

Unofficial translation

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S T A T E M E N T

**by His Excellency Ambassador Andrey I. Denisov
Permanent Representative of the Russian Federation to the United Nations
at informal UN General Assembly consultations on the draft outcome document
of the High-level Plenary Meeting of the General Assembly of September 2005**

21 June 2005

Mr. President,

The Russian delegation notes with satisfaction that the draft outcome document for Summit 2005 reflects the key understanding that there is no alternative to the collective approaches in countering the whole spectrum of closely interconnected threats and challenges of the 21st century. The United Nations is irreplaceable in neutralizing them.

The main focus of the draft is in tune with Russia's fundamental line aimed at strengthening the international system of collective security under the central role of the United Nations and its Security Council, as well as at streamlining the structures of the world organization and improving productiveness of its work in all areas.

We support many of the recommendations of the draft document. We believe that it is a good basis for joint work with a view to holding a fruitful Summit so as to give necessary resources to the United Nations and to make it more operational and effective. This is the principal task of the UN reform meant to unify even more the world community around principles of multilateralism. That is why decisions on fundamental issues of the reform should be made when they are based upon the broadest possible agreement between the Member-States and the solid foundation of the UN Charter and international law.

At the same time today's debate shows that the draft outcome document will require additional adjustment and discussion so that a rational balance of interests of the States is reached.

The Russian delegation assumes that the draft outcome document should emphasize more the commitment of the Member-States to the *purposes and principles* of the UN Charter and to the basic UN General Assembly resolutions and declarations, as well as to reaffirm the determination of international community to strictly follow them in their practical activity. It would be desirable that **Chapter II**

“**Development**” say in a clearer way that the proposed International Finance Facility and the initiative to introduce international taxation on plain tickets have a voluntary nature and only those countries, which share this concept and possess relevant legal and economic resources, take part in them. We cannot support the inclusion of the notion of “achieving national development goals” into the criteria of debt sustainability, since this definition is too unspecific and its contents differ much in various countries. Besides, the requirement of “immediate duty-free and quota-free market access” for the exports from the least developed countries is hardly implementable.

We deem it necessary to mention in the Section “Sustaining our environment and natural resources base for development” such important factor for preserving environment and sustainable development as forests. In this very section we have serious doubts about the vague paragraph on improving access to “reliable, affordable, economically viable and environmentally sound energy services”. Our suggestion is that this paragraph should be deleted.

We share the conceptual philosophy of **Chapter III “Peace and collective security”** which will move forward the work under the UN aegis on the comprehensive strategy of responding to global challenges and threats. We believe that it is important, however, that it should be said in a clearer way that the interdependence of threats does not mean unification of the ways to counter them, first of all, when it comes to use of force. The use of force by international community is the last resort, which is possible only when authorized by the UN Security Council.

At the same time it is important to reaffirm that all bodies and links of the UN system should play the role given to them by the Charter in strengthening international security in its different dimensions and that their actions are duly coordinated.

As for *peaceful resolution of disputes* we believe that it is important to clearly reaffirm the commitment of the States to settle emerging disputes by peaceful means and to refrain from use of force.

The Section “*Peacekeeping*” expresses support for the establishment of strategic standby capacity of the United Nations though the discussion of this issue in the General Assembly’s Special Committee for Peacekeeping Operations has not been completed and the practical aspects of this idea are still to be agreed upon by the Member States.

Until specific modalities for the *10-year plan for Africa’s peacekeeping capacity* are elaborated and agreed upon, it would be desirable to express only a general support for its preparation.

Russia supports the idea of establishing the *Peacebuilding Commission*, long-term Peacebuilding Fund on the basis of voluntary contributions and a relevant unit in the UN Secretariat. However before asking the Summit to approve the establishment of this structure, we should reach a common understanding with regard to the modalities of functioning of the Commission. We welcome the efforts of the interested delegations working on the modalities and we take an active part in these efforts so that the desired result is obtained as soon as possible.

We agree with the concept of the Section “*Use of force*”, which, in our opinion, should be entitled “*Principles of non-use of force*” and strengthened with the conclusion about the utmost importance of preserving peace as the main value of the humankind. During the Summit it would be useful to reaffirm the key provisions of the Charter that the use of force is legitimate only in two cases: when authorized by the Security Council and as the right to self-defense.

We note the general balance in the wording of the very important Section “*Disarmament*” of the draft document. We would especially mention the provisions appealing to all States to take effective measures to prevent the proliferation of

weapons of mass destruction, their means of delivery and shoulder-fired missiles and also banning their transfer to non-State actors. We fully support the provision about the need to explore effective measures to prevent an arms race in outer space.

The Secretary-General's initiative to develop a comprehensive UN counter-terrorism strategy is as timely and topical as ever. However at this stage it would be premature to give a final assessment to the proposed strategy, the Member States should continue their thorough work on its main elements.

Inclusion of the definition of terrorism in the draft document is hardly justified. From the legal point of view such definition looks quite vulnerable and does not remove the problem of developing a universal legal definition. Its inclusion into the document may have a negative effect on the work of the UN General Assembly Special Committee discussing the comprehensive counter-terrorism convention and on strengthening the regime of the effective anti-terrorist conventions.

The outcome document should reflect a broader approach to the human rights' aspects of the fight against terrorism. Apart from the necessity to observe the universally recognized human rights standards in combating terrorism it should also be registered that the terrorism itself represents a gross violation of fundamental rights and freedoms, including the human right to life.

In **Chapter IV, Human rights and rule of law**, we propose to merge the first two paragraphs while considering the promotion and the respect for the human rights and fundamental freedoms through the prism of the United Nations Charter and pertinent basic international legal instruments, and advocating an equal, trustful and constructive dialogue and cooperation in this area.

We deem it appropriate to add to paragraph 65 of the outcome document on the Office of the High Commissioner for Human Rights a provision on the fair geographical representation in this unit, which, as we believe, would be understood and supported by the majority of delegations.

In general, we support Section “Rule of law”. We believe that the establishment of this principle in international relations is a comprehensive task that is not limited just to human rights subject-matter. It represents, in particular, a substantive condition for improving the efficiency of the collective security system and the UN functioning as a whole. We, therefore, suggest that this matter be treated in **a special Chapter**.

In our view, the presentation of the *Guiding Principles on Internal Displacement* as a basic international norm in para. 67 of this Section is legally and procedurally incorrect. We think that these Guiding Principles in certain cases with consent of the Member States can be taken by them into account while setting their national policies with respect to the internally displaced persons. This may, in principle, be the case, provided that prior broad consultations among the Member States have taken place.

Section “Democracy” should be supplemented with the provisions on the need for respect for sovereignty, the principle of non-interference in internal affairs and the right to self-determination, as stipulated, in particular, in the outcome document of the Ministerial Conference of the Community of Democracies held in Santiago, Chile from 28 to 30 April, 2005. It would obviously be premature to welcome the establishment of the United Nations Democracy Fund until all its basic parameters have been agreed upon. As regards the Fund Advisory Board, the recommendations on its composition, mandate and working methods should, in our opinion, be first considered by the General Assembly.

It is important that para. 71 under “Impunity” section should state that the main element of combating impunity is the strengthening of the national judicial systems while the function of the international judicial mechanisms remains complementary.

We share the concerns behind the concepts of “responsibility to protect” and “human security”. At the same time, some basic elements of these concepts raise well-grounded doubts of many Member States. Our impression is that still there is no

common understanding for the “*human security*” concept to be included in the outcome document of the Summit 2005. The “*responsibility to protect*” also requires additional consideration and cannot at present serve as a basis for collective or individual actions of the States for the protection of civil population. Besides, according to the UN Charter the UN Security Council possesses all the powers to take measures against any threat to international peace and security and has demonstrated, at least by its recent decisions, that it is capable of responding effectively to those challenges, which the “*responsibility to protect*” concept is meant to counteract.

As regards **Chapter V “Strengthening the United Nations”** we would like to note that Russia fully supports the provisions on the central position of the General Assembly as the chief deliberative and representative organ of the United Nations, as well as the importance to ensure that it plays this role efficiently. Notwithstanding, in para.79, the addition to the agreed language runs counter to the basic provision of the UN Charter on the equality of all the principal organs of the Organization. We believe that in this case it would be more appropriate to use the pertinent language of the Millennium Declaration.

We welcome the fact that the draft document reaffirms the primary responsibility of *the Security Council* for the maintenance of international peace and security. The reform of the Security Council is a key component of the reform process in the United Nations, and is aimed at making this principal organ more representative and efficient. Position of Russia on specific aspects of the enlargement of the Security Council is well known and is fairly flexible. The main point, however, is that the reform of the Security Council should be implemented on the basis of a broadest possible consent so as to avoid a dangerous split in the Organization. On this very basis Russia will continue to help find the needed consent.

In the *ECOSOC* section, we support the proposal to hold annual ministerial-level meetings to review and assess the implementation of the outcomes of major UN

conferences and the Millennium Development Goals. At the same time we disagree with the idea of some “peer reviews” since the “peer nature” of such reviews can hardly be ensured.

While viewing positively the proposal on holding periodically within ECOSOC a high-level development cooperation forum, we do not support the idea of using the operational segment of the Council’s main session for that, since this would weaken its very important coordinating and political functions. Thus, the use of the high-level segment to that end would be more appropriate.

Until a consensus has been reached on the matters relating to the UN reform as a whole, in our view, it is premature to set provisions requesting a further discussion of the proposal on *the Human Rights Council* as contained in paras.87-89. It seems to us more appropriate to use in the text a more neutral wording which is a “human rights body”. The reason for that is the absence of a consensus on a number of the key aspects of the proposal contained in the draft document. At the same time we do not doubt the need to reflect in the text the common understanding that a new or a modified human rights body should avoid in its work the politicization, double standards and confrontation while fully observing the principles of fairness and equality.

The Member States continue an active discussion of the recommendations on these issues contained, in particular, in the reports of the High-Level Panel and the Secretary-General while demonstrating a wide range of approaches toward these matters and generating new ideas and proposals. We believe that there is no need in limiting this debate to the 60th session of the General Assembly. It is necessary to continue the broad inter-governmental consultations on the format and other parameters of the reform of the human rights sector in the United Nations.

We are somewhat disappointed with the contents of Section “*Secretariat*”. During the informal consultations quite a fruitful discussion on this section took

place, and one of its obvious outcomes, in our view, was a lack of consensus on a number of proposals of the Secretary-General, in particular, regarding quite vaguely formulated concepts of a greater flexibility, review of the budgetary and human resources rules, and the so called “buy-out”.

The respective proposals contained in the report “In larger freedom” while being quite topical, are mainly technical in nature. We believe that the Summit should send a clear political message on the need for a reform of the UN, on the importance of the multidimensional work to increase productivity and efficiency of the Secretariat with a view to achieving concrete and tangible results. A genuine result-based management system is required, which would, in the first place, ensure transparency, accountability and responsibility of the Secretariat. The discussion on giving the managers more authority and independence in managing the UN resources could be possible subject to the progress in establishing a system of accountability and responsibility for the decisions taken.

The section on the *International environmental governance* needs a serious adjustment. Although the language of the section is vague, it can be understood as an intention to move towards establishment of a world environmental organization, which raises serious questions. The section needs to be specified anyway.

The section on the “*regional organizations*” contains a questionable proposal to finance, on an exceptional basis, regional operations authorized by the Security Council. The existing operational differences between the UN operations and regional operations make this approach look unjustified.

As regards *amendments to the United Nations Charter*, we deem it necessary to clarify the provision on eliminating the references to “enemy states”. It is important to note, that, as it is provided for in the respective General Assembly resolution, such an amendment to the UN Charter will not be applied retroactively, and to stress in this

context that the results of the World War II are not subject to a revision. We are prepared to support provisions of para.105 on the Military Staff Committee.

Mr. President,

The very important problems of strengthening the United Nations reflected in the draft document are worth a detailed and comprehensive consideration without imposing artificial time limits. Specific issues finding a broad consent among a vast majority of the Member States or, what is better, a consensus, could be decided upon in the near future, including before or during the high-level plenary meeting in September. We expect the Summit 2005 in New York to bring about comprehensive and effective decisions. We are prepared to apply every effort to contribute to this, including through an active involvement in the work on the draft outcome document.

Specific language proposals to the draft document will be presented by the Russian as appropriate.

Thank you, Mr. President.