



**PERMANENT MISSION
OF THE PRINCIPALITY OF LIECHTENSTEIN
TO THE UNITED NATIONS
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INTERGOVERNMENTAL NEGOTIATIONS ON SECURITY COUNCIL REFORM (IGN)

QUESTION OF THE VETO

STATEMENT BY H.E. AMBASSADOR CHRISTIAN WENAWESER

PERMANENT REPRESENTATIVE OF THE PRINCIPALITY OF LIECHTENSTEIN TO THE UNITED NATIONS

Madam Chair,

I have the honor to speak also on behalf of Ireland. As you requested in your most recent letter to Member States, our comments today will address the veto both in the context of the **expansion** of the Security Council and its **current use**.

It is safe to say that the possibility for Permanent Members of the Council to unilaterally block a Council decision is one of the most controversial provisions of the UN Charter. As a matter of fact, the formal position of the majority of the UN membership is that the veto should be abolished. Already at the San Francisco conference, there was staunch opposition to the deeply undemocratic notion of a veto right, and the misgivings have only grown since, in particular in light of the impact that the veto has had as well as in the manner it has at times been used: All of us have of course accepted the veto when ratifying the UN Charter, but we did so in good faith, supporting the drafters' intention to craft the Security Council as the central international institution for the maintenance of international peace and security. In practice, the veto has often been used in stark opposition to the spirit of the Charter, obstructing rather than enabling the Council to fulfill its obligations under international law. Examples range from vetoes on the

settlement policy in the occupied territories to several resolutions on Syria, including the much-needed referral of the situation to the International Criminal Court (ICC). The veto on the illegal annexation of the Crimea was particularly disturbing, as it was cast by a Permanent Member that should not have participated in the vote according to the Charter provisions itself. But, of course, the implicit threat of the veto has had a devastating impact in situations where it was not resorted to, most notably in the failure of the Security Council to take action to help prevent the genocide in Rwanda.

So we certainly share the grievance and misgivings in the membership about the veto and how it is used – we also find it particularly disturbing that there is an apparent unwillingness among the Permanent Members to seriously respond to concerns of the membership around the veto. Nevertheless, our task today is to answer the question how this is to be translated into the context of Security Council enlargement. We believe that we should opt for a **pragmatic approach** and look for a solution that is both **politically viable** and enables the Council to carry out its tasks. Given the difficulties the Council is facing today in carrying out its tasks, we find it highly counterintuitive to suggest the creation of additional veto rights. While we agree that leaving the veto provisions untouched is a continuation of a system long obsolete, we do not believe that creating additional veto rights is a better option. Much better, we believe that the use of the veto should be gradually reduced and subject to a comprehensive review at an agreed moment in time.

To this end, and while we are willing to discuss all proposals, our countries advocate an **intermediate model** of Council expansion. We favor the creation of a new category of seats: States thus elected could serve for a **longer term**, for example, eight or ten years, with the possibility of immediate **re-election**. These States would obviously not be given the veto right - instead, the veto will be addressed in a **mandatory review process** to take place 16-20 years after the Council reform has taken effect, along with other issues, such as the size of the Council. We do not see how the creation of new veto rights could be in the interest of the

organization or indeed be politically viable, especially in the ratification process necessary for Council expansion.

Madame Chair,

This leads me to the second point of today's debate: the current use of the veto. As indicated above, the Permanent Members have been generally unresponsive to the criticism in the membership of the use of the veto. For some of them, a mere discussion of the veto has amounted to a sacrilege, while it is clear that the veto has frequently been misused in a manner which clearly contradicts the spirit and letter of the UN Charter. It seems clear to us that a political engagement from the Permanent Members is necessary to prevent a deep division in the UN membership. Ensuring that the veto is used only in the most exceptional of circumstances and in strict accordance with the purposes and principles of the Charter, as outlined in its Article 24(2) is the path to choose. And indeed, there is some reason to be optimistic: There are a couple of Permanent Members who are practicing a de facto moratorium, as they have not resorted to the use of the veto in well over two decades. And they have also made a very important public commitment of voluntary self-restraint by committing themselves –along with 108 other UN member States – to the **Code of Conduct** regarding Security Council action against genocide, crimes against humanity or war crimes. The Code of Conduct and its application in practice are among the measures required to bring about the change of political culture in the Security Council which can bring the membership closer together on the question of the veto. The Code is a political commitment, which does not affect the expansion discussion, but can contribute to a more positive climate for our discussions and, more importantly, reinforce the standing of the Security Council as the guardian of international peace and security. As members of the ACT group, in the framework of which the Code was elaborated, we call on all States – and, in particular, all permanent Council members – that have not yet done so to subscribe to it soon.

I thank you.