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War Without End: Structural Limitations and the United Nations' Position on the Israel–Palestine Conflict

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Abstract

Background: The Israel–Palestine conflict remains one of the world's most persistent humanitarian crises. Despite the existence of International Humanitarian Law (IHL) and the United Nations' (UN) mandate for peace, ongoing violations in Gaza highlight the systemic limitations of global governance. The recurring use of veto power by permanent members of the Security Council is often cited as a primary obstacle to collective security and the principle of sovereign equality.

Objective: This study aims to analyse the UN's effectiveness in responding to humanitarian violations during the Israel–Palestine conflict. It specifically assesses the implications of the United States' veto power on the enforcement of international law, human rights protections, and peace-building efforts in Gaza.

Methodology: Utilising a qualitative-exploratory approach, this research draws upon secondary data from validated open-source media, official UN documents, and scholarly works. The study analysed patterns of veto usage, documented violations of IHL, and evaluated the resulting political impasse within the UN Security Council.

Results: The findings indicate that repeated vetoes of ceasefire resolutions have contributed to the perpetuation of the humanitarian crisis in Gaza, obstructing accountability for potential war crimes and the protection of civilians. The research identifies instances of restricted humanitarian access and a systematic disregard for the Geneva Conventions. Furthermore, the UN's institutional dependency on the political will of permanent members has undermined its perceived neutrality and operational effectiveness.

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Conclusion: The study concludes that the UN has struggled to maintain independence in preventing humanitarian violations, as its current structure allows political interests to supersede human rights protections. Without significant structural reform, the UN's authority in global conflict resolution remains largely symbolic.

Unique Contribution: This research provides a critical perspective on how veto politics influence the enforcement of humanitarian law and exposes the structural vulnerabilities of the UN in safeguarding global peace and security.

Key Recommendation: It is recommended that the UN undergo comprehensive reform, specifically regarding the revision of the veto mechanism. Establishing independent humanitarian oversight and enhancing impartiality are essential to ensure the equitable enforcement of international law and accountability for all parties involved.

Keywords: United Nations, Israel-Palestine conflict, international humanitarian law, veto power, global governance.

Introduction

In the Israeli–Palestinian conflict, humanitarian violations and international humanitarian law are frequently disregarded to serve the interests of certain actors within the international community. Although the establishment of the Department of Politics and Development was intended to anticipate wars and human rights violations as a measure of global stability (United Nations, 2019). Construction efforts do not have an impact, and countries without international political power will be targeted by large countries (Spitka, 2023). Wildeman revealed that the Israeli-Palestinian conflict cannot be peaceful and will continue to experience humanitarian crises as long as the war continues (Wildeman, 2021). Human rights violations and protecting perpetrators impact the accountability and stability of the international community (Agboga, 2022). Salari & Hossaini asserted that the impartiality and partiality of human rights protection have special treatment for certain international communities (Salari & Hosseini, 2023).

Aggressive warfare is the ultimate international crime, and the International Criminal Court has been authorised since 2002 to address war, humanitarian and genocide crimes (Ferencz, 2015). The illegal use of weapons is contrary to humanity and the UN's goal of promoting civil rights and establishing a balance between international communities. However, the special treatment of membership in the balance of bilateral relations will result in conflicts of interest with superpowers.

Scholarly studies on international humanitarian law (IHL) and humanitarian violations have critically examined both the regulation of armed conflict and the United Nations' institutional role as a guardian of peace. Jiménez-Reina, Pulido, and Guzmán argue that IHL contains structural gaps in addressing both interstate and non-international conflicts. Similarly, Stavrova emphasises that justice must remain central in resolving conflicts, irrespective of ethnic or political distinctions, as all populations retain the fundamental right to life. This research seeks to analyse the continuation of hostilities and alleged humanitarian violations in the Gaza Strip within the context of the 2023 Israeli–Palestinian conflict. It focuses on three principal dimensions: United States policy and its influence on the conflict; the role of the UN Security Council in addressing humanitarian violations; and the UN's broader institutional position

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regarding the Gaza crisis. The study further contributes to debates on UN reform, particularly concerning veto power and institutional independence in safeguarding civilian protection..

Methods

This study employs a qualitative-exploratory research design to examine the structural relationship between the use of veto power by permanent members of the United Nations Security Council (UNSC) and the persistence of humanitarian violations in the Israeli–Palestinian conflict. The research is grounded in normative legal analysis combined with institutional and political pattern analysis, enabling an in-depth examination of how international humanitarian law (IHL) is shaped by geopolitical decision-making within the UN framework. Data collection relies on secondary sources, including official UNSC resolutions, UN General Assembly documents, reports from UN bodies, and publications by recognised international organisations. These sources are complemented by peer-reviewed academic literature and verified open-access media reports. Only materials with institutional credibility and verifiable provenance were included to ensure analytical reliability. To address the pattern of veto usage, the study applies a chronological and thematic analysis of veto patterns. First, a chronological review was conducted to identify the frequency and timing of vetoes exercised by permanent UNSC members on resolutions concerning the Israeli–Palestinian conflict, particularly those addressing ceasefires, humanitarian access, civilian protection, and accountability mechanisms. Second, a thematic categorisation of vetoed resolutions was undertaken, classifying them as humanitarian, political, or security-related. This approach enables the identification of recurring veto behaviour specifically directed at humanitarian protection measures. In addition, the study adopts a comparative contextual analysis, contrasting veto practices in the Israeli–Palestinian case with UNSC responses to other armed conflicts involving large-scale humanitarian violations. This comparative dimension is used to assess whether the use of veto power reflects consistent legal principles or selective political interests. The analytical framework is anchored in international humanitarian law and international human rights law, particularly the UN Charter, the Geneva Conventions, and relevant principles of customary international law. Legal interpretation focuses on assessing whether veto practices undermine the UN's collective security mandate and contribute to systemic impunity for serious violations of IHL.

Result And Discussion

A. The United States' Veto of the United Nations' Role in the Gaza Strip

The repeated use of the United States' veto power within the United Nations has been criticised as reinforcing power asymmetries that impede effective humanitarian intervention. Historical analyses indicate that ceasefire resolutions concerning the Israeli–Palestinian conflict have frequently been blocked through unilateral veto action. Such practice constrains the Security Council's capacity to mandate ceasefires and protect civilians during active hostilities. Consequently, the UN's role as an agent of peace and humanitarian protection appears institutionally limited by great-power privilege. This structural dependency undermines the organisation's operational independence and weakens the enforcement of international humanitarian law in situations involving mass civilian harm.

Based on information regarding the United States veto in the ceasefire between Israel and Palestine in the Gaza Strip, the following was revealed:

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> "*the position of the United States provides support for ammunition and political support (Veto) at the UN in the massacre of Civilians in Gaza without regard to Human Rights"* (Bossman Mardigu, 2024)

The United States' political support shows that the UN cannot be an agent of human rights and peace. Partisanship towards a particular country is equivalent to supporting ongoing human rights violations. There is a tendency for Veto support to have a broad and long-term impact on security. Fitzgerald & Tobin point out that if a person/group has their veto right, then they have absolute ability to policy and decisions, thus making the country a powerful actor (Fitzgerald & Tobin, 2022).

In relation to the right to veto, the uncertainty of international law has been mutually agreed upon regarding the tradition of warfare, which sometimes occurs. Peters firmly states that the existence of the veto right owned by permanent members of the UN can be utilised in misuse and bad faith, so that a person's right to life and a person's humanitarian condition will be threatened (Peters, 2023). Thus, protecting against real aggression by certain countries is difficult to control because the UN Security Council cannot make an objective decision in such cases.

Table 1: UN Security Council Resolutions Vetoed by the United States Against Humanitarian Cases in Gaza (Savira et al., 2023)

Time of Event	Description
2 April 1982	Halting Population in the West Bank and Gaza Strip and its Refusal to Comply with the Geneva Convention Protocols of Civilised Nations
2 August 1983	Condemn Israel to halt its occupation of Gaza, recognising that doing so undermines peace
26 March 2001	Call for a UN Observer force in the West Bank and Gaza Strip
24 March 2004	Condemn Israel for killing the Palestinian spiritual leader in a Gaza missile attack
5 October 2004	Condemned the Israeli military attack on Gaza, which caused many deaths of civilians and Kurds.
11 November 2006	Calling for a halt to Israeli military operations in the Gaza Strip
20 February 2024	Calling for a ceasefire in the Israeli weapons in Gaza due to many civilian casualties from the impact of the war.

However, the country that has legitimacy in the UN still shows international political tendencies and diplomatic steps in the European world powers. Based on the facts related to the armed conflict between Israel and Palestine in the Gaza Strip, it shows that political power is dominated by the United States in the use of its rights. Thus, the conflict caused the pro- and contra-war countries to be unable to have a positive effect in ending the war (ceasefire). On the other hand, Auda & Bino assert that the existence of Israel has been feared by Arab countries to be a future threat to both the security system and tendencies from outside.

The US veto is related to the ceasefire and support for Israel that the US has used its Veto 21 times to provide support and protection for Israel's international political power (Kompas.com, 2024). However, the conflict between Israel and Palestine, vetoed by the United States at the UN, must also be seen as a global battle between each supporter of a country in conflict. Ansorg

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& Strasheim revealed that elite involvement and political stakes led to wars between support groups, resulting in conflicts both horizontally and vertically within the country. Conflicts and/or wars arise from the interests of the two opposing camps, especially among countries with military and economic power, but the impact of these interests is that they ignore human rights.

B. International Humanitarian Law: The UN Security Council and Humanitarian Violations in the Gaza Strip

The ongoing hostilities in the Gaza Strip since 7 October 2023 have generated a profound humanitarian crisis, exacerbated by geopolitical alignments and sustained international political support, particularly from the United States and certain European states. Reports indicate that casualties are predominantly civilian, with over 31,000 deaths and more than 72,000 injuries recorded within four months of the conflict (Omar, 2020). The high proportion of fatalities among women and children raises serious concerns under international humanitarian law (IHL). Under the 1949 Geneva Conventions and their Additional Protocols, parties to armed conflict are bound by the principles of distinction, proportionality, and precaution. The continuation of large-scale military operations alongside a comprehensive blockade restricting food, medical supplies, and humanitarian access may constitute grave breaches of IHL. Where conditions of life are deliberately or foreseeably inflicted to bring about destruction, such conduct may fall within the legal framework of genocide as defined under international law.

Table 2: Victims of Israeli Military Aggression in the Gaza Strip

Casualties (DetikNews, 2024) & (CNBC Indonesia, 2023)	**Women**	2641 People
	Children	4104 People

Based on the fact that a humanitarian disaster occurred in the Gaza Strip, the international community concerned with human rights should find ways to provide protection and security, especially for civil society. Uncompromising humanitarian assistance should be carried out by the international community in responding to humanitarian problems (Suhrke & Schmeidl, 2023). The international community's response to the events in the Gaza Strip has been one of turning a blind eye to the suffering of children, women, and starvation allowed to continue.

Although the UN saw this reality as a humanitarian crisis in Gaza, the US Veto power could not be overridden. At the same time, the UN held an emergency session of the Security Council and sanctioned 37 individuals and 13 countries that were declared to be violating human rights (Kompas.Com, 2023). This shows that the UN Security Council has a problem related to its indifference to similar cases occurring in Gaza, and many civilians have lost their lives and the security of their homes. The UN and the US turned a blind eye to the issue of military aggression carried out by Israel in Gaza, so that the position of the UN as a security guard can be doubted in maintaining peace.

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1. Prohibited Weapons Use in the Israeli-Palestinian War

Table 3: Reported Israeli Violations of the Law of War

Region	Prohibited Weapons	Impact	UN Policy/Response
Gaza and Lebanon	White Phosphorus Bomb/Chemical Weapons (Kompas.com, 2023)	This Pospor bomb is allowed as a means of lighting Impact: The use of white phosphorus weapons is a type of chemical that can burn humans and cause death.	The use of banned weapons, the UN policy turns a blind eye to the ethical sanctions of war by Israel Violating International Humanitarian Law
Gaza	Dumb Bomd (TribunNews.com, 2023)	Dum Bomd is carried out by Israel freely without specifying the targets of its military operations and bombing unarmed civilians.	The UN does not respond to excessive weapons deployment
Gaza	Bom BLU-109	The BLU-109 bomb had a large warhead and was dropped on the residents of Gaza, causing massive casualties to the civilian population.	The UN does not respond to excessive weapons deployment
Gaza	Joint Direct Attack Munitions (JDAM)	This bomb was an automatic bomb, and the houses were the main target, causing the death of the population.	The UN does not respond to excessive weapons deployment

The ongoing hostilities in the Gaza Strip have generated severe humanitarian consequences, raising serious concerns under international humanitarian and criminal law. Allegations of indiscriminate targeting and disproportionate force demand urgent international scrutiny and accountability. While the United Nations has adopted resolutions addressing civilian protection, its limited practical impact underscores institutional constraints within the collective security framework (Ablamskyi et al., 2023). Effective intervention requires coordinated political will and impartial enforcement mechanisms. Strengthening investigative mandates, including recourse to the International Court of Justice and independent fact-finding bodies, remains essential to uphold the rule of law, deter future violations, and protect civilian populations in armed conflict (Salari & Hosseini, 2023).

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2. Humanitarian Aid Restrictions After the Israeli-Palestinian War

One of the humanitarian violations taking place in the Gaza Strip is the Israeli government's unilateral policy of controlling humanitarian aid from pro-Palestinian countries. Surveillance has a fundamental impact on civilians by strictly monitoring all borders of the Palestinian territory so that Israel can control and manipulate the types of humanitarian assistance that enter the territory. The restrictions trigger economic dependence so that international measures become the main benchmark in fulfilling basic needs, such as food, clean water, and medical. These restrictions have a serious impact on increasing social instability and long-term conflict.

Table 4: Access Restriction Measures in Palestine and Humanitarian Violations

Restrictions	Explanation
Movement (BBC New Indonesia, 2023)	Suppression of Palestinian land and not giving space for independence and humanitarian disasters.
Finance (Republika, 2023)	Israel imposes taxes on Palestinians, and finances continue to show a decline in per capita income due to strict restrictions imposed by Israel, while the encouragement and support of the international community is weakening against Israel's restrictions.
Development	Israeli-controlled development, including civil infrastructure, economic development, access to basic services, housing and shelter, and institutional development
Water and Electricity	Electricity and water usage, as well as water and electricity infrastructure constraints, are the main constraints. Israeli control of resources, Service disconnection by Israel, and limited capacity
Humanitarian Access	Restrictions and Blockades, Administrative Barriers, Violence and Security Disruptions, and Reliance on international aid

The access restrictions outlined in Table 4, including comprehensive blockades, administrative impediments, attacks on aid convoys, and control over water and electricity infrastructure, cannot be separated from the United Nations' institutional performance. Under the 1949 Geneva Conventions and their Additional Protocols, parties to armed conflict are legally obliged to facilitate rapid and unimpeded humanitarian access. These obligations are binding norms intended to alleviate civilian suffering. In the Gaza context, the continued obstruction of humanitarian assistance reflects not only potential violations by the controlling authority but also the Security Council’s systemic failure to enforce compliance with international humanitarian law. Repeated use of vetoes has prevented binding resolutions to secure humanitarian corridors and protect civilians. Consequently, humanitarian access has become contingent upon political negotiation rather than legal entitlement, undermining the credibility of the United Nations and weakening the normative authority of international humanitarian law.

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C. UN Position on Humanitarian Violations in Gaza

Several decades of war have resulted in the biggest and longest humanitarian crisis in the Palestinian Gaza Strip. The anticipation and actions of the UN cannot significantly impact the resolution of the conflict, so there is no way to address humanitarian events unless the UN and the Security Council act objectively.
Ending the Israeli-Palestinian war since 6 December 2023, the UN sent a letter to the Security Council to take objective action from various indicators that have occurred in the Gaza Strip. Here is the essence of the letter:

> "*Humanitarian operations are not viable and 40% of the population's children are dying and the implications of this long-term warfare make it difficult to make peace between Israel and Palestine*" (United Nations, 2023b)

The invocation of Article 99 of the United Nations Charter on 6 December 2023 constituted one of the most serious procedural actions available to the Secretary-General, signalling an exceptional threat to international peace and security. In the Gaza context, it served as a formal warning about escalating civilian harm and humanitarian collapse. However, the subsequent veto by a permanent member prevented the adoption of a ceasefire resolution, illustrating how political prerogatives may override collective security mechanisms. The absence of comparable investigative measures, unlike in the Russia–Ukraine conflict, risks undermining the credibility and neutrality of international humanitarian law enforcement.

1. Violations of International Humanitarian Law: Implications of the Veto of Permanent Members of the United Nations (UN)

International political influence within the United Nations constitutes a significant obstacle to resolving the conflict in the Gaza Strip. Despite the binding framework of the 1949 Geneva Conventions and subsequent humanitarian law instruments, political interests continue to shape the Security Council's responses, particularly regarding ceasefire initiatives. The veto power, originally conceived as a mechanism to preserve consensus among major powers, increasingly functions as a political instrument that can obstruct collective humanitarian action. Its repeated use in the Gaza context has prevented the adoption of binding resolutions to secure ceasefires, facilitate humanitarian access, and initiate accountability mechanisms.

Article 25 of the United Nations Charter establishes that Member States are obliged to accept and implement Security Council decisions. However, when veto power is systematically exercised to block such decisions, the binding character envisaged under Article 25 is effectively neutralised. This dynamic transforms the Council from a decision-making authority into a forum of procedural paralysis, thereby weakening the architecture of collective security. By comparison, divergent institutional responses to other conflicts highlight concerns about the selective enforcement of international humanitarian law. Domestic political and economic considerations among both permanent and non-permanent members further complicate consensus-building. Consequently, humanitarian norms risk becoming aspirational rather than enforceable obligations. Strengthening accountability mechanisms, including recourse to the International Court of Justice and international criminal law frameworks, remains essential to restoring the credibility and operational integrity of the United Nations system.

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2. The Independence of the United Nations and the Genocide in the Gaza Strip

Basically, a UN resolution is a formal expression of the opinion or will of a UN body. In another sense, a UN resolution is a decision of a UN body addressed to UN member states and other UN bodies. The binding place of UN Security Council resolutions is found in Article 25 of the UN Charter, which states: "The Member States of the United Nations agree to implement the decisions of the Security Council in accordance with this Charter. "Member States of the United Nations undertake to accept and implement the decisions of the United Nations Security Council so that resolutions passed by the Council are legally binding."

For information, UN Security Council resolutions are binding not only on UN member states, but also on non-member states as stipulated in Article 2, paragraph (6) of the UN Charter. Regarding the decisions of the UN General Assembly, the charter does not clearly regulate them. The decisions of the UN General Assembly, which are almost entirely realised through resolutions, can be categorised into 3 groups:

a. The first group is resolutions that contain calls, appeals, hopes, requests and urges. In essence, they are only recommendations with greater moral and political power.
b. The second group is resolutions related to the budget that have an impact on the obligation of members to pay contributions, decisions related to the election of positions or membership in UN bodies, as well as resolutions related to the acceptance of new membership.
c. The third group are resolutions or declarations that contain sets of rules or principles related to international law. The resolution is approved by a majority of the member states.

The binding force of UN Security Council resolutions is found in Article 25 of the UN *Charter* which states *"The members of the United Nations agree to accept carry out the decisions of the Security Council in accordance with the present Charter",* which means that all UN member states agree to accept and implement decisions made by the UN Security Council, so that resolutions issued by this body have *legally* binding force.

From the various resolutions issued by the UN, the UN has made various efforts in order to resolve the conflict between Palestine and Israel, but in reality, until now, the UN has not had strong power against Israel because the conflict between Palestine and Israel is still happening and has no bright spot. UN General Assembly resolutions, in the form of appeals and calls, lack binding legal force and have only moral and political power. Resolutions are usually adopted by majority vote, and no country has the right to veto. In addition, UN General Assembly resolutions cannot impose sanctions on Israel because they are non-binding and merely express the wishes of the international community.

The UN Security Council has failed several times to pass resolutions condemning Israel's actions. The failure of the UN Security Council to pass a resolution is solely due to the veto. Although a resolution proposed by the UN Security Council has the support of the majority of its members, if it is vetoed by one of the permanent member states, the resolution fails and has no binding legal force.

In the United States, foreign policy formulation is carried out by:

a. Ultranationalist groups, namely, to control oil reserves in the Middle East to gain and maintain the global superiority of the United States.
b. Neo-Conservatives who want a radical restructuring of geopolitical relations in the Middle East region to promote Israel's long-term security, or in other words, Israel's security is equal to the security of the United States.

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c. Evangelical Christians are the largest and most important group supporting the US administration and its policies towards the Middle East, especially the US relationship with Israel. This highly religiously motivated and increasingly powerful political movement supports the pro-Israel policies of the United States.

Domestic political dynamics within the United States significantly influence the recurrent use of veto power in response to humanitarian resolutions before the UN Security Council. Such resolutions are frequently reframed domestically as politically biased or as threats to strategic stability, thereby normalising the veto as a routine foreign policy instrument rather than an exceptional safeguard. Internationally, this practice paralyses collective action by blocking ceasefires, humanitarian access, and accountability measures. Although the UN is institutionally designed to operate impartially, the use of the veto by permanent members undermines this principle. Crucially, the killing of unarmed civilians constitutes a violation of international humanitarian law and cannot be justified in armed conflict. (Buchan, 2018).

Political dominance over humanitarian protection within the United Nations extends beyond the veto power of the permanent members and reflects a broader structural condition that implicates non-permanent members of the Security Council. Although lacking veto authority, non-permanent members frequently align their voting behaviour with domestic political and economic interests, including trade relations, defence cooperation, and resource dependency. Consequently, humanitarian considerations may become subordinated to diplomatic reciprocity and economic stability, reinforcing systemic political influence over human rights protection. This structural dependency is further illustrated by inconsistent practices in sanctions. While the Security Council has imposed sanctions in certain human rights contexts where consensus exists, comparable enforcement measures have not been adopted in response to the humanitarian crisis in Gaza. Such selective application undermines the normative coherence of international humanitarian law and weakens institutional credibility. Meaningful reform must therefore address structural design. Proposals include veto restraint in cases involving mass-atrocity risks, a double-veto threshold to prevent unilateral obstruction, mandatory reasoned explanations for vetoes, and the establishment of an independent humanitarian fact-finding mechanism. Collectively, these measures could strengthen impartiality and enhance the operational legitimacy of the United Nations system.

Conclusion

This research shows some fundamental findings that the Israeli-Palestinian war did not end and caused violations of humanity and International Humanitarian Law. The decisive fact to end the Israeli-Palestinian conflict is that the use of the Veto in the UN Security Council should not be used for certain domestic interests that violate human rights and international humanitarian law, which maintain the spirit of humanity and the ethics of war. Humanitarian violations in Palestine show that the international community does not have the power to concern itself with the steps of genocide carried out by Israel in Palestine. Foreign political support and international political support within the UN are the main factors. If the trend toward a permanent membership system in the UN continues, small countries and humanitarian issues will be a real threat in the future, because the UN, in its resolutions, does not have a fundamental impact on countries with strong international political power. Although the UN's independence is claimed to provide a forum for countries worldwide regardless of their status, every UN decision can be vetoed by the permanent members, such as the United States, Russia,

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China, and Britain. The exclusion of UN membership can have positive and negative implications in building international political balance, including humanitarian violations, political economy, and certain interests. Positive-Negative veto rights are primarily for the country's domestic interests. However, the crime of killing unarmed populations is a violation of International Humanitarian Law, not justified in warfare. The limitation of this research is that researchers have not conducted an in-depth study of humanitarian violations in the Gaza Strip, and they recommend that this line of inquiry be continued to gain a more complete understanding of global humanitarian resolutions.

Declarations

AI Use Statement: During the preparation of this work, the author(s) used ChatGPT in order to assist the author in correcting grammatical errors in the manuscript. After using this tool/service, the author(s) reviewed and edited the content as needed and take(s) full responsibility for the content of the publication.

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Authors' Contributions: M. Adnan Madjid conceived and designed the study; Adis Nevi Yuliani performed the data collection; M. Adnan Madjid analysed the data; Adis Nevi Yuliani wrote the paper. All authors have read and agreed to the published version.

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