



PERMANENT MISSION OF THE PRINCIPALITY OF LIECHTENSTEIN
TO THE UNITED NATIONS

UN GENERAL ASSEMBLY – INFORMAL MEETING
THE QUESTION OF THE VETO

STATEMENT

BY

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CHECK AGAINST DELIVERY

Mr. Chairman,

We are grateful for this opportunity to address the question of the veto, a topic that has already been addressed by some delegations in previous consultations. We have in the past repeatedly expressed our views on this topic, including in the context of the working methods of the Security Council, and would like to recall the main points in this respect:

Like many other Member States, we believe that the sheer **existence of the veto right** for permanent members of the Security Council is an important issue for any discussion on the reform of the Security Council. The Council was not conceived as a “democratic” organ, and the veto right is the clearest expression of this. The veto is the original source of selectivity in the Council’s work, both actual and perceived. It is also the main source of power of the P5 – including power exercised indirectly, through the so-called cascade effect – and of the institutional imbalance prevailing at the UN today. The Charter itself acknowledges the problem of selectivity to a certain degree, in that the little used provision of article 27, paragraph 3, forces members, including permanent members, to abstain from voting on decisions under Chapter VI if they are a party to the dispute. Given the fact, however, that the veto right also extends to changes to the UN Charter, we are under no illusion as to the feasibility of radical change with respect to the existing veto.

We must therefore concentrate our efforts on the **use of the veto**. We are of the view that changes in this respect are both possible and in the interest of the Security Council itself. We would like to remind delegations that the draft resolution of the S-5 on the working methods of the Security Council¹ contained some modest recommendations in this regard: First, permanent members should at least **explain their reasons for using the veto**. Second, permanent members should commit themselves to a policy of not casting a veto in situations where **genocide, crimes against humanity and similar acts** are involved. In the context of genocide, one must even question if the use of the veto is legally compatible with the obligation to prevent genocide under the Genocide Convention.

Beyond the S-5 proposals, we have in the past also suggested that permanent members consider the use of what could be called a “**soft**” **negative vote**. Permanent members could declare, upon casting a negative vote, that they do not intend to block the

¹ A/60/L.49

Council's decision. While technically casting a no-vote, they could thus declare that such a vote would not amount to a non-concurring vote in the sense of the Charter. This would give permanent members an additional tool to express their position vis-à-vis a Council decision, and effectively soften the veto – thereby making the veto a more acceptable and legitimate tool. Proceeding in such a manner would, in our view, be compatible with Article 27 of the United Nations Charter in the same manner as it is established that an abstention by a permanent member does not block a Council's decision, either. Nevertheless, if considered necessary, the possibility of a soft negative vote by a permanent member could also be added explicitly to the wording of Article 27, ideally as part of the "intermediate" solution and in any case as part of an overall package on Security Council reform that would involve several Charter amendments.

With respect to the demands for **new veto rights** for new permanent members, we would like to repeat for the record that we consider such new veto rights neither desirable nor achievable. Furthermore, the issue of new veto rights is even less realistic, and in fact irrelevant, for the purpose of an intermediate solution that we have been advocating for a number of years now. We would not object to making the issue of new veto rights an explicit element of a review clause, provided that this clause would also refer to the question of the existing veto.

Mr. Chairman

In conclusion, our position on the question of the veto is both pragmatic and principled. Changes in the use of the veto should be achieved through improvements in the Council's working methods and as part of a package comprising an intermediate solution to Security Council reform. The review of the intermediate solution should then cover the question of the veto in all its aspects. For the current phase, we look in particular for the active engagement of the Permanent Members of the Council. It is quite clear that the conditions quoted to justify the creation of the veto in 1945 do no longer exist. Bringing at least its application closer in line with the current needs and realities is a matter of enlightened self-interest for the Council.

Thank you.