



**PERMANENT MISSION  
OF THE PRINCIPALITY OF LIECHTENSTEIN  
TO THE UNITED NATIONS  
NEW YORK**

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CHECK AGAINST DELIVERY

**GENERAL ASSEMBLY**

**AGENDA ITEM 124 – STRENGTHENING OF THE UNITED NATIONS SYSTEM**

DEBATE - VETO INITIATIVE – “THE SITUATION IN THE MIDDLE EAST”

**STATEMENT BY H.E. AMBASSADOR CHRISTIAN WENAWESER**

PERMANENT REPRESENTATIVE OF THE PRINCIPALITY OF LIECHTENSTEIN TO THE UNITED NATIONS

Mr. President,

We appreciate this opportunity to discuss the situation created by the casting of a veto by the Russian Federation in the Security Council on 8 July. The draft resolution put forward by Ireland and Norway would have extended the mandate for cross-border aid to Syria for 12 months in line with a needs assessment reflected in the report of the Secretary-General of the United Nations on 16 June. In this report, the Secretary General called on the Council to renew the mandate for at least a year, noting it was a “a moral and humanitarian imperative to do so”. The vetoed draft resolution enjoyed strong support in the Council, with 13 members casting their vote in favor.

The opportunity for this Assembly to discuss this veto is of essential importance, both with respect to the relevant legal arguments and their political implications.

Its relevance is further heightened by the fact that this Assembly is the main organ of the United Nations which has established the principles and modalities for humanitarian assistance, and also because, unfortunately, the Council will be seized with a discussion on a further mandate renewal in under six months. The goal of this Assembly should be to help contribute to a positive outcome of that discussion, in line with its central role on the issue.

Mr. President,

We are relieved that the Council was eventually able to pass a resolution mandating an extension to the cross-border mandate for 6 months, thanks to the tireless efforts of the penholders, as well as strong cohesion amongst the elected members of the Security Council. Nevertheless, this outcome in essence reflects the position of the veto-casting State, which was originally rejected by a vast majority of the Council's membership - and for good reason. The process and outcome have and will continue to create high levels of uncertainty and a lack of predictability for all affected, with the next renewal discussion taking place in 6 months' time – in the middle of winter, when needs will be at their highest. This is not an acceptable situation, politically or operationally, given the enormous stakes and the potential for human suffering. The veto has been exercised with the sole aim of imposing leverage in a one-sided negotiation, including on issues beyond the one at hand. The civilian population in Syria continues to bear a considerable humanitarian cost as a result.

Mr. President,

We wish to comment today both on international law questions that are relevant to the discussion in the Security Council and on the role of the General Assembly in this respect, in a forward-looking manner. We first note that humanitarian access in the situation under discussion is governed under international humanitarian law. Conflict parties must allow and facilitate rapid and unimpeded passage of humanitarian relief for civilians in need, as long as such assistance is necessary. We also understand that such access is granted in principle with the consent from the Host State, while with the important proviso that consent cannot be withheld arbitrarily. As a result, the arbitrary denial of humanitarian access is a clear violation of international humanitarian law.

In following the discussions in the Council and in processing the information reflected in reports of the Secretary General and elsewhere, we have not been able to find a valid reason for the Syrian Government to withhold its consent. Quite to the contrary, this Assembly has reflected on the arbitrary denial of humanitarian access in Syria – and more recently, strongly condemned the intentional denial of humanitarian assistance – in its annual resolutions on the situation of human rights in the country. We furthermore recall that the intentional starvation of civilians is a prosecutable crime under international criminal law and the Rome Statute of the International Criminal Court. With respect to the situation in Syria, this Assembly has established the IIIM, with the mandate to assist in the investigation and prosecution of persons responsible for the most serious crimes, which does include

the starvation of civilians. It appears that denial of access in the situation under discussion is not only unlawful; it may also amount to one of the most serious crimes under international law.

Mr. President,

This Assembly, in resolution 46/182, has created the blueprint for today's international humanitarian system, including the Emergency Relief Coordinator, the Inter-Agency Standing Committee, and the Department of Humanitarian Affairs – the forerunner to OCHA. Given its central role in creating the humanitarian architecture that inter alia delivers cross-border humanitarian assistance, this Assembly has a natural role in considering its delivery in particular situations, in continuation of its pronouncement from last December.

We appreciate the salient political and operational reasons that the Security Council was asked to pass a resolution to ensure the flow of cross-border aid to Syria eight years ago. The procedural and operational uncertainty repeatedly created by the use of the veto ever since has taken a disproportionate amount of the international community's diplomatic time and energy, and created unacceptable levels of uncertainty for the people directly affected. What should be a matter of course has turned into a distraction from the core task of the Security Council of working towards an inclusive political solution that would address the root causes of the crisis and ensure accountability for the crimes committed in the Syrian conflict.

Mr. President,

We hope of course to see a different dynamic in the context of the mandate renewal discussions half a year from now. But based on previous experience, the membership must certainly also prepare for other scenarios. In so doing, we must consider how to ensure the delivery of humanitarian assistance to those who need it, both in line with the moral and humanitarian imperative stated by the Secretary-General, and in accordance with international law. We will continue to contribute to this discussion.

I thank you.