



**PERMANENT MISSION
OF THE PRINCIPALITY OF LIECHTENSTEIN
TO THE UNITED NATIONS
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AS DELIVERED

GENERAL ASSEMBLY

STATEMENT BY MR. CHRISTIAN WENAWESER, AMBASSADOR, PERMANENT REPRESENTATIVE

ITEM 30: REPORT OF THE SECURITY COUNCIL

Mr. President,

Liechtenstein is a member of the ACT Group and aligns itself with the statement delivered by Estonia. I would like to add the following thoughts on the Council's record in preventing or ending atrocity crimes, on the basis of some select examples. I do this against the background of the launch, on 23 October, of the Code of Conduct regarding Security Council action against genocide, war crimes and crimes against humanity. In signing up to this Code of Conduct, 106 States have pledged to support timely Security Council action to prevent or end atrocity crimes and, specifically, not to vote against credible draft resolutions to that end. We hope that this commitment, which was also made by nine of the present members of the Security Council, will lead to an improvement of the Security Council's track record in this respect.

The Council's sustained engagement with the situation in **Burundi** during the reporting period is commendable. Indeed, the Council's visit to the country in March seems to have been well timed.¹ Nevertheless, it was not able to address the violence that accompanied the elections and the chaotic circumstances surrounding them. Meeting regularly² and issuing a Press Statement³ did not prove to be

¹ Report of the Security Council to the General Assembly (covering the period from 1 August 2014 to 31 July 2015), A/70/2, Introduction, paragraphs 8 and 9.

² *Ibid*, paragraph 12

an adequate response to a crisis that led 144,000 Burundians to flee their country during the reporting period alone. The inability to engage in effective preventive diplomacy has resulted in the present situation, on which the High Commissioner for Human Rights and the Special Advisor for the Prevention of Genocide, and the Prosecutor of the International Criminal Court, among others, have commented with deep concern. The Council is challenged to act with resolve to address this very explosive situation, which is a test for the practical application of the Code of Conduct. We therefore welcome that the Security Council has scheduled action on a draft resolution later this morning.

The Council's engagement with the situation in **Darfur** has a long history. And yet, despite the presence of one of the largest peacekeeping operations in UN history, despite targeted sanctions and despite the referral of the situation to the International Criminal Court, the conflict continues, as do serious violations of international human rights and international humanitarian law. During the reporting period, the Council was confronted by reports of mass rape by members of the Sudanese armed forces in Thabit, Northern Darfur.⁴ No proper investigation was commissioned, UNAMID was repeatedly denied access, and the Sudanese government even demanded its eventual withdrawal. The Council has not applied its sanctions against any of the persons indicted by the ICC, nor has it made any new listings in light of recent atrocity crimes. At the same time, the government has continued its policy of non-cooperation with the ICC, to which the Council referred the Darfur situation ten years ago, without any response from the Council. All this has, over time, fostered a climate of impunity in which the commission of atrocity crimes is only a logical consequence. We share the frustration of the ICC Prosecutor, who has decided – despite the continued commission of crimes that demand urgent attention – to direct her limited resources elsewhere in the face of Council inaction.

In the situation in **Syria**, too, the Council has not been able to adequately respond to what has become the defining conflict of the decade. It adopted two resolutions on Syria during the reporting period. Resolution 2191 (2014) on the humanitarian situation demanded, among other things, that “all parties to the conflict comply with international humanitarian law and international human rights law”.⁵ This resolution continues to be manifestly breached on a daily basis, and yet the Council is unable to respond. Resolution 2209 (2015) dealt with chemical weapons, which, to be sure, constitutes one of the

³ *Ibid*, paragraph 14.

⁴ *Ibid*, paragraph 72.

⁵ *Ibid*, paragraph 3.

more morbid aspects of the Syrian conflict. And yet, the Council's one-sided focus on the chemical weapons track is at best missing the larger point in a conflict that has killed more than a quarter of a million people. At worst, it gives the impression that mass killings of civilians perpetrated by other means, including torture, starving and barrel bombs, deserve less attention than the use of weaponry prohibited under international law. On the humanitarian track, the Council has taken commendable steps, but implementation continues to be a problem, of which the ongoing large-scale displacement of the civilian population is but the most obvious expression.⁶ Conspicuous by their absence in the Report are any attempts to provide justice to the victims of atrocity crimes in Syria.. to establish a credible accountability mechanism and to provide effective protection to the civilian population.

Mr. President,

We acknowledge the efforts by some members to move the Council to do the right thing in each of these situations. There is, however, no way around the conclusion that the Council has been largely unable to take adequate action to prevent or end the commission of atrocity in spite of a varied and impactful toolkit at its disposal. And while it has used that toolkit most creatively in some situations – for example in the chemical weapons track in Syria or in the creation of worldwide anti-terrorism sanctions – it has been unable to do what is needed in many situations involving atrocity crimes. We are concerned in particular because the Council's performance is key for the overall perception of the United Nations – inability or unwillingness to act in the face of atrocity crimes is particularly harmful for the reputation of the Organization. We expect the Council to be responsive to the demand of the membership as a whole and to do its work in a **culture of political accountability**. By supporting the Code of Conduct on Security Council action against atrocity crimes, 106 States have made it clear that they expect **zero tolerance for atrocity crimes**. The Council members that have signed up to the Code of Conduct have a special responsibility, but we hope that the Council as a whole will heed this call for a change of culture. We look forward to reading about the beginnings of this cultural shift in next year's report.

I thank you.

⁶ *Ibid*, paragraph 119.