

Intervention by Ambassador Hardeep Singh Puri, Permanent Representative of India to the United Nations at the informal meeting (closed) of the plenary on the intergovernmental negotiations on the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Council, on 7 July 2010, New York

Mr. Chairman,

Let me begin by reiterating my delegation's appreciation of the way in which you have conducted this process of text-based negotiations. The statements that have been delivered till date by the overwhelming majority have also reflected the universal interest in the membership for real change.

Coming to the subject matter of today's negotiations, namely of "the question of the veto", I would like to elaborate our understanding of the various strands of the issue at hand.

Mr. Chairman,

In the negotiations leading to the creation of the United Nations Organisation, it was the firm and fervent belief of the victors of World War II that their continued presence in the Security Council had to be complemented by their unanimity in decision on matters of war and peace. These two attributes, namely uninterrupted representation on the Council and right of veto, came to define what we today refer to as the P5.

The veto had a particular relevance at the time that the UN was set up and during the cold war, serving a useful purpose. At the same time however, our assessment must be tempered by recalling the well-known fact that there have been instances where the use of the veto could have been avoided.

Today's world, however, is different. We, therefore, believe that there would be and, indeed, there should be much less scope for the use of the veto in addressing issues relating to the maintenance of international peace and security. This is also borne by the far less use of the veto in recent times, and the fact that even when it was used, a far greater play to the use of diplomacy could, perhaps, have avoided its usage.

Mr. Chairman,

A bird's eye viewing of the various proposals at hand shows that a very small minority wants the veto to be abolished altogether.

The large majority, however, prescribe some restrictions or limitations on the use of veto. These include provisions that state that the veto should not be used under certain circumstances like genocide, crimes against humanity and serious violations of international humanitarian law; war crimes, ethnic cleansing and terrorism, as well as on recommendations under Articles 4(2), 5, 6, 94(2) and 97 and on a matter under Article 96(1); situations of gross human rights violations; R2P situations and the like.

Another group of restraints on the use of the veto consist of those that call for an explanation on the use of veto; those that provide for overruling or setting aside a veto by the UNGA under certain circumstances or by the Security Council itself; and those that call for relevant improvements in working methods.

In so far as those that want the veto to be retained, this category itself consists of two approaches: (i) those that argue that the new permanent members should have the right of veto; and (ii) those that argue that new permanent members should not have this right.

Mr. Chairman,

In the view of my delegation, there is an urgent need to arrive at an innovative solution as we cannot allow the veto to have a veto over the process of Council reform itself.

The membership will recall that the G4 had begun with the position that all new permanent members must enjoy all the rights and prerogatives of the existing permanent members from the day the new permanent members assume their roles. However, to ensure that the veto does not veto Council reform, the G4 has put forth a revised approach that consists of two elements.

First, that the new permanent members should have the same responsibilities and obligations as the current permanent members.

Second, that the new permanent members shall not exercise the right of veto until the question of the extension of the right of veto to new permanent members has been decided upon in the framework of the review mandated fifteen years after the entry into force of the Council reform.

In conclusion, Mr. Chairman, the issue of veto, just like other issues, lends itself to considerable shortening of the text in Rev 2. Let me reiterate that the Indian delegation is willing to work with you and other delegations to shorten the text.

Thank you.

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