

When Veto Power Defeats Humanity: The United States' Role in Blocking the Palestinian Resolution at the UN

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Abstrak: Penelitian ini bertujuan untuk menganalisis penggunaan hak veto oleh Amerika Serikat sebagai hambatan terhadap lahirnya resolusi kemanusiaan bagi Palestina serta menelaah implikasinya terhadap efektivitas sistem keamanan kolektif dalam hukum internasional. Penelitian ini menggunakan metode hukum normatif dengan pendekatan konseptual dan pendekatan kasus melalui studi kepustakaan terhadap dokumen resmi dan literatur ilmiah yang relevan. Kebaruan penelitian ini terletak pada analisis hak veto sebagai hambatan struktural dalam mekanisme pengambilan keputusan internasional, bukan semata-mata sebagai instrumen kebijakan luar negeri. Hasil kajian menunjukkan bahwa penggunaan hak veto secara konsisten dalam isu Palestina menghambat adopsi resolusi yang bersifat mengikat, melemahkan tekanan politik kolektif, serta membatasi efektivitas perlindungan terhadap warga sipil dalam situasi konflik bersenjata. Kondisi tersebut menimbulkan ketegangan antara legitimasi formal mekanisme veto dan tujuan normatif perlindungan kemanusiaan dalam sistem internasional. Penelitian ini menyimpulkan bahwa dominasi kepentingan politik dalam penggunaan hak veto berkontribusi pada kesenjangan antara norma hukum internasional dan implementasinya, sehingga diperlukan penguatan komitmen global untuk menempatkan perlindungan kemanusiaan sebagai prioritas dalam setiap proses pengambilan keputusan internasional.

Kata Kunci: *Hak Veto; Dewan Keamanan Pbb; Resolusi Kemanusiaan; Palestina; Hukum Internasional*

Abstract: *This study aims to analyze the use of the United States veto power as an obstacle to the adoption of humanitarian resolutions concerning Palestine and to examine its implications for the effectiveness of the collective security system in international law. The research employs a normative legal method using conceptual and case approaches through library research of official documents and relevant scholarly literature. The novelty of this study lies in positioning the veto power as a structural barrier within international decision-making mechanisms rather than merely a foreign policy instrument. The findings reveal that the consistent use of veto in the Palestine issue has hindered the adoption of binding resolutions, weakened collective political pressure, and limited the effectiveness of civilian protection in situations of armed conflict. This condition creates tension between the formal legitimacy of the veto mechanism and the normative objective of humanitarian protection in the international system. The study concludes that the dominance of political interests in the use of veto contributes to a gap between international legal norms and*

their implementation, thereby requiring stronger global commitment to prioritize humanitarian protection in international decision-making processes.

Keywords: *Veto Power; United Nations Security Council; Humanitarian Resolution; Palestine; International Law*

A. INTRODUCTION

The Palestine end Israel conflict is one of the most complex and protracted issues in contemporary international law, as it simultaneously involves political, humanitarian, and global security dimensions. The repeated escalation of violence in Gaza and other occupied territories has not only resulted in a large number of casualties and damage to civilian infrastructure, but also presents a serious challenge to the effectiveness of the international system in responding to humanitarian crises. This situation tests the capacity of the United Nations collective security mechanism to carry out its mandate as a global peacekeeper. Within the UN structure, the Security Council holds primary responsibility for taking the necessary steps to maintain international peace and security. However, the special authority in the form of veto power held by the five permanent members is often a determining factor in determining the success or failure of a draft resolution, including resolutions aimed at providing humanitarian protection. Therefore, the decision-making process is often influenced by political considerations in addition to the urgency of the situation on the ground.[1]

Normatively, the veto power is an integral part of the Security Council's decision-making mechanism, granting permanent members the exclusive authority to reject substantive draft resolutions, even if they have received majority support from other members. This power is essentially designed as a balancing instrument within the international institutional structure, with the aim of maintaining global political stability through the involvement of major powers in every strategic decision. However, in practice, the use of the veto power cannot be separated from the dynamics of national interests, foreign policy orientations, and strategic alliances of the country holding the power.[2] Wendra and Sutrisno emphasized that the veto mechanism in the Security Council often becomes an obstacle to resolving international conflicts because the veto-holding country tends to prioritize its national interests and political calculations over the collective interests of the international community. This situation causes the decision-making process not to always reflect the principle of global solidarity, but rather reflects the distribution of power within the international system, thus limiting the effectiveness of conflict resolution efforts through the Security Council mechanism.[3]

The United States' use of its veto power demonstrates a consistent pattern in draft resolutions criticizing Israeli actions. Hardianti and colleagues state that the veto against resolutions related to the situation in Gaza has hampered efforts to protect civilians and weakened the Security Council's role as an international peacekeeper. This situation demonstrates the tension

between the normative objectives of international law, which uphold humanitarian protection, and the realities of global politics within the Security Council.

Furthermore, Mukhlas, in his research on United States policy in the 2023–2024 Gaza crisis, explains that the use of the veto power in humanitarian crises contributes to prolonging the diplomatic deadlock and slowing the formation of a collective international response to the escalating conflict. In conditions that demand swift and coordinated action, the veto actually hinders the formal consensus necessary to produce a joint decision. This situation demonstrates that the impact of the veto is not limited to delaying the decision-making process but also implies the absence of binding international legal obligations for the parties to the conflict. This absence of a binding decision ultimately weakens the international community's pressure to push for an end to the violence and limits the effectiveness of humanitarian protection mechanisms that should be able to operate collectively. [4]

From an international legal perspective, the existence of the veto power is often viewed as a paradox within the framework of the collective security system. On the one hand, this mechanism has formal legitimacy because it is a legitimate part of the institutional structure of the United Nations and is the result of historical compromises in the formation of the post-war international order. However, on the other hand, its use in humanitarian crises has given rise to normative debate regarding its compatibility with the principle of sovereign equality of states and the commitment to the protection of human rights, which are the foundations of modern international law. When a single state has the authority to thwart the will of the majority, an imbalance arises in the process of collective representation that has the potential to obscure the primary goal of peacekeeping. Buana and Adwani argue that the dominance of permanent members in this decision-making mechanism can reduce the Security Council's effectiveness in achieving global peace, as policy orientation is often influenced by political calculations and strategic interests, rather than solely by considerations of humanity and international stability.[5] To date, most research in Indonesia on the Palestinian conflict has focused on foreign policy analysis, the dynamics of international relations, and diplomatic strategies between countries in responding to escalating conflict. This approach generally places the Palestinian issue within the geopolitical framework and the national interests of the countries involved. However, studies specifically examining the veto as a structural obstacle from an international legal perspective are still relatively limited, particularly those examining its implications for the effectiveness of the collective security system. The issue of the veto is not only related to political policy choices but also concerns the institutional design and legitimacy of global decision-making mechanisms. Therefore, this article aims to analyze the use of the United States' veto as an obstacle to the birth of a humanitarian resolution for Palestine and examine its implications for the effectiveness of collective security mechanisms within the international legal system, thereby providing a conceptual contribution to the development of international law studies in Indonesia.

B. METHOD

This research is a normative legal research that focuses on the analysis of international legal norms and principles related to the veto mechanism in the United Nations Security Council, using legislative, conceptual, and case approaches; the legislative approach is used to examine international legal provisions regarding decision-making mechanisms and the principle of collective security, the conceptual approach to analyze the veto, the equality of state sovereignty, institutional legitimacy, and humanitarian protection, and the case approach to examine the practice of using the veto by the United States in the Palestinian issue, especially regarding the draft humanitarian resolution related to the situation in Gaza. The data used are secondary data obtained through library research by reviewing primary legal materials such as official documents of international organizations, charters and international legal instruments, as well as resolutions related to the Palestinian conflict and the authority of the Security Council, secondary legal materials in the form of textbooks, scientific journals, and previous research, as well as tertiary legal materials such as legal dictionaries and encyclopedias to clarify terminology. The legal materials collection technique is carried out through systematic search, identification, and review of literature from journal databases, university repositories, and official sources of international organizations, which are then selected based on relevance and validity, classified according to the problem formulation, and systematically arranged to support the analysis. Furthermore, the legal materials analysis is carried out descriptively-qualitatively by explaining legal norms while interpreting their meaning and implications in the practice of international relations, including a critical evaluation of the relationship between collective security norms and humanitarian protection with the political dynamics in the use of veto rights, in order to assess their impact on the effectiveness of humanitarian resolution and the performance of the collective security system in responding to armed conflict.

C. DISCUSSION

This discussion begins with the understanding that the veto mechanism in the United Nations Security Council has formal legitimacy as part of the institutional design of the international system, but in practice it is inseparable from the dynamics of political interests and strategic orientations of the state holding it. Within the framework of collective security, every Security Council decision should reflect a shared responsibility to maintain peace and protect civilians from the impacts of armed conflict, but the decision-making structure that grants exclusive authority to five members still creates tensions between the principle of sovereign equality of states and the realities of the global distribution of power. This tension is especially evident in the context of the Palestinian conflict, where the need for a swift and effective humanitarian resolution often confronts the use of the veto power that hinders the process of decision-making. Therefore, the discussion focuses on analyzing the use of the United States' veto power as an obstacle to the birth of a humanitarian resolution for Palestine and its impact on the

humanitarian situation in Gaza and the effectiveness of the collective security system in international law as a whole.[6]

1. The Use of the United States Veto as an Obstacle to the Palestinian Humanitarian Resolution

The veto power within the Security Council is a decision-making mechanism that grants the five permanent members exclusive authority to block substantive draft resolutions. Historically, this mechanism was designed as a political compromise to ensure the participation of major powers in the post-World War II international system. From the perspective of international institutional law, the veto power enjoys formal legitimacy because it is an inherent part of the institutional design of the United Nations. However, this formal legitimacy does not necessarily eliminate normative debate regarding its impact on the effectiveness of the collective security system, particularly when used in humanitarian crises that demand a rapid and coordinated response. In the context of the Palestinian conflict, the use of the veto power by the United States demonstrates a significant pattern of consistency with draft resolutions deemed potentially detrimental to Israeli interests. Any draft resolution containing a call for a cessation of military operations, protection of civilians, or condemnation of specific actions faces the risk of determinative rejection. This mechanism gives a single state the capacity to override the will of the majority of Security Council members. Structurally, this condition demonstrates that the decision-making process is not entirely based on the principle of collective representation, but rather relies on the political consent of the veto-holding state.[7]

From the perspective of collective security theory, the Security Council should act on behalf of all members of the United Nations in addressing threats to peace. This principle calls for global solidarity in responding to armed conflicts and humanitarian crises. However, the existence of the veto power creates an exception to this mechanism, as the final decision remains at the discretion of individual states. When national strategic interests outweigh the urgency of humanitarian protection, the normative orientation of the international system shifts from a collective approach to a power-oriented approach. The use of the veto power in the Palestine issue also reflects the tension between international legal norms and global political practices.[8] On the one hand, modern international law places the protection of civilians as a fundamental, non-negotiable value. Basic principles such as the peaceful resolution of disputes, respect for human rights, and the prohibition of the arbitrary use of force are part of the global normative framework. However, political realities demonstrate that considerations of geopolitical alliances and regional stability often dominate Security Council decision-making.[9]

Beyond impacting the failure of resolutions to be passed, the repeated veto pattern has long-term effects on the dynamics of international diplomacy. When draft resolutions repeatedly fail to reach the adoption stage, the Security Council risks losing its

effectiveness as an arena for multilateral deliberation. Member states without veto power are limited in their ability to influence policy direction, thus reinforcing the perception of a power hierarchy within the international system. This situation has the potential to undermine the Security Council's institutional legitimacy as a representative of global interests. The veto power in the Palestinian context cannot be understood solely as an administrative procedure, but rather as a structural obstacle affecting the entire process of establishing international operational norms. This obstacle is systemic because it is inherent in the institutional design and is not dependent on the dynamics of a particular conflict. As long as the veto mechanism remains unrestricted in humanitarian crises, the potential for impasses in protecting civilians will continue to be an inherent consequence of the collective security system.[10]

A further implication of this situation is the emergence of questions regarding the relevance of institutional reform within the Security Council. Several international discourses have advocated for restrictions on the use of the veto, particularly in situations related to serious crimes and large-scale humanitarian crises. This idea stems from the need to balance the historical legitimacy of the veto with the moral imperatives and modern international law that prioritize human protection. While not yet resulting in significant structural changes, these discourses demonstrate a global awareness that the veto mechanism requires ongoing evaluation to align with evolving international norms. The need for an effective collective response becomes increasingly urgent as the complexity of humanitarian situations on the ground increases. When the Security Council is unable to produce binding decisions due to the use of the veto, the moral and political responsibility of the international community becomes fragmented. This situation encourages a shift in attention to other international forums, but without the authority to take binding action equivalent to the Security Council. As a result, the effectiveness of the collective security system is not only being tested but also questioning its capacity to carry out its primary mandate of maintaining international peace and security.[11]

Conceptually, this dynamic emphasizes that the veto power is not merely a procedural instrument, but rather a determining factor in shaping the global response to armed conflict. When this mechanism is used in the context of a humanitarian crisis, the consequences transcend the political realm and touch upon the normative dimensions of international law. Therefore, the discussion of the veto power in the Palestinian issue is ultimately not only related to one particular conflict, but also reflects the fundamental challenge of balancing the realities of the global distribution of power with the ideals of justice and humanitarian protection within a collective security system.[12]

2. The Impact of the Use of Veto Rights on Humanitarian Conditions in Gaza

The failure to pass a humanitarian resolution due to the use of its veto power has direct implications for the humanitarian situation in Gaza. Without a binding decision from the Security Council, there is no strong political legitimacy to push for an immediate cessation of violence. In an intensifying armed conflict, delays in the international response contribute to increased civilian casualties, damage to public infrastructure, and the deterioration of the social and economic conditions of affected communities. Within the framework of international humanitarian law, the protection of civilians is a fundamental obligation of parties to a conflict. The principle of distinction requires a distinction between combatants and non-combatants, while the principle of proportionality prohibits attacks that cause excessive harm to civilians. Furthermore, there is an obligation to ensure safe and unhindered access to humanitarian aid. However, without collective political support through Security Council resolutions, the implementation of these principles often lacks effective mechanisms for international oversight and pressure.[13]

The impact of the veto is also evident in the distribution of humanitarian aid. The absence of a strong formal mandate limits the international community's ability to ensure the opening of humanitarian corridors or guarantee the protection of humanitarian workers. In emergencies, global coordination relies heavily on clear political legitimacy. When this legitimacy is fragmented due to deadlock in the Security Council, the effectiveness of the humanitarian response is hampered and not optimally integrated. Furthermore, the use of the veto in humanitarian crises affects the perception of the legitimacy of the international system as a whole. A Security Council that is unable to reach decisions in conditions that significantly threaten civilian life risks losing credibility as a global peacekeeper. When international legal norms are not supported by decisive collective action, a gap arises between principle and practice that can undermine confidence in the effectiveness of international law.[14]

Beyond its short-term impact on the conflict, the veto-related impasse also has implications for the broader dynamics of international relations. Member states may be encouraged to seek alternative solutions outside the Security Council, such as through the General Assembly or regional initiatives. While such measures can expand diplomatic space, their binding force is different from that of Security Council decisions. This demonstrates that the veto's impact extends beyond a specific conflict and also impacts the architecture of global security governance. Ultimately, the use of the veto in the Gaza context has substantive consequences for humanitarian protection and the effectiveness of the collective security system. When political interests outweigh the urgency of civilian protection, the primary objectives of international law maintaining peace and protecting human dignity become difficult to achieve optimally. This situation demonstrates that the veto problem is not merely a procedural issue, but rather a reflection of the fundamental

tension between legal norms and the realities of power in the contemporary international system.[15]

humanitarian. This situation ultimately demonstrates that the humanitarian dimension of the Gaza conflict cannot be separated from the power configuration within the Security Council structure. When a humanitarian resolution fails to be adopted due to the use of veto power, the impact is not only political but also affects the concrete aspects of protecting vulnerable civilians. The absence of a binding decision weakens collective pressure on the conflicting parties to comply with their international humanitarian law obligations, including respect for the principles of distinction and proportionality, and guaranteeing safe and sustainable access to humanitarian aid. In emergency situations requiring swift and coordinated action, deadlock at the Security Council level prolongs uncertainty and increases the risk of repeated violations.[16]

Furthermore, these implications also impact the consistency of universal enforcement of international norms. When humanitarian protection depends on the political consent of specific states, an imbalance arises between the principle of legal universality and its practical implementation. This has the potential to give rise to the perception that the international response to humanitarian crises is not entirely determined by the urgency of civilian suffering, but rather by the dynamics of geopolitical interests. In the long term, this situation could erode confidence in the effectiveness of the collective security system as an instrument for ensuring fair and non-discriminatory human protection. The veto issue in the Gaza context is not only related to the delay in ratification of the resolution but also reflects the fundamental challenge of integrating humanitarian values into global decision-making structures. When political interests outweigh the urgent need to protect civilians, the primary objectives of international law—maintaining peace and upholding human dignity become difficult to achieve optimally. This situation confirms that the veto problem is a structural issue that directly impacts the realization of humanitarian principles in the practice of contemporary international relations. [17]

D. CONCLUSION

The United States' veto power in the Security Council poses a structural obstacle to the adoption of a humanitarian resolution for Palestine because it allows a single state to block substantive decisions even if they are supported by a majority. The use of the veto in the context of the Gaza conflict demonstrates the dominance of political considerations over the urgency of protecting civilians, thereby weakening the collective security function and reducing the effectiveness of the international response. This impacts not only the failure to form binding decisions but also the limited collective pressure to ensure humanitarian protection in accordance with the principles of international humanitarian law. This situation demonstrates

the gap between norms and practices in the international system, necessitating a stronger commitment to ensuring that humanitarian protection remains a priority in every global decision-making process.

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