

**STATEMENT BY MR. A. GOPINATHAN, DEPUTY PERMANENT REPRESENTATIVE
ON AGENDA ITEM 11: REPORT OF THE SECURITY COUNCIL (A/58/2) AT THE
58TH SESSION OF THE UN GENERAL ASSEMBLY ON OCTOBER 13, 2003**

Mr. President,

I would like to convey my delegation's appreciation to Ambassador John Negroponte, Permanent Representative of the United States and President of the Security Council, for his presentation to the General Assembly of the Report of the Council for the period from 1 August 2002 to 31 July 2003.

Before proceeding further, I wish to convey a sense of our disappointment over the discontinuance of the practice of convening an open meeting of the Security Council to consider its draft report to the General Assembly. As many of us will recall, the practice was instituted last year at the initiative of Singapore, unfortunately no longer in the Council, with the intention of improving the quality and consideration of the report within the Council before its presentation to the General Assembly. We would like to voice our apprehension that the worthy practice launched last year might end up as an isolated attempt. In our view, this would be a disservice to the general membership that stood to profit immensely from the views of members of the Council on how they themselves perceived and evaluated the work of the Council during the period under review. We would not like to infer that the discontinuation of this useful practice represents any weakening of the Council's collective resolve to continue with a "spirit of reform" and greater transparency in the working of the Security Council.

We agree with the conclusion contained in the report that the last 12 months have represented a steady increase in the workload of the Security Council. Admittedly, the Council has had to confront some of the most difficult issues during this period.

It will be remiss on our part not to reiterate a sense of our deep regret over the inability of the Council to reach satisfactory agreement on the issue of war and peace involving Iraq in the first quarter of this year. We can only attribute the inability of the Council to arrive at a collective and unified decision on the major issues placed before it to the lack of balanced representation in its current composition.

The Prime Minister of India did touch upon this imbalance when he stated in his address to this session of the Assembly on September 24, and I quote: "For the Security Council to represent genuine multilateralism in its decisions and actions, its membership

must reflect current world realities” Unquote. Within the UN, there is ample recognition of the need for the Organisation and its architecture for the maintenance of international peace and security to adapt to the needs and realities of the times. The Secretary General himself underscored this point when he said that to regain the confidence of States, and of world opinion, the Security Council must become and I quote: “more broadly representative of the international community as a whole, as well as the geopolitical realities of the contemporary world” unquote.

The Council’s preoccupation with Iraq did not afford it sufficient time, despite the best intentions of its members, for a more serious examination of other major issues on its agenda relating to the Middle East, Africa and Afghanistan. In the area of counter-terrorism, while every effort has been made by the Council to maintain the momentum achieved, mechanisms are yet to be put in place that would hold countries accountable for their genuine commitment to and actions in the fight against terrorism from territories under their control. The Council needs to move from the inexhaustible stage of helping to establish legal and financial frameworks to a more serious examination of the actual contributions or otherwise by States to counter-terrorism efforts. Only by doing so would it have come to grips with the real issues at hand.

Mr. President,

It is the non-permanent members of Security Council that have taken upon themselves the responsibility, based on their long-term interest, to pursue the agenda of greater transparency and reform in the working of the Security Council. Unfortunately, this has not always been the case. In the period under review, new and ingenious methods appear to have been invented - ones designed to confuse and often exclude the general membership from specific projects they have pursued in the Security Council.

We would like to comment on a few instances in the functioning of the Security Council which may be perceived as attempts to obfuscate or limit access of the general membership, by way of illustration:

i) Delayed decision-making on the format of discussions to be followed: In at least one instance, President of the Council delayed decision on the format of discussions to be followed on an important but controversial thematic topic until a very late stage when it was declared open to participation of the general membership. We are not in a position to fathom the reasons behind such actions. We can only hope that they were not intended to deny time for adequate preparations to delegations seeking to intervene on the given subject;

ii) Experimentation with different modes of participation under rule 37 of the Council’s procedures: The Council Presidency’s decision to restrict participation at a late stage to one or two candidates per region in an open debate on an issue of import, by its very selectivity, could have resulted in acts of omission or exclusion. Moreover, as is well known, some regional groups such as the Asian Group do not have the mandate to discuss and decide on issues other than elections. Such factors could well have added to the impracticability and undemocratic nature of the decision;

iii) Discrimination between members and non-members of the Council on time-limits for statements:

In a recent incident, the President of the Council declared a time-limit for statements during an open debate on a subject of considerable importance. However, while members of the Council were allowed to give full reign to their views without observing any limit on the time, the general membership was subjected to the strictest implementation of a restrictive time limit. This incident was considered serious enough to attract considerable adverse notice at meetings of the Non-Aligned Movement and the Arab Group.

The discriminatory treatment between members and non-members of the Council tends to be pronounced during the so-called Ministerial-level meetings of the Council which now are held increasingly in two segments, one for the members and the other for the less privileged.

We would also like to state in this context that expecting non-members to be content with reading parts of their statements and circulating a longer text is unrealistic as long as the provisional verbatim records reflect only what is actually spoken in the formal meeting of the Council;

iv) Surprise scheduling of open debates with selective notification: In a recent instance, an open debate of the Security Council was scheduled in response to a serious incident over the weekend. Some non-members of the Council did learn of the meeting and were able to make statements under rule 37. Others were fortunate if they happened to learn of the event from television. The issue here continues to remain one of selectivity and arbitrariness.

Mr. President,

I must hasten to clarify that these issues are not being raised with the intention of castigating those involved, but with the desire to bring to the attention of the larger membership of this Assembly and the select membership of the Security Council the areas where greater transparency, predictability and some even-handedness would be welcome and could add to the Council's effectiveness. In our view, if the Council followed some thumb rules in its practices, it would go a long way in assuring the general membership of its sincerity in attempting to take the larger membership along in its deliberations. We shall attempt to list a few suggestions:

(a) Unless an item is introduced in reaction to major events of the day, all open debates involving the participation of the general membership of the Organisation must be notified at the beginning of the month when the programme of work is presented. Surprise scheduling should be avoided wherever possible and, if absolutely unavoidable, measures to inform all members concerned by way of a circular mailer by fax/email or telephonic messaging with the relevant Missions would be desirable;

(b) All non-members of the Council desirous of participating under rule 37 of the Council, should be allowed the time they require to convey their views. If this is not possible due to the exigencies of the situation, and we believe this should be utilised

exceptionally, a standard pre-announced time-limit should be imposed on all, members and non-members alike without any discrimination;

(c) The increasing resort to new and fanciful thematic issues as the crowning glory of non-Permanent member presidencies will need to be rationalised and restricted in the interest of time better spent on the consideration of pressing current issues on the maintenance of international peace and security;

(d) The idea of wrap-up sessions, conceived presumably to allow for stock-taking at the end of a month's work, should not be utilised to advance controversial issues that selectively propel the national agendas of members concerned; and

(e) Briefing by Council Presidencies of non-members of the Council tend to be arbitrary and ad hoc in their regularity. Some Presidencies tend to attach due importance to this process while many have been indifferent to this requirement. It has been noticed that in several instances, despite scheduling of briefings to the general membership, these either do not take place or are perfunctorily carried out. In fact, briefings to the media are far more comprehensive and regular than those to non-members. Briefings by Council Presidencies need to be regular, thorough and qualitative if the Council is to fulfill its commitment towards ensuring adequate transparency in its functioning among member states of the Organisation.

Mr. President,

In conclusion we would express the hope that the existing and putative non-permanent members of the Council will take up, with renewed vigour, the process of improving the accountability and working methods of the Security Council in a manner that would bring it into a more harmonious functional relationship with the larger membership of the United Nations.

Thank you, Mr. President.

[BACK TO TABLE OF CONTENTS](#)