

Address by Deputy Minister of International Relations and Cooperation, Marius Llewellyn Fransman

South Africa's second term on the UN Security Council - expectations, objectives and challenges

Prof Sibusiso Vil-Nkomo, Executive Member of the University

Dr Laurie Nathan, Director for Center for Mediator & Programme Director

Fellow Panelists: **Dr Bjorn Muller** from the Danish Institute of International Studies and His Excellency **Mr Joao Ramos-Pinto**, Ambassador of Portugal

Members of the Diplomatic Corps,

Ladies and Gentlemen;

Students

I would like to preface my contribution to this panel discussion with a comment from our Minister of International Relations and Cooperation, Ms Maite Nkoane Mashabane speaking on the occasion of South Africa's second term on the UN Security Council when she said: "The United Nations itself is also at the dawn of a new era. Negotiations for its reform, including the expansion of its Security Council, are at an advanced stage – there should be no turning back. Our world is in need of a Security Council of the United Nations that has been expanded in both the permanent and non-permanent categories, and with improved working methods. This will make the Security Council more legitimate, representative and effective as a body - so that it can become more transparent and accountable. The successful conclusion of these negotiations and the consequent implementation of the reforms will ensure that indeed the United Nations is well and better positioned to play its role as a multilateral organization that holds out any hope for the future of our planet and its people."

It is therefore no secret what some of the key agenda items of South Africa's second term will be. It is also not beyond imagination that such a process will be hard-fought, tough, robust but absolutely necessary for the advancement of global peace, security and justice for all.

Ladies and gentlemen; The endorsement of South Africa's bid for the non-permanent seat of the United Nations Security Council by the African Union Summit in January 2010 and the country's election to the seat by UN member states in October 2010, signified the international community's acknowledgement and appreciation of South Africa's positive role and contribution to the maintenance of international peace and security. Such acknowledgement though only earns us a place at the table; what is critical is the continuation of the hard work by our highly capable team at UN and here on home soil; and our resoluteness that the aspirations of our country, our region, continent and friends across the globe rest squarely on our shoulders.

South Africa's Security Council membership so soon after its first tenure in 2007 – 2008 presents us with the opportunity to continue from where we left during our first Council tenure with consolidating close corporation and working relations between the UN and regional bodies such as the AU in the maintenance of international peace and security.

Ladies and gentlemen; Tangible gains have been made in this front. The UNSC adopted a resolution to formalise this working relation and a High Level Panel to address the financing of peacekeeping was established and the facilitation of consultation between the UNSC and the AU High Level Implementation Panel for Sudan are just a few examples to illustrate the point.

Through its council membership South Africa would be able to continue contributing to the accountability, transparency and collective decision making processes on issues before the Council. South Africa will utilise its Council membership in a responsible and constructive manner. In this connection SA will, as it did during its previous tenure, strive for Council resolutions that are reflective of a balanced approach on issues.

Pursuing the Security Council membership in an era where principles are often compromised for self-interest under the guise of pragmatism, South Africa would be able to strive for values and principles that the founding fathers of the United Nations had in mind when establishing their body in order

- "..... to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and
- to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and
- to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in larger freedom."

These enduring values and principles are enshrined in South Africa's Constitution.

Our membership of and participation in the activities of the United Nations and its bodies including the Security Council is a practical demonstration of South Africa's critical support for the work of the UN while mindful of the need to enhance its legitimacy and relevance in an era of complex and multifaceted threats and challenges that require multilateral cooperation and collaboration.

As expected of Security Council members, South Africa will actively contribute to the collective efforts of the Security Council to realize its Charter obligations to:

- maintain international peace and security in accordance with the principles and purposes of the UN;
- investigate any dispute or situation which might lead to international friction;
- recommend methods of adjusting such disputes or the terms of settlement;
- formulate plans for the establishment of a system to regulate armaments;
- determine the existence of a threat to the peace or act of aggression and to recommend what action should be taken;
- call on Members to apply economic sanctions and other measures not involving the use of force to prevent or stop aggression;
- take military action against an aggressor;
- recommend the admission of new Members;
- exercise the trusteeship functions of the UN's in "strategic areas";

- recommend to the General Assembly the appointment of the Secretary-General and, together with the Assembly, to elect the Judges of the International Court of Justice.

Ladies and gentlemen; Security Council membership will place South Africa in the forefront of international efforts in the maintenance of international peace and security. In this connection, South Africa will advance and promote approaches that deal with international peace and security in all its aspects. These approaches will, in keeping with South Africa's international work, be grounded or built on our domestic priorities and on our country's vision of an African continent that is prosperous, peaceful, democratic, non-racial, non-sexist and united and which contributes to a world that is just and equitable.

South Africa's contribution to the Security Council in the maintenance of international peace and security will, among others, entail participation in the Council's conflict resolution and post-conflict reconstruction activities. South Africa's stewardship over the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa will present the country with an ideal of influencing Council approaches to conflicts on the continent. To no less extent, South Africa will also seek to contribute to reforming the working methods of the Security Council.

While there will always be one or two issues that dominate the headlines/spotlight among those on the agenda of the Security Council – eg Cote d'Ivoire or the North African "uprisings" – South Africa will continue:

- To focus on conflict and post-conflict situations in Africa and in particular the situations in Côte d'Ivoire, DRC, Burundi, Guinea-Bissau, Sudan, Somalia, Ethiopia/Eritrea and Western Sahara;
- To pay particular attention to the Middle East peace process (Israeli-Palestinian and Lebanese/Syrian tracks);
- To target those thematic debates that are of importance to Africa and have a specific outcome (for example, 'children in armed conflict'; 'women, peace and security');
- To be transparent and accountable to the wider UN membership;
- To help improve the working methods of the Security Council to make it a more legitimate, representative and effective body.

Our role in the Council has to be seen in the context of our overall foreign policy objectives. Since our democratic changes in 1994, our foreign policy has been driven by the strategic objective of creating "a better SA, a better Africa and a better world".

During the current cycle, our international engagements are anchored on the five priorities of Government, namely: job creation, education, health, crime prevention, rural and land reform. The Department seeks to ensure that these national priorities find expression in its work at regional, continental and international levels. In this connection, the country's UN Security Council (UNSC) membership should be used to mutually reinforce what the country does abroad and what the country wants to achieve domestically.

Ladies and gentlemen; Our pursuits in the Security Council are thus informed by the central thrust of our foreign policy which stands on four pillars – that is:

- Promoting and advancing the interests of our continent, including the SADC sub-region;
- Working with countries of the South to address challenges of underdevelopment, our marginalisation in the international system, and the promotion of equity and social justice globally;
- Work with countries of the North to develop a true and effective partnership for a better world;
- Do our part to strengthen the multilateral system, including its transformation, to reflect the diversity of our nations, and ensure its centrality in global governance.

In all our engagements we are committed to bringing peace, security and development to Africa. Noting that a substantial focus of UNSC activities and agenda are on the continent, South Africa will always champion and advance the African Agenda and collaborate with other African member states (Gabon and Nigeria) currently serving on the UNSC in pursuing issues pertinent to Africa's socio-economic development, stability, peace and security.

South Africa will continually endeavour to utilise its non-permanent membership in a manner that contributes invaluable to the work of the Security Council. Among others, we will forge partnerships with Council and non-Council members from across the spectrum on important socio-economic developmental matters, as well as security sector reform, small arms, disarmament, non-proliferation and arms control.

In light of the fact that decisions taken by the UNSC under Chapter VII are binding on all UN Member States, it is imperative for SA to be part of this decision making forum especially on African matters. SA's experience as a non-permanent member in 2007-2008 showed the significance of this since the Council can sometimes take decisions that are not in Africa's favour even on continental matters. South Africa can therefore be an important countervailing force in the Council in defence of Africa's aspirations.

South Africa's non-permanent membership of the Security Council brings with it with heavy responsibilities and its own challenges:

- As was evidenced by SA's 2007 – 2008 Council tenure, presence within the UNSC puts the country's foreign policy positions under the spotlight;
- Limited institutional knowledge of the Council and its subsidiary bodies can inhibit effective participation within the SC;
- The ability of developing and African countries to operate effectively and in a unified manner in the Council is limited. The African group is not always cohesive within the Council. The influence of the P5/developed countries over some elected members makes alliance building difficult.
- The Council is dominated by the five permanent members – scope for elected members to influence decision making processes is limited.
- Major international players like the USA, France, the UK, China, the Russian Federation, Italy and Belgium have divergent and at times conflicting interests on/in the African continent. SA has to be mindful of these interests as it participates in decision-making within the Council as its actions have a potential of being perceived as a threat to those interests.

- Even though African issues dominate the agenda of the SC, African countries have difficulty in influencing decisions or decision-making on those issues.

Ladies and gentlemen; All in all, South Africa recognizes the importance of continuing to work together with all members of the AU and the UN in pursuit of an effective system of global governance. We continue to forge partnerships with Security Council and non-Council members from across the spectrum on important socio-economic developmental matters, as well as on areas such as security sector reform, and disarmament and non-proliferation issues.

We hold consultations and engagements with other UN Member States on issues that are on the agenda of the Security Council – these engagements include the P5 members, countries within the Council and the general UN member states. These engagements are informed by the issues on the agenda of the Council and challenges in terms of (i) Security Council domination by the P5; (ii) power relations between elected Council members and the P5 and; (iii) lack of coherent presence of Africa within the Council. What we have found is that South Africa's consultations and engagements with other UN member states have served to broaden the understanding of each other's approach to issues before the Security Council and to build issue based alliances. The engagements also serve the purpose of strengthening strategic approaches whether it is with other African countries in the Council, elected members or with P5 members.

The Security Council is a crucial tool in the United Nation Organisation's arsenal for effecting global governance. Its reform and expansion remains one of the key outstanding areas in the UN reform process.

Ladies and gentlemen; As we seek to transform the UN, it is also important that we consider the importance that the drafters of the UN Charter attached in designing a system of checks and balances, as they gave different powers and functions to its different organs. Today, however, we see the increasing empowerment of the Security Council at the expense especially of the General Assembly and other organs. The Security Council has tended to encroach on the competencies of the other principal organs of the UN. It has also increasingly assumed for itself a legislative and treaty interpreting or amending role.

There is no doubt that this approach also weakens multilateralism in the sense that other organs and bodies can lose their specialised mandates to the Security Council. We therefore need a renewed commitment to the strengthening of a rules-based multilateral system of global governance based on the democratic ideal. Multilateralism remains the most effective and efficient system for addressing global problems.

UNSC reform should seek to bring into the decision-making process countries more representative of the broader membership, especially of the developing world; They should not impair the effectiveness of the Security Council; They should increase the democratic and accountable nature of the body

One of the major achievements of SA's membership of the UNSC was its initiative on the role of regional organisations in the maintenance of international peace and security, namely Chapter VIII of the UN Charter. This resulted, among others, in the institution of annual meetings between the AU Peace and Security Council (AUPSC) and the UNSC that

alternate between Addis Ababa and New York. This was a substantive achievement as coordination on the overlapping agendas of the two Councils is of paramount importance.

As a country, we will continue to work for greater alignment to the work of the Security Council and that of the African Union, especially the AU Peace and Security Council of which South Africa is currently a member. Closer cooperation between the UN Security Council and the AU Peace and Security Council will contribute to enhancing the convergence of perspectives and approaches of the two bodies in tackling and responding to peace and security challenges in Africa.

The country's past experience of being in the Security Council is that South Africa was not fully prepared for the extent to which countries – especially some of the P5 countries – manipulated the media to promote their interests and undermine those of their rivals. These countries regard the international media as an indispensable part of their Security Council arsenal. While manipulating the media is something we as a country would not find desirable, engaging more and better with the South African populace and our continent as a whole on our actions within the Security Council is what we have undertaken to do.

South African's have fought long and hard against being second class citizen's in our own country. There is no reason why we would accept the same in other forums to which we belong. Recently Minister Maite Nkoane Mashabane expressed this sentiment when she said: "While we are on the UN Security Council as non-permanent members, we remain concerned that we are there as second-class citizens ... I do believe, therefore, that the time is opportune, given our joint representation in the UNSC, to conclusively advance UNSC reform".

In conclusion let me say that we have embarked on the second stage of a long journey; one which destination is permanent membership for our continent and the developing world; and ultimately the goal of advancing global peace, security and multilateralism in a family of nations. In his farewell address to the United Nations in September 1998 President Nelson Mandela said: "Thus can we say that the challenge posed by the next 50 years of the Universal Declaration of Human Rights, by the next century whose character it must help to fashion, consists in whether humanity, and especially those who will occupy positions of leadership, will have the courage to ensure that, at last, we build a human world consistent with the provisions of that historic Declaration and other human rights instruments that have been adopted since 1948".

This is our historic task in which we will not and dare not fail. We will indeed live up to that famous slogan of our struggle attributed to Amilcar Cabral : "Tell no lies and claim no easy victories!"

I thank you!