

NON PAPER

QUESTIONS FOR MEMBER STATES TO ADDRESS REGARDING THE RIGHT OF VETO.
THESE DO NOT PRECLUDE MEMBER STATES FROM ADDRESSING OTHER ASPECTS
OF THIS QUESTION.

1. When Security Council reform has been completed should the veto right exist? Why? Who should hold this right and why?
2. Bearing in mind the historical background and current legal and political realities, how feasible do you consider Security Council reform that includes amending veto right?
3. Please comment on the prospect of current permanent members retaining the right to veto but not granting this right to new permanent members, considering there will be any.
4. If the current and possibly future permanent members retain the right of veto, what form should this prerogative take in a reformed Council?
5. Assuming the right of veto is retained and the idea of reforming its use was accepted, how do you want to see the use of this right regulated? Please provide concrete examples, for instance: Limiting veto use through certain criteria, for example when very serious crimes decisions are involved; preclude its use when a decision is taken under Chapter VI; Leaving those who have the right to exercise it with self-restraint; Institutionalizing the practice by which only a negative vote by a permanent member amounts to a veto; Increasing the negative votes required to prevent a decision etc.
6. If elimination of the veto were to be agreed, how would you see the expanded SC's voting requirements?
7. Assuming the veto right is maintained and a decision is blocked at the Security Council, should there be alternative course of action embedded in the Charter (for instance, having a Uniting for peace Resolution type of mechanism)?
8. Would you favour a transitional arrangement on the right of veto? How do you see such an arrangement?
9. Would you favour a staged or an evolutionary approach by which reform of the right of veto would go through various stages before ultimately reaching its final form? What would this final form be in your view? What stages and timeline would you propose?

Disclaimer: This paper does not represent any official views or opinions and does not commit or pre-empt the position of any member state on any of the points mentioned nor it intends to lead the debate towards any specific direction. It is merely meant to be thought provoking and facilitate a creative and interactive exchange of views on some of the elements of the debate on the right of veto at the Security Council. The aim is to contribute towards a result oriented approach and identify, to the extent possible, areas where convergence or flexibility might be achievable, thus defining the realm of the feasible in this field, of course in conjunction with the other elements of Security Council reform.