

Islamic Republic of

I R A N

Permanent Mission to the United Nations

Statement by

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on the GA joint debate on agenda items 9 and 111

"Report of the Security Council", and

"Question of equitable representation on and increase in the membership of the Security Council and related matters"

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In the Name of God, the Compassionate, the Merciful

Mr. President,

I wish to begin by extending our appreciation to you for convening this meeting on the report of the Security Council to the General Assembly. I also thank the distinguished Permanent Representative of Costa Rica, the Council's President for this month, for having presented the report to the General Assembly.

Mr. President,

Impartiality, transparency, accountability and fairness are key requirements on which the Security Council should base its approach in discharging its Charter-mandated responsibilities. To increase the transparency of its work and improving its working methods, the Council should seriously take into consideration the relevant provisions of the Charter as well as the resolutions which clarify its relationship with the General Assembly and other organs of the United Nations.

One more year has elapsed with no significant improvements in the said vital areas. Moreover, the reporting practice of the Security Council and the contents of its report remain as in the past. The report at hand, like those of previous years, only refers to cases where the Council has taken action, while it clearly fails to address the Council's inaction in cases where it should have acted promptly. A case in point for the Security Council's failure to act is its inaction vis-à-vis the Israeli regime's crimes against the Palestinian people that continues to be the most serious threat posed to regional and international peace and security. While the Palestinian people have continued to be subjected to various Israeli crimes and atrocities- crimes that were most recently termed by UNRWA as barbaric, shameful and inhumane - yet, as in the past, the Council has been rendered incapacitated to take any action in this regard.

Mr. President,

There may be different views among member States on how to enlarge the Security Council or how to proceed towards attaining this goal. There may also be divergent approaches on whether to, merely, add non-permanent members to the Security Council's composition or to add both permanent and non-permanent members. But there is no difference among the UN member States on the fact that the Security Council is certainly not responding to the needs, concerns and realities of the world today, and should, therefore, be reformed, both in its working methods and decision-making processes, as well as in its composition and structure. We all know that as it stands today, the Security Council is one of the most anachronistic international bodies that requires urgent comprehensive reform in order to correspond to the needs and requirements of the day.

We have noted that in the past few years- mostly as a result of the deliberations in the General Assembly's Open -Ended Working Group- certain steps have been taken to improve the Council's working methods. The Security Council's open debate on 27 August 2008 in which issues related to reform of the Council were addressed was also an important step in this regard. However, it is the common knowledge that despite the call on the part of the overwhelming majority of the UN member States, genuine transparency and real changes in the Council's working methods and its decision-making processes are yet to be achieved.

In the period under review we have continued to witness numerous instances where the Council has failed to honor its responsibilities vis-à-vis non-member States. They include, *inter alia*,: the continued increase in the number of informal consultations of the Council, far more beyond the exception they were meant to be; disregarding Article 31 of the Charter by refusing to allow non-Council members to participate in the discussions on matters affecting them and their interests; denying the right of the concerned countries to brief the Council on their positions on issues directly affecting their national interests; selective notification of meetings of the Council; failing to convene regular daily briefings; and denying the right of reply to countries against whom allegations are raised during certain formats of the Council's meetings. These are but a few of the shortcomings that have to be effectively addressed if the Council's working methods are to undergo meaningful reforms.

Even the contents of the note of the Security Council's President and its annex that include certain steps in the direction of improving the Council's working methods (contained in document S/2006/507), as modest and inadequate as they are, have not been fully implemented. For instance, despite the requirement of paragraph 42 of the aforesaid document that calls for consultation by the Council with "the broader United Nations membership in particular interested Member States, including countries directly involved or specifically affected... when drafting, *inter alia*, resolutions, presidential statements and press statements"; in many cases, the general membership and even the concerned countries are kept totally uninformed of the negotiations on resolutions or statements directly affecting them, let alone seeking their views on the Council's outcome documents.

Yet another example in this regard relates to paragraph 29 of the said document that stipulates "when non-members are invited to speak to the Council, those who have a direct interest in the outcome of the matter under consideration may speak prior to Council members". However, on many occasions, the Council has refrained from giving the chance to concerned countries to speak before the vote, and instead, has allowed them to

speaking only after the decision has been taken by the Council and the Council members have made their statements. Hence, the Council's decisions not only are less and less reflecting the wishes and views of the entire UN member States, but –in many cases- even do not represent the genuine opinion of its own general membership.

Mr. President,

Whereas in accordance with the UN Charter, the General Assembly as the chief deliberative, policy-making and representative organ of the United Nations is primarily entrusted with the task of progressive development and codification of international law, we have been witnessing an alarming trend in which the Security Council has been increasingly involved in law-making and norm-setting practices. This is a disturbing trend that runs counter to the letter and the spirit of the UN Charter and should be checked and reversed. Unnecessary and quick resort to Chapter VII of the UN Charter, and the threat or use of sanctions in cases where no actions have even been necessary, are other issues of concern for the general membership that have hurt the credibility and legitimacy of the Council's decisions.

Moreover, as rightly mentioned by the distinguished representative of Cuba in his statement on Behalf of the Non-Aligned Movement, the Security Council's increasing encroachment on the prerogatives of other main Organs of the United Nations particularly that of the General Assembly, ECOSOC and their subsidiary bodies, as well as such technical bodies as IAEA, is also of particular concern to the member States. A case in point in this regard is the imposition of the consideration of the peaceful nuclear program of the Islamic Republic of Iran on the Security Council by certain members permanently seated at the Council. In the period under review, and in a politically-motivated move, orchestrated by a few of its permanent members, the Security Council took some other unjustifiable and unfair measures against the peaceful nuclear program of the Islamic Republic of Iran. We believe that the Security Council's actions on Iran's peaceful nuclear program run counter to the provisions of the United Nations Charter and are unwarranted. Iran's nuclear program is absolutely peaceful and cannot be characterized as a threat to peace by any stretch of law, fact or logic, and therefore does not fall within the Council's purview.

Mr. President,

We believe that a meaningful reform of the Council will be possible only through addressing the aforesaid shortcomings and also through dealing with the question of underrepresentation of developing and Muslim countries in the Council in a serious and meaningful manner.

Before concluding, Mr. President, I wish to stress that as you proceed in implementing the difficult but important task bestowed upon you in moving the process of the reform of the Security Council forward, you will always find us beside you offering our sincere help and constructive support.

Thank you.