



**PERMANENT MISSION
OF THE PRINCIPALITY OF LIECHTENSTEIN
TO THE UNITED NATIONS
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INTERGOVERNMENTAL NEGOTIATIONS ON THE QUESTION OF EQUITABLE REPRESENTATION ON AND INCREASE IN THE MEMBERSHIP OF THE SECURITY COUNCIL AND RELATED MATTERS

THE QUESTION OF THE VETO

STATEMENT BY H.E. AMBASSADOR CHRISTIAN WENAWESER

PERMANENT REPRESENTATIVE OF THE PRINCIPALITY OF LIECHTENSTEIN TO THE UNITED NATIONS

Mr. Chairman,

Thank you for convening this second meeting in this round of negotiations in the framework of the IGN. We are grateful for this opportunity to discuss the question of the veto as a key component of a package on Security Council reform. After having been in abeyance for the first decade after the end of the cold war, a recent resurgence of the use of the veto makes our discussion today even more topical and crucial.

The first aspect of the question before us is who has the competence to exercise a veto, i.e. block the adoption of a decision that otherwise enjoys the required support from the Council membership, in accordance with the relevant provisions of the Charter. Like many other States, we believe that expanding the “veto right” to additional permanent members of the Council would only compound the existing problem in this respect. The intermediate model for the expansion of the Security Council proposed by Liechtenstein does therefore not further extend the veto. The question does in fact not arise as, under this model, no new permanent seats as such would be created, while States could in the future serve permanently on the Council, if regularly re-elected by the membership. At the same time, however, the existing veto power of the five permanent members of the Council would not be affected. This proposal is the result of a realistic assessment of the political realities. An amendment to the existing Charter provisions on the veto is simply not viable - due to the fact that the Charter gives the P-5 a *de facto* veto over any amendment to the Charter itself. Nevertheless, we share the discomfort of many with the veto right, in particular in light of the way it has been used in the recent past – and of course we are aware of the fact that the official position of the majority of the membership is that the veto should simply be abolished.

The second aspect of the question of the veto, which falls squarely within the mandate of this negotiation, is its linkage with the issue of working methods of an enlarged Council. By virtue of their veto power, the P-5 have accrued a number of privileges throughout the UN system as a whole, but more specifically also in the area of the Council's working methods: these include a near-monopoly over penholderships, which amounts to the leadership on substantive issues, and – in an apparent contradiction – the 'generous' practice of leaving the cumbersome work of chairing subsidiary bodies to elected members, all while retaining a *de facto* veto right in them. The practice of rotating the Council presidencies should also be adjusted in a way that ensures that every elected member of the Council can serve as its President at least once. All these issues will have to be addressed as part of an agreement on Council expansion, as reflected in the non-paper produced by the Advisory Group and transmitted by the President of the Assembly for consideration in the IGN process.

Finally, and more generally speaking, there is a clear political need to address the question how the veto is actually used. Of central importance in this respect is Article 24(2) of the UN Charter, which stipulates that the Council shall act in accordance with the purposes and principles of the United Nations in discharging its duties. Some of the vetoes cast in the recent past, most prominently in connection with the crisis in Syria, have prevented the Council from doing just that. We and many others have therefore long advocated for a code of conduct amongst the permanent members of the Security Council, under which they would commit to refraining from the use of the veto on a decision aimed at preventing or ending genocide, crimes against humanity or war crimes.

We continue to support this approach as a member of the ACT Group, and are grateful to the delegation of France for its leadership role in advancing this discussion. We are hopeful that such a code of conduct could be formulated by the end of this session of the General Assembly and look forward to engaging with the permanent members to help achieve this goal.

This project falls outside of the ongoing efforts to find agreement on an enlargement of the Council. Much rather, it would be a voluntary agreement among the Permanent Members – which of course could be acknowledged by the General Assembly, which has expressed itself in the past on the question of the use of the veto. While thus not falling within the mandate of decision 62/557, a code of conduct could certainly help pave the way to the great bargain that will be required to agree on a package on Security Council reform. Let me also make it clear that we believe that such a package must contain a mandatory review, taking place at a set point in time – and that such a review must entail a discussion of all aspects of the veto.

I thank you.