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A Comprehensive Analysis of the UN Performance on the Gaza Crisis: Uncovering the United Nations' Structural and Legal Failures, Political Dynamics, and Systemic Deficiencies



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Abstract

This paper critically examines the structural and legal failures of the United Nations in responding to the ongoing Gaza crisis, using the events following October 7, 2023, as a pivotal case study. It argues that the UN's inability to prevent and intervene in what many legal experts characterize as a textbook case of genocide is not an isolated shortcoming, but a symptom of deeper systemic malfunction. Through a detailed analysis of the Security Council's paralysis, the misuse of veto power, and the politicization of international law, the study reveals how power imbalances and outdated institutional structures have eroded the credibility and effectiveness of the global governance system. The paper contrasts immediate, short-term reform initiatives with the need for long-term structural changes, including amendments to the UN Charter and the convening of a long-overdue General Review Conference under Article 109. It further draws from interviews with high-level diplomats and international legal frameworks, underscoring the urgent necessity for principled reform. Ultimately, this study finds that the Gaza crisis has exposed the limitations of the existing multilateral order and represents a watershed moment that demands bold legal and institutional transformation to regain the general public's credibility and uphold international peace, security, and accountability.

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1. Introduction

The events of October 7, 2023, marked a significant turning point in global affairs and changed the world as we knew it. Following the attack launched by Hamas fighters from the Gaza Strip, which resulted in the deaths of approximately 1,139 Israelis, the region entered a new and unprecedented phase of immense violence and human rights violations. The subsequent military operations that were set in motion immediately after the attack on October 7, 2023, by Israel have led to catastrophic levels of destruction in Gaza, with at least 61,700 Palestinians reported killed and tens of thousands more presumed dead under the rubble. Given that nearly half of Gaza's population consists of children, the toll has disproportionately affected minors, with an estimated 17,492 children killed. Over 111,588 individuals have sustained serious injuries.¹ The destructive annihilation campaign that Israel is conducting ever since has made it difficult to identify the factual number of Palestinians killed. Israel's military actions have further escalated and significantly worsened the humanitarian situation, while official casualty figures have remained relatively stagnant for several months. A study published by *The Lancet* in July 2024 therefore suggests that the actual death toll is likely to be significantly higher, estimating over 186,000 Palestinian fatalities by that time.² Historically, Gaza has

¹ Al Jazeera, "Israel-Gaza War in Maps and Charts: Live Tracker," *Al Jazeera*, October 9, 2023, <https://www.aljazeera.com/news/longform/2023/10/9/israel-hamas-war-in-maps-and-charts-live-tracker>.

² Rasha Khatib, Martin McKee, and Salim Yusuf, "Counting the Dead in Gaza: Difficult but Essential," *The Lancet* 403, no. 10372 (July 5, 2024): 25–26, [https://doi.org/10.1016/S0140-6736\(24\)01169-3](https://doi.org/10.1016/S0140-6736(24)01169-3).

experienced multiple large-scale military campaigns, notably in 2008–2009, 2012, 2014, and 2021. However, the current scale and intensity of the conflict are unprecedented, resulting in levels of devastation and civilian suffering not previously witnessed. On October 29, 2023, Save the Children announced that the number of children killed in Gaza in only three weeks surpassed the annual number of children killed in conflict zones worldwide, for the last three years.³ The ongoing conflict has captured global attention, not only for the magnitude of civilian casualties but also for the real-time documentation of alleged violations of international humanitarian law. Concurrently, significant international mobilization has emerged, with widespread civil society advocacy demanding sanctions, arms embargoes, and the cessation of diplomatic and economic relations with Israel. In contrast, many governments, particularly in Western states such as Germany and the United States, have responded to pro-Palestinian activism with intensified police brutality, unlawful arrests, house searches, and severe restrictions on free speech and academic freedom.⁴ These alarming developments do not at all reflect the rule of law, freedom of speech, and the liberal democratic values that Western governments esteem themselves for. This raises the question whether it is, in fact, Israel's allied nations, the democratic states of the West, that are displaying uncivilized behavior, as they continue to support and enable Israel's mass atrocities. Support for Israel's actions by Western governments has drawn sharp criticism from various human rights organizations and international legal experts, who argue that these governments are complicit in potential breaches of international law. Such critiques point to a broader erosion of the post-World War II international order, founded on the principles of human rights, accountability, and collective security.

In the UN Secretary-General's remarks to the Security Council on September 25th 2024, António Guterres stressed that in today's world, conflicts are multiplying. From Gaza and Ukraine to Sudan and beyond, impunity spreads with continuous violations of international law and total disregard for civilian lives and human suffering.⁵ He

³ Save the Children, "Gaza: Children's Deaths in Last Three Weeks Surpasses Total Child Deaths in Conflict Since 2019," *Save the Children UK*, October 29, 2023, <https://www.savethechildren.org.uk/news/media-centre/press-releases/2023/gaza-childrens-deaths-in-last-three-weeks-surpasses-total-child-deaths-in-conflict-since-2019>.

⁴ Human Rights Watch, "US: Universities Should Respect Right to Protest," *Human Rights Watch*, April 26, 2024, <https://www.hrw.org/news/2024/04/26/us-universities-should-respect-right-protest>.

⁵ António Guterres, "Secretary-General's Remarks to the Security Council – on the Maintenance of International Peace and Security: Leadership for Peace," *United Nations*, September 25, 2024, <https://www.un.org/sg/en/content/sg/statement/2024-09-25/secretary-generals-remarks-the-security-council-the-maintenance-of-international-peace-and-security-leadership-for-peace-bilingual-delivered-scroll-down-for-all-english>.

emphasized that the credibility and effectiveness of the United Nations are under severe threat, particularly regarding its response to the Gaza crisis. Since the start of Israel's war on Gaza, diplomats and NGO-workers incessantly warn of a total collapse of our post-World War II order if the international community does not unite to stop the carnage and hold the perpetrators accountable. Agnès Callamard, Secretary-General of Amnesty International, is among those voices and warns of the collapse of the global rule based order. She underscores that Western governments are not merely inactive, but aiding and abetting Israel's genocide in Gaza, making themselves complicit in the worst of crimes against humanity. She asserts that the failure of Western governments to act decisively, as well as their active complicity, undermines the global rules-based order and exacerbates the risk of the total collapse of the post-WWII system.⁶ Against this backdrop, the situation in Gaza is representative of a broader and deeply concerning trend, including the breakdown of international norms and the failure of state accountability. Israel's continued disregard for international humanitarian law, combined with the international community's failure to enforce accountability, risks normalizing mass atrocities and setting dangerous precedents for future conflicts.

This research paper critically examines the systemic failures of the United Nations by focusing on its principal organs, the Security Council and the General Assembly. Using the Gaza crisis as a case study, it analyzes how structural and procedural deficiencies within the UN have not only rendered the organization ineffective in preventing mass atrocities but have, in some instances, facilitated impunity. The paper provides an in-depth examination of the UN's actions and inactions since October 7, 2023, shedding light on internal processes typically obscured from public scrutiny. The paper examines the situation from both a legal and political perspective. On the legal level, it scrutinizes the UN's obligations under international law, the application and enforcement of relevant treaties, specifically the UN Charter, and the operational mechanisms designed to uphold human rights and prevent the worst of crimes against humanity, including genocide. On the political level, it explores how power dynamics, geopolitical interests of major powers, and the protection of strategic alliances have hindered the organization to protect

⁶ Amnesty International, "Amnesty International Sounds Alarm on International Law: Flagrant Rule-Breaking by Governments and Corporate Actors," *Amnesty International*, April 24, 2024, <https://www.amnesty.org/en/latest/news/2024/04/amnesty-international-sounds-alarm-international-law-flagrant-rule-breaking-governments-corporate-actors/#:~:text='Israel's%20flagrant%20disregard%20for%20international,levels%2C'%20said%20Agnès%20Callamard.>

international peace and security. The author's attempt is to address and lay bare the organization's current malfunction by scrutinizing the UN's actions on both dimensions, legally and politically, with the Gaza crisis serving as the prime example to unmask the organizational processes responsible for the deteriorating rules-based international system. Through an examination of foundational treaties, resolutions, and institutional practices, this study identifies critical fault lines, in particular the Security Council's veto mechanism, the politicization of legal enforcement, and the shielding of powerful states from accountability. Finally, the paper proposes comprehensive legal and structural reforms aimed at restoring the organization's effectiveness and legitimacy and saving it from its ultimate collapse.

2. The United Nations: Legal Framework and Structural Obligations

The United Nations was established as a legal entity with the primary purpose of maintaining international peace and security, promoting human rights, and ensuring adherence to international law. Its founding document, the Charter of the United Nations, is an international treaty that is legally binding on all Member States. The Charter defines not only the objectives of the organization but also the legal obligations of its principal organs and Member States. In particular, Articles 1 and 2 of the Charter enshrine the commitment to the peaceful settlement of disputes, the prohibition of the use of force against territorial integrity or political independence, and the obligation to respect human rights and fundamental freedoms.⁷ The United Nations, as both a political and legal body, is therefore not merely a forum for diplomatic negotiation; it is bound by a legal framework that imposes clear duties on its institutions and members. Failure to uphold these duties, whether through inaction, misuse of mechanisms such as the veto, or politicization, constitutes a breach of international legal commitments.⁸ Thus, any comprehensive assessment of the UN's performance, particularly in cases such as Gaza, must include an analysis of its structural legal obligations and the extent to which these obligations have been fulfilled or undermined. This paper proceeds from the position that the Charter's legal provisions are not aspirational; they are binding. Therefore, the persistent inability or

⁷ United Nations, *Charter of the United Nations*, 1945, <https://www.un.org/en/about-us/un-charter>.

⁸ José E. Alvarez, *International Organizations as Law-Makers* (Oxford: Oxford University Press, 2005), 182–215.

unwillingness of the United Nations to address grave breaches of international law, specifically in the case of Gaza, not only erodes its political credibility but calls into question the very legitimacy of its legal foundations. Before exploring specific instances within the UN system, it is essential to understand the structural, legal, and procedural vulnerabilities that have resulted in the current deadlock.

a) The UN Charter: A Brief History

The foundational ideas for the United Nations Charter can be traced to the Atlantic Charter of 1941, articulated by Winston Churchill and Franklin D. Roosevelt. The document outlined shared principles aimed at fostering a world free from tyranny and conflict, emphasizing self-determination, economic cooperation, and collective security. In 1942, the term "United Nations" was formally established through the Declaration by United Nations, wherein 26 Allied nations pledged their commitment to a common struggle against Axis aggression and to the envisioned post-war order. Subsequent conferences worked towards this vision. In 1943, the Moscow Conference, involving China, the USSR, the United Kingdom, and the United States, reaffirmed the intention to create a general international organization. At the Tehran Conference later that year, Roosevelt, Churchill, and Stalin emphasized the need for a "world family" of democratic nations, committed to cooperative security efforts. The drafting process culminated through the Dumbarton Oaks Conference in 1944, where preliminary proposals for the structure and functions of the future organization were negotiated. Although significant progress was made, critical issues, particularly regarding the Security Council's voting procedures, remained unresolved. These matters were finalized at the Yalta Conference in 1945, where the concept of the veto was formally endorsed as a condition for P5 participation.⁹ On February 11th 1945, Churchill, Roosevelt and Stalin ultimately summoned the San Francisco conference, and hence initiated the official formation of today's United Nations: "*We have agreed that a Conference of United Nations should be called to meet at San Francisco in the United States on the 25th April, 1945, to prepare the charter of such an organization, along the lines proposed in the formal conversations of Dumbarton Oaks.*"¹⁰ The San Francisco Conference, convened on April 25, 1945, brought together 50 states to finalize and adopt the Charter of the United Nations. The

⁹ United Nations, "Preparatory Years," *United Nations*, <https://www.un.org/en/about-us/history-of-the-un/preparatory-years>.

¹⁰ United Nations, "History of the United Nations: 1941–1950," *United Nations*, <https://www.un.org/en/about-us/history-of-the-un>.

Charter was signed on June 26, 1945, and entered into force on October 24, 1945, with the renowned introductory words: *"We the peoples of the United Nations, determined to save succeeding generations of the scourge of war, which twice in our lifetime has brought untold sorrow to mankind,.."*¹¹. The Charter's preamble famously commits "to save succeeding generations from the scourge of war" and to uphold human rights and the rule of law. The Charter, as a binding international treaty, established the basic framework for international relations and continues to serve as the primary source of legal obligations among states. Notably, Article 103 of the Charter asserts the primacy of Charter obligations over conflicting obligations arising from other international agreements, affirming its hierarchical superiority in the international legal order. While the historical context of the Charter's formation must be acknowledged, for instance the compromises made to ensure broad participation of relevant powers, the evolution of geopolitics and international relations underscore the urgent need to reassess the Charter's provisions. The foundational principles remain vital, but the institutional mechanisms designed in the mid-20th century are outdated and require critical reevaluation to remain functional in the 21st century.

b) The Security Council

The Security Council holds primary responsibility for the maintenance of international peace and security, as set out in the UN Charter. The organ's mandate is enshrined in Chapter V of the UN Charter. Article 23 to Article 32 of the fifth chapter outlines the Security Council's composition, its function, powers, voting procedures and regulations of participation.¹² The global body, located in the headquarters of the United Nations in New York, was tasked with the power to restore international peace and security in times of conflict and wars, and it has been put to the test ever since. As of November 1st, 2024, the World Security apparatus has adopted 2757 resolutions addressing a range of critical issues, including humanitarian assistance, legal challenges, sanctions, peacekeeping missions, and calls for ceasefires.¹³ Decisive authority within the Council is vested in its five permanent members (P5): the United States, the United Kingdom, France, China, and Russia. Despite the election of ten additional non-permanent, elected members (E10) on a two-year

¹¹ United Nations, *Charter of the United Nations: Full Text*, <https://www.un.org/en/about-us/un-charter/full-text>.

¹² United Nations, "Charter of the United Nations," *United Nations*, <https://www.un.org/en/about-us/un-charter>.

¹³ United Nations Security Council, "Resolutions Adopted by the Security Council in 2024," *United Nations*, <https://main.un.org/securitycouncil/en/content/resolutions-adopted-security-council-2024>.

rotational basis to ensure broader regional representation, the ultimate decisions remain in the hands of the P5 members due to their veto power.¹⁴ The veto power grants the P5 a monopoly over international peace and security and thereby allows them decisive influence over the world's most critical crises. The Security Council has been criticised since its inception for its exclusive power in the hands of only five states, bearing the responsibility of representing all 193 member states in peace and security issues. Many scholars and practitioners have argued that entrusting global peace and security questions only to a few, particularly states with historical records of war crimes, colonialism, and systemic human rights abuses, contradicts the mission of the Security Council.¹⁵ The Council has frequently been accused of operating not to fulfill its core mandate of maintaining international peace and security, but rather to serve the national interests of the P5 and their strategic allies. These inherited deficiencies trace back to the drafting of the UN Charter itself, where geopolitical realities of the post-World War II era cemented the privileged position of the Allied powers. The veto mechanism, enshrined in Article 27 of the Charter, remains one of the most significant structural flaws within the UN system.¹⁶ 80 years since the organization's founding, including the establishment of the veto, the provision crystallizes into the main obstacle towards peace. It grants any P5 member the ability to block substantive resolutions, including peacekeeping missions, humanitarian interventions, ceasefire regulations, or sanctions. The veto has often paralyzed the Council, enabling prolonged conflicts and exacerbating civilian suffering, irrespective of the stance and interest of the other 188 UN member states. It is essential to note that the current composition of the Council does not at all reflect contemporary geopolitical realities, but rather enforces the old, rigid system put in place 80 years ago, in a post-WWII geopolitical landscape vastly different than today. Emerging powers, communities, and underrepresented regions, notably from the Global South, remain marginalized within the Security Council's composition.

Chapter VI, VII, VIII describe the specific powers granted to the Council in depth. Chapter VI of the UN Charter addresses the peaceful settlement of disputes and outlines procedures and mechanisms for resolving conflicts that threaten

¹⁴ United Nations Security Council, "Voting System," *United Nations*, <https://main.un.org/securitycouncil/en/content/voting-system>.

¹⁵ Marc J. Cohen, Amy Croome, and Elise Nalbandian, *Vetoing Humanity: How a Few Powerful Nations Hijacked Global Peace and Why Reform Is Needed at the UN Security Council* (Oxford: Oxfam International, 2024), <https://policy-practice.oxfam.org/resources/vetoing-humanity-how-a-few-powerful-nations-hijacked-global-peace-and-why-refor-621621/>.

¹⁶ United Nations, *Charter of the United Nations: Full Text*, art. 27, <https://www.un.org/en/about-us/un-charter/full-text>.

international peace and security through the use of diplomacy, negotiation, and non-violence. The chapter instructs the exhaustion of peaceful channels and instruments for the settlement of disputes before resorting to force. If member states fail to implement and adhere to peaceful tactics for resolving conflicts under Chapter VI, the Council may take action and decide on enforcement measures to uphold international security and peace. Chapter VII grants the Council authority to determine the existence of any "threat to the peace, breach of the peace, or act of aggression" under Article 39, and to adopt binding measures. Article 39 constitutes the legal threshold for the Council to shift from recommending peaceful solutions to mandating enforcement actions, including economic sanctions, arms embargoes, and military interventions. Although Chapter VII of the UN Charter provides an enforcement mechanism to address threats to peace and acts of aggression, the implementation of it has been irregular and often insufficient. It is frequently cited as one of the most important parts of the UN Charter, granting the Security Council the authority to adopt binding measures. Unlike General Assembly resolutions, which are typically non-binding recommendations, Security Council decisions adopted under Chapter VII have binding force on all UN Member States. According to Article 25 of the UN Charter, all Member States are legally bound to accept and implement the decisions of the Security Council. A key component of Chapter VII is Article 41, which regulates the imposition of non-military sanctions, for instance a complete or partial interruption of economic relations, the severance of diplomatic ties, arms embargoes, travel bans and asset freezes.¹⁷

While ultimately designed to apply pressure, encourage compliance with international law and resolve disputes without military actions, sanctions against member states or groups are a highly controversial tool that can lead to severe consequences on the living standards of entire countries and their civil society. In 2024, Russia, Iran, Syria, North Korea and Belarus build the top of the world's most sanctioned countries, followed by Myanmar, Venezuela, Cuba, Libya, and Afghanistan.¹⁸ 8 of the Council's 14 sanction regimes are imposed on African States, and it is typically countries of the Global South that are confronted with the negative impacts of sanctions, creating grounds for corruption. Member states under sanctions face severe socio-economic challenges, and it is to no surprise that such

¹⁷ United Nations, *Charter of the United Nations: Full Text*, Chapters VI–VIII, <https://www.un.org/en/about-us/un-charter/full-text>.

¹⁸ *Forbes Georgia*, "The Most Sanctioned Countries," *Forbes Georgia*, March 12, 2024, <https://forbes.ge/en/the-most-sanctioned-countries/>.

constraining obstructions result in actions trying to circumvent the legal processes. For instance, imposed asset freezes on government officials may advance illegal offshore financial systems to circumvent the financial restrictions. While sanctions aim to put pressure on regimes, they can inadvertently embolden corruptive actions, such as the creation of black markets and other sanction loopholes.¹⁹ This is in contradiction with the UN Convention of Anti-Corruption, and surging corruption may contribute to severe security risks and a deteriorating safety and stability situation in a sanctioned country. Therefore, rather than functioning as a punitive measure, sanctions increasingly encourage the facilitation of corruption absent due diligence and proper oversight of sanctions. Furthermore, one could argue that sanctions are a highly politicized tool, frequently weaponized by the P5 in the pursuit of geopolitical and economic goals. Sanctions further enhance negative impacts on civilian populations, such as the blocking of the timely procurement of food, vaccines, supplies, medicines and other essential goods.²⁰

Another decisive constituent of Chapter VII is Article 42, which allows the UNSC to introduce demonstrations, blockades, and operations by air, sea or land forces of member states, if it is deemed necessary to maintain or restore international peace and security.²¹ Especially when measures provided for in Article 41 demonstrate insufficiency or shortcomings, Article 42 is set to be implemented. A notable example of the invocation of Article 42 is the Gulf War of 1991, when the UNSC authorized military intervention to force Iraqi troops out of Kuwait to restore security. Chapter VIII allows regional arrangements for matters of the maintenance of international peace and security as long as they are consistent with the purposes and principles of the United Nations. The Security Council is required to be kept informed about regional efforts at all times and may provide assistance and support when necessary. The significant, indispensable role of the Security Council for a structured, successful settlement of conflicts with the least amount of human suffering is indisputable.

¹⁹ Bergin, Jamie. *The Circumvention of Sanctions: Lessons for Anti-Corruption Regimes*. Transparency International, 2024.

https://knowledgehub.transparency.org/assets/uploads/kproducts/The-circumvention-of-sanctions-Lessons-for-anti-corruption-regimes_ForPublishing.pdf.

²⁰ United Nations Office of the High Commissioner for Human Rights, “*Sanctions, Right to Health & Humanitarian Assistance*,” <https://www.ohchr.org/en/special-procedures/sr-unilateral-coercive-measures/sanctions-right-health-humanitarian-assistance>.

²¹ United Nations, *Charter of the United Nations: Full Text*, art. 42, <https://www.un.org/en/about-us/un-charter/full-text>.

In general, when subjects are brought to the UNSC for their consideration, the Council undertakes investigations, exerts mediation, and sets forth principles for pacific agreements among parties of disputes. In some cases, the UNSC might dispatch a mission to the affected region and appoint special envoys for in-depth research and reporting on the topic. Concerning the break out of hostilities, the Council may issue ceasefire directives and dispatch observer missions or peacekeeping forces with the aim to reduce tensions, hold conflicting parties apart and establish peace in the most pacifistic approach possible.²² Procedures of this kind are frequently dispatched far too late, if they are dispatched at all, and the implementation process typically faces delays up to several years. The Council relies on the collaboration and provision of military, diplomatic, financial and personnel resources of member states. Thus, political discrepancies may hinder missions and research on an issue despite their utmost exigency. For instance, the UN established the Military Observer Group (UNIIMOG) only eight years after the start of the Iran-Iraq war in 1988.²³ At this time, hundreds of thousands of people had already been killed, and the conflict was near its end.²⁴ This example showcases the extremely high cost of prolonged diplomatic processes and the urgent need for immediate responses and a certain preparedness for such missions.

In many critical instances, the Council members have failed to make use of the tools available to them. Furthermore, the UN has failed to install processes to compel member states to comply with Security Council resolutions or to hold states accountable for non-compliance, increasingly allowing disobedience to the Charter and its vision, essentially undermining the organization's credibility. Unquestionably, there were matters that have been resolved by the Council successfully and in unity in line with its mandate. Nevertheless, it cannot be understated that the structural limitations and the politicalization of the organ has affected many matters over decades, and it has detrimental consequences for civilian lives in conflict zones. From inaction and inefficiency in some crises to a complete deadlock in others, it is mainly vetoes and diplomatic disagreements among the P5 that hinder resolute action from the UN. The Gaza crisis underscores the fundamental errors and the

²² United Nations Security Council, "What Is the Security Council?" *United Nations*, <https://main.un.org/securitycouncil/en/content/what-security-council#:~:text=to%20maintain%20international%20peace%20and,harmonizing%20the%20actions%20of%20nations>.

²³ United Nations Security Council, "Resolution 619 (1988)," *United Nations*, August 9, 1988, [https://undocs.org/S/RES/619\(1988\)](https://undocs.org/S/RES/619(1988)).

²⁴ United Nations Peacekeeping, "United Nations Iran–Iraq Military Observer Group (UNIIMOG) – Background," *United Nations*, <https://peacekeeping.un.org/mission/past/uniimogbackgr.html>.

politicization of the Security Council. Despite the evident scale of civilian suffering, the Security Council has repeatedly refrained from acting under Chapter VII, often constrained by the use or threat of the veto.

In recent years, calls for Security Council reform have intensified. During the 2024 General Debate at the High-Level Week of the UN General Assembly, a vast majority of the 193 Member States advocated for comprehensive institutional reform, signaling widespread recognition of the Council's systemic deficiencies.²⁵ There is widespread agreement of member states to enlarge the Security Council with a permanent member from an African state, representing the continent that is still excluded from the Council's framework, yet highly impacted by its decisions, for instance on matters in the Sahel region or the Sudan crisis.

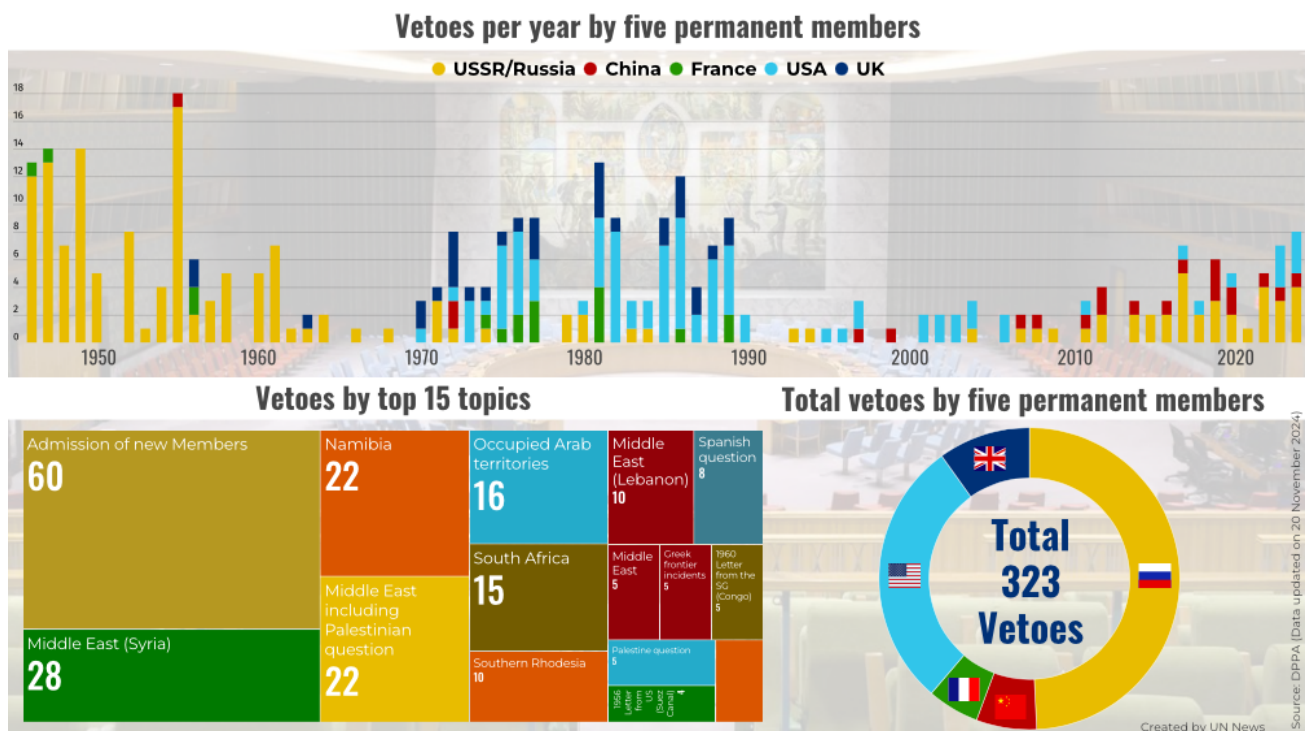
c) The power of the Veto

The Veto gives each permanent UNSC member the power to block any action and it typically has been used when a matter misaligns with the veto-ing countries' agenda and goals. Permanent members use it to defend their national interests, sustain their foreign policy or to promote a single issue of particular relevance to a state. Since the UN's founding, all five permanent members have made use of their veto power under article 27 of the UN Charter. The USSR/Russia holds the veto record, with approximately 120 vetoes, 35 of them related to UN membership applications in the early years of the UN. The country with the second-highest number of vetoes is the United States, with approximately 89 vetoes since the Council's inception. Security Council Report documents that since 1970, the US has used the veto far more frequently than any other permanent member. It is noteworthy that most of its vetoes were leveraged to support their strategic ally Israel by blocking resolutions regarding the Middle East and the question of Palestine. The United Kingdom and France have not cast a veto since 1989, and China accounts for a relatively low number of vetoes compared to Russia and the United States despite a considerable increase of Chinese vetoes since 2011.²⁶ Over 90% of vetoed resolutions since 2014 have been cast on only three matters: Syria, the Occupied Palestinian Territories, and

²⁵ United Nations General Assembly, *General Debate of the 79th Session*, Official Records, September 2024.

²⁶ Security Council Report. "The Veto." *UN Security Council Working Methods*, last updated April 2023. <https://www.securitycouncilreport.org/un-security-council-working-methods/the-veto.php>.

Ukraine.²⁷ The vetoes have immense repercussions on the ground and trap the people of Syria and Palestine in ongoing crises while accelerating the already dire



humanitarian needs immensely.

The following graphic displays the UN data on the vetoes used by the permanent members as of November 2024. It depicts that Russia and the US exceed the other members by far in their veto usage, and the graph further divides the vetoes by 15 of the most prominent topics. The analysis confirms that besides the issue of admitting new members, most vetoes were cast on the Middle East. 28 vetoes were recorded on the topic of Syria, 22 on the Palestinian question, and 16 regarding Occupied Arab territories. 10 resolutions regarding Lebanon were blocked through a veto and another 14 vetoes were imposed on resolutions including Palestine, the Suez Canal Crisis, and the Middle East in general.²⁸

The power of veto usage can not be understated, as it develops a habit for member states to refrain from formally tabling draft resolutions in expectation of being vetoed

²⁷ Marc J. Cohen, Amy Croome, and Elise Nalbandian, *Vetoing Humanity: How a Few Powerful Nations Hijacked Global Peace and Why Reform Is Needed at the UN Security Council* (Oxford: Oxfam International, 2024), <https://policy-practice.oxfam.org/resources/vetoing-humanity-how-a-few-powerful-nations-hijacked-global-peace-and-why-reform-621621/>.

²⁸ United Nations, Department of Political and Peacebuilding Affairs, *Security Council Data – Vetoes Since 1946*, Peace & Security Data Hub, accessed January 19, 2025, <https://psdata.un.org/dataset/DPPA-SCVEToes>.

by one or more permanent members. This pattern is difficult to document due to a lack of paper trail, as a resolution typically needs reasonable expectation of adoption for it to become an official Council document. Some sponsors of draft resolutions, however, put a draft resolution to a vote in complete knowledge of facing a veto. The aim of this is to demonstrate symbolic support for an action and for the positions of the Council to be officially recorded.²⁹ Furthermore, it is significant to acknowledge that vetoes have immense negative consequences for peace and international security as well as devastating effects for communities on the ground. It disables the Security Council to address some of the most serious, harmful violations of international law and the UN Charter. For instance, in the case of Syria, Russia's and China's vetoes resulted in the cancellation of an investigation mechanism for chemical weapons, the prevention of a referral to the International Criminal Court (ICC) as well as the blocking of a condemnation of chemical weapons attacks. The Security Council further has failed to establish criminal tribunals in the case of Ukraine, to condemn Russia's aggression and it blocked investigations of Russian crimes in Ukraine due to the veto.³⁰

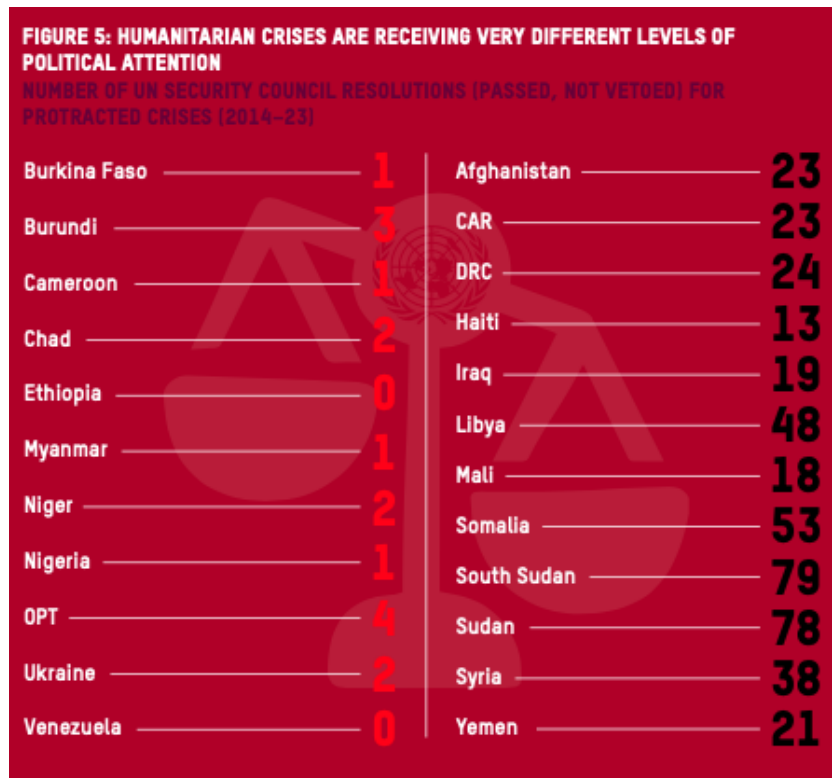
d) Security Council Reform: Due since its Inception

Calls for Council reform are intensifying from all sides, and Oxfam, a confederation of NGOs, has published a report "Vetoing Humanity", calling on UN member states to take decisive and bold action to rebuild a more efficient and responsive system. Oxfam urges member states to overhaul the current deadlocked mechanisms to capture the true ambitions of the UN charter and put global peace above politics. The NGO umbrella endorses the renunciation of the veto and embraces the expansion of membership to represent today's global reality instead of the obsolete, military-focused Council composition. Furthermore, the report demands permanent members to stop arm transfers and military aid to uphold International Humanitarian Law and the Arms Trade Treaty. It is paradoxical that companies in the P5 countries account for nearly 75% of global arms sales. In addition, Oxfam exposes that the P5 have sold heavy weaponry to 22 of the 23 countries in perpetuated wars and crises, with Haiti being the only exception. As permanent members of the World organ for

²⁹ Security Council Report, "The Veto: UN Security Council Working Methods", <https://www.securitycouncilreport.org/un-security-council-working-methods/the-veto.php>.

³⁰ Marc J. Cohen, Amy Croome, and Elise Nalbandian, *Vetoing Humanity: How a Few Powerful Nations Hijacked Global Peace and Why Reform Is Needed at the UN Security Council* (Oxford: Oxfam International, 2024), <https://policy-practice.oxfam.org/resources/vetoing-humanity-how-a-few-powerful-nations-hijacked-global-peace-and-why-refor-621621/>.

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responsibility to not provide any weapons and military resources, which are potentially used for war crimes. Not only do the P5 sell weapons to other belligerents, but the defective structure of the SC allows permanent members to judge their own cases. For instance, as a P5, Russia can veto any action tried by the Council for aiding and achieving peace in Ukraine. Moreover, the United States has vetoed efforts to address its military interventions in Panama, Grenada, and Nicaragua, rendering the Council profoundly ineffective and flawed. Inequality is driven by several factors, but it also has been inflicted and cemented in the global peace and security architecture from its establishment on by allowing five states to neglect the requests of the rest of the world.³¹

³¹ Ibid., 25-27.

This graphic provided by the Oxfam report displays the number of passed Security Council resolutions on various topics between 2014 and 2023 to demonstrate the large gap in attention given to the various crises. For instance, the SC passed 79 resolutions within 10 years on South Sudan, with only 4 passed resolutions on the Occupied Palestinian Territories. This stark contrast of neglect between some countries compared to others can be traced back to political will and contention. While the Council's resources went heavily towards some countries, for instance Sudan, Somalia, and Libya, other countries such as Myanmar, Ukraine and Palestine have been put aside on the agenda. The lack of attention on Palestine over the last ten years depicted in this figure clearly impacted the progression of the issue into the catastrophic, unprecedented crisis that is taking place at present in Gaza. The Oxfam report presents that over the past decade, the UNGA has adopted at least 77 resolutions for Palestinian self-determination and Palestinian rights, and some of the texts have passed with an overwhelming majority of over 70% of member states.³² Nonetheless, in comparison to SC resolutions, despite carrying vast political and moral weight and signaling political direction and support, GA resolutions remain legally non-binding. This rift between the international community of 193 member states in the GA and the privileged powerful P5 in the SC exacerbates the failure of the Council to act on behalf of all member states. As demonstrated by the overwhelming support for Palestine in the General Assembly, the trajectory of the country can be determined by the veto of a single state.

e) The Power of the Pen

Oxfam additionally draws attention to the issue of penholding, and claims that it is mostly the former colonial P5 powers who frequently draft UNSC resolutions,

³² Ibid.,23.

primarily on countries they once controlled and might still maintain interest in. Over the last 10 years, France, the UK, and the US have been penholders in two-thirds of the crises addressed by the Council. Since 2003, the three permanent members have held the power of the pen on 73% matters of the SC agenda. It is an informal but very influential process. The penholder of a resolution leads the drafting procedure, manages negotiations and can prevent certain discussions on a topic. Oxfam reports that France, the UK, and the US have repeatedly used penholding to benefit geopolitical and neocolonial ambitions. For instance, the UK is the penholder for the file on Yemen, where it has strategic interests in maritime routes and upholds historical colonial ties. In the case of Mali, the government of Mali disapproved of French penholding in 2023 due to acts of aggressions, violations of the airspace and destabilization in the country. Theoretically, any of the SC members, including the ten elected non-permanent member states, can introduce a resolution and manage it. However, in practice, the penholding task and therefore the decisions over the agenda are mostly driven by France, the UK and the US. This disproportionate share of penholding and thus, influence on the Council's matters, is determined by various factors. To draft a resolution and bring it to the table, it is important that the government introducing the topic anticipates support for it and expects no permanent member to veto it. Whether a resolution will be supported or not is often established beforehand during closed consultations or informal meetings between diplomats. Moreover, to function as a penholder, a member state must provide sufficient, qualified resources and staff to draft the document and negotiate on the issue. Typically, wealthy governments possess these resources, and therefore spare no effort to act as penholders in a highly disproportionate matter compared to non permanent members, which often have less resources and less diplomats. For instance, some governments are forced to utilize one diplomat to cover various committees and functions at the UN due to insufficient resources. This limits underprivileged and economically restrained governments in their scope of possibilities at the organization, including penholding. Despite the fact that France and the UK have not put their veto to use since 1989, their strong hold over several files for decades emphasizes their ongoing dominant position and leverage on some of the world's most pressing crises.³³

³³ Ibid., 18-19.

3. Reform Without Reinvention: Legal Provisions Waiting to be Used

a) Amendments to the Charter: Article 108 & 109

Although amendments to the Charter are legally possible under Articles 108 and 109, such changes require the consent of all five permanent members, creating a self-reinforcing cycle of inaction.³⁴ Article 108 allows for amendments to the UN Charter, which must be adopted by a two-thirds majority in the General Assembly and ratified by two-thirds of all member states. Moreover, it must be approved by all P5 states of the Security Council. Historically, Article 108 has been invoked to increase the number of Security Council members in 1965 from 11 to 15, adding 4 more non-permanent members. Additionally, Article 108 enabled the expansion of Economic and Social Council (ECOSOC) members in 1965 and in 1973 from initially 18 to 54 members. These enlargements in the past highlight the possibility of change within the UN system towards more inclusive frameworks and mechanisms. It also emphasizes the different political landscape that allowed for the approval of such expansions. Article 109 of the UN Charter, which provides for a General Review Conference of the UN Charter after 10 years, for instance in 1955, has historically never been invoked.³⁵ In 1955, the General Assembly did pass a resolution to call for a Review Conference in 1955; however, the resolution did not pass in the Security Council, and no General Conference to review the Charter has ever been held under Article 109. Certain P5 states have made clear their unwillingness to alter or share their privileged position, maintaining a system that centralizes decisions over war and peace across the entire world in a few national hands.

Absent structural reform, the legitimacy of the Security Council and the United Nations will continue to suffer. At a conference on organizational reform, one UN diplomat, spoken on behalf of the L.69 group of developing countries, stressed that *“reform is not only imperative but a precondition to international peace, security, stability and an effective multilateral order”*³⁶.

³⁴ United Nations, *Charter of the United Nations*, Chapter XVIII: Amendments, Articles 108–109, <https://www.un.org/en/about-us/un-charter/chapter-18>.

³⁵ Santos, Edmarverson A. "The Evolution of the United Nations Charter." *Diplomacy & Law*, May 29, 2024. <https://www.diplomacyandlaw.com/post/the-evolution-of-the-united-nations-charter>.

³⁶ UN News, "General Assembly Adopts Resolution Calling for Immediate Humanitarian Ceasefire in Gaza," November 6, 2023, <https://news.un.org/en/story/2023/11/1143677>.

b) Uniting for Peace: Resolution 377A

On November 3, 1950, the UN General Assembly adopted resolution 377A (V), a legal pathway to circumvent the Security Council by taking emergency measures when it is paralyzed. Thereby, the General Assembly retains the authority under the 'Uniting for Peace' Resolution to recommend collective measures to maintain or restore international peace and security.³⁷ It declares that in cases of the Security Council's failure to exercise its primary responsibility to maintain peace and international security due to a lack of unanimity among the P5, the matter shall be taken on by the General Assembly to implement appropriate measures. If the General Assembly is not in session at the time of the issue, resolution 377A initiates an Emergency Special Session in under 24 hours to make urgent, non-binding decisions at the General Assembly regarding an issue.³⁸

The adoption was a response to the negative vote of the Union of Soviet Socialist Republics (USSR) on a resolution that condemned North Korea's military aggressions in the Republic of Korea. Consequently, the United States persuaded the General Assembly to claim responsibility for international peace and security as enunciated in Article 14 of the UN Charter, and resolution 377A (V) was the result.³⁹ A significant limitation is that compared to Security Council resolutions, General Assembly resolutions carry only moral, diplomatic and political weight but are not binding on the member states. With the rising trend of defying resolutions that do not support countries' national interests, for instance the US regarding resolutions about Israel, these non-binding GA resolutions are simply another document to ignore. However, they demonstrate the isolation of Israel and the US at the UN when it comes to the question of Palestine. For instance, nine more countries have started the recognition process of the State of Palestine in 2024, leading to a total of 146 official recognitions.⁴⁰ Resolution 377A and the convening of an Assembly debate whenever a veto is cast do represent modest reform. For the effective restoration of

³⁷ United Nations General Assembly, *Resolution 377 (V): Uniting for Peace*, November 3, 1950, [https://docs.un.org/en/A/RES/377%20\(V\)](https://docs.un.org/en/A/RES/377%20(V)).
















³⁸ United Nations General Assembly, *Emergency Special Sessions of the General Assembly*, accessed March 15, 2025, <https://www.un.org/en/ga/sessions/emergency.shtml>.

³⁹ United Nations, *Uniting for Peace*, Audiovisual Library of International Law, last modified 2024, <https://legal.un.org/avl/ha/ufp/ufp.html>.

⁴⁰ Al Jazeera, "Which Countries Recognise Palestine in 2024?" November 29, 2024, <https://www.aljazeera.com/news/2024/11/29/which-countries-recognise-palestine-in-2024>.

the functioning of the UN, a major SC reform and possibly an overhaul of more UN mechanisms and organs is indispensable.

List of latest recognitions of the State of Palestine:⁴¹

	Country	Date of Recognition
1	 Mexico	March 20, 2025
2	 Armenia	June 21, 2024
3	 Slovenia	June 4, 2024
4	 Ireland	May 22, 2024
5	 Norway	May 22, 2024
6	 Spain	May 22, 2024
7	 Bahamas	May 8, 2024
8	 Trinidad and Tobago	May 3, 2024
9	 Jamaica	April 24, 2024
10	 Barbados	April 20, 2024
11	 Saint Kitts and Nevis	July 29, 2019
12	 Colombia	August 3, 2018
13	 Saint Lucia	September 14, 2015
14	 Holy See	June 26, 2015
15	 Sweden	October 30, 2014

Last updated: April 10, 2025

**Holy See is not a permanent member of the UN, but holds observer status*

c) Emergency Special Sessions

In eleven instances since the creation of the UN, an Emergency Special Session was called into place. It is conspicuous that six of the eleven Emergency Special Sessions have been invoked in regard to security threats in the Middle East, with the first Emergency Special Session held from November 1 to 10, 1956, in response to the Suez Crisis. In 1956, a tabled resolution at the Security Council called for a ceasefire and the withdrawal of foreign forces. However, due to France's and the

⁴¹ Ibid.

United Kingdom's involvement in the military actions, the two permanent members vetoed the resolution.⁴² For this reason, the first Emergency Special Session was called in place. The third Emergency Special Session addressed Lebanon's security crisis from 8 to 21 August, 1958. It further focused on regional stability as a whole, particularly threats to Jordan's monarchy due to the rise of Arab nationalist movements. The fifth session took place from 17 to 18 June, 1967, primarily to address the crisis that resulted from the Six-Day war between Israel and its neighboring Arab states from June 5 to 10, 1967.⁴³ The conflict had an immense impact on the region and it changed the balance of power in the Middle East. Israel's rapid victory in six days left the Arab states defeated and led to a major redrawing of the region's borders, with Israel taking control of territories that would become key points of dispute until today, including East Jerusalem, the Gaza Strip, the West Bank, the Golan Heights and the Sinai Peninsula. Despite a sharp rise in Arab nationalism at the time and major sympathy for the Palestinian cause among the society in the region, it can be argued that the Arab governments confronting Israel lacked sufficient ambition for the cause. Whereas the Israeli army deployed 25,000 soldiers to occupy the territories, the Arab states combined provided only 35,000 fighters. Moreover, their tensions and national divisions among each other caused further obstacles, for instance the lack of efficient military communication and cooperation.⁴⁴ The most important outcome of the Emergency Special Session is Security Council resolution 242, which was subsequently adopted in November 1967 as an outcome of the negotiations and meetings in June. The document has been repeatedly cited hundreds of times at the UN in support of the rights of Palestinian people, and it is one of the most important achievements in Middle Eastern diplomacy.⁴⁵ The seventh Emergency Special Session addressed the Israeli-Palestinian conflict. It had to be invoked due to a veto of the US in the Security Council, which prevented any progress. The session was initiated by Senegal, the chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People at the time, and it convened multiple times in the General Assembly between July 1980 and September 1982. Simultaneously, the ninth Emergency Special

⁴² United Nations Peacekeeping, *First United Nations Emergency Force (UNEF I) – Background*, accessed March 2, 2025, <https://peacekeeping.un.org/fr/mission/past/unef1backgr1.html>.

⁴³ United Nations General Assembly, *Emergency Special Sessions of the General Assembly*, accessed March 2, 2025, <https://www.un.org/en/ga/sessions/emergency.shtml>.

⁴⁴ Hinnebusch, Raymond. "Revisiting the 1967 Arab-Israel War and Its Consequences for the Regional System." *British Journal of Middle Eastern Studies* 44, no. 4 (2017): 593–609. <https://www.jstor.org/stable/48541204>.

⁴⁵ United Nations General Assembly, *Fifth Emergency Special Session, Official Records, Plenary Meetings, 1–15 July 1967*, A/PV.1526–A/PV.1547, <https://digitallibrary.un.org/record/90717?v=pdf>.

Session “The situation in the occupied Arab territories” took place from 29 January to 5 February 1982 and primarily addressed Israel’s illegal annexation of the Golan Heights.⁴⁶ The 10th Emergency Special Session “Illegal Israeli actions in occupied East Jerusalem and the rest of the Occupied Palestinian Territory” has first been invoked in 1997 as a result of the Security Council’s inaction due to several vetoes. The session is still open and convening regularly, as a result of recurring US vetoes.⁴⁷

The most recent General Assembly resolution from this session was adopted on December 11, 2024, demanding a ceasefire in Gaza. Resolution A/ES-10/L.33 was the second explicit demand for a ceasefire by the 193-member body at the resumed special session in the General Assembly since October 2023.⁴⁸ 158 of the 193 members voted in favor of the resolution, indicating an overwhelming support for the Palestinian cause. Thirteen countries that had previously abstained or voted against the similar resolution chose to support the call for a ceasefire this time, including Austria, Germany, Italy, and others. 13 countries abstained, and only 9 voted against the ceasefire, including Israel, the United States, Argentina, Paraguay, Hungary, Czechia, Tonga, Nauru, and Papua New Guinea. In addition to a ceasefire, the firmly endorsed resolution urges support for UNRWA, the release of Israeli and Palestinian captives, the need for accountability and further recommendations.⁴⁹ The staunchly approved resolution conveys that the P5 failed to fulfill their mandate of representing the interests of all member states for international peace and security. This is particularly true for matters in the Middle East; 6 out of the 11 Emergency Special Sessions were invoked because of the Security Council’s inaction and vetoes regarding crises in the region.

4. Blocking a Gaza Ceasefire: Use of the Veto from 2023-2024

Contemporarily, the abuse of veto power is particularly evident in the case of Palestine and the situation in the Middle East, as the Security Council was

⁴⁶ United Nations General Assembly, *Emergency Special Sessions of the General Assembly*, accessed March 2, 2025, <https://www.un.org/en/ga/sessions/emergency.shtml>.

⁴⁷ Ibid.

⁴⁸ United Nations General Assembly, *Draft Resolution A/ES-10/L.33*, October 26, 2023, <https://docs.un.org/en/A/ES-10/L.33>.

⁴⁹ United Nations General Assembly, *Demand for Ceasefire in Gaza: Draft Resolution*, December 5, 2024, <https://www.un.org/unispal/document/demand-for-ceasefire-in-gaza-ga-draft-resolution-05dec24/>.

consistently blocked by the US veto from reaching a ceasefire, achieving Palestinian statehood, condemning illegal settlements and various forms of violence perpetrated against Palestinians over time. On November 20 2024, the US has exercised its veto power for the fourth occasion since the onset of the genocide in Gaza, blocking an immediate, unconditional and permanent ceasefire.⁵⁰ It was the sole member state preventing a mere ceasefire as every Council member voted in favor of the resolution. The United States, acting on behalf of Israel, is thereby showing its true values in front of the entire world. On October 18 2023, just days after the escalation, the Security Council convened to vote on a resolution calling for an immediate ceasefire and a de-escalation process put forward by Brazil. The resolution amplified the protection of civilians in Palestine as well as Israel, and it condemned the violent attack on October 7th 2023 as well as the grave deterioration of the situation and heavy civilian casualties in the Palestinian territory. Despite the resolution's clear alignment with international law and the rules-based order, the United States was the sole member state vetoing the plan. Just one week after the vetoed resolution that left diplomats and the entire world in shock as Israel's bombs dropped on Gaza uninterrupted, the US put forward its own draft resolution. This resolution was vetoed by Russia and China, as the countries' assert that the resolution falls short of addressing the reality of the humanitarian catastrophe in Gaza, and merely focuses on Hamas and putting the Israeli Us-backed agenda forward.⁵¹ On December 6 2023, Guterres invoked Article 99 of the UN Charter, also called the "most powerful tool of the Secretary-General" as a last resort to avert a humanitarian catastrophe in Gaza. It is a relatively scarcely used provision used to intervene only when situations pose serious dangers to international peace and security. Article 99 has only been invoked a few times in UN history, and the developments in Gaza were the first time Guterres felt compelled to invoke it since taking office in 2017. The provision gives the UN chief the power to "bring to attention of the Security Council any matter which in his opinion, may threaten the maintenance of international peace and security". In his letter to the Council, he describes the enormous scale of loss in a short amount of time and urges the members to advocate for a ceasefire. Over 15,000 Palestinians had been killed in Israel's attacks after two months, over 40 percent of them children. Hospitals had turned to battlegrounds, killing thousands and erasing

⁵⁰ Middle East Eye. "The 49 Times the US Used Veto Power Against UN Resolutions on Israel." Last modified December 11, 2024. <https://www.middleeasteye.net/news/49-times-us-has-used-veto-power-against-un-resolutions-israel>.

⁵¹ Al Jazeera, "US Vetoes UN Security Council Resolution Demanding Gaza Ceasefire," *Al Jazeera*, November 20, 2024, <https://www.aljazeera.com/news/2024/11/20/us-vetoes-un-security-council-resolution-demanding-gaza-ceasefire>.

any opportunity of shelter for the more than 1,1 million displaced Gazans.⁵² As a reaction to the Secretary-General's letter, on December 8th, a historical 102 member states introduced an extremely reduced abstract of a resolution, consisting merely of a few words calling for an immediate ceasefire, emphasizing the protection of civilians on both sides and the release of all hostages as in the previous resolutions. The resolution was intentionally tailored to address every parties' demands and to make it practically impossible to veto it and yet, the United States was the sole member state blocking the exceptionally urgent ceasefire.⁵³ The widespread support of more than half of the world's governments signal the immense support for Palestine as well as immense despair towards the United States' shielding and indirectly conducting this genocide against Palestinians. On February 20th 2024, after 4 months of unimaginable suffering in Gaza, Algeria drafted the next ceasefire resolution which was again vetoed by the United States. Afterwards, on March 22nd 2024, the US tabled its own idea of a ceasefire resolution again, completely neglecting and ignoring the reality on the ground. China and Russia vetoed the US resolution, claiming that despite many compromises from their sides, it cannot be supported. This pattern of Security Council resolutions not only exposes the United States' corrupt immorality to the global community but also amplifies the influence of political considerations, even in the face of an unprecedented, apocalyptic crisis.

US diplomats defend their vetoes by echoing Israeli rhetoric and narratives, while the US government simultaneously upholds its declared commitment to democratic values, human rights, equality, and justice. In contrast to their true priorities, as revealed by Security Council vetoes and unwavering, continuous military support and arms shipments to Israel, US claims about the rule of law and liberal democratic values hold little credibility. Reports indicate that almost every inch of Gaza has been bombed with US-made bombs, and the US government has been confronted with this fact by activists in Congress, the Senate, in front of the White House, openly on the streets and by reporters during press conferences continuously. Despite confrontations on all levels, a huge social movement that demands an arms embargo, and lawsuits regarding the illegal provision of endless weapons to Israel, the Biden administration stands steadfast in their decision to support and aid

⁵² United Nations, "Gaza: Guterres Invokes 'Most Powerful Tool' Article 99, in Bid for Humanitarian Ceasefire," *UN News*, December 6, 2023, <https://news.un.org/en/story/2023/12/1144447>.

⁵³ United Nations. SC Draft Resolution S/2023/970. *United Nations Information System on the Question of Palestine (UNISPAL)*. December 8, 2023. <https://www.un.org/unispal/document/sc-fails-to-adopt-resolution-of-demanding-immediate-humanitarian-ceasefire-in-gaza-sc-draft-resolution-s-2023-970-dec8-2023/>.

genocide. The US is not only in breach of international law, but national US laws as well.⁵⁴ Despite the fact that Biden declared a red line when the Israeli government threatened to invade Rafah in May 2024, the empty statement was nothing but a facade; as in the case of Israel's interests, he proved that there are no red lines. As of December 2024, drone footage of Rafah shows that the Gazan city does not exist anymore, and it has been completely flattened to the ground by the Israeli army.

The most recent veto represents the 49th instance in which the United States has exercised this privileged power to protect Israel from accountability. This long-standing pattern highlights the US's role as Israel's most steadfast ally within the United Nations. Although many anticipated a shift in US policy following Israel's full-scale assault on Gaza in October 2023, the unwavering support has persisted even in the face of grave crimes against humanity. The latest ceasefire resolution that was blocked by the Security Council was a product of weeks of negotiations. Majed Bamyá, deputy envoy of the State of Palestine to the UN, shared his frustration in an emotional appeal after the US vetoed the resolution.⁵⁵ He reminds the world that the Council's powerlessness is self-inflicted, and pleads that *"a ceasefire is not everything, but the first step towards resolving anything"*. While the diplomats in New York continue to fight for a mere ceasefire, the North of Gaza is experiencing what some call a *"genocide within a genocide"*, and António Guterres calls the total siege of Northern Gaza and the catastrophic massacres with hundreds of victims daily an unimaginable, apocalyptic hell.⁵⁶ Dennis Francis, the President of the 78th Session of the General Assembly stated that if member states do nothing, questions on the relevance and efficiency of the UN will escalate, and public confidence in this institution will further shrink with each veto despite mounting global crises. All eyes of the world are looking to the organization, specifically to the UN Security Council to deliver effective responses to the intensifying global suffering and escalating catastrophes.⁵⁷

⁵⁴ Amnesty International USA, "U.S.-Made Weapons Used by Government of Israel in Violation of International Law and U.S. Law," *Amnesty International USA*, May 2, 2024, <https://www.amnestyusa.org/press-releases/u-s-made-weapons-used-by-government-of-israel-in-violation-of-international-law-and-u-s-law/>.

⁵⁵ United Nations, *Security Council Meeting on the Situation in the Middle East, Including the Palestinian Question*, UN Web TV, November 20, 2024, <http://webtv.un.org/en/asset/k1y/k1yuejtkoq>.

⁵⁶ Al Jazeera, "Palestine's UN Envoy Says 'Genocide within Genocide' Going On in North Gaza," *Al Jazeera*, October 13, 2024, <https://www.aljazeera.com/news/2024/10/13/palestines-un-envoy-says-genocide-within-genocide-going-on-in-north-gaza>.

⁵⁷ United Nations. "Veto Must Not End UN Action, Speakers Stress in General Assembly Debate, as President Warns Against Perception of 'Our Collective Failure to Act'." *United Nations Meetings Coverage and Press Releases*, April 23, 2024. <https://press.un.org/en/2024/ga12593.doc.htm>.

5. Overview of Resolutions regarding Palestine at the UN from October 2023 to November 2024

In this chapter, I provide a comprehensive overview of United Nations resolutions concerning Palestine from October 2023 to the present. I begin with an overview of Security Council resolutions, followed by those adopted by the General Assembly. The resolutions are presented in chronological order and for each resolution, I provide the key details in a consistent format: date, drafting country, outcome (adopted or vetoed), voting results, and the main content or purpose of the resolution.⁵⁸

a) Security Council Resolutions

October 16, 2023 – Draft Resolution by Russia

- Outcome: Not adopted
- Vote: 5 in favor, 4 against (US, UK, France, Japan), 6 abstentions

The Resolution called for a humanitarian ceasefire in Gaza, the release of hostages, and access to humanitarian aid. It failed to secure the required 9 votes for adoption of Security Council resolutions.

October 18, 2023 – Draft Resolution by Brazil

- Outcome: Vetoed by the US
- Vote: 12 in favor, 1 against (US), 2 abstentions (UK, Russia)

The resolution condemned the Hamas attack on October 7th, 2023, called for humanitarian pauses, and urged Israel to repeal evacuation orders that led to massive internal displacement within the Gaza strip.

October 25, 2023 – Draft Resolution by Russia

- Outcome: Vetoed by US and UK

⁵⁸ United Nations. *United Nations Digital Library*. Accessed April 3, 2025. <https://digitallibrary.un.org>

- Vote: 4 in favor, 2 against (US, UK), 9 abstentions

The world eagerly watched the voting procedure of this resolution at the Security Council, where for the third time since October 7th, 2023, the Council members have met to decide upon the fate of around 2 million Palestinians in Gaza amid the rapidly deteriorating humanitarian situation due to heavy bombardment by Israel. The United States and the United Kingdom opposed the resolution, claiming that it did not explicitly condemn Hamas's attacks on Israel.

October 25, 2023 – Draft Resolution by the US

- Outcome: Vetoed by Russia and China
- Vote: 10 in favor, 2 against (Russia, China), 3 abstentions

On October 25, 2023, the United Nations Security Council (UNSC) considered two separate draft resolutions concerning the catastrophic situation in Gaza. Both resolutions failed to pass due to vetoes and insufficient support, reflecting deep divisions among Council members and highlighting the complex geopolitical dynamics at play. Russia and China criticized the resolution for being unbalanced, arguing that it did not adequately address the humanitarian crisis in Gaza. They claimed the resolution lacked a call for an immediate ceasefire and neglected the broader context of the conflict and the rights of Palestinians.

November 15, 2023 – Resolution 2712, drafted and tabled by non-permanent member Malta

- Outcome: Adopted
- Vote: 12 in favor, 0 against, 3 abstentions (US, UK, Russia)

The resolution called for urgent and extended humanitarian pauses and corridors throughout Gaza to protect civilians.

December 8, 2023 – Draft Resolution by UAE

- Outcome: Vetoed by the US
- Vote: 13 in favor, 1 against (US), 1 abstention (UK)

The resolution was introduced by the United Arab Emirates (UAE), representing the Arab Group. It called for an immediate humanitarian ceasefire in Gaza to facilitate the delivery of aid and protect civilians amid escalating hostilities.

December 22, 2023 – Resolution 2720, drafted and tabled by the United Arab Emirates

- Outcome: Adopted
- Vote: 13 in favor, 0 against, 2 abstentions (US, Russia)

In the lead-up to the vetoed draft resolution on December 8th, 2023, extensive negotiations took place among the Security Council members, resulting in a revised draft acceptable to a broader consensus.

February 20, 2024 – Draft Resolution by Algeria

- Outcome: Vetoed by the US
- Vote: 13 in favor, 1 against (US), 1 abstention (UK)

The resolution called for an immediate humanitarian ceasefire, the unconditional release of all hostages, and unimpeded humanitarian access to the Gaza Strip. It also urged all parties to comply with their obligations under international law concerning detainees.

March 22, 2024 – Draft Resolution by the US

- Outcome: Vetoed by Russia and China
- Vote: 11 in favor, 2 against (Russia, China), 2 abstentions

The United States introduced a draft resolution to the United Nations Security Council (UNSC) addressing the ongoing conflict in Gaza. The resolution aimed to call for an "immediate and sustained ceasefire" linked to the release of hostages held by Hamas. Russia and China criticized the resolution for its ambiguous language, arguing that it did not unequivocally demand a ceasefire and was conditional upon hostage negotiations. They also expressed concerns that the resolution lacked a clear stance against a potential Israeli ground offensive in Rafah.

March 25, 2024 – Resolution 2728

- Outcome: Adopted
- Vote: 14 in favor, 0 against, 1 abstention (US)

The resolution was drafted and tabled by the E-10, the ten non-permanent members of the Security Council at the time: Algeria, Ecuador, Guyana, Japan, Malta, Mozambique, Sierra Leone, Slovenia, South Korea, and Switzerland. The adopted resolution represented a concerted effort by the non-permanent members of the Security Council and marked a significant development in the Council's response to the Gaza conflict.

April 18, 2024 – Draft Resolution on Palestinian UN Membership

- Outcome: Vetoed by the US
- Vote: 12 in favor, 1 against (US), 2 abstentions (UK, Switzerland)

On April 18, 2024, the United Nations Security Council (UNSC) convened to vote on a draft resolution recommending the State of Palestine for full UN membership. The resolution was drafted and tabled by Algeria, acting on behalf of the Arab Group at the UN. It sought to recommend to the General Assembly that "the State of Palestine be admitted to membership" in the United Nations.

June 10, 2024 – Resolution 2735, drafted and tabled by the United States

- Outcome: Adopted
- Vote: 14 in favor, 1 abstention (Russia)

This resolution marked a significant step by the Security Council in addressing the Gaza conflict, emphasizing a structured approach to a ceasefire and reconstruction efforts. It called on Hamas to accept the proposed hostage and ceasefire agreement and included a three-phase plan for Gaza.

November 20, 2024 – Draft Resolution by the ten elected non-permanent members of the SC

- Outcome: Vetoed by the US
- Vote: 14 in favor, 1 against (United States)

This resolution demanded an “immediate, unconditional, and permanent ceasefire” in Gaza, called for the immediate and unconditional release of all hostages, and emphasized the need for unhindered humanitarian access to Gaza. It also reaffirmed the role of UNRWA as the backbone of humanitarian assistance in Gaza. This veto marked the fifth time the US has blocked a Security Council resolution calling for a ceasefire in Gaza since the escalation of hostilities in October 2023.

b) General Assembly Resolutions

October 27, 2023 – Resolution ES-10/21, Humanitarian Truce in the Israel-Hamas Conflict

- Outcome: Adopted
- Vote: 121 in favor, 14 against, 44 abstentions

December 12, 2023 – Resolution ES-10/22, Immediate Ceasefire and Protection of Civilians in Gaza

- Outcome: Adopted
- Vote: 153 in favor, 10 against, 23 abstentions

December 3, 2024 – Resolution 79/81, Peaceful Settlement of the Question of Palestine and International Conference on Palestine

- Outcome: Adopted
- Vote: 157 in favor, 8 against, 7 abstentions

May 10, 2024 – Resolution on Palestinian UN Membership

- Outcome: Adopted
- Vote: 143 in favor, 9 against, 25 abstentions

The resolution emphasized the broad support of the international community for full membership of Palestine, and highlighted the divide between the General Assembly and the Security Council.



ISRAEL-GAZA WAR

UN resolution calling for humanitarian truce passes

The United Nations General Assembly has overwhelmingly adopted a non-binding resolution, 120 votes for, 14 against, and 45 abstentions, that called for an immediate humanitarian truce between Israel and Hamas and demanded aid access to Gaza.

Voting Ended		10/27/2023		3:49:01 PM	
Item 5 - A/ES-10/L.25					
Protection of civilians and upholding legal and humanitarian obligations					
<input checked="" type="checkbox"/> AFGHANISTAN	<input checked="" type="checkbox"/> CAMEROON	<input checked="" type="checkbox"/> FINLAND	<input checked="" type="checkbox"/> KUWAIT	<input checked="" type="checkbox"/> NEPAL	<input checked="" type="checkbox"/> SAUDI ARABIA
<input checked="" type="checkbox"/> ALBANIA	<input checked="" type="checkbox"/> CANADA	<input checked="" type="checkbox"/> FRANCE	<input checked="" type="checkbox"/> KYRGYZSTAN	<input checked="" type="checkbox"/> NETHERLAN...	<input checked="" type="checkbox"/> SENEGAL
<input checked="" type="checkbox"/> ALGERIA	<input checked="" type="checkbox"/> CENTRAL AF...	<input checked="" type="checkbox"/> GABON	<input checked="" type="checkbox"/> LAO PDR	<input checked="" type="checkbox"/> NEW ZEALAND	<input checked="" type="checkbox"/> SERBIA
<input checked="" type="checkbox"/> ANDORRA	<input checked="" type="checkbox"/> CHAD	<input checked="" type="checkbox"/> GAMBIA	<input checked="" type="checkbox"/> LATVIA	<input checked="" type="checkbox"/> NICARAGUA	<input checked="" type="checkbox"/> SEYCHELLES
<input checked="" type="checkbox"/> ANGOLA	<input checked="" type="checkbox"/> CHILE	<input checked="" type="checkbox"/> GEORGIA	<input checked="" type="checkbox"/> LEBANON	<input checked="" type="checkbox"/> NIGER	<input checked="" type="checkbox"/> SIERRA LEONE
<input checked="" type="checkbox"/> ANTIGUA-BA...	<input checked="" type="checkbox"/> CHINA	<input checked="" type="checkbox"/> GERMANY	<input checked="" type="checkbox"/> LESOTHO	<input checked="" type="checkbox"/> NIGERIA	<input checked="" type="checkbox"/> SINGAPORE
<input checked="" type="checkbox"/> ARGENTINA	<input checked="" type="checkbox"/> COLOMBIA	<input checked="" type="checkbox"/> GHANA	<input checked="" type="checkbox"/> LIBERIA	<input checked="" type="checkbox"/> NORTH MAC...	<input checked="" type="checkbox"/> SLOVAKIA
<input checked="" type="checkbox"/> ARMENIA	<input checked="" type="checkbox"/> COMOROS	<input checked="" type="checkbox"/> GREECE	<input checked="" type="checkbox"/> LIBYA	<input checked="" type="checkbox"/> NORWAY	<input checked="" type="checkbox"/> SLOVENIA
<input checked="" type="checkbox"/> AUSTRALIA	<input checked="" type="checkbox"/> CONGO	<input checked="" type="checkbox"/> GRENADA	<input checked="" type="checkbox"/> LIECHTENSTEIN	<input checked="" type="checkbox"/> OMAN	<input checked="" type="checkbox"/> SOLOMON IS...
<input checked="" type="checkbox"/> AUSTRIA	<input checked="" type="checkbox"/> COSTA RICA	<input checked="" type="checkbox"/> GUATEMALA	<input checked="" type="checkbox"/> LITHUANIA	<input checked="" type="checkbox"/> PAKISTAN	<input checked="" type="checkbox"/> SOMALIA
<input checked="" type="checkbox"/> AZERBAIJAN	<input checked="" type="checkbox"/> COTE D'IVOIRE	<input checked="" type="checkbox"/> GUINEA	<input checked="" type="checkbox"/> LUXEMBOURG	<input checked="" type="checkbox"/> PALAU	<input checked="" type="checkbox"/> SOUTH AFRICA
<input checked="" type="checkbox"/> BAHAMAS	<input checked="" type="checkbox"/> CROATIA	<input checked="" type="checkbox"/> GUINEA-BISS...	<input checked="" type="checkbox"/> MADAGASCAR	<input checked="" type="checkbox"/> PANAMA	<input checked="" type="checkbox"/> SOUTH SUDAN
<input checked="" type="checkbox"/> BAHRAIN	<input checked="" type="checkbox"/> CUBA	<input checked="" type="checkbox"/> GUYANA	<input checked="" type="checkbox"/> MALAWI	<input checked="" type="checkbox"/> PAPUA NEW ...	<input checked="" type="checkbox"/> SPAIN
<input checked="" type="checkbox"/> BANGLADESH	<input checked="" type="checkbox"/> CYPRUS	<input checked="" type="checkbox"/> HAITI	<input checked="" type="checkbox"/> MALAYSIA	<input checked="" type="checkbox"/> PARAGUAY ...	<input checked="" type="checkbox"/> SRI LANKA
<input checked="" type="checkbox"/> BARBADOS	<input checked="" type="checkbox"/> CZECHIA	<input checked="" type="checkbox"/> HONDURAS	<input checked="" type="checkbox"/> MALDIVES	<input checked="" type="checkbox"/> PERU	<input checked="" type="checkbox"/> SUDAN
<input checked="" type="checkbox"/> BELARUS	<input checked="" type="checkbox"/> DEM PR OF K...	<input checked="" type="checkbox"/> HUNGARY	<input checked="" type="checkbox"/> MALI	<input checked="" type="checkbox"/> PHILIPPINES	<input checked="" type="checkbox"/> SURINAME
<input checked="" type="checkbox"/> BELGIUM	<input checked="" type="checkbox"/> DEM REP OF ...	<input checked="" type="checkbox"/> ICELAND	<input checked="" type="checkbox"/> MALTA	<input checked="" type="checkbox"/> POLAND	<input checked="" type="checkbox"/> SWEDEN
<input checked="" type="checkbox"/> BELIZE	<input checked="" type="checkbox"/> DENMARK	<input checked="" type="checkbox"/> INDIA	<input checked="" type="checkbox"/> MARSHALL IS...	<input checked="" type="checkbox"/> PORTUGAL	<input checked="" type="checkbox"/> SWITZERLAND
<input checked="" type="checkbox"/> BENIN	<input checked="" type="checkbox"/> DJIBOUTI	<input checked="" type="checkbox"/> INDONESIA	<input checked="" type="checkbox"/> MAURITANIA	<input checked="" type="checkbox"/> QATAR	<input checked="" type="checkbox"/> SYRIAN ARA...
<input checked="" type="checkbox"/> BHUTAN	<input checked="" type="checkbox"/> DOMINICAN ...	<input checked="" type="checkbox"/> IRAN (ISLAMI...	<input checked="" type="checkbox"/> MAURITIUS	<input checked="" type="checkbox"/> REP OF KOREA	<input checked="" type="checkbox"/> TAJIKISTAN
<input checked="" type="checkbox"/> BOLIVIA	<input checked="" type="checkbox"/> DOMINICA	<input checked="" type="checkbox"/> IRAQ	<input checked="" type="checkbox"/> MEXICO	<input checked="" type="checkbox"/> REP OF MOL...	<input checked="" type="checkbox"/> THAILAND
<input checked="" type="checkbox"/> BOSNIA-HER...	<input checked="" type="checkbox"/> ECUADOR	<input checked="" type="checkbox"/> IRELAND	<input checked="" type="checkbox"/> MICRONESIA...	<input checked="" type="checkbox"/> ROMANIA	<input checked="" type="checkbox"/> TIMOR-LESTE
<input checked="" type="checkbox"/> BOTSWANA	<input checked="" type="checkbox"/> ESTONIA	<input checked="" type="checkbox"/> ISRAEL	<input checked="" type="checkbox"/> MONACO	<input checked="" type="checkbox"/> RUSSIAN FED...	<input checked="" type="checkbox"/> TOGO
<input checked="" type="checkbox"/> BRAZIL	<input checked="" type="checkbox"/> EL SALVADOR	<input checked="" type="checkbox"/> ITALY	<input checked="" type="checkbox"/> MONGOLIA	<input checked="" type="checkbox"/> RWANDA	<input checked="" type="checkbox"/> TONGA
<input checked="" type="checkbox"/> BRUNEI DAR...	<input checked="" type="checkbox"/> EQUATORIAL...	<input checked="" type="checkbox"/> JAMAICA	<input checked="" type="checkbox"/> MONTENEGRO	<input checked="" type="checkbox"/> SAINT KITTS-...	<input checked="" type="checkbox"/> TRINIDAD-TO...
<input checked="" type="checkbox"/> BULGARIA	<input checked="" type="checkbox"/> ERITREA	<input checked="" type="checkbox"/> JAPAN	<input checked="" type="checkbox"/> MOROCCO	<input checked="" type="checkbox"/> SAINT LUCIA	<input checked="" type="checkbox"/> TUNISIA
<input checked="" type="checkbox"/> BURKINA FASO	<input checked="" type="checkbox"/> ESTONIA	<input checked="" type="checkbox"/> JORDAN	<input checked="" type="checkbox"/> MOZAMBIQUE	<input checked="" type="checkbox"/> SAINT VINCE...	<input checked="" type="checkbox"/> TURKMENIST...
<input checked="" type="checkbox"/> BURUNDI	<input checked="" type="checkbox"/> ESWATINI	<input checked="" type="checkbox"/> KAZAKHSTAN	<input checked="" type="checkbox"/> MYANMAR	<input checked="" type="checkbox"/> SAMOA	<input checked="" type="checkbox"/> TUVALU
<input checked="" type="checkbox"/> CABO VERDE	<input checked="" type="checkbox"/> ETHIOPIA	<input checked="" type="checkbox"/> KENYA	<input checked="" type="checkbox"/> NAMIBIA	<input checked="" type="checkbox"/> SAN MARINO	<input checked="" type="checkbox"/> TÜRKIYE
<input checked="" type="checkbox"/> CAMBODIA	<input checked="" type="checkbox"/> FIJI	<input checked="" type="checkbox"/> KIRIBATI	<input checked="" type="checkbox"/> NAURU	<input checked="" type="checkbox"/> SAO TOME-P...	<input checked="" type="checkbox"/> UGANDA
<input checked="" type="checkbox"/> IN FAVOUR: 120	<input checked="" type="checkbox"/> AGAINST: 14	<input checked="" type="checkbox"/> ABSTENTION: 45			

Source: United Nations | October 27, 2023



ISRAEL-GAZA WAR

UNGA vote demands immediate ceasefire

The United Nations General Assembly has overwhelmingly adopted a non-binding resolution – 153 votes for, 10 against and 23 abstentions – that calls for an immediate humanitarian ceasefire in Gaza and the protection of civilians.

Voting Ended		12/12/2023		4:26:49 PM	
Item 5 - A/ES-10/L.27					
Protection of civilians and upholding legal and humanitarian obligations					
<input checked="" type="checkbox"/> AFGHANISTAN	<input checked="" type="checkbox"/> CAMEROON	<input checked="" type="checkbox"/> FINLAND	<input checked="" type="checkbox"/> KUWAIT	<input checked="" type="checkbox"/> NEPAL	<input checked="" type="checkbox"/> SAUDI ARABIA
<input checked="" type="checkbox"/> ALBANIA	<input checked="" type="checkbox"/> CANADA	<input checked="" type="checkbox"/> FRANCE	<input checked="" type="checkbox"/> KYRGYZSTAN	<input checked="" type="checkbox"/> NETHERLAN...	<input checked="" type="checkbox"/> SENEGAL
<input checked="" type="checkbox"/> ALGERIA	<input checked="" type="checkbox"/> CENTRAL AF...	<input checked="" type="checkbox"/> GABON	<input checked="" type="checkbox"/> LAO PDR	<input checked="" type="checkbox"/> NEW ZEALAND	<input checked="" type="checkbox"/> SERBIA
<input checked="" type="checkbox"/> ANDORRA	<input checked="" type="checkbox"/> CHAD	<input checked="" type="checkbox"/> GAMBIA	<input checked="" type="checkbox"/> LATVIA	<input checked="" type="checkbox"/> NICARAGUA	<input checked="" type="checkbox"/> SEYCHELLES
<input checked="" type="checkbox"/> ANGOLA	<input checked="" type="checkbox"/> CHILE	<input checked="" type="checkbox"/> GEORGIA	<input checked="" type="checkbox"/> LEBANON	<input checked="" type="checkbox"/> NIGER	<input checked="" type="checkbox"/> SIERRA LEONE
<input checked="" type="checkbox"/> ANTIGUA-BA...	<input checked="" type="checkbox"/> CHINA	<input checked="" type="checkbox"/> GERMANY	<input checked="" type="checkbox"/> LESOTHO	<input checked="" type="checkbox"/> NIGERIA	<input checked="" type="checkbox"/> SINGAPORE
<input checked="" type="checkbox"/> ARGENTINA	<input checked="" type="checkbox"/> COLOMBIA	<input checked="" type="checkbox"/> GHANA	<input checked="" type="checkbox"/> LIBERIA	<input checked="" type="checkbox"/> NORTH MAC...	<input checked="" type="checkbox"/> SLOVAKIA
<input checked="" type="checkbox"/> ARMENIA	<input checked="" type="checkbox"/> COMOROS	<input checked="" type="checkbox"/> GREECE	<input checked="" type="checkbox"/> LIBYA	<input checked="" type="checkbox"/> NORWAY	<input checked="" type="checkbox"/> SLOVENIA
<input checked="" type="checkbox"/> AUSTRALIA	<input checked="" type="checkbox"/> CONGO	<input checked="" type="checkbox"/> GRENADA	<input checked="" type="checkbox"/> LIECHTENSTEIN	<input checked="" type="checkbox"/> OMAN	<input checked="" type="checkbox"/> SOLOMON IS...
<input checked="" type="checkbox"/> AUSTRIA	<input checked="" type="checkbox"/> COSTA RICA	<input checked="" type="checkbox"/> GUATEMALA	<input checked="" type="checkbox"/> LITHUANIA	<input checked="" type="checkbox"/> PAKISTAN	<input checked="" type="checkbox"/> SOMALIA
<input checked="" type="checkbox"/> AZERBAIJAN	<input checked="" type="checkbox"/> COTE D'IVOIRE	<input checked="" type="checkbox"/> GUINEA	<input checked="" type="checkbox"/> LUXEMBOURG	<input checked="" type="checkbox"/> PALAU	<input checked="" type="checkbox"/> SOUTH AFRICA
<input checked="" type="checkbox"/> BAHAMAS	<input checked="" type="checkbox"/> CROATIA	<input checked="" type="checkbox"/> GUINEA-BISS...	<input checked="" type="checkbox"/> MADAGASCAR	<input checked="" type="checkbox"/> PANAMA	<input checked="" type="checkbox"/> SOUTH SUDAN
<input checked="" type="checkbox"/> BAHRAIN	<input checked="" type="checkbox"/> CUBA	<input checked="" type="checkbox"/> GUYANA	<input checked="" type="checkbox"/> MALAWI	<input checked="" type="checkbox"/> PAPUA NEW ...	<input checked="" type="checkbox"/> SPAIN
<input checked="" type="checkbox"/> BANGLADESH	<input checked="" type="checkbox"/> CYPRUS	<input checked="" type="checkbox"/> HAITI	<input checked="" type="checkbox"/> MALAYSIA	<input checked="" type="checkbox"/> PARAGUAY	<input checked="" type="checkbox"/> SRI LANKA
<input checked="" type="checkbox"/> BARBADOS	<input checked="" type="checkbox"/> CZECHIA	<input checked="" type="checkbox"/> HONDURAS	<input checked="" type="checkbox"/> MALDIVES	<input checked="" type="checkbox"/> PERU	<input checked="" type="checkbox"/> SUDAN
<input checked="" type="checkbox"/> BELARUS	<input checked="" type="checkbox"/> DEM PR OF K...	<input checked="" type="checkbox"/> HUNGARY	<input checked="" type="checkbox"/> MALI	<input checked="" type="checkbox"/> PHILIPPINES	<input checked="" type="checkbox"/> SURINAME
<input checked="" type="checkbox"/> BELGIUM	<input checked="" type="checkbox"/> DEM REP OF ...	<input checked="" type="checkbox"/> ICELAND	<input checked="" type="checkbox"/> MALTA	<input checked="" type="checkbox"/> POLAND	<input checked="" type="checkbox"/> SWEDEN
<input checked="" type="checkbox"/> BELIZE	<input checked="" type="checkbox"/> DENMARK	<input checked="" type="checkbox"/> INDIA	<input checked="" type="checkbox"/> MARSHALL IS...	<input checked="" type="checkbox"/> PORTUGAL	<input checked="" type="checkbox"/> SWITZERLAND
<input checked="" type="checkbox"/> BENIN	<input checked="" type="checkbox"/> DJIBOUTI	<input checked="" type="checkbox"/> INDONESIA	<input checked="" type="checkbox"/> MAURITANIA	<input checked="" type="checkbox"/> QATAR	<input checked="" type="checkbox"/> SYRIAN ARA...
<input checked="" type="checkbox"/> BHUTAN	<input checked="" type="checkbox"/> DOMINICA	<input checked="" type="checkbox"/> IRAN (ISLAMI...	<input checked="" type="checkbox"/> MAURITIUS	<input checked="" type="checkbox"/> REP OF KOREA	<input checked="" type="checkbox"/> TAJIKISTAN
<input checked="" type="checkbox"/> BOLIVIA	<input checked="" type="checkbox"/> DOMINICAN ...	<input checked="" type="checkbox"/> IRAQ	<input checked="" type="checkbox"/> MEXICO	<input checked="" type="checkbox"/> REP OF MOL...	<input checked="" type="checkbox"/> THAILAND
<input checked="" type="checkbox"/> BOSNIA-HER...	<input checked="" type="checkbox"/> ECUADOR	<input checked="" type="checkbox"/> IRELAND	<input checked="" type="checkbox"/> MICRONESIA...	<input checked="" type="checkbox"/> ROMANIA	<input checked="" type="checkbox"/> TIMOR-LESTE
<input checked="" type="checkbox"/> BOTSWANA	<input checked="" type="checkbox"/> ESTONIA	<input checked="" type="checkbox"/> ISRAEL	<input checked="" type="checkbox"/> MONACO	<input checked="" type="checkbox"/> RUSSIAN FED...	<input checked="" type="checkbox"/> TOGO
<input checked="" type="checkbox"/> BRAZIL	<input checked="" type="checkbox"/> EL SALVADOR	<input checked="" type="checkbox"/> ITALY	<input checked="" type="checkbox"/> MONGOLIA	<input checked="" type="checkbox"/> RWANDA	<input checked="" type="checkbox"/> TONGA
<input checked="" type="checkbox"/> BRUNEI DAR...	<input checked="" type="checkbox"/> EQUATORIAL...	<input checked="" type="checkbox"/> JAMAICA	<input checked="" type="checkbox"/> MONTENEGRO	<input checked="" type="checkbox"/> SAINT KITTS-...	<input checked="" type="checkbox"/> TRINIDAD-TO...
<input checked="" type="checkbox"/> BULGARIA	<input checked="" type="checkbox"/> ERITREA	<input checked="" type="checkbox"/> JAPAN	<input checked="" type="checkbox"/> MOROCCO	<input checked="" type="checkbox"/> SAINT LUCIA	<input checked="" type="checkbox"/> TUNISIA
<input checked="" type="checkbox"/> BURKINA FASO	<input checked="" type="checkbox"/> ESTONIA	<input checked="" type="checkbox"/> JORDAN	<input checked="" type="checkbox"/> MOZAMBIQUE	<input checked="" type="checkbox"/> SAINT VINCE...	<input checked="" type="checkbox"/> TURKMENIST...
<input checked="" type="checkbox"/> BURUNDI	<input checked="" type="checkbox"/> ESWATINI	<input checked="" type="checkbox"/> KAZAKHSTAN	<input checked="" type="checkbox"/> MYANMAR	<input checked="" type="checkbox"/> SAMOA	<input checked="" type="checkbox"/> TUVALU
<input checked="" type="checkbox"/> CABO VERDE	<input checked="" type="checkbox"/> ETHIOPIA	<input checked="" type="checkbox"/> KENYA	<input checked="" type="checkbox"/> NAMIBIA	<input checked="" type="checkbox"/> SAN MARINO	<input checked="" type="checkbox"/> TÜRKIYE
<input checked="" type="checkbox"/> CAMBODIA	<input checked="" type="checkbox"/> FIJI	<input checked="" type="checkbox"/> KIRIBATI	<input checked="" type="checkbox"/> NAURU	<input checked="" type="checkbox"/> SAO TOME-P...	<input checked="" type="checkbox"/> UGANDA
<input checked="" type="checkbox"/> IN FAVOUR: 153	<input checked="" type="checkbox"/> AGAINST: 10	<input checked="" type="checkbox"/> ABSTENTION: 23			

The previous UNGA vote held on October 27, which called for a humanitarian truce, saw 121 countries vote for, 14 against and 44 abstentions.

Source: United Nations | December 13, 2023



6. Palestine at the UN: Decades of Debate and Deadlock

In 1919, as a response to the horrors and destruction caused by the First World War, the League of Nations was established with the goal of preventing the outbreak of wars in the future. The League of Nations failed to avert the Second World War, which ultimately led to its disbandment and catalyzed the creation of a new international organization in place - the United Nations.⁵⁹ On the 24th of October 1945, the United Nations was officially incorporated to create and maintain peace and security in the world through cooperation and equal consideration of all member states, regardless of their size and population.⁶⁰ The UN is arguably the most significant pillar of the rule-based order. The collective pledge that was taken during the UN's founding to never repeat the horrors of the World Wars again has been proven invalid for Palestinians and other Arab countries in the region. The so-called "Nuremberg promise", legal standards used against the Nazi regime, were intended to be applied to all future states defiant of international law, including the US and the rest of the World War II allied powers. Western democracies have long prided themselves on being steadfast champions of human rights and the rule of law compared to the so-called "uncivilized nations" of the world. However, it is the weaponry, the resources, and the diplomatic protection by Western governments that enable Israel to commit war crimes on an unprecedented scale. This puts the self-proclaimed label "human rights champions" of Western democracies not only to the test, but it erases it. International law scholar Falk clarified in his book that particularly the US worked consistently at weakening international law and eroding the authority of the United Nations when the organization refused to follow the American interests or those of its allies.⁶¹ The US veto record at the Security Council showcases its disdain for the international system and neglect of mutual consideration and cooperation among other permanent members and member states. Moreover, the US government's threats, insults and attacks against the International Court of Justice (ICJ), the UN's principal judicial organ often referred to

⁵⁹ United Nations. "Predecessor: The League of Nations." *United Nations*, <https://www.un.org/en/about-us/history-of-the-un/predecessor>.

⁶⁰ United Nations. "History of the United Nations." *United Nations*. <https://www.un.org/en/about-us/history-of-the-un>.

⁶¹ Richard A. Falk, *The Costs of War: International Law, the UN, and World Order After Iraq* (New York: Routledge, 2007).

as “The World Court”, further accentuate the length the US is willing to go to safeguard Israel’s plausible genocide.⁶²

a) 1947: The UN Takes Over the Question of Palestine

The issue of Palestine has spanned over decades and was first presented to the United Nations in 1947, when Great Britain decided to withdraw from its mandatory responsibilities and hand the Palestine question over to the organization.⁶³ The failure of the UN to implement Palestinian self-determination became evident in view of the Nakba in 1948. Over 400 villages have been destroyed, an estimated 15,000 Palestinians were killed and 750,000 were expelled from their homes after the establishment of the State of Israel on May 14th, 1948.⁶⁴ The calamity that is annually remembered on May 15th is at the core of the Palestinian struggle. Nevertheless, in numerous aspects, it is markedly overshadowed by Israel’s current extermination rampage that is actively unfolding in the occupied Palestinian territories and neighboring countries, threatening the security of the entire region and potentially worldwide. The enduring, systematic dehumanization of Palestinians over decades has ultimately laid the groundwork for the unparalleled catastrophe unfolding in the region. The atrocities occurring today are intrinsically tied to the perseverative, vain endeavors for Palestinian liberation for more than 76 years. Dozens of resolutions have been adopted in favor of the rights of Palestinians and as early as in December 1948, the right to return for Palestinian refugees to their homes has been enshrined in Resolution 194.⁶⁵ Despite the amount of time and work dedicated to the Palestinian matter in the world of diplomacy, the situation for Palestinians on the ground has by no means progressed.

The United Nations has been inextricably involved in the Palestine question ever since 1948. Thus, the institution plays a major role and bears vast responsibility in the situation’s trajectory over time, ultimately contributing to the catastrophic outlook

⁶² Mohamad Elmasry, “The US and Israel Have Nothing to Gain from Their War on the UN,” *Al Jazeera*, Opinion, October 29, 2024, <https://www.aljazeera.com/opinions/2024/10/29/the-us-and-israel-have-nothing-to-gain-from-their-war-on-the-un>.

⁶³ United Nations, *Origins and Evolution of the Palestine Problem: 1917–1947, Part I*, UNISPAL, [https://www.un.org/unispal/history2/origins-and-evolution-of-the-palestine-problem/part-i-1917-1947/#Origins and Evolution of the Palestine Problem 1917-1947 Part I](https://www.un.org/unispal/history2/origins-and-evolution-of-the-palestine-problem/part-i-1917-1947/#Origins%20and%20Evolution%20of%20the%20Palestine%20Problem%201917-1947%20Part%20I).

⁶⁴ Ilan Pappé, *The Ethnic Cleansing of Palestine* (Oxford: Oneworld Publications, 2006), 86–126.

⁶⁵ United Nations General Assembly, *Resolution 194 (III)*, December 11, 1948, [https://docs.un.org/A/RES/194%20\(III\)](https://docs.un.org/A/RES/194%20(III)).

today. Consequently, it merits curiosity as to why the UN has not been successful in creating a Palestinian state and in preventing the several wars on Gaza, the systematic dehumanization of Palestinians, and the rising settler-terrorism in the West Bank. Due to its extent, its ongoing nature, and the exceptional magnitude of crimes and human suffering, the question of Palestine has been at the forefront of Middle Eastern security in the policy arena. It appears that there is no way out of recurring catastrophes in the Middle East, casting serious doubt on the efficiency of the UN's performance.

In order to understand the evolution of the Palestinian matter at the United Nations, it is pivotal to understand the history of Palestine and the organization's role in the origin of the catastrophe. Therefore, the next chapter examines the root cause of the matter, namely the legitimization and support of the Zionist project through UN resolution 181. In the past as today, the US, UK, Germany, and more, play a leading role in the realization of the Zionist vision, be it through the establishment of the State of Israel in 1948 or the facilitation of the Gaza genocide in 2023. This glimpse into the past supports my argument of the decline of Western liberal democracies. It underscores that those ally countries of Israel are not only recently becoming enablers of crimes against humanity in Gaza, but they have played a key role in the Zionist project from the start. This emphasizes that their "liberal, civilized human rights" agenda over the last few decades was neither truthful nor in line with their actions in the Middle East.

b) GA Resolution 181 (1947) - The Partition Plan

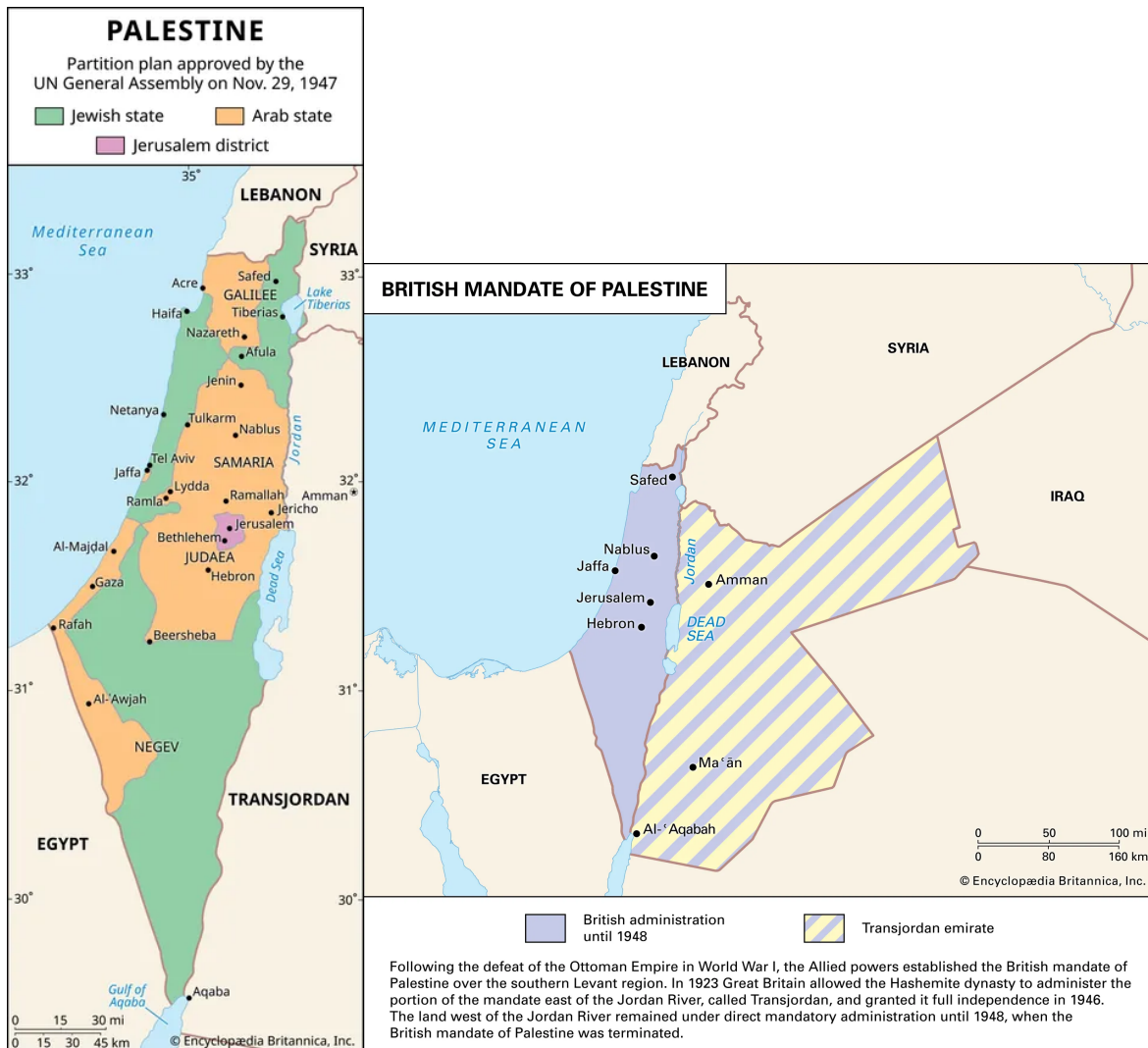
Resolution 181 is presumably the most pivotal resolution in the history of the modern Middle East, changing its trajectory and outcome drastically. It resulted in several catastrophic wars and massacres and the rights of Palestinians have been trampled on ever since. While most former colonies and mandated territories gained independence eventually, Palestinians have been neglected and deprived of such self-determination ever since. Resolution 181, adopted on November 29, 1947, granted international legitimacy to the nascent state of Israel. The resolution also advocated for an independent state of Palestine and a protected, international status

for Jerusalem; yet, neither one of the two has been allowed to come into existence during the last 77 years.⁶⁶

In order to understand the current institutionalized dehumanization, occupation, and human rights abuses against Palestinians, it is crucial to examine the attitudes and behaviors of the stakeholders of “the Palestinian question” in the past. Before the Palestinian question was handed over to the United Nations, the territory was one of the British Mandates in the Middle East. Palestine is home to sacred places of three world religions; for this reason, an international regime was originally envisaged for Palestine. Ultimately, it fell under British control. The Mandatory System was adopted in 1920 by the League of Nations and originated in the aftermath of the First World War and its outcomes, such as the Treaty of Sèvres. It was designed to govern former Ottoman territories, and starting in 1920, the first mandates came into effect, including the British mandate for Palestine in 1922.⁶⁷

⁶⁶ United Nations General Assembly, *Resolution 181(ii)*, November 29, 1947, [https://docs.un.org/A/RES/181\(ii\)](https://docs.un.org/A/RES/181(ii))

⁶⁷ United Nations, *The Question of Palestine: History*, UNISPAL, accessed December 12 2024, <https://www.un.org/unispal/history/#:~:text=After%20looking%20at%20alternatives%2C%20the,181%20to%20the%20Arab%20State.>



The mandates officially divided power over territories in the Middle East between France and Britain. Mesopotamia (Iraq), Transjordan, and Palestine were governed by Britain, while Lebanon and Syria fell under French rule. In essence, the mandate was meant to be of transitory nature until Palestine attained independence, or rather, was granted it. The concept of a fully independent state was provisionally recognized in the League's Covenant, and it was stipulated that the wishes of the mandated, indigenous communities must be considered. Nevertheless, the mandate's evolution did not result in an independent state of Palestine, and their rights have still not been realized; on the contrary, the rights of Palestinians are under the most brutal and destructive threat yet. Instead of considering the native peoples' rights, the British government had given commitments to the Zionist Organization as early as five years prior to receiving the mandate from the League of Nations. The Zionist

movement aimed at establishing a Jewish national home on foreign Palestinian territory, claiming a “historical connection” to the land.⁶⁸

In the years prior to the League of Nations mandates, the population fought for Arab independence against the Ottoman Empire. Arab nationalism strived for independent, sovereign nation states, based on the European model. Sharif Hussein, Emir of Mecca, responsible for the holy cities of Mecca and Medina, gained significant prominence among the Muslim population.⁶⁹ He was a natural leader, and in June 1916, he set the Arab Revolt against the brutal, oppressive Turkish troops in motion. Britain also possessed a keen interest in weakening the Ottoman Empire; therefore, in 1915, Hussein attempted to establish an alliance and gain support to resist Ottoman tyranny. The Hussein-McMahon Correspondence, an exchange of letters between British High Commissioner Henry McMahon and Sharif Hussein, manifested this agreement against the common enemy. Britain’s support affirmed by McMahon was an essential driver for the decision to start the Arab revolt in 1916, and Hussein worked closely with British advisor T.E. Lawrence for warfare tactics and coordination. Throughout the Hussein-McMahon correspondence, Sherif Hussein explicitly demanded independence of the Arab countries, clearly delineating the territorial boundaries, which unmistakably incorporated Palestine. McMahon endorsed Hussein's outlined plan and stated: “*Great Britain is prepared to recognize and support the independence of the Arabs in all the regions within the limits demanded by the Sherif of Mecca*”⁷⁰. It is undeniable that this acknowledgement and concession by Britain included Palestine; however, more than hundred years later, the nation still fights for the populations’ basic human rights as well as self-determination, independence, and the self-governance of Palestine. Despite several successes against the Ottomans, Hussein’s quest for Arab independence was shattered by the disingenuous, deceitful Sykes-Picot Agreement of 1916 and the subsequent mandates. British diplomat Mark Sykes and French diplomat François Georges-Picot negotiated the secret treaty from November 1915 to January 1916 and ultimately ratified it in May 1916. The secret Sykes-Picot agreement materialized colonial pursuits of France and Britain in the Arab region. On the one hand, Britain

⁶⁸ United Nations, *Origins and Evolution of the Palestine Problem, 1917–1947: Part I*, UNISPAL, https://www.un.org/unispal/history2/origins-and-evolution-of-the-palestine-problem/part-i-1917-1947/#Origins_and_Evolution_of_the_Palestine_Problem_1917-1947_Part_I.

⁶⁹ James Barr, *A Line in the Sand: Britain, France and the Struggle That Shaped the Middle East* (London: Simon & Schuster, 2011).

⁷⁰ United Nations, *Origins and Evolution of the Palestine Problem, 1917–1947: Part I*, UNISPAL, https://www.un.org/unispal/history2/origins-and-evolution-of-the-palestine-problem/part-i-1917-1947/#Origins_and_Evolution_of_the_Palestine_Problem_1917-1947_Part_I.

promised Hussein support for the Arab independence movement and Arab aspirations for self-governance. On the other hand, Britain had a pact with France to divide the Ottoman territories among the two colonial powers all along, betraying Hussein and neglecting Arab self-determination. After defeating the Ottomans, Britain and France faced several challenges in their rule over the Arab population. The French regime was particularly violent and extremely biased against the local Muslim and Arab population. It built infrastructure merely for their own national strategic interests, exploiting the people of Syria and Lebanon. The lands were milked of their profitable resources, and the colonial regimes attempted to separate various nationalists from each other to prevent a renewed emergence of Arab nationalist movements against their oppressive rule. In the case of Palestine, the British government had given Zionist leaders full guarantee and support of establishing their “*national home for the Jewish people in Palestine*”⁷¹. This undertaking inherently violated the rights and wishes of the Palestinian people and stood in stark contrast with the promises made to the Arab population. It was the ultimate betrayal by Britain; a commitment to the Zionists that planted the seeds and laid the foundation for decades of prolonged, enduring conflict in Palestine.

Nearly five years prior to receiving the mandate for Palestine from the League of Nations, the British government had pledged support to the Zionists for their ambitions. During the period of the British mandate, the Zionist Organization mobilized towards the establishment of a Jewish state on Palestinian land. The indigenous people perceived this plan as a breach of their natural and inalienable rights. Furthermore, in return for supporting the Allied powers during the war, Arab leaders were promised independence and rights; the establishment of a foreign nation on their inhabited homeland was a huge violation of those assurances of freedom and constituted the exact opposite, namely further colonization of their land. It was clear from the beginning that it was unattainable to promise both, the Zionist Organization and the Arab leaders, their aspirations. British betrayal became specifically evident in the Balfour Declaration of November 2, 1917, which expresses support for the “national home for the Jewish people” in Palestine. British Foreign Secretary Arthur James Balfour thereby explicitly expressed Britain’s endorsement to

⁷¹ James Barr, *A Line in the Sand: Britain, France and the Struggle That Shaped the Middle East* (London: Simon & Schuster, 2011).

Lord Rothschild, a leader of the Zionist community, for the unjust settler colony on Palestinian land.⁷²

The rise of antisemitism in Europe and the growing power of the Nazi regime led to a surge in Jewish immigration to Palestine, where they began establishing settlements and institutions. Palestinians feared for the loss of their land, political role, and their rights. Unrest and resistance against the British rulers increased, coupled with mounting violence between the growing Jewish community and the local Palestinians. Britain violently suppressed Arab strikes, protests and acts of violence fighting for their freedom, further emboldening the Zionists and their colonial plan. World War II and the systematic persecution of Jewish people in Europe exacerbated the rising predicament in Palestine; more and more Jewish people sought refuge, and the Zionist plan of a Jewish homeland was perceived as an adequate solution, to the detriment of Palestinians. During the period of the British mandate, the Jewish population in Palestine soared from 56,000 after World War I to 608,000 in 1946, an increase of about 725 per cent.⁷³ In 1947, Jewish immigrants constituted nearly one third of the population in Palestine, compared to less than a tenth after the First World War. Jewish settlers had displaced large numbers of Palestinian Arabs from their land; in 1920, Jewish organizations held 650,000 dunams of land. At the end of 1946, Jewish settlers advanced to 1,625,000 dunams, an increase of about 250 per cent, achieved by the means of oppression and expulsion.⁷⁴ Ironically, Palestinian Arabs would endure a fate similar to that of the Jews, a diaspora. The Jewish people unquestionably deserved sympathy, and even before the horrors of the Nazi regime, such sympathy was shared by Palestinian Arabs. The lack of racial animosity was emphasized in nearly every official report, and as late as in 1937, during the Palestinian rebellion for independence, the Royal Commission on Palestine noted: *“An able Arab exponent of the Arab case told us that the Arabs throughout their history have not only been free from anti-Jewish sentiment but have also shown that the spirit of compromise is deeply rooted in their life. There is no decent-minded person, he said, who would not want to do everything humanly possible to relieve the distress of those persons, provided that it was not at*

⁷² United Nations, *Origins and Evolution of the Palestine Problem, 1917–1947: Part I*, UNISPAL, [https://www.un.org/unispal/history2/origins-and-evolution-of-the-palestine-problem/part-i-1917-1947/#Origins and Evolution of the Palestine Problem 1917-1947 Part I](https://www.un.org/unispal/history2/origins-and-evolution-of-the-palestine-problem/part-i-1917-1947/#Origins%20and%20Evolution%20of%20the%20Palestine%20Problem%201917-1947%20Part%20I).

⁷³ Ibid.

⁷⁴ Ibid.

*the cost of inflicting a corresponding distress on another people*⁷⁵. Throughout the period of the mandate, Britain struggled to uphold its commitments made to both the Zionist settler-colonial movement and the indigenous Arabs and to contain the surging escalations between them. Upholding the mandate put a strain on Britain's military resources and its economy; the colonial power oversaw multiple overseas territories at the time. The distinguished world historian and British philosopher Arnold J. Toynbee worked in the British Foreign Office at the time and was directly involved with the mandate of Palestine. In 1968, he wrote: *"All through those 30 years, Britain (admitted) into Palestine, year by year, a quota of Jewish immigrants that varied according to the strength of the respective pressures of the Arabs and Jews at the time. These immigrants could not have come in if they had not been shielded by a British chevaux-de-frise. If Palestine had remained under Ottoman Turkish rule, or if it had become an independent Arab state in 1918, Jewish immigrants would never have been admitted into Palestine in large enough numbers to enable them to overwhelm the Palestinian Arabs in this Arab people's own country. The reason why the State of Israel exists today and why today 1,500,000 Palestinian Arabs are refugees is that, for 30 years, Jewish immigration was imposed on the Palestinian Arabs by British military power until the immigrants were sufficiently numerous and sufficiently well-armed to be able to fend for themselves with tanks and planes of their own. The tragedy in Palestine is not just a local one; it is a tragedy for the world, because it is an injustice that is a menace to the world's peace"*⁷⁶.

After 28 years of British rule, the violence became untenable and Britain submitted the mandate to the United Nations, where it turned into the "Palestinian problem". At that time, the United Nations was hardly two years old, created by the major powers who had just won World War II. The UN is a derivative organization, and of all the powers involved in its creation and development, it was the US which remained the paramount authority. Evidence suggests that ever since the organization's establishment, the US coerces the UN-body to take one or another position, pressuring countries to vote certain ways in the General Assembly, the Security

⁷⁵ British Government, Palestine Royal Commission – Report, Cmd. 5479 (1937), p. 395. Retrieved from: United Nations, *Origins and Evolution of the Palestine Problem, 1917–1947: Part I*, UNISPAL, https://www.un.org/unispal/history2/origins-and-evolution-of-the-palestine-problem/part-i-1917-1947/#Origins_and_Evolution_of_the_Palestine_Problem_1917-1947_Part_I.

⁷⁶ Arnold J. Toynbee, 1968, retrieved from https://www.un.org/unispal/history2/origins-and-evolution-of-the-palestine-problem/part-i-1917-1947/#Origins_and_Evolution_of_the_Palestine_Problem_1917-1947_Part_I.

Council, or other agencies.⁷⁷ Among global regions, none has been more consistently shaped by this particular US approach than the Middle East. It showcases how US priorities are driven less by humanitarian concerns, but rather strategic interests. The Partition Plan, its progression, and its implications, specifically the Nakba of 1948, remain one of the most tragic events in modern history. Great Britain, the mandated power over Palestine until 1947, and the United Nations, as the global international organization established to prevent such catastrophes, facilitated the materialization of Zionist settler colonialism, which continues to occupy the land of Palestine to this day.

UN resolution 181 is the document that contributed vastly to the disadvantageous, tragic fate of Palestinians in 1947. The General Assembly decided to set up the United Nations Special Committee on Palestine (UNSCOP) to find a solution to the newly established "Palestinian problem". Arab governments condemned the committee's appointment and demanded a full-scale debate in the General Assembly and immediate independence for an united, democratic Arab state of Palestine. The committee included no Zionist, Arab, or Great Power members, and consisted of representatives relatively unprepared for the mission, lacking the significant language skills and knowledge about the Middle East: Holland, Sweden, Czechoslovakia, Yugoslavia, Canada, Australia, India, Iran, Peru, Guatemala, and Uruguay.⁷⁸ The Zionist organization was committed to gain support for the forced establishment of a Jewish state on Palestinian land and welcomed the committee. It instantly started to bombard the UNSCOP members with memoranda, incentives, expensive gifts and offerings to influence their position. Zionist officials were assigned to each relevant UN delegation with the task of swaying their opinion, getting their support and bringing in the votes. According to reports, many governments have been bribed; for instance, one Latin American delegation voted in favor of the partition plan after receiving seventy-five thousand dollars from the Zionists. Other methods included promises, threats, temptations and deceptions. In principle, each government knew how unjust the partition plan was, and that it would lead to the displacement of the indigenous population with massive brutality. However, after frantic Jewish lobbying, many have been persuaded, including the

⁷⁷ Benny Morris, *1948: A History of the First Arab-Israeli War* (New Haven, CT: Yale University Press, 2008), 37–61.

⁷⁸ *Ibid.*, 40.

highly influential US government, which started to back the plan only 48 hours before the vote. The primary elements that led officials to abandon their human rights standards and the consideration of Palestinian rights were a sense of guilt and profound sympathy for the Jewish community, which had recently endured the atrocities of the Holocaust. Zionist leaders strategically leveraged their recent trauma to exert immense pressure on UNSCOP members and garner their support; although, it insinuated the outright rejection of the rights of Palestinians. Initially, the UN partition plan allocated approximately 54-57% of the land to a proposed Jewish state, including the Galilee, the Coastal Plain, and the Negev Desert. Meanwhile, the Arab state was designated approximately 43% of the land, despite Arabs comprising the majority of the population. Jerusalem and Bethlehem were placed under international administration. The UN partition plan was adopted on November 29, 1947, after an intense period of lobbying, bribing and pressuring, with 33 member states voting in favor, 13 against, and 10 abstentions.⁷⁹

c) Plan Dalet: The Blueprint for a Catastrophe

Subsequently, “Plan Dalet” was implemented by the Haganah, the primary Jewish military organization. Its goal was to take over and expand the territories allocated to the Jewish state under the UN partition plan. The strategy was to build Jewish settlements and force Palestinians out of their homes, one city and village after the other: Haifa, Safad, Jerusalem, Acre, Jaffa, Sirin, Ayn al-Zaytoun, and hundreds more. Some Palestinians were forced to board trucks and ships to neighboring countries at gunpoint, others were lined up and mass executed with their hands tied, including children. In 1948, more than 400 Palestinian villages and cities were bombed, looted, depopulated or taken over by force.⁸⁰ In Acre, the Haganah injected typhoid germs into the water springs, causing a typhoid epidemic with dozens of deaths. This method underscores the inhuman tactics used by the Zionist military forces to enable the Nakba of 1948 with the backing from British bureaucracy. Since the plan’s emergence, Arab leaders have incessantly warned of increased Zionist violence and the massacres of Palestinians that would follow its inception. They feared and accurately predicted that “*the blood will flow like rivers in the Middle*

⁷⁹ Ibid., 63.

⁸⁰ Ilan Pappé, *The Ethnic Cleansing of Palestine* (Oxford: Oneworld Publications, 2006), 86–126.

*East*⁸¹. They insisted on the inherent injustice of the partition plan, illegal in its entirety, and vowed to resist any foreign occupation of Palestine, whether by Zionist forces or British troops. However, their calls have been unanswered, and the UN partition plan was never incorporated to benefit “both” sides. It paved the way for Israeli settler colonialism, without any intention of ever supporting or granting the establishment of a Palestinian state, despite the clear outline in the 1947 resolution of an Arab state of Palestine. Israel's ongoing expansionist ambitions beyond the original borders established in the partition plan are emboldened by a lack of successful Arab interventions and the superiority of the Zionist military compared to resisting fractions. The British failure to intervene, despite their awareness of the brutal Zionist crimes against Palestinian citizens and even their own soldiers, tens of thousands of whom were still present on the ground, is particularly appalling.⁸² The occupation of Palestine and expansion into more territory of the rogue Zionist forces continues, decades after 1948. Uncontested by its enablers, from the UNSCOP members voting in their favor to Israel's contemporary allies, the Zionist occupation is only exacerbating the systematic expulsions and mass killings of Palestinians. Reflecting on the history of the UN partition plan and the initial behavior of the main stakeholders, the United Kingdom and the United States, helps to understand the current situation and the reckless support of the Western allies to Israel. It can be argued that without the UK's neglect of Palestinian rights early on and the subsequent vote at the United Nations, the state of Israel would have never come into existence. It is a direct consequence of Western guilt over the atrocities of the Holocaust, the enduring influence of colonial mindsets, and a blatant disregard for the future of the Palestinian people, an approach that stands in stark contradiction to the pledges made by the UN member states. Contemporarily, the mere inception of the UN partition plan can be highly criticized as well as its partial non-fulfillment of any lifeline for Palestinians. One could assert that Israel's plan has always been a “Greater Israel”, evident in current attempts to invade Southern Lebanon and the ongoing occupation of the Syrian Golan Heights. However, the great tragedy is the non-action of the rest of the World, particularly of Israel's allies, the UK, the US, and Germany. Without their blind support of the sum of war crimes and crimes against

⁸¹ Jamal Husseini, retrieved from: Benny Morris, *1948: A History of the First Arab-Israeli War* (New Haven, CT: Yale University Press, 2008), 50.

⁸² Ilan Pappé, *The Ethnic Cleansing of Palestine* (Oxford: Oneworld Publications, 2006), 86–126.

humanity that Israel has committed from an early start, the Zionist movement would likely not have been emboldened to continue its crimes over decades.

d) The Defects of GA Resolution 242 (1967)

As one of the first resolutions to address the aftermath of the Six-Day War, Resolution 242 marks a moment of international recognition of the need to address the Arab-Israeli conflict, specifically Arab territorial grievances. The resolution symbolized a turning point from military conflict toward diplomatic negotiations, offering a potential framework for peace. It has shaped many subsequent UN resolutions and strongly impacted peace negotiations, such as the Camp David Accords 1978 between Israel and Egypt, which led to Israel's withdrawal from the Sinai Peninsula, and the Oslo Accords 1993 between Israel and the Palestine Liberation Organization (PLO).⁸³ These agreements were built on the principles established by Resolution 242; however, similar to resolution 181 and several previous UN resolutions addressing Israeli crimes, its implementation has been completely ignored and neglected by Israel.⁸⁴

The Six-Day War, also known as the June War, was a brief but pivotal conflict in history that took place between June 5 and June 10, 1967, involving Israel and the neighboring Arab states of Egypt, Jordan, and Syria. The war dramatically reshaped the geopolitical landscape of the Middle East and continues to have lasting effects on the region. On the morning of June 5, Israel launched extensive airstrikes, known as Operation Focus, targeting Egyptian airbases and destroying the majority of Egypt's air force in a matter of hours, ensuring Israel's complete air superiority. As Israel continued to target airstrips and military positions, Egypt's military position collapsed, and Israeli forces advanced into the Sinai Peninsula, making rapid territorial gains. Jordan hesitated to enter the war, but after being encouraged by Egypt, it began attacking Israeli occupied Jerusalem and Tel Aviv. In response, Israeli forces launched an assault on Jordanian-held East Jerusalem and the West Bank, resulting in thousands of Palestinians killed. Furthermore, Israeli forces advanced further into the Golan Heights and captured the area by June 10. Israel achieved a decisive military victory in the six days and forced control of the Sinai

⁸³ Michael B. Oren, *Six Days of War: June 1967 and the Making of the Modern Middle East*. New York: Oxford University Press, 2002.

⁸⁴ United Nations Security Council, *Resolution 242 (1967), The Situation in the Middle East*, S/RES/242 (November 22, 1967), [https://undocs.org/S/RES/242\(1967\)](https://undocs.org/S/RES/242(1967)).

Peninsula and the Gaza Strip from Egypt, the West Bank and East Jerusalem from Jordan, and the Golan Heights from Syria.⁸⁵

From the United Nations standpoint, resolution 242 was intended to establish a framework for peace in the Middle East. However, it did not explicitly mention Palestine, and despite the intensive aggressions by Israel and thousands of civilian losses, it rather referred to the underlying issue as “the refugee problem”. Moreover, the resolution calls on Israel to withdraw to the pre-1967 war borders. Thereby, the resolution, and therefore the international community, implicitly endorses Israel’s jurisdiction over the territory occupied by Israel in the 1948 war beyond the lines laid down by the partition resolution 181.⁸⁶

The advanced territorial losses somehow led to a normalization of the previous colonization of land, and it became the new standard to call for pre-1967 borders instead of pre-1948 borders, indirectly conceding the unjust expansions to Israel. While often portrayed as a foundational step toward Middle Eastern peace, its legal and structural ambiguities have contributed to the ongoing crisis rather than resolving it. The resolution’s emphasis on a broad diplomatic framework, rather than strict legal enforcement, has allowed Israel and its allies to selectively interpret its provisions while continuing the expanding occupation of Palestinian territories. The resolution called for the “withdrawal of Israeli armed forces from territories occupied in the recent conflict” and the “termination of all claims or states of belligerency,” emphasizing the necessity of “every State in the area” to live in peace. The language of the resolution left significant loopholes that Israel has exploited. Notably, it deliberately omitted the definite article “the” before “territories occupied,” allowing for multiple interpretations regarding the extent of withdrawal required.⁸⁷ While the Arab states and much of the international community interpreted the resolution as a demand for full withdrawal to pre-1967 borders, Israel and its supporters argued that only a partial withdrawal was necessary, contingent upon negotiated agreements.⁸⁸

⁸⁵ Michael B. Oren, *Six Days of War: June 1967 and the Making of the Modern Middle East*. New York: Oxford University Press, 2002.

⁸⁶ United Nations, *Origins and Evolution of the Palestine Problem, 1917–1947: Part I*, UNISPAL, https://www.un.org/unispal/history2/origins-and-evolution-of-the-palestine-problem/part-i-1917-1947/#Origins_and_Evolution_of_the_Palestine_Problem_1917-1947_Part_I.

⁸⁷ United Nations Security Council, *Resolution 242 (1967), The Situation in the Middle East*, S/RES/242 (November 22, 1967), [https://undocs.org/S/RES/242\(1967\)](https://undocs.org/S/RES/242(1967)).

⁸⁸ Avi Shlaim, *The Iron Wall: Israel and the Arab World*. New York: W.W. Norton, 2000.

Resolution 242 effectively redefined the parameters of the Israeli-Palestinian conflict. By failing to recognize the Palestinians as a distinct national group with sovereign rights, it reframed their struggle as a mere “refugee problem,” thereby marginalizing their political and legal claims to statehood. This omission signified a major setback for Palestinian self-determination and set a precedent for future peace negotiations, where Israel continued to dictate terms under the guise of diplomacy.

Unlike Chapter VII resolutions, which include enforcement measures, Resolution 242 was a Chapter VI resolution, making it non-binding and dependent on voluntary compliance. This legal weakness rendered it ineffective, as Israel, backed by the United States, consistently ignored calls for withdrawal without facing consequences. The vague wording of the resolution allowed Israel and Western powers to manipulate its meaning. Israel argued that withdrawal was contingent upon security guarantees from Arab states, a condition that stalled progress indefinitely. Meanwhile, Arab states demanded full withdrawal as a prerequisite for negotiations. This fundamental disagreement led to a deadlock that persists to this day. Instead of withdrawing, Israel entrenched its occupation, rapidly expanding settlements in the West Bank, East Jerusalem, and the Golan Heights. This policy, which violated international law, was met with little to no UN action, reinforcing the perception that Israel was above international legal constraints. The failure to implement 242 not only prolonged the occupation but also normalized illegal Israeli settlement-building as an irreversible reality. The US has used its veto power in the UN Security Council repeatedly to block resolutions calling for Israel’s compliance with 242. This political shielding has prevented the UN from taking meaningful action, further eroding the resolution’s authority. The 1993 Oslo Accords, which were supposedly based on Resolution 242, diverted the peace process from an international legal framework to a series of bilateral negotiations that heavily favored Israel. Rather than enforcing withdrawal, Oslo created a structure where Israel dictated terms, further weakening Palestinian territorial claims and rights under international law.⁸⁹

Resolution 242 underscores the importance of placing future UN resolutions under Chapter VII to ensure enforcement through sanctions or other measures against non-compliance. Furthermore, the UN must apply the same legal standards to Israel as it does to other occupying powers, ensuring accountability for its continuous violations. Resolution 242, while initially seen as a diplomatic success, has ultimately

⁸⁹ Noura Erakat, *Justice for Some: Law and the Question of Palestine* (Stanford, CA: Stanford University Press, 2019). 91-130.

served to perpetuate the status quo. It must move beyond the failed frameworks of the past and establish an enforceable, renewed legal mechanism to end the occupation, thereby tackling the issue at its root cause.⁹⁰

7. Patterns of Power: China and Russia at the Voting Table

a) The Soviet Union/Russia and the Palestine Question at the United Nations

The Israel-Palestine conflict has been a persistent and contentious issue within the United Nations since its inception. The voting behavior of major powers, particularly the Soviet Union and its successor state, the Russian Federation, has played a significant role in shaping UN responses to the conflict, as one of the 5 permanent Security Council members. This chapter explores the historical trajectory of Soviet and Russian voting patterns on Israel-Palestine-related resolutions, analyzing shifts over time and the underlying factors influencing these changes.

In 1947, when UNSCOP established the Partition Plan of Palestine, the Soviet Union initially advocated for a single, binational state where Jews and Arabs would coexist with equal rights. Soviet delegate Andrei Gromyko emphasized the importance of ensuring the rights of both communities. However, recognizing the deep-seated animosities and practical challenges, the USSR shifted its stance to support partition as a pragmatic solution to the impasse. The USSR supported the reduction of British colonial influence in the Middle East, viewing it as a means to end British colonial rule and facilitate the self-determination of peoples in the region. On November 29, 1947, when the UN General Assembly adopted Resolution 181, the Soviet Union played a pivotal role in securing the necessary votes, with Gromyko delivering a compelling speech advocating for the plan and highlighting the suffering of Jews during the Holocaust as well as the need for a homeland. The Soviet Union's support for resolution 181 and its subsequent recognition of Israel on May 17, 1948, marked a significant moment in international diplomacy, showcasing the position of the

⁹⁰ Noura Erakat, *Justice for Some: Law and the Question of Palestine* (Stanford, CA: Stanford University Press, 2019). 91-130.

Soviet Union in the early stages of the conflict. It was one of the first countries to recognize the newly established Jewish state.⁹¹

In 1948, during the onset of the Cold War, the Soviet Union had hoped for a socialist-leaning Israel, adding to its initial support and immediate recognition. By the mid-1950s, Soviet diplomacy practices began to shift in favor of Arab states, including Palestine. The USSR started to provide military and economic assistance to countries like Egypt and Syria, aligning itself with Arab nationalist movements. This realignment was reflected in UN voting patterns, where the Soviet Union increasingly opposed resolutions perceived as favorable to Israel and supported those backing Arab positions. The 1967 Six-Day War marked a significant turning point. Israel's victory and subsequent occupation of territories intensified this support for Arab states. The USSR condemned Israel's actions and called for immediate withdrawal from occupied territories, aligning with Arab demands in the UN Security Council and in the General Assembly. Similar to Russia's contemporary position and voting behavior, the Soviet Union frequently utilized its veto power in the Security Council during that period to block resolutions it deemed unfavorable to Arab interests. Conversely, it supported resolutions condemning Israeli actions and advocating for Palestinian rights.⁹²

In 1991, at the end of the Cold War, the shift from the bipolar system and the dissolution of the Soviet Union in 1991 led to a reorientation of Russian foreign policy. Russia aimed to maintain ties with both Israel and Arab states, which resulted in a more nuanced voting behavior at the UN, reflecting a desire to mediate and maintain influence in the Middle East. Despite its balanced position, Russia has consistently supported the establishment of a Palestinian state. Russia has officially recognized the State of Palestine since 1988, following the Palestinian Declaration of Independence. The recognition was inherited from the Soviet Union, which established full diplomatic relations with Palestine in that year. In 2012, Russia voted in favor of granting Palestine non-member observer state status in the UN. Russia

⁹¹ Krammer, Arnold. "Soviet Motives in the Partition of Palestine, 1947-48." *Journal of Palestine Studies* 2, no. 2 (1973): 102–119. <https://doi.org/10.2307/2535483>.

⁹² Kim, Soo Yeon & Russett, Bruce, 1996. "The new politics of voting alignments in the United Nations General Assembly," *International Organization*, Cambridge University Press, vol. 50(4), pages 629-652.

has frequently voiced its support for a two-state solution at the organization, underscoring existing negotiation outcomes and confirmed international legal frameworks.⁹³

After the escalation of the Israel-Gaza conflict following the October 7, 2023, Russia has called for immediate ceasefires and emphasized the protection of civilians. In October 2023, Russia proposed a draft resolution in the UN Security Council calling for an immediate humanitarian ceasefire in Gaza, the release of hostages, and the provision of humanitarian aid. The resolution was rejected due to the fact that Hamas was not explicitly mentioned in the draft. Therefore, the United States and other allies of Israel have called the resolution unbalanced.⁹⁴ Furthermore, in the provided overview of resolutions in the previous chapter, it can be viewed that Russia as well has rejected resolutions on Gaza multiple times, often together with China. The two global powers have criticized drafts of the United States, claiming that the resolutions have been one-sided, unbalanced, and unreflective of the reality on the ground. This reciprocal blocking of resolutions underscores broader geo-political tensions among the superpowers and also affects other issues at the Security Council.⁹⁵

Nonetheless, due to the catastrophic humanitarian situation on the ground in Gaza, the international community expected the P5 to fulfill their mandates. In addition, the overview of resolutions shows that Russia and China have regularly compromised in Council votes on the issue of Gaza, abstaining from resolutions and clearing their adoption due to the gravity of suffering in the Gaza strip. Thereby, in some cases, the superpowers Russia and China have put the political dimension aside for the sake of the international community's calls for a ceasefire and immediate humanitarian aid.

In summary, both the Soviet Union and Russia have a history of drafting and supporting UN resolutions that advocate for Palestinian rights, reflecting their longstanding involvement in Middle East diplomacy. The voting behavior of the

⁹³ Shlomo Avineri, "Israel-Russia Relations," *Carnegie Endowment for International Peace*, April 2, 2001, <https://carnegieendowment.org/research/2001/04/israel-russia-relations?center=russia- Eurasia&lang=en>.

⁹⁴ Michelle Nichols, "Russia Proposes U.N. Security Council Resolution on Israel-Gaza Conflict," *Reuters*, October 13, 2023, <https://www.reuters.com/world/russia-proposes-un-security-council-resolution-israel-hamas-conflict-2023-10-13/>.

⁹⁵ Daphne Psaedakis and David Brunnstrom, "Russia, China Veto US-Led UN Resolution on Gaza Ceasefire," *Reuters*, March 23, 2024, <https://www.reuters.com/world/middle-east/un-security-council-fails-pass-us-resolution-calling-immediate-ceasefire-gaza-2024-03-22/>.

Soviet Union and Russia concerning the Israel-Palestine conflict within the UN has evolved from early support for Israel to a more balanced approach that emphasizes adherence to international law and support for Palestinian rights. This balanced stance on the Israel-Palestine conflict over time serves multiple purposes; for instance, by positioning itself as a mediator, Russia seeks to uphold and expand its influence in the Middle East and counter Western dominance in international diplomacy, reflective of its strategic interests.⁹⁶

b) China and the Palestine Question at the United Nations

In 1949, following the establishment of the People's Republic of China (PRC), Beijing maintained a relatively ambiguous position on the Israel-Palestine conflict. While the PRC was sympathetic to anti-colonial movements, it refrained from taking a definitive stance, primarily due to its limited involvement in Middle Eastern affairs and its focus on domestic issues. During this period, China neither established formal diplomatic relations with Israel nor actively supported Palestinian nationalist movements. This changed in the 1960s and 1970s, which marked a significant shift in China's foreign policy, characterized by strong support for Palestinian liberation movements.⁹⁷ Influenced by Maoist ideology and a commitment to anti-imperialist struggles, China began to view the Palestinian cause as part of the broader Third World liberation movement. Beijing provided political, moral, and material support to organizations such as the Palestine Liberation Organization (PLO), recognizing it as the sole legitimate representative of the Palestinian people. This period solidified China's image as a staunch supporter of Palestinian self-determination within the United Nations. In the 1980s and 1990s, China transformed its initial approach by seeking to balance its support for Palestine with the establishment of diplomatic relations with Israel in 1992. This was driven by China's aim to expand economic and technological cooperation with Israel, and at the same time, maintain its traditional support for Palestinian rights. Within the UN, China continued to advocate for Palestinian self-determination and opposed Israeli settlement activities. In 2012, China also voted in favor of granting Palestine non-member observer state status at the UN General

⁹⁶ Shlomo Avineri, "Israel-Russia Relations," *Carnegie Endowment for International Peace*, April 2, 2001, <https://carnegieendowment.org/research/2001/04/israel-russia-relations?center=russia- Eurasia&lang=en>.

⁹⁷ Cooley, John. "[China and the Palestinians](#)." *Journal of Palestine Studies* 1, no.2 (1972): 19–34.

Assembly. Furthermore, it proposed peace initiatives, such as the 2013 Four-Point Proposal, emphasizing negotiations and economic development, in support of a peace process. China's balancing approach is similar to Russia's stance, as the global powers maintain relations with Israel while supporting Palestinian rights and aspirations for statehood.⁹⁸

China is increasingly positioning itself in the Middle East as a strategic, non-interventionist power that fosters economic interdependence and a politically balanced and neutral approach. Through initiatives like the Belt and Road Initiative, Beijing seeks to deepen its economic standing across the region, securing energy resources, infrastructure partnerships, and market access while presenting itself as a reliable alternative to Western dominance. Unlike the United States, whose regional role has been characterized by military alliances and interventions, China projects a model of "development without interference", appealing to the various governments in the Middle East. China builds soft power among Arab and Muslim-majority states, but simultaneously maintains ties with Israel, particularly in technology and trade.⁹⁹ China's policy in the Middle East reflects the country's strategy of South-South solidarity; however, its economic relations with Israel stand in contradiction with this.¹⁰⁰

8. Beyond the Veto: How the Non-Aligned Movement Could Reshape the World

a) The Non-Aligned Movement: Origins and Vision

The Non-Aligned Movement (NAM) is an international organization, a post-colonial experiment in multilateral diplomacy, comprising 120 member states determined not to align with either of the two Cold War blocs. It was founded in 1961 at the height of Cold War tensions and in the context of the wave of decolonization that followed

⁹⁸ Craig Harris, Lillian. "Myth and Reality in China's Relationship with the Middle East." In Thomas Robinson and David Shambaugh, eds., *Chinese Foreign Policy: Theory and Practice*. Oxford: Oxford University Press, 1994.

⁹⁹ Zhang Sheng, "From Global Anti-Imperialism to the Dandelion Fighters," *Transnational Institute*, March 12, 2025, <https://www.tni.org/en/article/from-global-anti-imperialism-to-the-dandelion-fighters>.

¹⁰⁰ Burton, Guy. "China and the Palestinian-Israeli Conflict." In Jonathan Fulton, ed., *The Routledge Handbook on China-Middle East Relations*. Abingdon: Routledge, 2021.

World War II. Many newly independent nations in Asia, Africa, and Latin America did not intend to join either of the two ideological blocs, the capitalist West and the communist East. They sought to preserve their sovereignty and newly gained independence from colonial rule, avoiding to fall under new forms of domination.¹⁰¹

The movement's conceptual backbone was formed at the 1955 Bandung Conference. The attendees, many of whose countries had recently gained their independence, called for "abstention from the use of arrangements of collective defense to serve the particular interests of any of the big powers." They argued that countries of the developing world should abstain from allying with either of the two superpowers, namely the US and the USSR, during the Cold War. Instead, the aim should be to join together in support of national self-determination and against all forms of colonialism and imperialism. In 1961, the Non-Aligned Movement was formally institutionalized during the Belgrade Conference in Yugoslavia. The key founding figures included Josip Broz Tito of Yugoslavia, Gamal Abdel Nasser of Egypt, Jawaharlal Nehru of India, Kwame Nkrumah of Ghana, and Sukarno of Indonesia.¹⁰² NAM remains the largest group of developing countries in the world and it is the second-largest international organization after the United Nations. Its mission is to represent the interests of developing countries, promoting peaceful coexistence, economic development and cooperation among developing countries, and an equitable, just world order free from colonialism, imperialism, and foreign occupation.¹⁰³

¹⁰¹ Lorenz M. Lüthi; The Non-Aligned Movement and the Cold War, 1961–1973. *Journal of Cold War Studies* 2016; 18 (4): 98–147. doi: https://doi.org/10.1162/JCWS_a_00682

¹⁰² Ayala, Fernando, "The Non-Aligned Movement and the West", *Economy & Politics*, February 1, 2025, <https://www.meer.com/en/87472-the-non-aligned-movement-and-the-21st-century>

¹⁰³ Samir Bhattacharya, "Non-Alignment in the Era of the Global South," *Observer Research Foundation*, July 18, 2024, <https://www.orfonline.org/research/non-alignment-in-the-era-of-the-global-south>.



At the United Nations, NAM countries make up the majority of the UN General Assembly, exerting influence on global debates through the collective voice of its members. NAM member states regularly deliver speeches at the UN on behalf of NAM, reflecting NAM's positions at the General Assembly, Security Council, and other meetings. Throughout its history, NAM has been a vocal advocate for Palestinian rights within the United Nations framework. The movement has consistently condemned Israeli policies in the occupied Palestinian territories and has called for the implementation of UN resolutions affirming Palestinian self-determination. NAM has also supported Palestine's admission to the United Nations as a full member state. Despite these efforts, NAM's impact on advancing Palestinian rights has been limited. While the movement has provided a platform for expressing solidarity and has influenced international discourse, its ability to effect concrete change has been constrained.¹⁰⁴

Since the escalation of hostilities on October 7, 2023, NAM's response has been characterized by strong rhetoric but limited actionable outcomes. The movement has called for ceasefires and condemned violence, but it has not been able to mobilize significant international pressure to alter the course of events. This raises questions

¹⁰⁴ Lorenz M. Lüthi; The Non-Aligned Movement and the Cold War, 1961–1973. *Journal of Cold War Studies* 2016; 18 (4): 98–147. doi: https://doi.org/10.1162/JCWS_a_00682

about NAM's capacity to influence global affairs in the current geopolitical landscape.

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b) The Non-Aligned Movement and the Question of Palestine

Since the organization's Cairo Summit in 1964, NAM consistently recognized Palestine as a critical issue of anti-imperialist resistance. NAM embraced the Palestine Liberation Organization (PLO) as the legitimate representative of the Palestinian people, during the 5th NAM Summit in Sri Lanka, granted the PLO full membership status in the movement in 1976. In his book *“Non-Alignment in a Changing World”*, Ahmed asserts that NAM viewed the creation of Israel, and its support from the West, particularly the US, as a strategic project to disrupt Arab liberation and maintain Western dominance in the Middle East. At several NAM summits, especially from 1973 onward, members have condemned the Israeli occupation and expansion as direct violations of international law and human rights.¹⁰⁶

Despite these strong positions, the author claims that NAM was unable to translate its symbolic support into tangible political or economic pressure on Israel or its allies. He points out that NAM resolutions on Palestine were consistent, even direct in tone, but lacked enforcement mechanisms or meaningful follow-up. While the movement served as a moral voice for Palestinian rights, it ultimately failed to protect Palestinians from ongoing occupation and aggression, largely due to its limited power and internal incoherence.

Since October 7th, 2023, NAM has issued condemnations of Israeli military actions, called for ceasefires, and supported UN resolutions; however, its actions remain largely rhetorical. In light of Israel's ongoing military in Gaza since 18 months, it can be argued that the alignment should have done more to prevent or alleviate the dire

¹⁰⁵ Risdal Kasasira, “The Non-Aligned Movement calls Israel’s war in Gaza illegal and condemns attacks on Palestinians,” *Associated Press*, January 20, 2024, <https://apnews.com/article/uganda-non-aligned-movement-israel-gaza-palestinian-22c852bd408cda0a904431d913728f32>.

¹⁰⁶ M. Samir Ahmed, “The Institutional Structure of Non-Alignment: An Evaluation of Its Successes and Failures,” in *Non-Alignment in a Changing World*, ed. Mohamed El-Sayed Selim (Cairo: American University in Cairo Press, 1983), 40–58.

humanitarian situation. For instance, NAM members could have pushed for and committed to coordinated boycotts, divestments, or sanctions targeting companies and states complicit in Israeli military operations. Instead, many of its member countries, for instance India, Azerbaijan, Bahrain, the UAE and many others, have maintained their normalized relations with Israel. This normalization amid the mounting evidence of severe war crimes in Gaza does not at all reflect the movement's initial principles, and it portrays acceptance of the situation without collective action against the perpetrator.

Furthermore, NAM could have leveraged its Coordinating Bureau to convene emergency summits, craft model resolutions for the UN, and support Palestine at ICJ proceedings. As Ahmed notes in his work, NAM's potential lies in multilateral economic coordination. The movement could have threatened to withhold strategic trade, energy cooperation, or transit rights to press global powers into stopping arms sales to Israel and aiding the perpetrator. Without material leverage and a strong, institutional positioning based on the fundamental vision of the organization, NAM will fall short of becoming a geopolitical force and supporting oppressed peoples as it has originally stated.

c) Deficiencies of the Non-Aligned Movement

In his 1987 essay, *A Critique of the Non-Aligned Movement*, Colonel Muammar Qaddafi delivers a profound and incisive examination of NAM, asserting that it has deviated from its foundational principles and become ineffectual in confronting global imperialism. Qaddafi contends that NAM, originally conceived as a coalition of nations resisting alignment with major power blocs, has succumbed to passivity and rhetorical posturing, failing to enact substantive change and failing to challenge the dominance of superpowers.¹⁰⁷

Qaddafi's critique is rooted in the observation that NAM has become a platform for issuing statements devoid of actionable strategies. He argues that the movement's reliance on the United Nations, a body he perceives as compromised by the interests of powerful nations, undermines its ability to advocate effectively for the oppressed.

¹⁰⁷ Qaddafi, Muammar. "A CRITIQUE OF THE NON-ALIGNED MOVEMENT." *The Black Scholar* 18, no. 2 (1987): 40–47. <http://www.jstor.org/stable/41067359>.

By deferring to international institutions that are, in his view, “instruments of Western hegemony”, NAM is set up to forfeit its potential to serve as a revolutionary force for global justice. He criticizes NAM for its lack of concrete support for anti-colonial struggles, particularly in Africa and the Middle East, and he highlights the Palestinian cause as a glaring example. The author notes that NAM's expressions of solidarity have not translated into meaningful assistance or pressure on Israel and its allies. He perceives this as a betrayal of NAM's proclaimed commitment to self-determination, anti-imperialism, and the support of developing nations.¹⁰⁸

He goes on to challenge the NAM's membership of nations that, in his view, maintain close ties with imperial powers. He argues that the inclusion of such states diminishes the movement's revolutionary spirit, criticizing the organization's lack of ideological cohesion and a reluctance to confront members whose policies are conflicting with NAM's mission.

The author calls for a return to the movement's radical roots, envisioning a coalition that not only articulates opposition to imperialism but also engages in coordinated action to dismantle the oppressive structures. This entails supporting armed resistance where necessary, establishing alternative economic systems free from Western influence, and fostering cultural solidarity among oppressed peoples. His vision is one of a proactive, militant NAM that serves as a catalyst for global revolution. His analysis underscores the necessity for the movement to reassess its strategies and reaffirm its commitment to the aspirations of its members and oppressed people around the world.¹⁰⁹

Ahmed identifies several structural and functional weaknesses that have significantly eroded NAM's effectiveness. For instance, there is a lack of a binding institutional mechanism; from its inception, NAM rejected the creation of a permanent secretariat, which resulted in the absence of a centralized authority to coordinate actions, monitor implementation, or hold member states accountable. This severely limits the movement's institutional capacity to act cohesively or enforce its own principles. Furthermore, NAM struggled with inconsistent adherence to its foundational doctrine of non-alignment, oftentimes directly contravening NAM's criteria and undermining

¹⁰⁸ Ibid.

¹⁰⁹ Ibid.

the credibility of its non-aligned stance. In addition, decision-making by consensus poses another major challenge. While intended to ensure inclusivity and unity, the requirement for unanimous agreement often empowered a vocal minority to block initiatives or demand weakening compromises. Another key issue is NAM's large body of members. By the late 1970s, it had grown to include over 90 member states, many of them microstates or politically fragile regimes. While this enlargement can be viewed as an inclusive action, it mainly undermined the movement's ideological stance and diminished its ability to function strongly and in unity on the global stage.¹¹⁰

d) NAM's Potential for Revitalization to Challenge Western Hegemony

Ahmed affirms that NAM still possesses tremendous power, provided it reforms its structure and deepens its commitment to collective action. Current geo-political shifts, considering the Trump administration's reassessment of allies and the rapidly emerging power of China on the global stage, could enhance NAM's relevance in the future. Non-Western countries are increasingly strengthening their ties with developing states, expanding their trade networks, and gaining capacity on the international level. Nonetheless, for NAM to play a bigger role at the United Nations and in critical issues in the future, it first needs a strategic revitalization.¹¹¹

The Movement has potential to reassert itself as a global political bloc by embracing anti-imperialist economic realignment, particularly via partnerships with BRICS+, the African Union, ASEAN, and Latin American regional organizations. Furthermore, by reforming its rigid consensus rules, NAM could play a larger role at the United Nations and in policy-making, influencing pivotal decisions on international peace and security. Furthermore, NAM could champion efforts, initiatives, and movements at the United Nations for UN Security Council reform, driving the urgently needed institutional change.¹¹² In the case of Palestine, NAM could adopt a coordinated strategy to support Palestine through increased humanitarian aid and strong and assertive international advocacy, signaling a return to its roots as an active force

¹¹⁰ M. Samir Ahmed, "The Institutional Structure of Non-Alignment: An Evaluation of Its Successes and Failures," in *Non-Alignment in a Changing World*, ed. Mohamed El-Sayed Selim (Cairo: American University in Cairo Press, 1983), 40–58.

¹¹¹ Ibid.

¹¹² Ibid.

against imperialism. The organization's failure to act and implement bold, resolute actions during the Gaza crisis risks a reduction to an annual summit with no political relevance and influence on policies.

9. The United Nations Legal Framework: For Everyone but Palestine?

a) A Call to Reclaim the UN's Founding Purpose

The UN Charter has become the bedrock of international law, fostering multilateral cooperation, peaceful conflict resolution and diplomacy. Chapter 1 of the Charter determines the organization's purposes and principles, and declares the maintenance of international peace and security as the first doctrine. Furthermore, the Charter appeals for effective, collective measures for the prevention and removal of threats to the peace.¹¹³ 79 years after its implementation, this fundamental core principle of the founding document of the United Nations appears to have lost its meaning, as the United Nations faces a serious low point marked by powerlessness and impotence. Notwithstanding the organization's previous failures including genocides in Rwanda, Bosnia, or the use of chemical weapons against Iran by Saddam Hussein's regime, the current wholesale slaughter of the Palestinian people has been called a text-book case of genocide by November 2023. According to Craig Mokhiber, former New York Director of the Office of the UN High Commissioner for Human Rights, many European member states, the UK and the US are not only failing to meet their treaty obligations, but are also arming Israel in their systematic persecution of Palestinian life and thus making themselves complicit.¹¹⁴ Never before has the world collectively borne witness to a genocide unfolding in real time, seemingly powerless to intervene. In his resignation letter, the human rights lawyer and former UN diplomat describes his great anguish for the world, including for many of his UN colleagues, as the organization has failed its duty to meet the imperatives of prevention of mass atrocities, protection of the vulnerable, and accountability of perpetrators again. He underscores the successive waves of murder of Palestinians

¹¹³ United Nations, *Charter of the United Nations*, <https://www.un.org/en/about-us/un-charter/full-text>.

¹¹⁴ Ed Pilkington, "Top UN Official in New York steps down citing 'genocide' of Palestinian civilians, *The Guardian*, October 31, 2023, <https://www.theguardian.com/world/2023/oct/31/un-official-resigns-israel-hamas-war-palestine-new-york>.

throughout the entire life of the UN, severely denouncing the organization's effectiveness. His criticism carries particular weight, occurring just three weeks after October 7, 2023. The date appears to have altered, disrupted, and upended international law due to Israel's uninterrupted annihilation campaign against Palestinians and the extensive disregard for established rules of war. In his letter, Craig Mokhiber reminds the High Commissioner of Human Rights Volker Türk and the United Nations of its core principles and obligations. He specifies that it is not too late for the UN and the international community to save our rules-based order, and he provides a clear and detailed path forward from this mass abuse of human rights. *See Annex A for the full resignation letter by Craig Mokhiber, October 28, 2023.* Despite his despair, he suggests a UN-norm-based position to return to the rule of law and outlines a step-by-step solution to the never-ending conflict.¹¹⁵ Tragically, his early plea to the organization has not been heard, and since the publication of his letter, international law has only further been trampled on and depleted. His vision of a unified Palestinian state, where citizens of all faiths coexist peacefully, remains unfulfilled, as the United Nations has failed to secure even a ceasefire after 18 months of ongoing violence.

b) Gaza by the Numbers: A Catalog of War Crimes

Despite widespread condemnations and appeals from international organizations and human rights groups, Israel has persisted in its collective punishment campaign against the besieged enclave, where half the population is under the age of 18. 70% of the victims are women and children, and more children in Gaza have been killed after the first few months than in all world conflicts combined over the last four years.¹¹⁶ This has resulted in the erasure of multiple generations of families from the civil registry, and a chilling number of at least 18,000 children have been killed, and there is no way to know how many more are perished under the rubble. According to the UN, an average of 10 children per day lose one or both legs, undergoing amputations with no anaesthesia due to Israel's blockade and the prohibition of

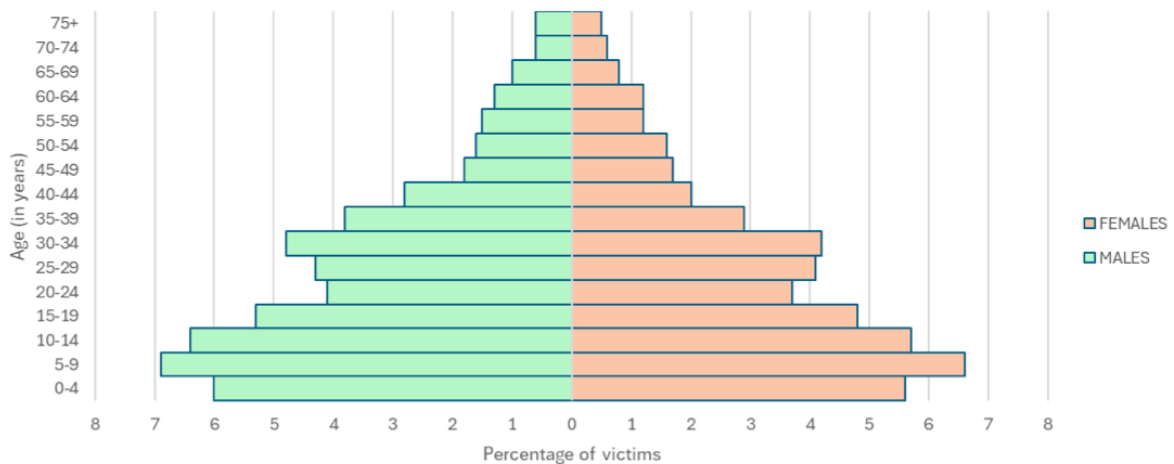
¹¹⁵ Ibid.

¹¹⁶ Office of the United Nations High Commissioner for Human Rights (OHCHR), *Six-Month Update Report on the Human Rights Situation in Gaza: 1 November 2023–30 April 2024*, November 8, 2024, <https://www.ohchr.org/en/documents/reports/six-month-update-report-human-rights-situation-gaza-1-november-2023-30-april-2024>.

medical supplies in the Gaza strip. By the end of 2024, the Palestinian Ministry of Health reported at least 4,500 of such surgeries.¹¹⁷

The OHCHR calls the level of serious violations of international humanitarian law unprecedented and enumerates Israel’s use of human shields, attacks on humanitarian actors, the use of white phosphorus, starvation as a weapon of war and attacks on journalists, hospitals, and cultural sites among many more war crimes. A six-month update report by OHCHR has revealed that the age groups with the most verified fatalities by bombings on residential buildings in Gaza are the ones from 5 to 9 years old, sequentially followed by 10 to 14 years old and 0 to 4 years old. These findings of the OHCHR published in November 2024 highlight that Israel’s war on Gaza is a war on children. No one is being spared as Israel continues to deploy massive 2,000-pound bombs on the entire strip and uses starvation as a weapon of war for the 18th consecutive month.¹¹⁸

Pyramid of Age #1 - fatalities verified by OHCHR killed in residential buildings in Gaza since 7 October 2023



¹¹⁷ AJLabs, Al Jazeera Staff, “The Human Toll of Israel’s war on Gaza - by the numbers,” *Al Jazeera*, January 15, 2025, <https://www.aljazeera.com/news/2025/1/15/the-human-toll-of-israels-war-on-gaza-by-the-numbers>.

¹¹⁸ Office of the United Nations High Commissioner for Human Rights (OHCHR), *Six-Month Update Report on the Human Rights Situation in Gaza: 1 November 2023–30 April 2024*, November 8, 2024, <https://www.ohchr.org/en/documents/reports/six-month-update-report-human-rights-situation-gaza-1-november-2023-30-april-2024>.

c) No Safe Vest: Journalists and Medics Under Fire

In September 2024, Gaza's Ministry of Health released a harrowing document detailing the name, age, gender and ID number of every identified Palestinian killed by Israel in the enclave over the past 11 months. The shattering document is 649 pages long, and since its publication, thousands of more Palestinian lives have been lost.¹¹⁹ Israel holds the record for causing the highest number of UN personnel fatalities in the history of the United Nations.¹²⁰ Since October 2023, journalist and media worker deaths have surpassed all previous years of recorded data, marking an unprecedented toll. At least 178 journalists and media workers were among the more than tens of thousands killed in Gaza, the West Bank, Israel, and Lebanon since the war began, making it the deadliest period for journalists since CPJ began gathering data in 1992.¹²¹ Meanwhile, Al Jazeera reports that Israel killed at least 232 journalists. According to the Watson Institute for International and Public Affairs 'Cost of War' project, this makes Gaza the deadliest conflict for journalists, surpassing the number in both World Wars, Vietnam, Yugoslavia, and Afghanistan and more combined.¹²² Medical professionals, including doctors and nurses, have been abducted from hospitals, subjected to torture, and killed, often with evidence of sexual violence. For instance, prominent Palestinian surgeon Dr. Adnan al-Bursh, head of orthopaedics at Gaza's al-Shifa hospital, was working at the al-Awda hospital in northern Gaza when he and other medics were arrested by the Israeli army. According to several media reports and fellow prisoners, he was likely raped to death in Ofer prison, a place known for severe human rights abuses and torture against Palestinian detainees.¹²³

¹¹⁹ Nadda Osman, "Tragic 649-Page document names every Palestinian killed by Israel in Gaza amid 'genocide denial,'" *The New Arab*, September 16, 2024, <https://www.newarab.com/news/tragic-649-page-document-names-every-palestinian-killed-gaza>.

¹²⁰ United Nations Office for the Coordination of Humanitarian Affairs, "UN Relief Chief Decries 'Bullets and Bombs' Against Aid Workers," November 22, 2024, <https://www.ochaopt.org/content/un-relief-chief-decries-bullets-and-bombs-against-aid-workers>.

¹²¹ Committee to Protect Journalists. "Journalist Casualties in the Israel-Gaza war." Last modified February 4, 2025. <https://cpj.org/2025/02/journalist-casualties-in-the-israel-gaza-conflict/>.

¹²² Al Jazeera. "Israel's war on Gaza deadliest ever for journalists, says report." April 2, 2025. <https://www.aljazeera.com/news/2025/4/2/gaza-war-deadliest-ever-for-journalists-says-report>.

¹²³ Simon Speakman Cordall, "Dying in 'Hell': The Fate of Palestinian Medics Jailed by Israel," *Al Jazeera*, November 24, 2024, <https://www.aljazeera.com/news/2024/11/24/dying-in-hell-palestinian-medics-jailed-by-israel>.

d) Detention as Control: Israel's Use of Prisons Against Palestinian Society

The case of Dr. al-Bursh is just one of many, and as of April 2025, an estimated 9,900 Palestinians have been held as political prisoners in Israeli prisons, subjected to various human rights abuses. Furthermore, Israel is the only country in the world that tries children in military courts, arresting minors as young as fourteen years old.¹²⁴

ISRAEL'S WAR ON GAZA

Doubling of Palestinian prisoners

From October 2023 to April 2025, the number of Palestinian political prisoners has doubled, jumping from 5,250 to nearly 10,000.



Source: Addameer, Shireen Observatory | April 17, 2025

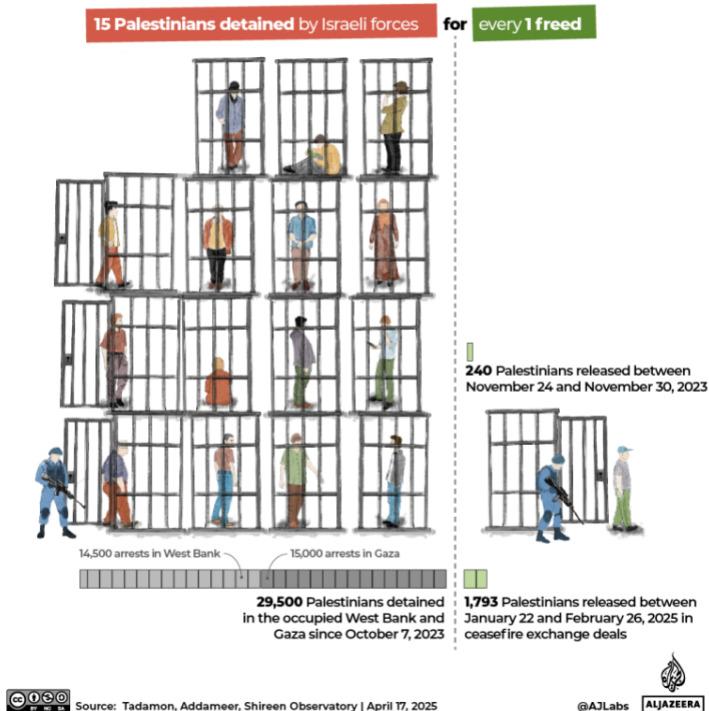
@AJLabs ALJAZEERA

¹²⁴ Mohamed A. Hussein and Mohammed Haddad, "A Nation Behind Bars: Why Has Israel Imprisoned 10,000 Palestinians?" *Al Jazeera*, April 17, 2025, <https://www.aljazeera.com/news/2025/4/17/a-nation-behind-bars-why-has-israel-imprisoned-10000-palestinians>.

ISRAEL'S WAR ON GAZA

One Palestinian freed, 15 detained

Since October 7, Israel has detained approximately 30,000 Palestinians. During two ceasefire deals with Hamas, Israel released just more than 2,000 Palestinian prisoners. That means, for every person released, 15 others were apprehended.



From October 2023, the number of Palestinian political prisoners doubled, rising from 5,250 to nearly 10,000. Israel's detention practices have had a lasting impact on Palestinian society. Since 1967, Israeli forces have arrested around one million Palestinians, about 20% of the population, according to the Palestinian Commission of Detainees and Ex-Detainees Affairs. In practical terms, that means one in five Palestinians has spent time in prison.¹²⁵ This systemic practice has fragmented communities, perpetuated cycles of trauma, and generated widespread resentment. B'Tselem, an Israeli human rights organization, describes the conditions within the Palestinian prison system as "hell," while António Guterres has characterized the unfolding devastation in Gaza as "hell on earth," warning of an apocalyptic trajectory.¹²⁶

¹²⁵ Mohamed A. Hussein and Mohammed Haddad, "A Nation Behind Bars: Why Has Israel Imprisoned 10,000 Palestinians?" *Al Jazeera*, April 17, 2025, <https://www.aljazeera.com/news/2025/4/17/a-nation-behind-bars-why-has-israel-imprisoned-10000-palestinians>.

¹²⁶ Simon Speakman Cordall, "Dying in 'Hell': The Fate of Palestinian Medics Jailed by Israel," *Al Jazeera*, November 24, 2024, <https://www.aljazeera.com/news/2024/11/24/dying-in-hell-palestinian-medics-jailed-by-israel>.

In sum, Gaza has become entirely uninhabitable, with residential areas, UN shelters, schools, places of worship, medical facilities, and hospitals systematically destroyed. Over 1.9 million people have been forcibly displaced, trapped under relentless bombardment, with no refuge or safety. The escalation of war crimes and the systematic imprisonment and dehumanization of the Palestinian people is an affront to human dignity. The extension of Israeli attacks to Lebanon, Syria, Yemen, and Iran, has exacerbated regional instability and significantly increased the risk of a broader conflict. The speed and magnitude of these events pose dire threats to hundreds of millions of lives, making the crisis seem ever more irreversible if Israel's carnage will advance without disruption.

10. Recommendations for UN Reform and Amendments to the Charter

a) Gaza Gridlock: High-Time for Reform

The Gaza crisis has sharply intensified long-standing demands for reform of the United Nations. As bombs fell and humanitarian needs reached catastrophic levels in Gaza, the very body entrusted with maintaining international peace and security remained effectively silent. This was not due to a lack of meetings or resolutions, but because of the structural paralysis rooted in the veto power of its five permanent members. The bloodshed in Gaza is not only a result of military escalation, it is the result of a massive failure of diplomacy and global governance.

As depicted in the overview of resolutions above, between October 7 and November 15, 2023, five draft resolutions addressing the Gaza situation were tabled before the Council; four of those have been blocked by the veto. This highlights the politicization of the Security Council, as the major powers used their vetoes to block any resolution that didn't align with their strategic and political interests. When on November 15, 2023, resolution 2712 finally passed after five weeks of unprecedented bombing and destruction in Gaza, it was rather a weak gesture. The resolution called for humanitarian "pauses," lacking both condemnation of violence

and any enforcement mechanism. This failure highlights the urgent need to transform the UN into an organization producing solutions, not solely statements.¹²⁷

Despite decades of negotiations, working groups, and high-level panels, the Council's structure has remained almost unchanged, while calls for reform have only grown stronger. From Rwanda to Syria, from Myanmar to Ukraine, the Council's paralysis in the face of humanitarian crises has eroded its credibility and raised fundamental questions about its design. Amid the catastrophe in Gaza, reform can no longer remain a theoretical discussion; it is an existential necessity to upkeep the international rules-based order. Initiatives like the G4 (India, Brazil, Germany, Japan), the African Union's Ezulwini Consensus, and the Intergovernmental Negotiations framework all aim toward the same goal, namely reforming the Security Council to make it more representative, inclusive, and effective.¹²⁸ However, reform remains a vicious cycle, as any amendment to the UN Charter requires the P5 to agree to such.

b) Limitations of the Veto Power in the Security Council

The existence of the veto contradicts the principle of sovereign equality enshrined in Article 2(1) of the UN Charter. Although framed as a mechanism for preserving international stability, it structurally produces inequality into the most powerful organ of the UN. This has impaired the legitimacy and efficacy of the SC, particularly when it fails to act decisively in response to genocide or war crimes. To address the Security Council stalemate where geopolitical interests override collective security concerns, an amendment of Article 27 could provide for a prospective chance.

Article 27 (3) of the UN Charter:

“Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent

¹²⁷ United Nations, *Security Council Adopts Resolution 2720 (2023), Adopting Resolution 2712 (2023), Security Council Calls for ‘Urgent and Extended’ Humanitarian Pauses in Gaza, Immediate Release of Hostages*, United Nations Press, November 15, 2023, <https://press.un.org/en/2023/sc15496.doc.htm>.

¹²⁸ Rolf, J.N., Janssen, N.J. and Liedtke, M. (2021), Projecting General Assembly Voting Records onto an Enlarged Security Council: An Analysis of the G4 Reform Proposal. *Glob. Policy*, 12: 313-324. <https://doi.org/10.1111/1758-5899.12934>

*members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.*¹²⁹

Proposed Amendment:

Addition: *“The veto power of the permanent members shall not apply in cases where the Council is addressing situations involving mass atrocities, including genocide, war crimes, ethnic cleansing, or crimes against humanity.”*

First, the prohibition of vetoes by parties to a conflict, as already mandated by the Charter, should be strictly observed. The enforcement of the already established Art 27 (3) could drastically change the geopolitical security landscape. For instance, legally preventing Russia from vetoing resolutions regarding the Ukraine war, and stopping the US veto on the Palestine question and broader themes in the Middle East, may result in a radically altered political order and security environment.

Second, introducing a clause stating that the veto cannot be used in situations involving mass atrocities, such as genocide, war crimes, or crimes against humanity would enhance the Security Council’s ability to respond swiftly and decisively to grave threats to human life, particularly in humanitarian emergencies. The Accountability, Coherence and Transparency (ACT) Group’s Code of Conduct, backed by over 120 member states, urges permanent members to voluntarily refrain from using the veto in such cases. A similar effort called the France-Mexican Initiative proposes that the five permanent members agree not to use the veto when the Security Council is addressing mass atrocity crimes. Though both of these initiatives are non-binding, they reflect growing pressure to diminish abusive or politically motivated vetoes that obstruct life-saving action of the Security Council.¹³⁰

Given the difficulty of consensus on Charter revision, legal experts have also proposed adopting a veto protocol that operates as *lex specialis*. The objective is to provide supplementary rules that clarify and limit veto power without direct Charter revision, which would be a lengthy, contentious process. The core ideas are to prohibit the use of the veto in situations involving crimes against humanity or genocide; to limit each permanent member to three vetoes on the same issue within

¹²⁹ United Nations, *Charter of the United Nations*, Article 27(3), <https://www.un.org/en/about-us/un-charter/chapter-5>.

¹³⁰ Global Centre for the Responsibility to Protect, *References on the Need for Veto Restraint by the UN Security Council in Mass Atrocity Situations*, November 14, 2014, <https://www.globalr2p.org/publications/references-on-the-need-for-veto-restraint-by-the-un-security-council-in-mass-atrocity-situations/>.

a two-year period; and to refer unresolved matters to the General Assembly if five consecutive veto-induced deadlocks occur.¹³¹

c) Security Council: Permanent Membership Expansion

The P5 currently have unchallenged veto power, despite representing only 25% of the world's population and only 5 out of 193 equal members. This has led to selective engagement and neglect of many protracted crises. By expanding permanent membership seats to include major regional powers from the Global South, for instance Brazil, India, South Africa, or Nigeria, the Council would reflect contemporary geopolitical realities more accurately. Their inclusion would break the monopoly of historically colonial powers and foster a more multipolar, inclusive, and balanced system. Africa, Latin America, and parts of Asia remain deeply underrepresented, even as they host the majority of peacekeeping missions and conflict zones. Seats must be allocated in a way that ensures proportional representation of all regions, including Small Island Developing States, and low-income countries most vulnerable to conflict and climate disasters.¹³² This could involve the creation of rotating regional seats or dedicated regional blocs, reinforcing the principle that peace and security are global responsibilities, not privileges of the few. As Oxfam argues in its "Vetoing Humanity" report, a Council representative of broader international society is more likely to respond to the actual needs of conflict-affected populations, rather than serve the interests of a few militarily powers.

d) Reforming Penholding Practices

Over the past two decades, the United States, the United Kingdom, and France, have held the pen on over 70% of the Council's agenda, including on countries with which they have historical colonial ties. This concentration of procedural control distorts the Security Council's work. As Oxfam documents, penholding enables powerful states to selectively prioritize crises, suppress uncomfortable debates, and advance their own strategic or commercial interests. For instance, France's penholding on Mali was challenged by the Malian government due to its perceived bias and harmful interference. Similarly, the UK's control of the Yemen file has

¹³¹ United Nations, "Question of Veto Central to General Assembly's Debate on Security Council Reform," November 17, 2023, <https://press.un.org/en/2023/ga12563.doc.htm>.

¹³² Marc J. Cohen, Amy Croome, and Elise Nalbandian, *Vetoing Humanity: How a Few Powerful Nations Hijacked Global Peace and Why Reform Is Needed at the UN Security Council* (Oxford: Oxfam International, 2024), <https://policy-practice.oxfam.org/resources/vetoing-humanity-how-a-few-powerful-nations-hijacked-global-peace-and-why-refor-621621/>.

sparked concern, given its military sales to actors in that conflict. To counteract this, the report suggests that penholding should be removed from individual member states and transferred to a neutral body within the UN. For instance, the Secretariat could be utilized, provided with the resources and authorization to draft and manage SC resolutions. This measure would reconfigure the power structure within the Security Council, potentially limiting the politicization of humanitarian catastrophes and the influence of the global powers on agenda items.¹³³

e) Empowering the General Assembly

The General Assembly, representative of all 193 member states, can discuss matters to protect international peace and security when the SC is in a dead-lock under Article 377A, the “Uniting for Peace” initiative. Nonetheless, the General Assembly can merely make recommendations, alerting the Council to act. Empowering the General Assembly with drafting, discussing and adopting legally binding resolutions, grave breaches of international law could be addressed by the vast international community.

Chapter IV of the UN Charter outlines the scope of the General Assembly. The proposed amendment would be an additional article to this Chapter, allowing the General Assembly to make binding resolutions in cases where the Security Council is deadlocked due to vetoes.

Proposed addition to Chapter IV:

*Article 23 bis: “In cases where the Security Council is unable to act due to the use of the veto by one or more permanent members, and where the situation involves threats to international peace and security, acts of aggression, genocide, war crimes, or crimes against humanity, the General Assembly may, by a two-thirds majority of members present and voting, adopt resolutions that shall be **binding** on Member States.”*

This would provide an alternative pathway for collective action when the Security Council is unable to act, and represent the interests of the entire UN body. Oxfam suggests that the GA could act as an oversight mechanism over the Security

¹³³ Marc J. Cohen, Amy Croome, and Elise Nalbandian, *Vetoing Humanity: How a Few Powerful Nations Hijacked Global Peace and Why Reform Is Needed at the UN Security Council* (Oxford: Oxfam International, 2024), <https://policy-practice.oxfam.org/resources/vetoing-humanity-how-a-few-powerful-nations-hijacked-global-peace-and-why-refor-621621/>.

Council's use of veto power. This idea rests on the principle that the Security Council is meant to act on behalf of all member states, as enshrined in Article 24(1) of the UN Charter. This could serve as a transparency tool, creating political and moral pressure on P5 members, even if the GA resolutions remain non-binding. Such reporting mechanisms could help in publicizing the humanitarian cost of vetoes, creating institutional accountability and informing future reform.¹³⁴

f) Expulsion for Persistent Violations

Article 6 of the UN Charter:

“A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council.”

Proposed Amendment:

“A Member of the United Nations that persistently violates the Charter, through repeated defiance of Security Council resolutions, disregard for international law, or obstruction of humanitarian obligations, may be expelled by the General Assembly. “Persistent violations” shall include conduct that undermines peace, human rights, and the rule of law. A clear, time-bound review process shall govern such decisions.”

In May 2024, Israel's Permanent Representative Gilad Erdan ripped apart a copy of the UN Charter in front of the General Assembly, publicly rejecting the very foundation of the international order and international law. The theatrical performance was not only a symbolic defiance of the UN, but directly reflects Israel's war crimes on the ground and its broader disregard of international peace and security.¹³⁵ Such an act, by a representative of a sitting UN member, clearly shows that member's contempt for Charter's principles. Israel's continued occupation practices, repeated violations of international humanitarian law, and its refusal to implement decades' worth of General Assembly and Security Council resolutions, further fulfill the threshold of “persistent violations.” The amendment would allow the UN to act against such violations. Furthermore, a clearly stated threshold and criteria

¹³⁴ Ibid.

¹³⁵ Michelle Nichols, “UN General Assembly Backs Palestinian Bid for Membership,” *Reuters*, May 10, 2024, <https://www.reuters.com/world/middle-east/un-general-assembly-set-back-palestinian-bid-membership-2024-05-10/>.

for expulsion, as stated in the proposed addition, would define the scope in the face of multiple severe human rights violations from several member states.

g) Strengthening the Role of the Secretary-General

On December 6, UN Secretary-General António Guterres submitted an urgent communication to the Security Council highlighting the dire humanitarian crisis in the Gaza Strip. He invoked Article 99 of the UN Charter, a rarely used tool, to emphasize the severity of the situation in Gaza. In the letter, he renewed his earlier calls for a humanitarian ceasefire and cautioned that the deteriorating conditions could imminently lead to a total collapse of public order in Gaza.¹³⁶

Article 99:

"The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security."¹³⁷

Proposed Amendment:

Addition: "In cases where the Secretary-General identifies credible risks of genocide, war crimes, ethnic cleansing, or crimes against humanity, he shall promptly bring such matters to the attention of the Security Council and the General Assembly, accompanied by recommendations for preventive or responsive action."

The case of Gaza shows that the historical invocation of Art 99 by the Secretary-General in December 2023, citing the "unprecedented humanitarian catastrophe in Gaza", remained ineffective and irrelevant for the people on the ground.¹³⁸

Therefore, merely granting the head of the organization to "bring attention" to an issue proves insufficient. The addition of the proposed amendment would require both the Security Council and the General Assembly to consider binding action when the SG invokes the Article amid massive crimes. This could position the office of the Secretary General as an active guardian of the UN's mission with moral and political

¹³⁶ Daniel Forti, "Policy Alert: UN Secretary-General Invokes Article 99 in Letter to Security Council on Gaza," *International Crisis Group*, December 7, 2023, <https://www.crisisgroup.org/middle-east-north-africa/east-mediterranean-mena/israelpalestine/policy-alert-un-secretary-general>.

¹³⁷ United Nations, *Charter of the United Nations*, Article 99, <https://www.un.org/en/about-us/un-charter/chapter-15>.

¹³⁸ UN News, "Gaza: Guterres Invokes 'Most Powerful Tool' Article 99, in Bid for Humanitarian Ceasefire," December 6, 2023, <https://news.un.org/en/story/2023/12/1144447>.

authority, in contrast to simply acting as an administrative head and external representative. Due to the fact that the Secretary-General has no further legal tools within the organization, a broadening of Article 99 could provide for significant change.

11. Expert Interview on the Role of the UN in the Gaza Crisis

As part of my research, I conducted an expert interview in October 2024 with H.E. Ambassador Khaled Shamaa, Egyptian diplomat and UN expert. During his various key roles representing Egypt at the United Nations and other international forums, he gained a deep understanding of global issues and the world of diplomacy. The purpose of the interview was to examine the intricate role of the United Nations in the current Gaza crisis, and the dynamics at play. His insights offered a compelling perspective on international responses and the contemporary challenges of the international order.

Interview: H.E. Ambassador Khaled Shamaa

Questions posed:

- What is your understanding of the UN's inaction towards Palestine?
- What is your evaluation of UN peacekeeping missions?
- Do you believe the Arab League could apply more pressure on the international stage?

Ambassador Khaled Shamaa provided the following insights and answers to my questions:

“The UN is characterized by the collective effort and action of the international community to perform its roles, which deeply impacts the UN's capability. There is no hierarchy, it is defined by its operational functions, such as Peacekeeping missions, livelihood support, health support, and humanitarian assistance. In the case of Palestine, UNRWA plays a crucial role to provide humanitarian services on the ground. It has been under constant criticism and attack from Israel, as the agency serves as a reminder that there are Palestinian refugees and that there are occupied

territories. Rwanda serves as an example for the divide between civilian protection and conflict resolution.

In the case of accusations against UNRWA from Israel, for example the alleged involvement of twelve UNRWA staff members in the October 7th attack, the organization has to practice impartiality and lead with an investigation, this is part of the UN games. With such accusations, Israel has put an entire agency under suspicion, which must now adopt a defensive stance and carry the burden of proof against the allegations. In spite of the dire circumstances and its limited scope due to the attacks, the agency still manages to provide and protect those under attack. This emphasizes the important role of the UN to supply lifesaving services even under the most difficult and unprecedented conditions in defiance of the harsh criticism.

Notwithstanding the significant challenge to its credibility, the organization is not to blame. The UN Security Council is in a limbo and completely paralyzed from action due to the veto power of the United States, Israel's most fundamental ally. As a society, we are quick to condemn any attack that we can associate ourselves with, without understanding the further background. This becomes particularly evident in countries such as Germany and Austria, which encounter an added complication due to historical elements. The mere reality that countries are handicapped by history is not the dilemma, the matter of correcting the history is wrong. In Israel's ally countries, society was quick to condemn Hamas and the Palestinians, immediately asserting Israel's right to defend itself. It has become totally unacceptable to criticize Israel's actions, and those who criticize it face harsh repression and violence. The element of telecommunication plays a pivotal role, as people in Israel's ally countries can nowadays see the reality on the ground live on their screens and realize that it does not coincide with the statements of the governments and the media. This marks a substantial development as pressure from society in forms of protests can change a government's stance towards an issue. In France for instance, the government was compelled to backtrack and reconsider its position on support for Israel in response to the widespread condemnation from its society.

Even in the most inhuman situations, it is important to consider that the Secretary-General of the United Nations has to represent all member states and the

international community as a whole. António Guterres and the UN have been trying to enact change. However, no matter from which angle the situation is approached at the UN, it ultimately hinges on the Security Council, which remains in a state of deadlock. Not only do binding resolutions originate from the Security Council, but Peacekeeping missions and sanctions also have to be enforced by the five permanent members. Furthermore, it is imperative to mention that an attack that is sanctioned by the Security Council does not determine its legality. International humanitarian law is primarily concerned with the rules of war. It regulates the conduct of the parties during conflicts, the types of weaponry and their application, the protection of civilians during wars and the conditions of prisoners among several other war regulations. War is a fact of life, and the role of international humanitarian law is to determine the conduct of conflicts. When children are being killed, something is definitely wrong, and the rules of war have been violently breached. In the situation of Israel and Palestine it becomes clear that the goal of Israel is not to simply defeat its enemy, but to annihilate a population. The organization has tried to achieve peace by invoking the United Nations Security Council Resolution 377, which led to the re-opening of the Emergency Special Session “Illegal Israeli operations in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory”. The majority of member states repeatedly voted in favor of ending the hostilities and supporting Palestinian self-determination. However, the ultimate responsibility lies in the hands of the particular governments. If member states show no will and no intention to progress and turn a blind eye on the most inhumane human rights violations, it consequently impacts the value of the whole enterprise.

Given the violence of the occupation on the ground and the unwillingness of some member states to end their support of Israel’s atrocities, people in the Middle East will no longer believe in international law. The ongoing situation is marked by a vast extent of radicalization and dehumanization and the Security Council provides no way forward. When civilians and children are wrongfully killed and the protocol for fighting is utterly violated, a large degree of bitterness and vengeance will emerge. It will take collective effort to recover and return for the Security Council to fulfil its mandate of international peace and security. Ongoing discussions regarding Security Council reform include the consideration of abolishing the veto power. For real change, member states will have to gather the will to act, which typically happens

when they feel the pressure of public opinion. Academics and students play a critical role in mass movements for change. Columbia University has become the heart and catalyzer for student movements, and their unwavering stance on the issue proves that students are not daunted by state repression and still have hope for the future. Columbia University's president Minouche Shafik has miscalculated the situation and committed a grave mistake by calling the police on campus. This decision led to a national and global student movement for Palestine on hundreds of university campuses and the spread of police brutality against students. Subsequently, Minouche Shafik has done the movement a favor by shining a spotlight on the students and igniting solidarity globally.

As for the role of the UN, Peacekeeping missions remain an essential tool of the organization under C34, the Special Committee on Peacekeeping Operations. Peacekeeping missions are often faced with backlash and regarded as unwelcome operations that are not part of any conflicting party and not coming to serve. The operational modalities, principles of humanitarian assistance, impartiality, and non-interference have been under scrutiny. Here it is important to note that it is the member states who decide on the modalities of Peacekeeping missions and all components of it. The necessity for Peacekeeping missions remains, and it is the obligation of member states to overcome the issue of bias and focus on a mediating function. For instance the useful development of more joint missions, African Union missions, and the enhancement of the African Union's capabilities could drive the advancement of Peacekeeping operations.

The Arab League has been confronted with criticism from the general public in light of the aggressions in occupied Palestine. However, they have been quite active and doing their part in the diplomatic world. The League has drafted and tabled resolution after resolution since the beginning of the escalating violence in Gaza. Several of the Arab League's resolutions have been passed, which can be seen as a huge success in the world of diplomacy. Still, the Arab League has no troops on the ground and is therefore bound to diplomatic practices. For diplomatic practices, delegates need a vision and a purpose. They cannot lose their focus and they must carefully choose their words for resolutions to succeed, for example by condemning both sides in this case. To conclude, Gaza affects everybody, the victimhood card keeps being played,

reputation prevails over sanctions and the Security Council represents the banality of reality.”

12. Conclusion

The war on Gaza has not only shattered lives, but also the illusion that international law is impartial, universal, or functioning. As children are buried beneath rubble, hospitals are turned into graveyards, and an entire population is being annihilated, the international system designed to prevent such horror stands still, paralyzed by vetoes and the politicization of the United Nations. Mass atrocities unfold in real time, while the UN Security Council has been rendered powerless by a veto system that shields impunity and ignores the collective will of the majority.

Gaza exposed that the UN does not suffer from isolated inefficiencies, but from foundational design flaws favoring the P5 elite ever since its founding. To restore the UN's functional relevance, urgent reform is essential for the survival of the organization and our international system. This includes: revising Article 27 to limit the use of veto power in atrocity situations; expanding permanent and regional representation in the Security Council to better reflect current geopolitical realities; delegating more authority to the UN Secretariat, and empowering the General Assembly under specific conditions to adopt binding resolutions when the Council is gridlocked. The paper offers short-term, immediately applicable initiatives such as veto restraint through the ACT Code of Conduct, the France-Mexico initiative, and expanded use of the General Assembly under a more effective Resolution 377A among other alternatives to respond to the current deadlock. Furthermore, long-term reform measures such as the abolition of the veto requires deeper structural change, including formal amendments to the UN Charter and the convening of a regular General Review Conference under Article 109. Together, these efforts set forth immediate tools to avoid humanitarian catastrophes while laying the groundwork for the systemic transformation that is so urgently needed.

As Craig Mokhiber described in his resignation letter to the UN, it is not too late for change and reform. However, the path to achieving this will be long and met with resistance, particularly from Western powers determined to preserve the status quo. The UN's failure in Palestine thus far is not a reason for us to withdraw, but to act. This stalemate of action must push the UN, international organizations, policy-makers, academics and more to speak out clearly for justice, equality, and the rights

of the Palestinian people. The world is paying attention, and history will remember where each of us stood when Gaza was being exterminated.

The situation in Gaza has put international law and the rules-based order to the test, and the world has tragically failed to enforce the mechanisms in place for stopping such atrocities. Gaza is not simply another chapter in a long list of conflicts; it has become the defining moment of rupture for the post-World War II international legal order, revealing in harrowing detail the structural paralysis and political dysfunction at the core of the United Nations system. Policymakers must recognize that the credibility of multilateralism depends on action instead of empty statements. Without meaningful structural reform, the United Nations risks fading into irrelevance, perceived by the global public as an outdated institution incapable of responding to the worst that humanity is capable of. This moment is critical, and we must prevent the normalization of impunity in conflict and reassert the rule of law. In the future, the international community either steps up and champions UN reform, or experiences the foundation of multilateralism dissolving as a result of continued inaction and impunity.

