

This is a transcription of an episode of The Veto Cast, a podcast of 6 episodes that explores the effects of the veto power of the UN Security Council. The Veto Cast is part of the Stop Illegitimate Vetoes campaign.



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**Episode 1: What is an illegitimate veto?** – released July 7<sup>th</sup> 2015

Narrator, Laila Mendy: Welcome to the Veto Cast. This is the first episode of this series, dedicated to shed light upon the work of the United Nations Security Council. The main focus of this series will be the use of the veto, how it is sometimes misused by the five permanent members of the Security Council, and the dire consequences this can have on the rest of the world. A misuse of veto in this sense can be referred to as an illegitimate veto. Over the course of this series, we will be explaining certain concepts that are important in international relations. We will look closer at some historic vetoes that could be considered illegitimate, and we will identify the impacts that the ill vetoes can have upon different conflicts.

The Veto Cast is produced by an Uppsala based project called Stop Illegitimate Vetoes. To introduce this project, we will talk to two of its members, Hanna Wernerson and Daniel Kjellén.

Hanna: My name is Hanna Wernerson and I am Vice President of The Challenge Group, which is the organization that is running the campaign Stop Illegitimate Vetoes. And I am a student in political science.

Daniel: My name is Daniel Kjellén. I am the President of the Challenge Group and I have a background in political science and Peace and Conflict Studies.

Hanna: It is a social media campaign which seeks to make the permanent 5 of the Security Council to make a voluntary commitment to be more restricted with their veto use. And we have got a proposition which say that the permanent five are not to use their veto, unless they consider the draft resolution before them to be a threat to their essential security interest, or a threat to their sovereignty.

Daniel: Exactly, and this comes from a problem that we've observed over the past 24 years or so, that the use of the veto is actually not to protect the sort of vital interests of the permanent members, but rather a way of, for instance, protecting political allies or, for that matter, making political points. And we see this as a huge problem because that's not what the Security Council is supposed to do. We want to see some sort of agreement between the permanent five members of the Security Council that is France, the United States, the United Kingdom, Russia federation and China, that they will only use the veto when it is absolutely necessary for their, sort of, state survival. When it comes down to the security or sovereignty of their own state. And that's a pretty definite, a very defined set of situations where that can happen that doesn't apply today.

Hanna: We're seeking for an official declaration, an agreement among these members which they are to follow after that.

Daniel: We all have different reasons for being part of this, but, the sort of core group that started this [campaign] quite a few months ago now, did so because we believe that you can achieve a whole lot of things through the UN system. It's just that that system is not very effective as it is.

Hanna: Exactly, and I believe that you can regard the United Nations as being more or less functionate. But the truth is that if the United Nations did not exist today we would have the need to invent it. Because we are faced with a globalized reality and in order to cope with challenges and to fulfil all the potential there is out there, we need to collaborate internationally. I personally believe that the United Nations is the forum for it. But then we need to make it more functionate.

Daniel: Yeah, absolutely. And of course, we're not criticising the United Nations as an idea, we're criticising how it works. And I think for me personally it is very important that we can work within the structure that is already there, but doing it in a better way and not seeing the traditions of the United Nations, or the Security Council for that matter, as set in stone and final. It's not that we cannot change these things. We can and we should.

Hanna: Well, its triggering you know, its, let's say: challenge accepted. We see the problems, we have and idea about a solution, and we want to do something about it and we're trying to.

Daniel: If I could just add that of course it's frustrating to see that the United Nations seems so very far away to a lot of people, ourselves included. The United Nations is not just a building in New York, it's also quite a few levels of government and politics in between there. But there are instances where you have been able to, from a sort of individual level, or political level, introduce new ideas on to the global scale, and that's what we're trying to do. It's not impossible to do. It's just very, very difficult to get that started. But I think we're on the right way.

One of the most important things is that the veto is the main tool for a certain set of countries, a certain set of states, that has a lot of power in the Security Council, and the UN, the work of the UN, influences the lives of all people on the globe. No matter if you live in a state that is member or not a member of the United Nations, you're still very much affected by this. And so, if we as citizens in different states can participate and be sure that the United Nations work in a way that's preferable to us and in our interest, I think we can get a long way. So that's really why it is so important.

Hanna: And, I mean the veto is historically and today often serving as an obstacle for the United Nations to fulfil its purposes, and when the veto power is misused the consequences are fatal. Take Syria for example, it is human lives that are at stake. And it is not only an issue about solving current problems, it's also an issue about the UN being a practical force when it comes to international frictions. Because if the UN can be effective, it will be considered legitimate and we can actually have an international force that can work pro-actively.

Daniel: I think it's very important for us to be part of sort of a rethinking of the veto, simply because everything that is decided in the UN Security Council, and in the UN, will affect people everywhere. It's not just people on the frontline to the conflict, it's everyone that are affected by this in some way. Eventually you might find yourself on the front line and then it's very important to know that the Security Council and the United Nations work in your best interest. At the moment, that's not the case. We

cannot be sure that that will happen. That's why we need to make sure, for our own sakes, and for everyone else's, that this system works.

Hans Corell: I don't think the problem is the formulation of the veto, the veto is a fact, a political and a legal fact.

Narrator: Hans Corell, Swedish lawyer and diplomat, former Undersecretary General of legal affairs and the legal council of the United Nations.

Hans: The problem is that the members of the council, the permanent five members, they use the veto in situations where it's actually not legitimate. And this is why I think that it is so important that member states but also non-governmental organizations and students around the world analyse this question and send a very, very firm message to the Security Council that they have to do better. They are not performing in the way that they should, in my view, under the charter. And in the United Nations it is the UN Charter that governs the work of the Security Council. To quote the article 24 of the UN Charter: The members of the Security Council, they have the preliminary responsibility for the maintenance of international peace and security. And the members of the UN agree that in carrying out its duties and this responsibility, the Security Council acts on their behalf.

Narrator: To understand how the veto function can be misused, we must first explain why the veto function exists. To do this, we have to go back to the creation of the United Nations itself.

Old radio message: February 1945, president Roosevelt journeys to Yalta to meet with Soviet premier Josef Stalin and British prime minister Winston Churchill. They discuss the fate of Europe when Germany is defeated. Stalin promises to participate in the formation of a new world organization; the United Nations.

Narrator: The United Nations was founded on the 24th of October 1945. But an attempt to create an organization for international peace had existed previously. It was know as the League of Nations, but it had failed spectacularly. It was unable to prevent the outbreak of the Second World War. It was believed that the lack of

involvement of the major powers led to the league's downfall. Any decisions made by the league were obsolete; because it did not have a large enough intended political influence. Lessons were learned from this attempt, and one of the key thoughts when founding the new organization, the United Nations, was to ensure that all major world powers were largely involved. To ensure this wider involvement, a Security Council and five permanent seats for the major powers were created

Ryan d'Souza: Following the end of the Second World War the Security Council was essentially mandated to act on behalf of all the members of the United Nations to ensure, what they say, is the maintenance of the international peace and security. And the permanent members, in 1945, were granted this special privilege of the veto. My name is Ryan d'Souza, I'm the advocacy officer of the Global Centre of Responsibility to Protect. We're a New York based organization with a mandate to advance the responsibility to protect-norm both in New York, across the UN system, and also in capitals around the world. A cast of a negative veto would mean a resolution would not be approved.

Narrator: The United States, Great Britain, France, Russian Federation and China became the permanent five, also known as P5 countries. The remaining 10 seats in the Security Council were filled by the United Nations' members for time-mandated periods. With the Second World War fresh in their minds, one of the most significant demands by the P5 countries was that their own national security or sovereignty would not be threatened by decisions made in the Security Council. The veto was introduced as a solution.

Ryan: However, this means, essentially, that in certain situations we can have the vast majority of the General Assembly adopt a non-binding resolution, and then 14 of the 15 Security Council members vote in support of that resolution, but this can all be hijacked by one permanent member vetoing a resolution. I mean, this is a historic anachronism and illustrates a necessity for wider UN Security Council reform. As such, the legitimacy of the Security Council and the UN as a whole, is being questioned. So I mean, we see this kind of initiative growing from strength to strength, over 60 governments have called for veto restraint. My organization has been working with other very large human rights organizations to mobilize civil

society action around the world. This includes working with Human Rights Watch, Amnesty International and FIDH. I mean, ultimately, this is something that shocks all of us collectively. Any commission of atrocity crimes, crimes against humanity, war crimes, so we cannot allow the veto to be employed and witness another tragedy taking place again.

Narrator: The voting procedure on the Security Council is mandated through the 27th chapter of the UN Charter. The veto isn't explicitly stated in the charter, rather it's a term for a negative vote casted by one of the P5 countries. For a resolution to be passed on the Security Council, it must gain a minimum of 9 votes for, out of the councils possible 15. An abstention is not a vote against. The veto is activated when one of the P5 countries votes against a resolution. When this occurs, the resolution will not be passed, whether or not the resolution gained the 9 votes necessary in the Security Council. With the voting procedure in mind, and the historical origins of the veto function explained, we can now begin to understand the nature of an illegitimate veto.

A veto is legitimate when it is used in the way it was intended. It must be used to safeguard the P5's own sovereignty or national security, and be within the guidelines to the UN Charter. A veto becomes illegitimate when it is used for other purposes, such as safeguarding political interest, or the interest of allies. There are examples of this in the Security Council's past. The veto privilege for the P5 countries was not intended as a political instrument to dictate what aims the United Nations should pursue. When a veto is used in that manner, it should be considered an illegitimate veto.

Hanna: The veto is at the very heart of the United Nations and its functions today. All the various organs and functions and organizations and structures that we find in the UN today, can be interlinked to the workings of the Security Council.

Daniel: Exactly, and of course there are plenty of problems that you can deal with and try to solve within the United Nations, absolutely. And we recognize that there are plenty, such as the election of the Secretary General which is coming up next year, but that is also a problem that comes back to the use of the veto, and so many

other problems does that as well. So by solving the problem of the veto or at least enabling a better use of it, we can start looking at the other individual problems. So it's the, sort of, first step in towards making the United Nations a better organization that works better. I think that at this moment, we do have a certain momentum. I'm not just saying we as in the Challenge Group, but everyone that's working for some sort of either reform or different set of ideas regarding the use of the veto in the Security Council. There is something called the French Initiative which is currently running and trying to get something to change. And also with the anniversary of the United Nations that comes up, this fall it is actually 70 years ago that the United Nations was founded. We can actually start looking at this from a historical perspective and also say that, well, this worked for 70 years, somewhat ok, now let's try and to it better for the next 70 years.

Hanna: Yeah, and I think, right now might actually be the best shot in a long time to change this, to change the current order. The French initiative that Daniel mentioned is actually the French government who have declared, officially, that they are to be more restrictive with their veto and they are urging all of the four other members to follow. And right now it's vital that we're all engaged in this issue and put public pressure on both France, in order for them to stick to their promise, and on the four other countries in order for them to see no option but to follow. Right now, there is a number of likeminded organizations like ours that are working throughout the world to raise this public pressure, so there are some quite intriguing times at the moment.

Daniel: And Hanna is absolutely right when it comes to the public pressure and it's such a vital part of this, because as much as UN is an international organization, it's not really used to the kind of big political pressure that can come from these citizens that it is meant to protect. Because when we go out to protest certain political stands, we do so for our national governments, we don't do it to the UN. Or when we try to petition, or something like that, it's very rare that this happens. So we need to put forward a concrete solution, or suggestion for a solution at least, that can work. And that's what we're trying to do, and I think that pressure from the people that the UN is here to protect is going to be what makes or breaks the deal.

Hanna: Because, at the end of the day, the United Nations is us. It's each and everyone of us throughout the world and this is a challenge for everyone, so public pressure is the key.

Daniel: I think there are plenty of things that you can do. You can first and foremost read up on the subject, because it is not a difficult subject but a bit complex. There are plenty of players on the international field that's gonna do a whole lot to protect their own interests. At the same time, there are more things that you can do that are more sort of concrete. You can for instance look at our webpage, which has a lot of information about what we're trying to do, but also the background and things like that. And you'll find that on [www.stopillegitimatevetoes.org](http://www.stopillegitimatevetoes.org).

Hanna: You should follow the campaign, you should keep updated, you should get informed, and you should spread the word.

Daniel: Exactly. Showing that we actually care about this, that we're not just completely distracted with other things, that this is something that we care about. I think that most people do, it's just that it's a tough subject to get into. But once you're in, there you see a whole lot of things that you're never gonna regret learning.

Narrator: We return to Hans Corell.

Hans: We are a generation handing over the world to you; you are now the coming generation. What is it that we are handing over to you? Could we have done better in our generation? I think that if somebody says this today, that would send a signal to you, that when you work now for the future, learn the lessons from the past. In particular, don't make the same mistakes that have been made in the past. Then you could start maybe on a better platform and work determined, with determination, in a particular direction. And now with the means of communications we have on the globe, with the internet and so forth, students make contacts over borders and they go to different universities and they make friends and so forth and they come to realise that we are all human beings. We can all make friends, why should we name some of us enemies when we are actually the same generation, have the same hopes for the future, building families also, having children, and so forth. Why should



we not work in a direction where we can create a world where people can live with dignity, with their human rights protected? That, would be in my reflections here for the future. Therefore, since the Security Council is such a crucial element in this equation, because after all they have this fantastic power that is given to them by the UN charter, if they administer that power in a manner that the whole world can see that they're actually using the same yard stick when they intervene, then I think the whole climate, and I don't mean in a literal sense, of the globe will be different.

Narrator: This may all seem very abstract, but it does have practical implications of the work of the Security Council, and very real consequences for international politics. Over the coming weeks, we will explore these implications and consequences in a podcast series that hopes to stop illegitimate vetoes.

Hanna: It is our world and the global challenges are of everyone's concern. For peace and prosperity, we need an efficient UN.

Daniel: For more information, visit our webpage at [www.stopillegitimatevetoes.org](http://www.stopillegitimatevetoes.org), and our Facebook page

Hanna: Let's stop illegitimate vetoes.

Narrator: You have listened to The Veto Cast, a podcast of 6 episodes that explores the effects of the veto power of the United Nations Security Council. The Veto Cast is part of the Stop Illegitimate Vetoes-campaign, which is committed to changing the way the Security Council veto is used. The Veto Cast is a co-production by the Stop Illegitimate Vetoes-organisation, The Challenge Group, and Uppsala student radio 98,9. Project manager was Joanna Hellström. Production and audio editing by Simon Sander. Scripts by Alexander Fredman. Interviews by Joanna Hellström and Filip Ahlborn. This production was narrated by Laila Mendy. A thanks to Daniel Kjellen and Hanna Wernerson, and the rest of the team behind the Stop Illegitimate Vetoes-campaign.