



**PERMANENT MISSION
OF THE PRINCIPALITY OF LIECHTENSTEIN
TO THE UNITED NATIONS
NEW YORK**

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CHECK AGAINST DELIVERY

SECURITY COUNCIL – OPEN DEBATE

WORKING METHODS

STATEMENT BY H.E. AMBASSADOR CHRISTIAN WENAWESER

PERMANENT REPRESENTATIVE OF THE PRINCIPALITY OF LIECHTENSTEIN TO THE UNITED NATIONS

Mr. President,

In addition to the statement of the ACT group, we wish to add a few points to today's discussion.

At a time when the world faces so many challenges – from the crisis on the Korean peninsula to the crises of protection of civilians in Syria, Yemen, Myanmar, among others – the need for an effective Security Council is more obvious than ever. And the centrality of the Council in a multilateral response to such crises cannot be overstated. Yet, time and again, we have witnessed paralysis in the Council and inability to carry out its functions – on behalf of the entire membership – effectively, with dramatic impact on international stability and enormous human suffering as a result.

In this context, **the use of the veto has played a central and unfortunate role**. In the recent past in particular, the veto has repeatedly been used in stark opposition to the spirit of the Charter, preventing the Council from fulfilling its tasks under the Charter. Examples range from a number of resolutions on Syria to the reaffirmation of relevant international law with respect to the situation in the Middle East. Indeed, Permanent Members should play a leading role in upholding the Council's decisions as they are binding on the entire membership in accordance with article 25 of the UN

Charter. We all have accepted the veto when joining the United Nations. And while many of us favor its abolition, as a matter of principle, working on an understanding on its use is the more promising path. **The ACT group has developed a Code of Conduct regarding Security Council action against mass atrocity crimes which includes a commitment not to vote against Council action to counter such crimes.** To date, 114 States – large and small, from all regions of the world – have subscribed to it, including two Permanent Members of the Council. These States are also committed to timely and decisive Security Council action against the worst crimes under international law if and when they serve on the Council. This year is the first time since the elaboration of the Code of Conduct that nine States who support it serve on the Council – a procedural majority which can be of crucial importance for placing topics on the Council’s agenda. We look forward to working with these States in particular to ensure that the Code of Conduct can over time bring about a change in the political culture in the Council – a change that is very badly needed. I thus call on all States that have not yet joined the Code of Conduct to do so. Liechtenstein, as a matter of policy, only supports Security Council candidatures from countries that have joined the Code of Conduct.

Along similar lines, the **Council should act as an enforcer of accountability for the most serious crimes under international law.** Accountability for atrocity crimes not only reduces impunity for such crimes, it also helps to prevent them in the future and thus contributes directly to the maintenance of international peace and security. Where possible, States in question should be offered assistance to ensure such accountability in their national systems – with the help of international components, when necessary. But, referrals to the International Criminal Court (ICC) by the Security Council are of course also critical when all other accountability approaches have failed. The Secretary-General recently renewed his calls on the Council to refer the situation in Syria to the ICC. We support this call – the work of the ICC in this respect could be greatly assisted by the IIIM, created by the General Assembly in 2016.

In December, **States Parties to the Rome Statute added a new tool to the Council’s toolbox by activating the ICC’s jurisdiction over the crime of aggression** – with legal effect beginning on 17 July 2018. This is a landmark development in the history of international law and complementary to the

prohibition of the illegal use of force enshrined in the UN Charter. The Council should thus use its ICC referral powers with respect to the crime of aggression wisely, as it has the tremendous potential not only to hold leaders that decide to commit illegal acts of aggression accountable but to deter illegal war-making in the first place.

Thank you.