

UN Security Council Open VTC Meeting

“Ensuring transparency, efficiency and effectiveness in the work of the Security Council”

INDIA STATEMENT

15 May 2020

We are grateful to Estonia, President of the Security Council, for organizing today's Open VTC meeting on “Ensuring transparency, efficiency and effectiveness in the work of the Security Council”.

2. This is an issue of interest and importance to the entire membership of the United Nations, particularly during the current extraordinary circumstances, when the world looks to the Security Council for solutions and leadership.

3. We would also like to place on record our appreciation of St Vincent and the Grenadines, in its capacity as Chair of the Informal Working Group (IWG) on Documentation and Other Procedural Questions, for its efforts. We also wish to thank Security Council Report for their useful briefing and their important work of regular reporting and analysis of the Councils' proceedings.

4. As the world's threats evolve, so must the Council. New and emerging challenges to international peace and security demand that the Council be better organized, not only to keep up with the changing times, but also to be effective and responsive in carrying out its responsibilities.

5. The format of today's meeting itself is an outcome of the innovation and flexibility shown by the Council in adapting to challenging circumstances.

6. The consolidated Presidential Note S/2017/507 on the Council's working methods not only reflects best practices built up over the years, but also signals our collective ambition for a more inclusive, transparent and effective Council that is better able to tackle the challenges of the modern world.

7. Some of the important improvements introduced to the working methods of the Security Council in recent years include greater channels of communication between the Council and non-member States as well as between the Council and other UN organs (such as the General Assembly); better flow of information from and to the Council; and improvements in circulation of Council documents to non-member States.

8. The Note also contains some substantial elements which are significant for newly elected members. Newly elected members of the Council are invited to observe all meetings of the Council and its subsidiary bodies and informal consultations of the whole for a period of

three months immediately preceding their term of membership. Pursuant to Presidential Note S/2019/993 of December 2019, the Secretariat will also provide all relevant Council communications to the newly elected members for a period of five months immediately preceding their term of membership.

9. The meetings held at the beginning of the month by the Council President to present their monthly programme of work to all Member States and the wrap-up sessions at the end of the month are also welcome innovations.

10. While these improvements are important in ensuring greater transparency of the Council, they remain insufficient. It is important to implement these practices in a consistent manner and not to backslide from previous decisions and commitments. We hope that the Informal Working Group on Documentation and Other Procedural Questions will continue to assess gaps in the implementation of the note, to ensure full implementation of the practices recommended therein. There are some specific areas that we would like to highlight in this regard.

11. The most authoritative rules on which global order is based are precisely those agreed between states to have legally binding status. However, we have the Security Council that still works on provisional rules. While some argue that provisional rules enable the Council to have greater flexibility and adapt new practices when the situation demands, this precisely limits the role of the elected members, who are left to deal with procedural uncertainties akin to the parable of “the blind men and the elephant”.

12. Second, the Subsidiary bodies of the Security Council have grown in number and importance in recent years. Given the numerous consequential decisions being made by these Subsidiary bodies, one would assume that the rules governing their working methods should be transparent and consistent. This is sadly far from the case. Not only do these subsidiary bodies have varied working methods, but they also follow obscure practices which do not find any legal basis in the Charter or any of the Council’s resolutions.

13. For instance, there is no uniformity in the procedures of decision-making by the various Sanctions Committees. There is a sense that too much of the work in the committees is being carried out without the full knowledge of all council members, despite the fact that the committees mirror the composition of the council and are nominally chaired by elected members. Neither is there any fixed practice across these Committees in terms of their reporting cycles - there are differing time-periods and methodologies for reporting of similarly constituted bodies handling similar work.

14. Another worrying aspect relates to lack of transparency and consistency in making public the decisions of these bodies. For instance, in many cases, decisions regarding de-listing requests made to some of these bodies by sanctioned individuals and entities are not made public at all. Some subsidiary bodies do not even mention that any such request was received and declined from known and listed terrorist entities or individuals. In effect, the failed efforts of terrorists to get themselves de-listed are shrouded in secrecy.

15. Third, the Council acts on behalf of the wider membership, as mandated by Article 24 of the UN Charter. One of measures of fostering the Council’s engagement with this wider membership is the discussion on the Report of the Security Council in the General Assembly.

We support calls for such reports to be more substantive and analytical, rather than a mere summary of the number and dates of the Council's meetings. The manner of tabling the Reports also leads to delays, thereby limiting an important opportunity for engagement of the wider membership with the Council. This engagement between the two bodies needs to be restored and strengthened.

16. Finally, today's debate takes place at a time when the Council, responding to an unprecedented global crisis, has transitioned to remote meetings and negotiations. Council members and the Secretariat have shown commendable agility and ingenuity in adapting their working methods. However, in making these adjustments, we have been confronted with the limitations of current technological platforms – particularity in terms of capacity, accessibility and security.

17. We are also faced with the reality that while the three aspects mentioned in the theme for today's meeting – transparency, efficiency, and effectiveness - are interlinked and feed into each other, they can also force a trade-off. Looking ahead, as we adjust to the 'new normal' and deal with the downstream implications of the current working realities, we will have to be mindful of these considerations when it comes to converting temporary innovations into established precedents.

18. India has long maintained that in order to be credible and effective, both the Security Council's composition and its working methods must be updated to reflect contemporary global realities. We stand ready to support the efforts of the Informal Working Group on Documentation and Other Procedural Questions in making real progress towards a Security Council that is fit for purpose.
