



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

SECURITY COUNCIL - OPEN DEBATE

**PROMOTION AND STRENGTHENING OF THE RULE OF LAW IN THE MAINTENANCE OF
INTERNATIONAL PEACE AND SECURITY: THE RULE OF LAW AMONG NATIONS**

STATEMENT BY MYRIAM OEHRI, DEPUTY PERMANENT REPRESENTATIVE, CHARGÉE D'AFFAIRES A.I.

Mr. President,

The past year in particular has made it clear that the respect for the rule of law at the international level cannot be taken for granted. The brutal aggression by a permanent member of this Council against a founding member of the United Nations is an unprecedented attack against the UN Charter – the very foundation of the international rules-based order we are discussing today. And it is a stark reminder of the need to stand up for this order at all times.

The United Nations Charter is clear on the prohibition of the illegal use of force and the peaceful settlement of conflicts. Aggression – as defined by the General Assembly by consensus in 1974 in the middle of the cold war – is one of the most blatant assaults on a rules-based international order and must be met with a clear response. The Security Council, with its primary responsibility for the maintenance of international peace and security on behalf of the UN membership as a whole, has an obligation to act. In the case of Ukraine, the Security Council has delegated its responsibility to the General Assembly, as it was unable to make any meaningful decision due to the veto power. Enforcement of the key provisions of the UN Charter also entails accountability where they are violated in a blatant manner, including through individual criminal responsibility for the crime of aggression, which falls on individuals in leadership positions. As a referral to the International Criminal Court by the Council, which would be the ideal course of action, seems very unlikely at best, we have the obligation to think about alternative paths to

ensure accountability for the aggression against Ukraine.

Mr. President,

When the Council is blocked by the veto, the General Assembly must step in, as it has done successfully on various occasions in the past year. The General Assembly is the only universal organ of this organization, and the main guardian of the rule of law. Efforts to strengthen the Assembly's role thus remain crucial. General Assembly resolution 76/262, also known as the "Veto Initiative", adopted last year by consensus is an essential step towards that end. It has increased the accountability and transparency of the work of this organization, including by its impact on the use of the veto itself. And it has contributed to the public perception of the effectiveness of the United Nations as a whole. Going forward, we also see an urgent need to discuss the manner in which Article 27.3 of the UN Charter – stipulating that "a party to a dispute shall abstain from voting" – is and should be applied.

Mr. President,

Liechtenstein continues to support the work of the International Court of Justice to safeguarding the rule of law at the international level, including its advisory role on legal questions. This is also exemplified by Liechtenstein's most recent declaration of intervention under Article 63 in the case of allegations of genocide under the genocide convention (Ukraine vs. Russia). This Council too has the competence to ask the ICJ for advisory opinions on any legal question.

Any efforts to strengthen the rule of law, as suggested by the Secretary General with the "new vision of the rule of law" and in the context of the "New Agenda for Peace", must be grounded in the UN Charter provisions, the Declaration of the high-level meeting of the General Assembly on the rule of law at the national and international levels of 2012 (Resolution 67/1) as well as SDG 16 on peace, justice and strong institutions. Justice and peace necessarily go hand in hand, and they must be at the center of our common efforts, especially this year.

I thank you.