Resolution 11(1), we live in a different world. While the Security Council itself must change to reflect contemporary realities and expand its membership in both permanent and non-permanent categories, the General Assembly cannot remain bound by self-imposed restrictions reflecting an era gone by.

We believe that the General Assembly, being the voice of the international community, must fully exercise its Charter role in the process of selection of the Secretary General. A more inclusive and interactive selection process would also enhance the authority and effectiveness of the Secretary-General, as well as increase the confidence of all Member States in the Secretary-General.

And the need for changes in the process of appointment of the Secretary-General has been recognized by all Member States for some time now. General Assembly resolutions

51/241 of 22 August 1997 and 60/286 of 9 October 2006 outline in detail proposals on improving this process.

These proposals include making full use of the Charter provisions on the GA's power of appointment; due regard to regional rotation and gender equality; the possibility of the President of the General Assembly consulting with Member States to identify potential candidates endorsed by a Member State; encouraging formal presentation of candidatures for the position of Secretary-General in a manner that allows sufficient time for interaction with Member States; and requesting candidates to present their views to all States members of the General Assembly.

Clearly, what is required is the necessary political will to implement these changes.

Many additional suggestions have also been made, including amending Resolution 11(1) to permit a panel of names; formulating more detailed guidelines and criteria for selection of the Secretary-General; as well greater exchange of views and dialogue with all candidates during the selection process.

These deserve to be given serious consideration.

Only with real changes can we ensure that the General Assembly exercises its judgement in the matter of the appointment of the Secretary-General, rather than merely rubber stamping proposals by the Security Council while ensuring that the appointment process does not become a divisive issue between the General Assembly and the Security Council. Indeed, as envisaged in the Charter, this is a process that involves both these organs and needs to be carried out in a collaborative exercise respecting each others mandate.

The issue of timing of these changes is also important. Some argue that since the appointment of a new Secretary-General is not on the horizon, this issue does not need to be addressed with urgency. On the contrary, such a situation provides the right opportunity to address this issue impartially and objectively.

Thank you.

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