

**Committee:** Legal Committee (GA6)

**Topic:** Limitations to the right to veto

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**Position:** Deputy President



## PERSONAL INTRODUCTION

Dear Delegates,

My name is Marianna Generali and I am a student in the 12th grade of HAEF Psychiko College. This year's CSMUN will be my second time chairing and my 11th conference overall. I consider it my utmost honour to be serving as a co-chair in the Legal Committee in the 7th session of the conference. I am more than excited to work with each of you individually and I look forward to our cooperation within the committee. MUN is an extracurricular activity that I enjoy wholeheartedly and could not imagine my life without it. Through my experience, I have gained a lot, in particular I have gained organizing and public speaking skills and enhanced my knowledge on the history of the world and most importantly current affairs, hence I believe this is a one of a kind opportunity and I hope that everyone will have a fruitful debate and a lot of fun. I believe this is an interesting topic and will bring a lot of fruitful debate, but it is crucial that you come prepared.

This study guide will provide you with essential information on the issue, including some background information, conflicts and previous attempts to solve this momentous issue, on which you can base your resolutions upon. I believe this issue is of major importance as it jeopardizes mainly the UN Security Council one of the six main organs on the UN and its procedures. It is high time this conflict is resolved as it brings the Council and the Organization to a conflicted state. I would advise you to read the study guide in detail, and to conduct your own research, also taking into consideration your country's policy.

In case you have any further questions do not hesitate to contact me via e-mail at [marrgen3@gmail.com](mailto:marrgen3@gmail.com). I will be more than happy to answer your inquiries and I will be available at any time should you need me.

Best regards,

Marianna Generali

## TOPIC INTRODUCTION

During the years of the Security Council there have been criticisms over veto practices by the five permanent members of the Security Council, also known as the P5. The permanent five were granted veto power so as to enable them to maintain world's peace and better serve the goals and principles of the UN. Increasingly, however the vetoes of the permanent members have left the impression that the veto power has been exercised in a selfish manner, based primarily on the idea of protecting the individual national interests of the P5 members and their allies. The practices of the permanent members have been suggesting that they view the power as a free right that can be used in whatever manner they wish. In today's international community, the Security Council is undoubtedly the most powerful deciding body, as it has taken on the role of law enforcer, legislator in matters of international peace and security, and the world seeks for the Council to legitimise or delegitimise actions of force. Thus, the importance of the Security Council on the international scene can hardly be underestimated.

During the UN Charter negotiations in 1945, the Security Council's permanent members, or P5, committed to not use the veto in situations in which they were involved. However, the P5 have been using the veto right almost exclusively for this reason. Originally, the veto was agreed upon as an advantage for these states which had participated and contributed greatly in World War II, fighting on behalf of the international community. As it was stated in 1945, the P5 could not be expected "to assume the obligation to act" and "in consequence of a decision in which they had not concurred".

The 27<sup>th</sup> Article of the Charter of the United Nations established that all decisions of the Council should be made with "the concurring votes of the permanent members". During the working methods the veto has been addressed regularly and is among the topics that are most frequently raised. P5 Members use the veto in order to defend their and their allies' national interests and thus the question on the legitimacy and right to veto has been made. In this study guide we will explore the United Nations Security Council, the reasons behind the need for the limitations to the right to veto and some possible solutions.

## **DEFINITIONS OF KEY TERMS**

### **Veto**

The provision for a veto right was firstly mentioned when the United Nations was created, in Article 27 of the United Nations Charter. The decisions of the Security Council (SC) are adopted if nine members vote in favour, and none of the permanent five (P5) members, meaning China, the United States of America, France, the United Kingdom and the Russian Federation, vote against. Beyond having the right to permanency within the Council, the veto is the UN Charter's most significant distinction between permanent and non-permanent members, as only the permanent Members can exercise it. In February of 1946 the Union of Soviet Socialist Republics (USSR) used their first veto on a resolution on the withdrawal of foreign troops from Lebanon and Syria (S/PV.23) and since then the veto has been recorded 290 times within the Council. It is also called veto message and is described as a nonconcurring vote by one of the five permanent members of the UN Security Council, which can overrule the decisions of the meeting on practical matters.

### **Sanctions**

Sanctions can be described as the limitations that one country or a block of countries can enforce on another country, and sometimes, on citizens, usually leaders, of one country. Reasons for a sanction to be imposed can range from attempting to change the behavior of a country and even to attempts at regime change. The two types of sanctions are asset freezes or seizures and trade sanctions. Seizures prevent assets from being used, from a country, or an individual in that country and they cannot be moved or sold. Trade sanctions include mainly quotas that limit the amount of goods that can be traded between countries and embargoes that prevent services etc. from being supplied between countries.

### **United Nations Security Council**

The United Nations Security Council is one of the six main organs of the United Nations and was established upon the creation of the United Nations Charter in 1945, after WWII. Its main goals according to the UN Charter are to maintain international peace and security in accordance with the principles and purposes of the United Nations. Furthermore, to investigate disputes that may have the intent of leading to international and also recommend methods of settling disputes. Also, the Council can call upon Member States to apply economic sanctions to prevent and stop aggression and take military action against an aggressor. Finally, the UNSC can recommend the admission of new Members and

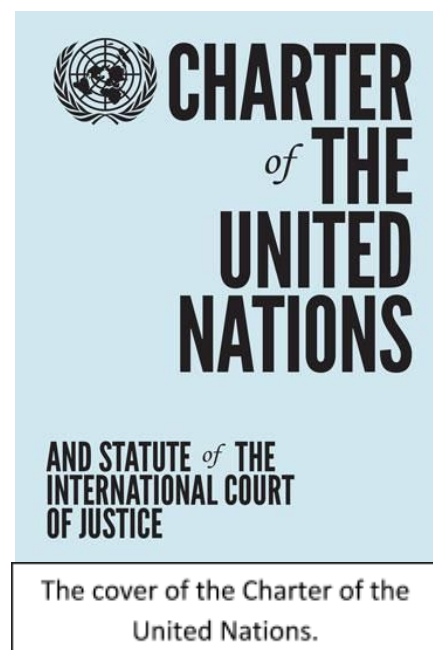
recommend to the General Assembly the appointment of the Secretary-General and, together with the Assembly, to elect the Judges of the International Court of Justice.

### **Permanent Five (P5)**

The Permanent Five or also known as P5 are five members of the United Nations Security Council (UNSC) that cannot be replaced and have permanency within the Council. These members are the Russian Federation, China, the United Kingdom, the United States of America and France. They were the Second World War's principal victors and all of whom are now nuclear-armed states. The Permanent Five are also the only members of the Security Council that have and can enforce veto power. Other than the P5 the UNSC has 10 temporary members, elected by the General Assembly (GA) for two-year terms. It was agreed upon the creation of the Charter of the United Nations (UN), by the drafters, that if any one of the five permanent members cast a negative the resolution or decision fail.

### **Charter of the United Nations**

At the United Nations Conference on International Organisation, on 26 June 1945, the Charter of the United Nations was signed in San Francisco and finally was established on 24 October 1945. It set the guidelines for the function of the United Nations and its six main organs. The permanent members holding the right to veto any amendment have showed little interest in such any renewal process of the charter. This treaty was meant to last a long time and despite the lack of changes or amendments, the Council has partly managed to use the Charter in a dynamic way, making extensive and innovating interpretations, possible through its own discretion to determine the boundaries of the relevant articles in the UN Charter. According to article 25, the states parties to the UN Charter have to accept and carry out all the decisions made by the Council, in accordance with the Charter. This is regarded to be one of the most central principles of the UN, to unite in the Security Council decisions through mutual assistance and cooperation.



## TIMELINE

Date	Description of Event
1945	Creation of the Charter of the United Nations and the establishment of the United Nations Security Council
1946	France applied its first veto with respect to the Spanish Question on S/PV.49
December 1955	China cast its first veto on S/3502
October 1956	The United Kingdom cast their first veto S/3710 during the Suez crisis
1965	UN Charter amendment that increased the elected members of the Council from six to ten
March 1970	The United States of America cast their first veto on S/9696 and Corr. 1 and 2; The USSR had, by then, cast 107 vetoes
October 1971	People's Republic of China succeeded the Republic of China as a permanent member of the Council
1989	France and the United Kingdom used a veto on S/21048 when, in tandem with the US, prevented condemnation of the US invasion of Panama
1990s	Since the consensus among the P5 grew, they needed to find new, effective sanctions
1991	Since the end of the Cold War in 1991, new trends in the usage of the veto emerged
1994	The first step was taken in the situation of Haiti 1994 by using "smart sanctions" for the first time
2000	A working group was established by the Council; conferences were hosted in Germany, Switzerland and Sweden, creating "smart sanctions", or targeted sanctions
2001	The French Foreign Minister called for the P5 not to apply vetoes to block humanitarian action if their own national interests were not involved; The International Commission for Intervention and State Sovereignty endorsed the restraint of the veto
2004	The High-Level Panel on Threats, Challenges and Change calls for a voluntary restraint on the use of veto in cases of mass atrocities and casualties
2008	The United States' Genocide Prevention Task Force endorsed the voluntary restraint on the veto in their report
2009	The UN Secretary General's report on Implementing the Responsibility to Protect (R2P) supported restraining of vetoes on mass atrocities and nine Member States in the GA endorsed the idea
2011	Russia cast 17 vetoes, 12 on Syria; Six Chinese vetoes were on Syria and one on Venezuela; Russian vetoes against two resolutions on the situation in Ukraine, one on sanctions against Yemen, and one on Venezuela
2012	Costa Rica, Jordan, Liechtenstein, Singapore and Switzerland created the "Small 5 (S5) initiative" and moved to the GA with a resolution on improving the transparency of the Security Council, whereas the P5 members would explain why the veto has been employed or considered; the voluntary restraint of the veto in cases of mass atrocities was supported
2013	Launch of the Accountability, Coherence and Transparency (ACT) Group which focused on issues related to improving the working methods of the

	Security Council, including a code of conduct for using the veto in cases of mass atrocities; European Parliament adopted a resolution in support of the R2P principle; 9 states voiced their support for the voluntary restraint of the veto (Chile, Costa Rica, Croatia, France, Liechtenstein, Mexico, New Zealand, the Netherlands, and Slovenia)
2014	Jordan as president of the Security Council supported the reform of the Council and the veto restraint initiative; Australia, the Netherlands and Lichtenstein made statements supported the French proposal
2015	In their annual report Amnesty International urged the P5 to not use the veto in cases of mass atrocities

## TOPIC DISCUSSION



Depicted are the leaders of the P5 in 2000. From front left to right: Chinese President Jiang Zemin, U.S. President Bill Clinton, UK Prime Minister Tony Blair, Russian President Vladimir Putin, and French President Jacques Chirac.

In 1945, big parts of the world were in ruins after the

end of the Second World War and there was a strong movement towards new international cooperation to create a stabile world and advance human welfare. The negotiations and developments were led by the victory powers of the war and resulted in the creation of the United Nations. Although cooperation between states as well as the creation of conditions to enable the respect for human rights and economic and social welfare is the main purpose of the UN, international peace and security was considered to be of absolute priority for any chance of success. This task was primarily given to the Security Council. One of the basic principles upon which the UN rests can be found in the initiating articles of its constitutional Charter: the principle of sovereign equality of all its members.

Nonetheless, when the composition of the Council was decided, another principle was used: the primacy of the “superpowers”. Thus, the political reality of 1945 is very apparent as five of the eleven seats in the Security Council were made permanent, corresponding entirely to the winning nations of the war: China, France, Russia, The United Kingdom and the USA. The reason why these privileges of five nations were accepted by the rest of the state’s parties was most likely because of the fear that the extensive powers given to the UN and the Security Council would never have been realized without granting the superpowers

permanent membership and veto in the Security Council. It was also believed that these privileges would have the effect of insuring the support of the leading states of the world in all of the decisions taken by the Council, which in that way would receive an automatic status of special significance. Another aspect of the composition was the idea that the Council itself would work as a safety mechanism against abuse of the great powers vested in the Council: although limited, the diversity of ideology and interests between the permanent members were thought to put an effective end to any action that did not correspond to the purpose and principles of the UN, through the use of veto. The effects of this safety constellation unfortunately kept the Council paralysed for many decades. Right from the start, the emerging Cold War made cooperation impossible between the permanent members and for a long time the Council was to be associated with its incapacity to take any action in international conflicts, all due to the constant use of vetoes blocking resolutions from being adopted.

When considering the extensive powers the Security Council dispose of, it becomes clear that the composition of the Council is of great importance for the outcome of its work and its choice of focus and interest. It is also a determining factor for the question of its legitimacy; the Council is a strictly political organ and although it represents all members of the UN, with only a few seats available in the Council the scope of interests is limited. The question of legitimacy can be divided into two parts in particular: First it increases the chances of a more diversified area of interests since a geographical and political spread is likely to bring different perspectives and interests into the Council. Second, a geographical and ideological spread might increase the notion that the interests of the Council do expand above the interests of the permanent members, thus strengthening the impression of legitimacy.



## CAUSES

### Russian and Chinese vetoes on Syria

China and Russia have used their veto power against four resolutions regarding the case of the Syrian Arab Republic and the civil war. These draft resolutions have stipulated the threat that sanctions against the Assad regime and political process. However, China and the Russian Federation have never used their own national interests in order to justify the reasons behind their vetoes. Noting that the veto has been used as a fundamental measure in order to ensure the interests of the P5, this fundamental justification has been recognized in the 'code of conduct' proposals from the 'Responsibility not to Veto' campaign (RN2V). Each proposal includes a clause that the P5 Members P5 can use their veto

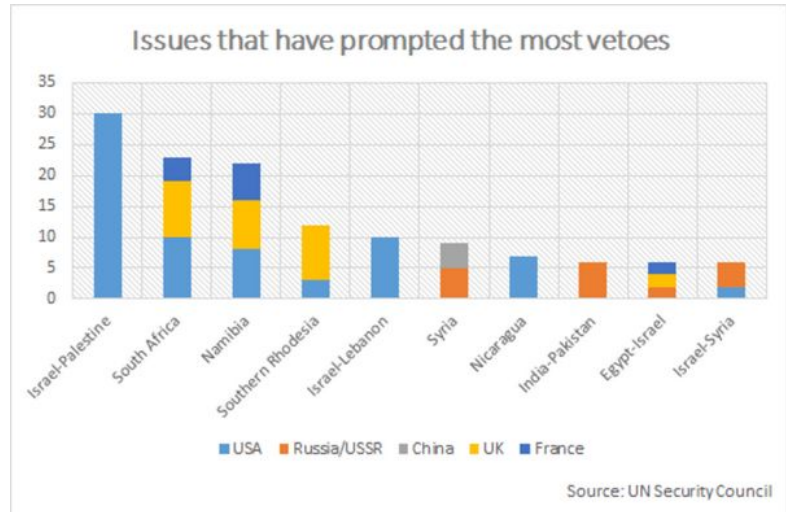


Chart depicting the issues that have caused the most vetoes in the Security Council and which P5 Member has executed them.

power in mass atrocity situations when they perceive their vital national interests at stake. The Russian Federation and China have to ensure their political, economic and strategic interest in Syria, as for example Syria is a big supporter of Russian fire arms and defence equipment. China has been said to be the second biggest non-Arab investor currently placed within Syria. Moreover, a collapse of the Syrian government could set hazardous conditions for the UN intervention in their own matters. It is worth noting that the permanent five have to bear, in exchange for the veto privilege, the responsibilities for the maintenance of international peace and security.

It should not be forgotten however that an estimated 150,000 people have died in the on-going Syrian conflict, for which the international community has largely not been a part of. The United States of America and the Russian Federation agreed to a programme in order to destroy the chemical weapons Syria possess. Furthermore, Australia, Jordan and Luxemburg have achieved humanitarian aid delivery within certain boundaries agreeable to Assad's regime. Overall, it is a necessity, in times of dire need that the United Nations

Security Council, and especially the Permanent Five Members, uses their power in order to prevent and prohibit atrocities correlated with the issue.

### **Deprivation of democracy**

One of the biggest questions when referring to the veto power is the lack of the democracy that exists within the UNSC. This is due to the fact that the Council's other 10 members do not partake as actively in the decision making processes. Due to how the Security Council is set up the P5 Members have most jurisdictions within the council and influence a great number of decisions compared to the other non-permanent members, as the resolutions within the council are passed depending on the vote or veto of the P5. This means that if a member with veto power exercises that right or votes against a resolution, it immediately fails. Consequently, this leaves the rest of the members having a smaller influence on the decisions that the council makes and puts out. Overall, this method is undoubtedly a show of deprivation of the right to a democratic system within the UNSC as the some decisions have more power over others.

### **Abuse of the veto power and failure to reach agreements**

The veto within the UNSC has been used 252 times since it was first created and countless threats for vetoes have been made over the course of time. A great example of an abuse of the veto power can be found in the USSR which vetoed 50 resolutions before other permanent members had used the privilege and its successor the Russian Federation has used the veto more than any other. Paralysis pervades despite overwhelming revulsion categorically expressed in the General Assembly and the Human Rights Council. The fact that the veto has been used so many times leads us to think that it is being abused by the member states that possess it. This means that when a member uses the veto repeatedly it slows down the process of drafting and agreeing with a resolution in order to ensure international peace and prosperity. All in all, due to the overwhelming use of this power, the Council more often than not, does not reach effective and efficient solutions to solve big matters at hand.

## POSSIBLE SOLUTIONS

### Expanding the council

An important solution would include the expansion of the council, as well as the permanent members it holds. Proposals for additional members include total numbers ranging from 19 to 25 (rather than the current 15), with variations of increased numbers of two-year elected members, as well as the positioning of additional permanent council member that may or may not have the right to veto, with numbers ranging from 4 to 6. The members that may have the ability to be added permanently to the council are Germany, Japan, India and Brazil, more commonly known as the “Gang of Four.” This group has been questioned by some P5 Members, while other Member States have been sceptical towards the possibility of their induction. It seems that the UK and France are in favour of the expansion, while the US and Russian Federation are hesitant and China is opposed.

### Voluntary restraint of the veto

An important question should be asked when investigating the possible solutions; can the Permanent Five Members of the Council not use their veto in particular cases, such as but not limited to mass atrocities? Member States such as the S5 of small states, meaning Costa Rica, Jordan, Lichtenstein, Singapore, and Switzerland, answered positively, when referring to these cases. It would be vital for the Council to reach an agreement to



The Security Council is session at the main organ's Chamber in the United Nations in Geneva

not apply the veto where the members' vital interests are not involved. France, especially, has largely advocated for the application of a voluntary restraint of the veto from the permanent five. In September 2014, at the 69th session of the General Assembly, France, as well as Mexico, organized an event on this issue, thus the High Commissioner for Human Rights made a statement in support of the French initiative. The Permanent Members were specifically asked to “voluntarily and collectively pledge not to use the veto in case of genocide, crimes against humanity and war crimes on a large scale.”

## **The Responsibility Not to Veto**

When referring to the responsibility not to veto (RN2V), it is meant that the Permanent Five Members of the Security Council will not use their veto in the event of massive casualties, war and similar events. The RN2V has been proposed by many different member states and refers to the humane approach by the P5 in these cases. Specifically, we can refer to the Syrian war and the thousands of casualties it led to, as well as war crimes and crimes against humanity that can be attributed to it. If the Members of the UNSC hadn't exercised their right to veto and approached the topic and disregarded their interests, many atrocities could have been prevented. The responsibility not to veto, can be closely correlated to the responsibility to protect (R2P), a political commitment, globally accepted, that aims to "prevent genocide, war crimes, ethnic cleansing and crimes against humanity."

## **Establishing more permanent members**

Outside of the P5, the first priority was to convince the G4 group, made of the four countries claiming a permanent seat in a reformed Security Council: Brazil, Germany, India, and Japan. France is in favour of giving the G4 a permanent seat but it insists on keeping the two initiatives distinct to reassure the G4 that the veto initiative is neither competing with, nor impeding, enlargement. However, of the G4, only Germany and Japan formally support France. Only Germany and Japan would accept permanent membership without veto power. Furthermore, an additional difficulty for India, Brazil, and South Africa is that the French proposal has arrived in the context of a division between the West and the BRICS, Brazil, Russian Federation, India, China and South Africa, who suspect a hidden agenda.

## MAJOR COUNTRIES & ORGANIZATIONS INVOLVED

### Permanent Five

The Security Council consists of fifteen members of which five are permanent and seven are rotating every second year. The five permanent members, China, France, Russia, the United Kingdom and the USA, play a very special role in the Council. It is not so only because of their right to veto; the advantage of uninterrupted presence gives these nations the tools to influence the direction of the Council in ways that are difficult, if not impossible, to accomplish for members that are there for two years only.

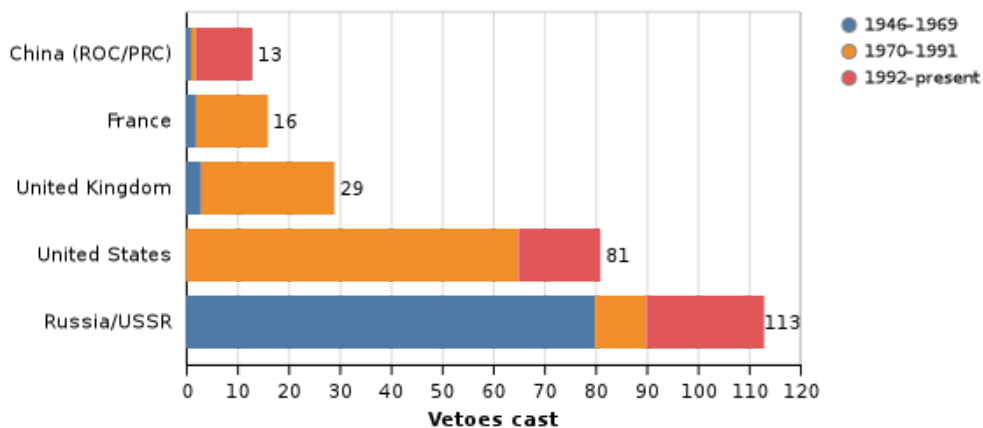


Chart depicting the number of vetoes cast by the P5 members from 1946-1969 (blue), 1970-1991 (orange) and 1992-present (red)

### United States of America

Since 1970, the USA has used the veto frequently in order to block any decisions that it has regarded as detrimental to the interests of Israel, a very close ally to the United States. Specifically when referring to the Israeli-Palestinian conflict the US has expressed that it will use its veto in order to help protect the Israeli people. It has remained largely silent upon this matter even though debate has increased and intensified. The USA has chosen to voice support of the expansion of the council but has not specified its policy. Former President of the United States Obama, called for India to become a permanent member of the Security

Council. It has strongly been urged to use alternate multilateral forums such as the Group of Twenty (G20) to satisfy countries' immediate demands for broader participation in order to be able to produce evidence about willingness and ability to participate constructively in the international system.

### **United Kingdom**

In the UNGA in 2017 former Prime Minister of the United Kingdom Theresa May described the great responsibilities that the UK holds within the United Nations, referring to the permanent seat in the UN Security Council and its role to contribute to international peace and security. However, some argue that the UK's international standing is potentially at risk, due to the implications for its ability to influence negotiations. The British parliament considers the UK diplomacy to be under-resourced and thinks that the government ought to re-consider increasing what it allocates to the UN. The UK has a great jurisdiction and authority within the Security Council by being a permanent member with the authority to veto resolutions, but it is, more often than not, reluctant to use its influence due to risks of raising questions of why the UK should have the veto.

### **Russian Federation**

The Russian Federation has used veto more than any other member. Russia in recent years has invested significant efforts in restoring and strengthening its role as a global power, and Russia's permanent membership of the Security Council is actively being used by the Russian Federation in order for it to be able to maintain a global role. Russia takes an independent and often quite active stand in shaping UN Security Council policy regarding most of the international crises that required the intervention of the international community, but plays only a limited part in providing personnel and financing for UN peace operations, while investing more effort in regional peace operations in post-Soviet space during the past two decades. Russia promotes a number of regional interstate organisations and initiatives doing their share of ensuring regional security, in line with the UN's own strategy of relying more upon regional international organisations. Russia moderately supports UN Security Council reform and backs extending Security Council membership to countries of the G4 and BRICS groups, but insists on preservation of the veto right for the P5.

### **China**

China argues against a "piecemeal" approach to Council reform. However, they have participated in meetings regarding the veto restraint initiative. It is clear that after repeated

failures to address the humanitarian crisis in Syria, the P5 need to put more effort into thinking creatively about how to improve the UNSC and its ability to address such complex crises.

### **France**

The French proposal was first mentioned by President of the French Republic in 2013 and it wishes to regulate the use of the veto. This would mean that the P5 would voluntarily agree not to use the veto where a mass atrocity has happened. France as well as other member States believes that an immediate fix would be for permanent members to restrain their veto rights in cases of mass atrocities, but the Russian Federation is opposed in its position. France can hope to convince more members to support its proposal and thus increase political pressure on the use of the veto in situations involving mass atrocities.

### **Spain**

The Spanish position, which is supported by European countries such as Italy, Poland and Portugal, calls for a “more representative, balanced and accessible” Security Council, which would include an increase in non-permanent member seats, as well as a fairer geographical distribution, and which allows long term mandates with a possibility for re-election. They ask that the veto not be applicable in cases of genocide and crimes against humanity. The Spanish Government is opposed to the increase in the number of permanent members as well as to the extension of the right to veto. Spain does not support the elimination of the right to veto, simultaneously introducing a “qualified” right to veto which limits its use.

### **Turkey**

Turkish President Recep Tayyip Erdogan has stated previously during a speech in the General Debate that he considers the world to be bigger than five. He was referencing the P5 members of the United Nations Security Council that can exercise veto power. Turkey believes that the Council should be more transparent and democratic. The Ambassador of Turkey to the UN stated that by showing more transparency within the Council will display more accountability. Overall, Turkey supports the general reform of the United Nations Security Council.

### **Peru**

Peru's President Ollanta Humala Tasso has stated that the status quo has made governing bodies inefficient. He has asked for the inclusion of more permanent and non-permanent

members within the Council which ought to result in a more democratic process in the Council itself. “The Security Council’s capacity to respond to the different crises in different parts of the world reflects the need for reforming its work methodology,” he said.

## **Japan**

Japanese Prime Minister Shinzo Abe has expressed his hope for the admission of Japan as a permanent member of the Security Council. He stated that since joining the UN in 1956, Japan has worked very hard in order to be able to advance the causes of the UN. He expressed that it is his wish that countries sharing the same goals, will be able to all work together to resolve a long-standing issue to reform the UN in such way that is can the realities of the 21st century.

## **Global Centre for the Responsibility to Protect (GCR2P)**

The Global Centre for the Responsibility to Protect (GCR2P), in cooperation with Amnesty International is leading a very visible public campaign. The GCR2P are supporting the French initiative and have only two oppositions to it. One being the exception for vital interests, and another being the legal nature of the agreement. While France seeks an agreement that is as non-legal as possible, NGOs on the contrary hope for the most legal, and thus most binding, agreement possible.

## **UN INVOLVEMENT: Relevant Resolutions and Treaties**

### **Economic sanctions against terrorism: Resolution 1267**

Resolution 1267 was to be the first in a long list of anti-terrorist resolutions, all of them based on the obligations stemming from this original one. In the resolution, the Council expresses its deep concerns regarding the violations of international law and human rights, and in particular over the developments in the Afghan territories where the Taliban sheltered and trained terrorists, and as a response to this, one of the sanctions the Council decided to implement was the freezing of funds and other financial resources as designated by the Sanctions Committee, which was also established in the resolution. The states parties of the UN were to make sure that no funds or financial resources were made available to terrorists by their nationals or by any other person within their territory. The responsible Sanctions Committee was to consist of all the members of the Security Council with the purpose to undertake the task of monitoring the implementation of sanctions in the member states, to make periodic reports to the Security Council on the impact of the



measures and alleged violations and to consider requests for exemptions from the measures.

### **Uniting for Peace**

It was first passed by the General Assembly in 1950 to circumvent the blockage of the Security Council in the conflict in Korea; the USSR's obstructionist policy systematically deployed its veto after its return following a temporary boycott – during which pouting, the council had authorized the US-led action against North Korea. The “Uniting for Peace” procedure has fallen into disuse; it has been used only sporadically, a total of ten times, mainly because it transfers power to the General Assembly. The Permanent Five are uneasy about the assembly's decision due to the fact that the Security Council has failed to meet its responsibility to maintain international peace and security, in contradiction with the spirit and law of the UN Charter.

## **Research Questions**

### **Is the veto being abused?**

It is a really important aspect to the issue especially when referring to countries such as the Russian Federation which seems to be abusing its right to the veto and it has exercised vetoes more than 100 times since 1946. The United States has used its veto some 80 times most frequently, in recent years, on Israel-related issues. It is important to ask if the veto is being abused by the permanent members of the Security Council, and if yes what can we do about it.

### **Should the right to veto be restrained?**

The veto was established in 1945 with the creation of the UN Charter and has existed since then within the Council influencing decisions and resolutions from all Member States. No one believes that a formal Charter amendment to abolish or limit this right is remotely likely. But international pressure on the P5 has been mounting for the last 15 years and especially since the General Assembly's unanimous embrace in 2005 of the Responsibility to Protect initiative. So we have to ask if the veto is restrained what the consequences of the restraint will be and how it will be established.

### **When should the veto be used?**

Distaste for the blocking of the Syrian resolutions has been particularly intense, and, at last count, 68 countries had given explicit support to the French proposal in various UN forums. Following the support of the French initiative, comes the moral argument if a veto should be used in cases of mass-atrocities. The Permanent Five have obligations under the Charter of

the United Nations, as well as under international humanitarian law (IHL). The members should not undermine the effectiveness of the UN or bodies of law with their vetoes by compromising its efficiency. There is a huge political argument against using the veto in these situations, which jeopardizes the credibility and legitimacy of the Security Council, as it has been already seen as not reflecting geopolitical realities of the twenty-first century.

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