



The Influence of the United States' Veto Right on the Failure of Palestine to Become a Member of the UN

Ismi Aulia Aziza; Joko Setiyono

Master of Law Program, Faculty of Law, Diponegoro University, Indonesia

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Abstract

This research examines the influence of the United States' veto on the failure of Palestine's efforts to become a full member of the UN. The main focus of the research is on the use of the veto right by the US in the context of Palestine's application for membership in the UN in 2011 and 2024. This study explains the concept of the veto right in the UN, the history and purpose of its creation, as well as its implications for international relations, especially in the case of Palestine. This research uses a qualitative approach with descriptive-analytical methods to examine the influence of the United States' veto on the failure of Palestine's efforts to become a member of the UN. Data collection was carried out through three main techniques: literature study, document analysis, and online data search. The research results show that the US veto has a significant influence in hindering Palestine's efforts to become a full member of the UN, even though the majority of Security Council members support it. This research also discusses criticism of the veto right system and its implications for the principle of equality of state sovereignty in international law.

Keywords: *Veto Rights; United States; Palestine; UN*

Introduction

In the midst of Israel's military attacks on Gaza, Palestine again applied for UN membership after previously applying in 2011 and being rejected with a veto by the United States. This time Palestine failed again in the same way to become a full member of the UN (United Nations). It is known that the United States used its veto power again to reject the results of the voting decision to make Palestine a full member of the UN. Meanwhile, the results of the vote were 12 votes in favor of Palestine, 2 abstentions, and 1 against.¹The UN General Assembly can accept a country as a member with a two-thirds majority vote and without a veto from the 5 permanent members who have veto rights, namely the United States, China, Britain, France and Russia. But only after the UN Security Council provides its recommendations. Palestine has been an observer at the UN since 2012, and since then has been lobbying to become a full member of the UN. The Draft Resolution for Palestine to become a full member of the UN was issued by Al Jazair. The right of veto, which is one of the provisions established in the UN Charter in 1945, refers to the right of members of the UN Security Council to cancel decisions, resolutions or draft regulations. The five victorious countries of the second world war were given veto rights because they contributed greatly

¹WWW.CNNINDONESIA.COM

to the creation of the UN and ensuring international peace and security. Permanent members of the UN Security Council have the right to reject important decisions made by other countries. UN Charter Article 27 establishes the UN veto right.

Formulation of the Problem

Based on the background above, the author draws problem formulations, how are The Influence of the United States' Veto Right On the Failure of Palestine to Become a Member of The UN?

Research Methods

This research uses a qualitative approach with descriptive-analytical methods to examine the influence of the United States' veto on the failure of Palestine's efforts to become a member of the UN. Data collection was carried out through three main techniques: literature study, document analysis, and online data search. Literature study involves collecting information from various literary sources such as books, scientific journals, and articles related to the UN, veto rights, and the Palestinian case. Meanwhile, online data searches were carried out to collect the latest information from official UN websites, foreign ministries and trusted international news sources. Data analysis was carried out using content analysis and interpretation techniques. The analysis process involves categorization of data based on main themes, interpretation of data in the context of international relations theory and international law, as well as comparative analysis to compare the Palestinian case with other cases of the use of the veto right.

The theoretical framework of this research is based on international relations theories, especially realism and liberalism, as well as concepts in international law such as state sovereignty and the principle of sovereign equality. This approach allows a comprehensive analysis of the international political dynamics that influence the use of the veto and its implications for Palestine's bid for UN membership. Through this research method, it is hoped that an in-depth understanding of the complexity of the issues faced and the factors that influence decision making at the international level can be obtained.

Discussion

1. United Nations (UN)

The United Nations, or UN, was founded in San Francisco on October 24, 1945 after the end of World War II. It currently consists of 129 countries. Member states of the United Nations are fully committed to maintaining international peace and security, fostering friendly relations between countries, raising decent standards of living, and defending human rights. With its unique nature, the UN has the ability to take a stand and act on various problems in the international world, as well as providing a forum for 192 member countries to speak, exchange opinions and protect human rights.

UN Goals and Principles

Article 1 of the UN Charter contains the objectives of the UN, including:

1. Maintain international peace and security;
2. Developing friendly relations between nations based on the principles of equality;
3. Achieving international cooperation in solving international problems in the economic, social and cultural fields as well as humanitarian issues and human rights;
4. To be the center for carrying out all actions of nations in achieving common goals.

The UN Principles Are Contained in Article 2 of the UN Charter Which Are Used as a Basis for Achieving the UN Goals Mentioned Above, Including:

1. The UN is based on the principle of sovereign equality of all its members;
2. The obligation to fulfill obligations in accordance with what is required stated in the Charter;
3. Every dispute must be resolved peacefully in order for peace and security is not threatened;
4. Using violence against territorial integrity or independence the politics of a country must be avoided;
5. Obligation to assist the UN in any activities undertaken accordingly with the UN Charter and the prohibition on aiding countries where they are imposed by the UN on preventive and coercive measures;
6. The obligation for non-UN member states to act in accordance with UN Charter if deemed necessary for peace and security international;
7. The UN will not intervene in domestic issues (domestic jurisdiction) of its member countries.

In addition, the United Nations organization also addresses a variety of key issues, including sustainable development, environment, refugee protection, disaster relief, terrorism, disarmament and non-proliferation, democracy, human rights, gender equality and women's empowerment, governance, economics and social development, health, landmine clearance, and expanding food production.

2. Veto Right

The United States, China, France, Russia, and the United Kingdom are five very influential countries that have veto power. The veto right is used to reject or cancel decisions of the UN Security Council. If one of the five countries uses its veto power to reject or overturn a decision, the decision cannot proceed. The UNSC's broad position and authority means that this veto right exists. Some of the advantages include. These authorities include:

- (a) The authority to elect the Chairman of the General Assembly which this General Assembly has a very important meaning in the survival of the UN;
- (b) The authority to recommend a country to enter as a new UN member;
- (c) The authority to recommend a country to withdraw from UN membership;
- (d) Authority to amend the UN Charter;
- (e) The authority to elect judges who will sit on the International Court of Justice.²

The veto right of great powers was initially discussed routinely in the formulation of the UN Charter, both at Dumbarton Oaks, Yalta, and San Francisco. The fact that the five countries considered most responsible for resolving World War II became permanent members of the Security Council and were given veto rights means that they have no responsibility (private responsibility) for international peace and security. Legally, the powers of the permanent members of the UN Security Council are a privilege granted to them. However, legally, this country does not have obligations or responsibilities that are different from other UN member countries. The charter only states that the primary responsibility for international peace and security lies with the DK, not with the permanent members of the DK. Article 27(1) of the UN Charter stipulates that each member of the DK has one vote. The combination of Article 27 paragraph (1) and Article 27 paragraph (3) creates differences in voting rights between permanent members of the DK and non-permanent members of the DK. The difference lies in non-procedural and procedural questions. Regarding matters outside of procedure, it is stipulated that decisions must be taken with at least nine votes, including the unanimous vote of the five permanent members of the DK. Currently, the procedure requires that a resolution be passed with at least nine votes from the DK member states (not necessarily a unanimous majority of the permanent members of the DK). Although initially the veto right was intended to give sufficient power to the DK, it actually deviated from its original intention. It appears that the five permanent members of the Security Council, led by the United States, have fully

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exercised their veto power. It has been used 261 times, the majority (123) of which were used by the Soviet Union/Russia in the mid-1990s. Most of them (59 and 43) were used to block the appointment of new members and secretaries general. Over the last five years, the United States has been the country that has used the veto most frequently (10 times). This further confirms that the veto concept provides greater sovereignty and/or sovereignty to the five permanent members of the UN Security Council compared to other UN member states. In fact, this concept is contrary to the principle of sovereign equality. Therefore, if the majority of United Nations Member States are of the opinion that the existence of this veto legally violates or is not in line with general principles of international law, such as equality of sovereign rights, then this assumption turns out to be correct.

Conclusion

The veto power held by the five permanent members of the UN Security Council, including the United States, has significant influence in decision making at the UN, especially in matters of new membership. The United States' use of the veto has effectively hampered Palestinian efforts to become a full member of the UN, despite the support of a majority of Security Council members. The veto right system creates inequality in decision making at the UN, which is contrary to the principle of sovereign equality contained in the UN Charter. The practice of using the veto right by permanent members of the UN Security Council, especially the US, has deviated from its original purpose as a tool to ensure the Security Council has adequate powers. The Palestinian case shows that the veto can be used to block the aspirations of the majority of UN member states, raising questions about representation and democratization in global governance. This case shows the importance of ongoing dialogue and negotiations between UN member states to reach a solution that can accommodate the interests of various parties on sensitive issues such as Palestinian membership.

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