

Intervention by Ambassador Munir Akram, Permanent Representative of Pakistan to the United Nations, in the informal meeting of the Plenary on the Peace and Collective Security cluster of the President's draft Outcome Document of the High-level Plenary Meeting of the General Assembly in September 2005 (29 July 2005)

The introductory part of the “peace and collective security” section requires much further work. Paragraph 45 is a welcome addition -- stressing the need for a “comprehensive approach” and “cooperation among all principal organs” while addressing the range of threats faced by the international community. However, the list of threats continues to be partial and incomplete. “Old threats” -- including foreign occupation, denial of the right of self-determination, excessive accumulation of increasingly lethal conventional and non-conventional weapons, etc. -- are conspicuous by their absence. Obviously, no approach can be comprehensive if it fails to recognize and effectively address the old threats. We reiterate that this aspect should be appropriately reflected in the outcome document.

2. There are several proposals in the section on “peace and collective security” on which, as we have stated before, agreement can be achieved rather swiftly.

Pacific settlement of disputes

3. We are glad that this sub-section is now titled “Pacific Settlement of Disputes” and contains a specific call to States to refrain from all threats and the use of force contrary to the Charter. The emphasis added on conflict prevention in accordance with the Purposes and Principles of the Charter is particularly welcome.

Peacekeeping

4. Peacekeeping is amongst the UN's most successful and highly regarded activities. It is necessary to commend the vital contribution of UN peacekeepers and other personnel to this success.

5. The Secretary-General's zero-tolerance policy regarding sexual exploitation and abuse in all UN activities is fully supported by Member States. This problem is prevalent throughout the system, and is certainly not limited to peacekeeping. It would thus be wrong to single out one particular sphere of UN activity. We therefore believe that the new paragraph 58 is out of place in the section on peacekeeping. The new paragraph 145, in the section on Secretariat/management reforms, contains suitable language and could be strengthened with added emphasis on the “highest standard of behavior of all UN personnel.”

6. Pakistan supports the establishment of a standby UN capacity for rapid deployment, which should be fully under the command and control of the United Nations. We look forward to the consideration of this idea by the General

Assembly. The proposal regarding financing of regional operations from assessed contributions requires deeper reflection i.e. a criteria based on need, cost effectiveness and Security Council endorsement.

Peace-building Commission

7. Given the wide support for a Peacebuilding Commission, the decision to establish it would be a major highlight of the September Summit. The revised draft has elaborated the proposal more precisely – making clear the PBC’s intergovernmental advisory nature, its working relationships with the Security Council and the ECOSOC, annual reporting to the General Assembly, the proposed membership of its Organizational Committee as well as identification of additional members as required. In our view, the representation of ECOSOC and Security Council on the Commission should correspond to their respective sizes. We propose deletion of a reference to permanent members of the Council. We welcome the proposed joint submission to the General Assembly for approval – as envisaged in paragraph 70 – of future proposals by the Security Council and the ECOSOC to change any agreed arrangements. The level of detail concerning the Commission in the document will depend on the level of consensus among Member States.

8. As we have stressed before, in country-specific situations, the principle of national priorities and “ownership” of peacebuilding activities should remain paramount. Also, while keeping a major focus on prevention of a State’s relapse into conflict, we believe that the PBC should – upon request – consider assisting any concerned state(s) in a pre-conflict phase. We look forward to consultations in the General Assembly to develop the necessary modalities for the effective operation of the PBC.

Sanctions

9. The section on sanctions has improved in the revised text -- with an explicit recognition of the need to mitigate the adverse socio-economic and humanitarian consequences of sanctions and emphasis on international standards of due process in the placing and removal of individuals and entities on sanctions lists. However, it needs further work to clearly state that sanctions should not be used as a prelude to the use of force, and should be imposed only when other peaceful means have proved inadequate and are exhausted. We also reiterate our earlier proposal that termination of a sanctions regime should be automatic in cases where either the objectives of the sanctions have been achieved, or the situation on the ground which led to the imposition of the sanctions has itself changed.

The use of force

10. We agree with the conclusion in paragraph 75 that the Charter’s provisions on the use of force are “sufficient.” It is, therefore, redundant to “recognize the need to continue discussing principles for the use of force, as identified by the Secretary-General.” The membership should be spared this completely avoidable controversy. We,

accordingly, propose that paragraph 76 should be deleted from the draft. At the same time, it would be helpful to underline the need to adhere to the principle of legality in the exercise of the functions of the Security Council. We can support the Russian suggestion to change the title of this section as “non-use of force”.

Terrorism

11. The section on “peace and collective security” has certain issues where agreement may prove to be difficult. This includes terrorism. Recent events have shown that terrorism remains an ever-present threat to all States. The need for maintaining and enhancing international counter-terrorism cooperation cannot be over-stated. Promoting greater mutual understanding among all religions and cultures is now a political and a moral imperative.

12. We note that the revised draft has moved away from the caution in the earlier text and now seeks to advance a definition of terrorism. We stress that this sensitive issue should be dealt with in negotiations among legal experts within the endeavour to conclude an International Convention on terrorism. A legal definition of terrorism -- evolved by consensus through the UN General Assembly -- would lend greater clarity to our common fight and ensure that our counter terrorism measures are in accordance with the principles of international law, international humanitarian law and human rights, including the right of peoples to self-determination. Any definition of terrorism should have three qualifications;

- a) the term ‘civilians’ excludes armed forces or other personnel in situations of armed conflict;
- b) acts of individual terrorism by those involved in legitimate struggles for self-determination and national liberation do not de-legitimize their legitimate cause; and
- c) violence against innocent civilians, by whomsoever committed, including states, constitutes terrorism.

13. The counter-terrorism strategy proposed by the Secretary General must include measures to address the root of the problem, such as political and economic injustices, festering international disputes, foreign occupation, denial of the right of peoples to self determination as well as cultural, social, economic and political marginalization and alienation. Root causes do not justify terrorism. But they explain it and their understanding is essential in combating terrorism. The draft should include these necessary elements to command broader support.

14. We do not support the proposal in paragraph 91 for strengthening ‘verification’ by the Security Council in its role in counter-terrorism. This is fraught with the risk of undermining, by its intrusive nature, international cooperation in fighting this scourge. While we appreciate the need to address reporting fatigue, we believe that the

proposed consolidation of reporting requirements should not lead to the blurring of distinction in the respective mandates of different Committees.

Disarmament and non-proliferation

15. This section of the revised draft is the most deficient and most controversial. The Pakistan delegation stresses the need for the Summit to forge a new consensus on disarmament and non-proliferation. Such a consensus must reaffirm and uphold the principle of “equal security for all states”. It should also address the growing asymmetry of military power and the frequent use of force -- both globally and in various regions.

16. The revised document lacks the essential balance that defines the disarmament and non-proliferation regime. It is non-proliferation centric. The document refers only once to “concrete steps toward nuclear disarmament”. The Pakistan delegation shares the view expressed by NAM that disarmament and non-proliferation are two sides of the same coin and therefore should be tackled in a balanced and mutually reinforcing manner.

17. The document has not addressed the issue of destabilizing accumulation of conventional weapons and forces which pose the most direct threat to most member states of the UN. Given the negative implications of growing acquisitions of conventional weapons especially in regions of tension, the Pakistan delegation had proposed language on the balanced reduction of conventional weapons and forces in this section. We hope that it would be appropriately reflected in the next draft.

18. The document “urges” all States to accede to the NPT. Pakistan shares and supports the objectives of non-proliferation. However, Pakistan is not a party to this treaty and therefore cannot accept the call to accede to it. Nor can we, as a non-party to NPT, accede to the call for universal accession to the comprehensive safeguards agreements and to the Model Additional Protocol. However, we welcome the new formulation on Nuclear Weapon Free Zones which takes on board the “agreement” within the States of the region concerned to establish such a zone.

19. With regard to a Fissile Material Treaty, the Pakistan delegation believes that agreed language of the Conference on Disarmament should be reflected in the document. We propose that the document should reproduce the title of the agreed language “to negotiate, on the basis of the report of the Special Coordinator (CD/1299) and the mandate contained therein, a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices”.

20. The proposal to strengthen the Biological Weapons Convention must include the conclusion of a legally binding Verification Protocol, which was abandoned after six years of negotiations.

21. The revised draft has also not addressed the issue of missiles in a comprehensive manner. We propose that the document should call for enhanced efforts to conclude a treaty within the UN on missiles in all aspects. The outcome document should express concern regarding development and deployment of ABM systems and weapons in Outer Space.

22. The draft document is silent on the important role and functions of the multilateral disarmament machinery. The Pakistan delegation will submit a paragraph for reflection in the next draft document.

23. The Pakistan delegation will be submitting shortly specific amendments relevant to this section.