



**PERMANENT MISSION  
OF THE PRINCIPALITY OF LIECHTENSTEIN  
TO THE UNITED NATIONS  
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CHECK AGAINST DELIVERY

SECURITY COUNCIL – OPEN DEBATE

**MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY: UPHOLDING THE UNITED NATIONS  
CHARTER**

**STATEMENT BY MYRIAM OEHRI, SECOND SECRETARY**

CHARGÉE D'AFFAIRES

Mr. President,

We thank Vietnam for convening today's timely debate. In its 75th year, the United Nations Charter remains the centerpiece for multilateralism and the international rules-based order. Upholding its purposes and principles is indispensable for the maintenance of international peace and security. A clear renewed commitment by the membership to this end is needed in light of the ongoing erosion of certain key provisions of the Charter, including those governing the use of force, in particular given current tensions with the potential of further escalation. When joining the UN, we have all accepted that the use of force is illegal, except when authorized by the Security Council or carried out in self-defense. When invoking Article 51 preventively, States owe the international community a thorough justification, including evidence of the imminence of an external threat and the proportionality of measures taken in response. Excessively expansive and unchecked interpretations of Article 51 are a threat to the international rules-based order and an obstacle to the promotion of international peace and security.

Mr. President,

On International Justice Day 2018, the International Criminal Court's jurisdiction over the crime of aggression went into effect – marking the first time in history that a permanent international court has the authority to hold individuals accountable for this crime. This also equips the Security Council with an important new tool: the ability to refer situations involving acts of aggression to the ICC. If applied in a meaningful way, this new tool can assist the Security Council in the prevention of conflicts, reinforcing its role under the UN Charter to maintain international peace and security. And this new tool is ever more relevant given the proliferation of grave cyber-attacks – acts over which the ICC also has jurisdiction if requisite thresholds are met.

Mr. President,

In too many instances we have seen that political divisions prevent the Security Council from taking the action necessary to address some of the worst crises of our times, with enormous costs in terms of human suffering. Over the last decade, the use of the veto has significantly increased, most significantly with respect to the situation in Syria. In addition, the veto has had a paralyzing effect of anticipatory obedience with negative consequences on the ability of the Council to perform its tasks. As the Security Council acts on behalf of the entire membership, the General Assembly has a responsibility to hold the Security Council accountable in such cases. This is why Liechtenstein supports the automatic convening of the General Assembly whenever a veto is cast in the Security Council to discuss the matter. Such a discussion would take place without prejudice to any possible outcome and irrespective of the substance of the resolution that was subject to a veto.

The situation in Myanmar is one example of where the Council has failed to carry out its responsibilities due to the mere threat of the veto. While this is deeply concerning, we are encouraged that alternative tracks to address the situation in Myanmar have been found. Recent proceedings at the International Court of Justice under the Genocide Convention, and efforts to ensure individual criminal responsibility underway at the International Criminal Court and the

Independent Mechanism for Myanmar act in complementarity to bring justice to the victims of Myanmar's atrocity crimes. These are positive steps. At the same time, we continue to expect the Council to carry out its duties as envisioned under the UN Charter – the proceedings before the ICJ should be yet another reason to do so. Liechtenstein continues to promote the ACT Code of Conduct, now supported by 121 States – including two-thirds of the current Security Council membership – for timely and decisive Security Council action to prevent and end mass atrocity crimes.

I thank you.