
Explanation of Vote on Cote d'Ivoire resolution by Ambassador Hardeep Singh Puri,
Permanent Representative, at Security Council on March 30, 2011

Thank you, Mr President.

India is seriously concerned at the prevailing situation in Cote d'Ivoire since the presidential elections last year. We have consistently held that both parties in Cote d'Ivoire should exercise maximum restraint and respect the outcome of the elections. We have urged the parties to ensure that there is no violence because it harms the wellbeing of the Ivoirian people and distracts from the main task of economic development, social cohesion and national reconciliation. During the last three months, we have supported all efforts to resolve the current problem peacefully and through dialogue. To that end, we have supported the efforts of the ECOWAS and African Union to find a political solution leading to restoration of democracy and will of the Ivoirian people at the earliest. With that objective in mind, we have voted in favour of the resolution today.

2. We want to put on record that the UN peacekeepers should draw their mandate from the relevant resolutions of the Security Council. They cannot be made instruments of regime change. Accordingly, the United Nations Operation in Cote d'Ivoire (UNOCI) should not become a party to the Ivorian political stalemate. The UNOCI should also not get involved in a civil war but carry out its mandate with impartiality and ensuring safety and security of peacekeepers and civilians. In this context, we have noted that a UNOCI helicopter was fired at by the *Forces Republicaines de Cote d'Ivoire (FRCI)* on 29th March 2011. We call upon all parties to respect UNOCI's military impartiality.

3. The Council has heard about various allegations of serious crimes committed against civilians in Cote d'Ivoire. There should be no *a priori* presumption about nature of these alleged crimes. Each allegation has to be investigated on a case-by-case basis by the competent national bodies and further action taken as per relevant laws.

4. We also want to place on report our growing concern at the tendency to hurry the process of adopting resolutions. We think that there should be enough time for deliberations and consultations with all concerned countries. In situations, such as those envisaged in the present resolution, it is imperative that Troop Contributing Countries be first consulted on the mandate of the UN peacekeepers. Such consultations are necessary not only for well considered decisions but also for an effective implementation of the mandate.

5. We also want to reiterate that India is not a member of the International Criminal Court. Of the 192 members of the United Nations, only 114 are members of the ICC. 5 of the 15 members of the Security Council, including 3 Permanent Members, are not parties to the Rome Statute. It is also important to note that there are clear legal provisions concerning state-parties to the Rome Statute. There are also guidelines for a state, which is not a party to the Rome Statute, to accept the exercise of jurisdiction by the ICC. These provisions and guidelines should be followed without exception. It merits underlining that there is no mandate in this resolution for the Security Council to refer the situation in Cote d'Ivoire to the ICC.

Thank you.

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