

Statement by Ambassador Munir Akram, Permanent Representative of Pakistan to the United Nations, in the informal meeting of the Plenary to exchange views on the President's draft Outcome Document of the High-level Plenary Meeting of the General Assembly of September 2005 (A/59/HLPM/CRP.1), 21 June 2005

**Mr. President,**

The Pakistan delegation thanks you for convening this meeting to discuss the draft Outcome Document which you have circulated on 3 June. It is a good basis for this next round of consultations to prepare for the September High-level Event. We commend the considerable efforts and contribution made by you and your ten Facilitators in the formulation of this draft Document.

**Mr. President,**

2. Our objective in this process, as stated in the General Assembly resolution 59/291, should be to achieve the broadest possible agreement on all major issues. Our approach must be realistic and pragmatic. Decisions should be reached on issues where consensus exists or can be evolved by September. The September Summit should achieve a balanced outcome which accommodates the interests and concerns of all UN member states. Where divisions persist, the efforts for consensus-building should continue beyond the September Summit. The process of revitalization and reform of the United Nations is too important an endeavour to be subjected to arbitrary deadlines, financial pressure or divisive votes. It should be a careful continuum yielding a new international consensus to collectively address the challenges of development, peace and security at the dawn of the 21<sup>st</sup> Century.

#### Values and Principles

3. We welcome the inclusion of the Chapter on "Values and Principles" in the draft Outcome Document. This section should reaffirm and uphold the fundamental purposes and principles of the UN Charter which remain immutable and relevant to the changed circumstances of the 21<sup>st</sup> Century – respect for sovereignty, territorial integrity and political independence of States, non-interference in their internal affairs, settlement of disputes by peaceful means, the right of peoples to self-determination, and, above all, the obligation of States to refrain from the threat or use of force in their international relations.

**Mr. President,**

4. Our preparatory process and the draft Outcome Document you have circulated already indicate that the September High-level Event can achieve significant progress towards reviving the development agenda, addressing all new threats to peace and security, promoting human rights, and reforming the United Nations.

5. In my statement today I would like to advance some specific comments on various parts of the Outcome Document.

#### Development

6. We compliment you, Mr. President, and your Facilitators for the largely balanced and positive recommendations for promoting a global partnership for development. In September, our leaders must reaffirm the commitment to implement the internationally agreed development goals, including the MDGs, through honest national action duly supported by bold international support. It is vital to recognize the centrality of securing adequate financing for the achievement of these development goals. These will not be realized unless international action is taken to halt the chronic outflow of significant resources from the developing to the developed countries. We must ensure a mechanism to closely monitor resource flows and propose steps to halt and reverse the present trend.

7. We broadly support the recommendations of the draft Outcome Document on achieving time bound ODA targets; generating financing through innovative means; redefining debt sustainability; quick win actions, and more democratic international economic decision-making. We welcome the recent EU decisions, which we hope will be adopted by all developed countries. Clearer recommendations are required for enhancing aid effectiveness, through greater donor coordination and closer donor-recipient collaboration.

8. We also fully support and endorse the recommendations on health issues, including HIV/AIDS, women empowerment and science and technology.

9. The draft Outcome Document deals inadequately with two issues recognized inter alia in the Monterrey Consensus as central to development, trade and investment. The September Event should provide clear and detailed guidance to the WTO Ministerial in Hong Kong to ensure not only the timely and successful conclusion of the Doha Round but also the realization of identified and ambitious development objectives. On investment, the Summit should call for conscious measures to elicit greater foreign direct investment flows to the widest possible number of developing countries. Such measures could include: an invitation to national governments to develop integrated investment strategies, with the involvement of the public and private sectors and facilitated by international donors; asking international financial and banking institutions to evolve appropriate investment insurance mechanisms and to streamline and enhance the transparency of risk rating mechanism and their development orientation; encouraging the participation of foreign private investment in infrastructure development; initiation of measures to mitigate the impact of excessive volatility of short-term capital flows.

10. In sustaining the environment and natural resources, the principle of common but differentiated responsibility must be preserved. We see access to and development of technology as a central pillar of any strategy to achieve the economic growth and

development objectives. Therefore, we welcome the important recommendations made in the draft Document on science and technology.

## **Peace and Collective Security**

### **Peaceful Settlement of Disputes**

11. There are several proposals under Section III on “Peace and Collective Security” on which agreement can be readily realized. We particularly welcome inclusion of the section on peaceful resolution of disputes. We suggest this should be entitled: “Pacific Settlement of Disputes” in accordance with the Charter’s language. It should also emphasize that Member States must refrain from any threat or use of force contrary to the Charter and settle their disputes by peaceful means as an *erga omnes* obligation.

### **Peacekeeping**

12. On peacekeeping, our leaders should commend the vital role played by UN peacekeepers in conflict management and promoting durable peace and security in various parts of the world. As the largest UN troop contributor, Pakistan supports the establishment of a standby UN capacity for rapid deployment. We also support the stronger relations between the UN and regional organizations. However, the issue of financing of regional operations authorized by the Security Council from assessed contributions requires further in-depth discussion.

### **Peace-Building**

13. While there is a wide agreement on the establishment of a Peace-Building Commission, it should be clarified that this will be an inter-governmental body and advisory in nature. It should include members of the Security Council and the Economic & Social Council in proportion to the size of each body. It should provide a forum for all relevant actors in peace-building to work together. The Commission should report simultaneously to the Security Council and the ECOSOC, and report annually to the General Assembly. In country-specific situations, the principle of national priorities and “ownership” of peace-building activities must be recognized. We hope, Mr. President, that our views will find appropriate reflection in the final text of the Outcome Document.

### **Sanctions**

14. There are certain other areas in the section on peace and collective security where agreement can become possible through further discussion. One of these is the section on sanctions. Sanctions, in our view, should be imposed with the greatest caution and only when other peaceful means have proved inadequate or are exhausted. The draft rightly emphasizes the need to “mitigate the adverse consequences for populations or third States.” Sanctions must be carefully targeted. Sanctions regimes should minimize both evasion as well as unintended negative effects, especially on innocent populations. Objective criteria should be evolved both for placing individuals and entities on sanctions

lists, and for removing them from such lists. The termination of the sanctions regime should be automatic where either (i) the objectives of the sanctions have been achieved; or (ii) the situation “on the ground” that led to the imposition of the sanctions has changed.

### **Use of Force**

15. The Charter’s stipulations against the use of force are clear. Proposals for so-called guidelines for the use of force are contrary to the spirit of the Charter and the principles and purposes of the United Nations, i.e. to prevent war, promote peaceful settlement of disputes and harmonize the policies of the Member States. Pakistan is opposed to the inclusion of any such guidelines in the Outcome Document.

### **Terrorism**

16. There are parts of the draft Outcome Document relating to peace and security where agreement may prove more difficult. One of these is the section on terrorism. We note that the draft has wisely refrained from unilaterally advancing a definition of terrorism. Intense negotiations may be required to achieve such a definition -- given the divergent positions of the member states. Nor is the achievement of another international convention on terrorism, no matter how important, likely to be decisive for the success of counter-terrorism. In our view, it is more important to achieve agreement on a comprehensive global counter-terrorism strategy which includes specific and practical measures for action. The Secretary-General has proposed some of the elements of such a strategy. Pakistan believes that this must include measures designed to address the root causes of terrorism, such as the persistence of foreign occupation, denial of self-determination and political and economic injustices.

### **Disarmament and Non-Proliferation**

17. The provisions on disarmament and non-proliferation are in our view inadequate. The September Summit should seek to evolve a new consensus on disarmament and non-proliferation. This consensus should incorporate the following:

**one**, disarmament and non-proliferation are two sides of the same coin;

**two**, to achieve both objectives, the underlying security concerns of all states, large and small, must be addressed, in accordance with the principle of “equal security for all states.” In this context, the growing asymmetry of military power and the frequent use of force need to be addressed both globally and in various regions;

**three**, the threat from WMD is growing. It arises not only from their proliferation but from their very existence. Complete WMD disarmament must remain an important goal. A Biological Weapons Verification mechanism is essential. The reality of 8, not 5, nuclear weapons states must be accommodated. The NPT

regime must adjust to the new realities and challenges if it is to survive. It should seek to halt both vertical and horizontal proliferation;

**four**, international regimes are required to regulate missiles, Anti-Ballistic Missiles and Outer Space militarization;

**five**, international cooperation must be achieved to prevent the nightmare scenario of WMD falling into the hands of terrorists;

**six**, the most effective approach to disarmament and non-proliferation is international cooperation and open negotiations and free acceptance by States of international agreements, not coercion or the use of force.

#### **Section IV: “Human rights and rule of law”**

18. With regard to Section IV “Human Rights and the Rule of Law”, we can all agree on the imperative that States observe the rule of law both at the national and international levels. We welcome the recognition in the draft Document of the need to promote a culture of peace. The interfaith dialogue – such as the one being held tomorrow – constitutes an important contribution to the promotion of such a culture of peace.

**Mr. President,**

#### **“Responsibility to Protect”**

19. There is no difference on the necessity to protect innocent civilians, especially in situations of armed conflict. It should be recognized that responsibility for the protection of civilians rests, first and foremost, with the individual state where they live. However, many doubts remain regarding the concept of the so-called “responsibility to protect”, perhaps due to its antecedents. It needs careful study and consideration. Any endeavor to promote protection of civilians should not become a basis to contravene the principles of non-interference and non-intervention or question the national sovereignty and territorial integrity of States. We hope that the draft Outcome Document will reflect these considerations. Meanwhile, this section should be retitled: “Protection of Civilians”.

#### **Human Rights**

20. Human rights is another difficult issue. We appreciate the resolve expressed in the draft that the UN human rights machinery should be strengthened.

21. The draft Outcome Document has only addressed the question of replacing the Commission on Human Rights by a Human Rights Council. Pakistan is indifferent to names. As the Chinese leader Deng Xiao Ping said: “It doesn’t matter whether the cat is black or white as long as it catches mice.” The major problem with the Commission on Human Rights is neither its size, nor its “bad members.” The real issue is politicization, selectivity and double standards. It would be best to adopt a thematic and problem-

solving approach to situations of human rights such as that adopted in the ILO's Committee on freedom of association. The country-specific, 'blame and shame', approach will be inevitably subjective and selective and result in politicization. Since poverty and human rights have an obvious inverse relationship, developing countries are, inevitably, the principal targets of the name, shame and blame approach to human rights.

22. We need to deal with the issue of human rights in a comprehensive, balanced and practical way. There are several facets of the human rights issue which need to be addressed:

**one**, the intergovernmental machinery is highly politicized and displays discrimination and double standards against the developing countries;

**two**, special human rights mechanisms which have proliferated with broad and overlapping mandates, partisan postures and agendas, and indifferent reports and impact;

**three**, the role of non-governmental organizations which needs to be rationalized and streamlined. Their number is now in the thousands. Their qualities, capacities and objectives are different. Their participation now accounts for 60% of the meeting time of intergovernmental bodies; and

**four**, the office of the High Commissioner for Human Rights whose staffing and activities are largely dominated by the North, due in part to targeted "voluntary" financing of programmes and deputation of national officials by major donor governments.

**Mr. President,**

23. Issues relating to Section V "Strengthening the United Nations" will be an important component of the decisions in September.

### **Secretariat**

24. As the Chief Administrative Officer of the UN, the Secretary General deserves our full support. The September Summit provides a welcome opportunity for our leaders to affirm their commitment to provide to the United Nations with adequate financial resources to fully implement all mandated programmes and activities. However, such support, and delegation of authority to the Secretary-General, must be accompanied by rigorous mechanisms of accountability and oversight in the management of both budgetary and human resources. Inter-governmental oversight is the key to address the shortcomings in the management of the UN Secretariat; it must be strengthened, not weakened.

25. With respect to the draft Outcome Document, my delegation suggests:

- § **one**, the importance of a transparent process of recruitment, placement and promotion, in particular at the senior and policy making levels;
  
- § **two**, consideration of personnel matters, such as one time staff buy-out, flexibility in the management of UN budget and human resources, in a comprehensive, not in a piece-meal manner;
  
- § **three**, a full review of budget and human resource policies under which the Organization operates;
  
- § **four**, a review of all mandates by the relevant intergovernmental mechanisms; and
  
- § **five**, reaffirmation of the General Assembly's role as the principal oversight organ.

### **General Assembly**

26. We welcome the clear reaffirmation in the draft of the “central position” of the General Assembly as well as the call for demonstration of “political will in the effective implementation” of the Assembly’s resolutions. However, in our view, the draft Document’s provisions are inadequate to ensure the revival of the Assembly’s Charter role. It is essential to go beyond merely calling for a “constructive relationship” between the Assembly and other organs. What is required is a political decision to halt and reverse the encroachment by the Security Council on the Assembly’s prerogatives and functions. The draft document should reflect such a political decision and to confirm the Assembly’s authority to address all major issues, including peace and security, development and human rights.

### **ECOSOC**

**Mr. President,**

27. Pakistan fully agrees with the need to strengthen ECOSOC. We consider, however, that the measures proposed in the Outcome Document are insufficient. You will

recall, Mr. President, that on 10 June 2005, I forwarded to you, in my capacity as the President of the ECOSOC, a non-paper on strengthening of the Economic and Social Council. This paper was developed on the basis of informal consultations and with the collaboration of several delegations, including Belgium, Germany, Sweden and the 15 member “Group of Friends of UN Reform” The informal consultations held by ECOSOC on 5 May also contributed to the evolution of this paper. It is my view, Mr. President, that the proposals in this paper will enable ECOSOC to promote global dialogue on social and economic policy trends; serve as a development cooperation forum; enhance the linkage between peace and development, and strengthen the operational coordination within the UN system. I trust that the recommendations of the non-paper will be adequately reflected in the revision of the draft Outcome Document.

## **Security Council**

28. The draft Outcome Document reflects the divisions and uncertainties surrounding the issue of Security Council reform.

29. There are several proposals now “on the table”, apart from the HLP’s A&B Models. These include: the African position reflected in the Ezulwini Consensus; the G-4 position (reflected in its Framework Resolution); the UfC’s proposal; and now the U.S. position. Other regional, sub-regional and inter-regional groups such as the Arab League, CARICOM, and the OIC are expected to elaborate their own positions. Security Council reform can only be achieved if the proposed change enjoys consensus or the widest possible agreement of the general membership. Indeed this is the rule we are following for the elaboration of the entire Outcome Document. The differences among the various positions will thus need to be reconciled in order to promote consensus or widest possible agreement.

30. Pakistan strongly subscribes to the UfC’s proposal of 27 May circulated by the Italian ‘focal point’. The merits of UfC proposal are numerous:

**First**, it preserves the principle of sovereign equality: The majority of UN Member States are not asked to stamp themselves as “second” or “third” class members of the international community;

**Second**, it is equitable and fair: All Member States are eligible for election to all non-permanent seats;

**Third**, it is representative: It would increase the ratio of permanent to non-permanent members from 1:2 to 1:4 and thus better reflect the composition of the UN’s general membership which includes mostly smaller and medium States (not aspirants for permanent membership);



**Fourth**, it is flexible: It can accommodate the positions of regional groups. Now that no proposal seeks additional vetoes, the UfC's approach can accommodate the African desire for continuous representation of certain States. Of course, those seeking election or re-election will have to seek the periodic approval of their peers, which is the essence of democracy and will enhance the accountability of those seeking to represent their regions on the Council;

**Fifth**, it is simple: It can be directly incorporated in a Charter amendment without going through an uncertain process of a

framework resolution, election of new (permanent) members, and then adoption of a Charter amendment.

31. In our view, the G-4's framework resolution, on the other hand, is inequitable and unfair – seeking the privilege of a permanent presence for 6 States on the Council, thus reducing the prospects of the other 180 States to serve on the Council. Some of those excluded would have as good if not better credentials to serve on the Council than some of the declared aspirants. The rationale for seeking permanent membership has been eroded by the withdrawal of the unachievable demand for the veto. In any event, the G-4's three-step process is complicated and will, in all probability, lead to a deadlock and a dead-end for Security Council reform.

32. We have noted the views expressed recently by the U.S. on this issue and other issues. This is an important new element. While we question the need for any additional permanent members, we endorse the U.S. view that Security Council reform “should not sprint ahead of other reforms” and that dialogue and consultations on this issue should be continued. We believe that if a sense of realism and equity prevails, agreement could be reached sooner rather than later on this difficult issue. But we remain opposed to the imposition of artificial deadlines for a decision and thus to any precipitate vote on any of the proposals. For the September Summit, we should seek to build the widest possible agreement on the common elements that are present in various positions: (i) need for enlargement; (ii) better representation of developing countries; (iii) improving the Council's working methods, including greater transparency, democracy and accountability. Thereafter, the divergences in positions could be appropriately addressed and overcome.

**Mr. President,**

33. We thank you for this opportunity to outline our views on the draft Outcome Document and, based on these, **we would shortly be submitting precise textual amendments to the text wherever necessary.** We believe these improvements would reflect a substantial agreement and a significant leap forward in the efforts to achieve the widest possible agreement on the widest possible number of issues. It remains our hope that the ambitions of a few will not be allowed to undermine the common good of all.

**I thank you, Mr. President**