

**Remarks by Pakistan in the meeting of the Open Ended Working Group on
Security Council reform – 26 January 2009**

1. **Mr. President**, we thank you for convening this meeting. We appreciate your efforts and guidance that have enabled the Working Group to carry out its work in an orderly and effective manner.

2. From the first meeting of 11 November 2008, we have progressed a long way in this Working Group. Our mandate at this stage of the process, according to decision 62/557, was to address within the Open Ended Working Group the “framework and modalities” in order to “prepare and facilitate intergovernmental negotiations” on Security Council reform. Important work has been done in that regard. Now, you as Chairman of the Working Group will present the “results” of these consultations to an informal plenary of the General Assembly, no later than 1 February.

3. We trust your good judgment and understanding in carrying out this work. You have sought our views on the presentation/formulation of results. We would like to submit the following:

First, it is necessary to re-emphasize the importance of this work that we are doing in the OEWG, for the next phase of the process i.e. the negotiations, which you have been entrusted to facilitate. This should be borne in mind while formulating the results.

Second, we expect the results would reflect fully and faithfully the work done during the past two months. The results should focus on the main question and mandate i.e. of addressing the “framework and modalities” of negotiations.

Third, while the results could compile the various views and positions, we believe the specific proposals tabled by member states related to the mandate under paragraph c) of decision 62/557 must constitute the major part of the results. The non-paper submitted by Argentina and Spain is one example. Based on that, a proposal has been submitted by

Canada and Malta for a draft decision by the General Assembly on framework and modalities. This proposal is on the table. It must be the most prominent element of the results.

Fourth, we believe that because of the serious nature of this exercise, its importance for the next phase of the process, and because of the substantive nature of the proposals that have been submitted by member states, it would be prudent to have the results in “writing”.

Fifth, and most important of all, the results should help “prepare and facilitate intergovernmental negotiations”, which is the main purpose of this exercise. The results should thus move the process forward.

4. Pakistan supports a positive and forward looking approach. We had said at the outset, last November that at the end of this phase of the process in the OEWG we would expect to reach an agreement or understanding on the framework and modalities - the objectives and principles and ground rules under which negotiations would be held.

5. We believe the proposal submitted by Canada and Malta, which is in fact the only proposal on the table, provides a sound basis for such agreement. We therefore call on all member states to support this proposal and to engage in discussions to reach an agreement on its basis. This would be a result that would be corresponding to our mandate. We are confident that the results of these consultations that you, as Chairman, would present to an informal plenary of the General Assembly, would facilitate a decision on the lines of the proposal made by Canada and Malta.

6. Mr. Chairman, it was not our intention to repeat the positions that we have already stated in the previous meetings of the OEWG. But as some other delegations have ventured into that discussion, we have been obliged to make a few comments.

7. As the Chair, you would have observed some distinct tendencies in the meetings that we have held since November.

First, and this is a general tendency, is that irrespective of their individual positions, all delegations have called for implementation of decision 62/557. The consensus around that decision therefore remains strong.

Second tendency, you would have observed as a majority position, was that the decision should be implemented fully and faithfully. In that spirit and as part of that position, Pakistan and other members of the Uniting for Consensus participated in the discussions in the Working Group. Our participation was productive and positive. The contribution of this group was constructive throughout, starting with the proposal by Korea and Mexico, followed by the non-paper by Argentina and Spain, and finally the Canadian-Maltese proposal. The entire effort was in support of the mandate provided by paragraph c) of decision 62/557.

Third tendency, you would have observed in a small group that wanted selective implementation of decision 62/557 according to their own wish and interpretation. As you would recall, first they wanted to break the sequence outlined in the decision, they wanted to skip paragraph c) altogether to move directly to the negotiations under paragraph d). But they could not succeed. Everyone saw the reason that was contained in the decision. And that debate was settled with the setting of a program of work by the President enabling the OEWG to focus its work on the mandate under paragraph c).

8. However, as we started our work in the OEWG, this small group remained in a state of denial. They kept on negating the decision 62/557 which they do not tire of reminding others that it was adopted by consensus. They maintained the obtuse argument that framework and modalities had been decided, this discussion was a waste of time and that it was putting conditions on the start of negotiations. They argued that rules of procedure of the General Assembly would substitute the framework and modalities for negotiations. None of this is substantiated by the decision. All of this was rejected during the negotiations of the decision. Paragraph c) of the decision is clear. Framework and modalities have to be addressed, not only addressed, they have to be addressed in order to

“prepare and facilitate” the negotiations. If the arguments of this group were correct, there would have been no need for paragraph c) of the decision. Furthermore it is all the more ludicrous to suggest that paragraph d) which is about intergovernmental negotiations which are to be prepared and facilitated by the process in paragraph c), has already determined what was required to be done in c). It may also be noted that both paragraphs c) and d) talk about “building on” the progress achieved, it does not mean, what some have tried to imply, that anything that is done after a certain date was not going to be considered. This small group also talks about the scope of OEWG. We advise them to go and read not only paragraph c) but also paragraphs f) and g), which define that scope. You would have also noticed that this group is very averse to, in fact instantly repulsive to terms such as “negotiated” solution. Strangely this is the group which is crying at the top of its voice that it is the biggest supporter of negotiations. Now if not a negotiated solution, then what kind of solution do they expect from the process of negotiations.

9. Mr. Chairman, the condition of this small group is like a student who has to appear in an examination, but who either does not understand the question or does not know the answer, and instead of attempting the question comes up with the claim that the question itself is wrong. Now when the time for result nears, obviously that student should expect that its result would be zero. But interestingly, here, this small group, which knows that its own result is zero, wants that the result of all others, who worked and attempted the paper, should also be zero. Now obviously that is not possible, and is not acceptable.

10. There has been work and there are results and these results should soon be out. These are important results and need to go forward. They have a bearing on the successful conduct of negotiations. No one is saying that negotiations should not start by the date specified in the decision. But the results that you, Mr. Chairman, would present are going to determine that the negotiations will start on a clear and firm footing and would not be set up for failure.

11. Mr. Chairman, as the results are being put together, it may also be appropriate for you to indicate the approximate timeframe that may be required to prepare and launch the negotiations in February following the presentation of the results. As we have said earlier, we expect that the proposal submitted by Canada and Malta will make an important contribution in that process. We look forward to working with you and with all member states to move forward in a constructive manner. Thank you.