The right of veto: between the necessity of international legitimacy and the obstacles of political will

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Abstract:

The veto power represents a fundamental problem in the structure of collective security, reflecting a contradiction between the principles of international legitimacy and the logic of power wielded by the five permanent members. Their possession of veto power allows them to obstruct crucial decisions, even on humanitarian issues, thus weakening the effectiveness of the Security Council. International crises, such as those in Syria and Palestine, have highlighted the political and selective nature of the veto's use, further undermining the Council's credibility. Articles 108 and 109 of the Charter also make reforming the veto system virtually impossible, as any amendment affecting their privileges requires the unanimous consent of the permanent members. This situation creates an imbalance between the requirements of international law and the interests of the major powers, rendering the global security system hostage to geopolitical considerations.

Keywords: Security Council, veto power, United Nations Charter, international peace and security, international law.

1. INTRODUCTION

The veto power is one of the fundamental features that has characterized the institutional structure of the United Nations since its inception. However, the actual exercise of this privilege has revealed a growing gap between the

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requirements of international legitimacy and the demands of power that govern the work of the Security Council. International legitimacy—as a system of peremptory rules and principles governing the conduct of states—presupposes that all are subject to international law on an equal footing, while the veto grants exceptional power to a limited number of states capable of obstructing crucial decisions, even on matters concerning the protection of civilians or addressing grave violations. This structural contradiction has led to profound problems regarding the consistency of the collective security system with the founding principles of the Charter, such as the principle of sovereign equality, the principle of collective responsibility, and the prohibition of the arbitrary use of force.

These problems become particularly evident in contexts where the veto is used to protect narrow political interests or to obstruct resolutions aimed at preventing genocide or other serious crimes, which directly impacts the credibility of the international organization and its ability to fulfill its role in maintaining international peace and security. The selective and repeated use of the veto in several conflicts—such as those in Syria, Palestine, and Bosnia—has reinforced the impression that the power structure within the Security Council trumps the requirements of international law and justice, and that international legitimacy remains contingent on the balance of power rather than governed by objective legal rules.

This situation reveals a persistent contradiction between the logic of power and the logic of law, from which the central question of this research arises: How does the veto system, in its legal form and practical application, affect the legitimacy of the international system, and to what extent does it contribute to weakening adherence to the rules and principles upon which the UN Charter is based?

The importance of this topic lies in its touching upon the core of the global security system crisis. The Security Council's continued reliance on a mechanism that subjects international decisions to narrow political considerations may undermine the credibility of international legitimacy and limit the organization's ability to perform its essential functions. Furthermore, analyzing the relationship between the veto and international legitimacy is a prerequisite for understanding the real obstacles to any institutional reform of the United Nations. The objectives of this research are threefold:

- To clarify the theoretical and legal foundations of international legitimacy as established by the Charter of the United Nations.

- To analyze the relationship between the veto and the hierarchical structure of the international system and the rules of collective responsibility.

- To explain the legal constraints that make amending the veto system virtually impossible, especially in light of Articles 108 and 109 of the Charter.

To study this research from all its aspects, we adopted the analytical approach to reading institutional texts, the inductive approach to evaluating the practical application of the veto, in addition to the descriptive approach to present the conceptual framework of international legitimacy.

2. The legal framework for the right of veto

The veto power is one of the most prominent mechanisms that characterize the structure of the Security Council. It embodies a political and legal privilege granted to the permanent members under the pretext of maintaining the balance of power and preventing major decisions from being made against their wil

[1]. Functionally, the veto serves as a tool to control the Council's outcomes on issues related to international peace and security, which has sparked extensive debate about its compatibility with the principles of sovereign equality and good faith in implementing Charter obligations[2].

From a legal standpoint, Article 27(3) of the Charter stipulates that non-procedural resolutions require the unanimous consent of nine permanent members, provided none of them vetoes. This effectively renders the veto a virtually absolute blocking mechanism in practice[3]. The absence of substantive limitations or a requirement to provide justification has led to its

selective use, particularly in conflicts of geopolitical importance to the five permanent members[4]. Furthermore, the use of the veto in cases of mass atrocities has raised questions about the possibility of restricting its application when it conflicts with peremptory norms of international law[5].

2.1 Conceptual foundations of the term "veto"

The veto power is one of the most controversial mechanisms in the contemporary international legal system, due to its exceptional nature, which combines historical, political, and legal dimensions. Before becoming a structural part of the collective security system within the framework of the United Nations, the concept underwent lengthy stages of development, reflecting the transformation of the idea of objection from a means of protecting vulnerable groups within the old state to a tool wielded by major powers in managing modern international relations.

Understanding the conceptual framework of the veto requires returning to its linguistic and political roots and tracing its evolution from ancient and modern constitutional systems to the institutional structure of the Security Council. It also necessitates analyzing its legal nature and limitations as an exclusive prerogative of the permanent members, which directly impacts the effectiveness of the United Nations and the legitimacy of its decisions.

From this perspective, this section examines the origin of the word "veto" and its historical meaning, then provides a precise definition of the veto power within its

international legal context, paving the way for a discussion of the practical problems this prerogative raises in the work of the Security Council and its weight in the equation of international legitimacy.

2.1.1 The historical roots of the term veto

The word "veto" (Veto) comes from the Latin origin, and is derived from the verb vetāre, which means "to prevent" or "to prohibit"[6] The word was used in the Roman Republic to denote the power granted to the Tribune to block decisions of the Senate as a mechanism to protect the popular classes and ensure political balance. With the development of political systems[7], the concept moved to modern constitutional thought to denote the right of objection granted by some constitutions to a single authority to prevent the implementation of legislation or an administrative decision, making the "veto" one of the tools for regulating relations between authorities[8]. The contemporary concept has become established in international law, particularly in the Security Council, where it has become a central tool in decision-making[9].

With the transfer of the veto concept to modern international law, it took on a more organized and functional form in the United Nations system, especially in the Security Council, where it granted the five permanent members - the United States, Russia, China, the United Kingdom, and France - the ability to object to any resolution that is considered to affect their vital interests[10]. This design came to ensure a balance between the interests of the major powers and to prevent divisions

or direct military confrontations between these powers. However, this codified use of the veto gave it a dual character; on the one hand, it represents a guarantee for the stability of the international system and the prevention of the escalation of major conflicts, and on the other hand, it can lead to the disruption of the work of the Council and the prolongation of conflicts, as many experiences during recent conflicts such as Syria, Palestine, and Ukraine have shown[11], which will be discussed later. Thus, the veto has become an intertwined political and legal tool, combining international legitimacy, power, and political balance, which requires researchers and practitioners to study its impact on the effectiveness and legitimacy of the international system.

From a theoretical perspective, the evolution of the veto concept shows its transition from a tool with a protective function in old systems to a mechanism of a powerful-controlling nature in the contemporary international system, an evolution that reflects the transformation of the power structure within international relations themselves[12]. The veto, as far as it is related to the history of constitutional thought, simultaneously reveals the extent of the centrality of power in shaping the rules of international legitimacy. Its enshrinement in the Security Council cannot be understood apart from the calculations of the victorious powers in World War II and their desire to establish a system that guarantees them a superior position within the collective security institution. Despite the claim that granting this privilege came to secure the stability of the international system

and prevent the collapse of the organization as happened with the League of Nations[13], practical experience has shown that the veto often turns into a tool that produces functional paralysis in issues related to mass atrocities. This has revived the debate about whether the existence of this privilege is actually consistent with the principles of the Charter, especially the principle of sovereign equality and the purposes of the United Nations in promoting international peace and security. Thus, it becomes clear that the concept of the veto is no longer just a procedural mechanism, but has become a theoretical and political framework that governs the nature of the relationship between law and power within the Security Council, and constitutes one of the most prominent challenges to reforming the structure of global governance[14].

2.1.*2* The Concept of the Veto Right

The veto power is defined as the privilege enjoyed by the five permanent members of the Security Council[15], which empowers any one of them to block the adoption of any substantive resolution by the Council simply by registering its formal objection, even if the resolution is supported by a majority of the members. This privilege is based on Article 27(3) of the UN Charter, which requires, in non-procedural matters, the affirmative vote of nine members, provided that no permanent member objects. This makes the veto a powerful blocking mechanism that grants the major powers exceptional ability to influence the Council's decisions[16]. The veto has evolved from a tool for

maintaining the balance of power after World War II into a political instrument used by the permanent members to serve their strategic interests, which has sparked widespread debate about its compatibility with the principles of equality among states and good faith in fulfilling international obligations[17].

From an analytical perspective, the practical application of the veto power reveals a structural paradox within the collective security system. The Charter grants the Security Council exclusive authority to take binding measures to maintain international peace and security, yet simultaneously grants only five states near-absolute power to obstruct this authority. This contradiction between collective authority and monopolistic power is a major reason for the Council's ineffectiveness. The veto often becomes a bargaining chip used to extract political gains or protect strategic allies, while the logic of collective security presupposes that Council decisions should be governed primarily by legal and humanitarian considerations. This reality reveals an imbalance between procedural legitimacy—represented by adherence to voting rules—and substantive legitimacy—related to fulfilling the requirements of international justice. Consequently, the continued use of the veto in its current form deepens the trust deficit in the Council and negatively impacts its effectiveness and ability to fulfill its role as the supreme executive body of the international system.

2.2 The Legal Basis of the Veto and its Connection to Permanent Membership in the Security Council.

The veto power is one of the most important mechanisms that has characterized the legal structure of the Security Council since the establishment of the United Nations. It combines an explicit legal basis in the Charter with the political context surrounding the organization's founding after World War II. Given the issues this right raises concerning the legitimacy of the privileges granted to permanent members and its direct impact on the effectiveness of the international system of collective security, it is crucial to examine the legal basis of the veto and how this right is linked to permanent membership in the Security Council. This section analyzes the textual basis established by the Charter and then outlines the conditions and justifications for its adoption and continued use. It is divided into two main sections: the first addresses the legal basis of the veto according to the Charter, while the second examines the conditions and justifications for this right within the Security Council's structure.

2.2.1. The Legal Basis According to the UN Charter

The legal system of the right of veto is based on an integrated system of provisions contained in Articles 24 to 27 of the Charter of the United Nations, which established the jurisdiction of the Security Council, its working methods, and the powers of the permanent member states. Article 24 gives the Council the primary responsibility for maintaining international peace and security, and gives its decisions the character of being binding as the highest executive body within the organization[18]. Articles 25 and 26 confirm the

commitment of member states to the Council's decisions and task the latter with developing plans to regulate armaments, which strengthens its legal position in the international system[19].

Article 27 is the cornerstone of the concept of the veto, as it distinguishes between procedural and non-procedural matters, and stipulates that the latter require decisions to be issued by a majority of nine votes "including the votes of the permanent members." This is interpreted jurisprudentially as granting an individual objection power to each permanent state, enabling it to overturn any substantive decision simply by using the veto[20]. This textual construction has led to the consolidation of the principle of "distinctive voting" in favor of the major powers, making the veto one of the most controversial provisions in contemporary applications of the Charter, especially in cases where the Council's procedures are disrupted despite the existence of a clear threat to international peace and security[21].

2.2.2. Conditions and justifications for the existence of the veto right

The veto power is the core privilege granted to the permanent members of the Security Council, a privilege that combines a legal basis with the political justifications linked to the establishment of the United Nations system. The unique nature of this right cannot be understood without distinguishing between its procedural and substantive exercise and the historical and political contexts that justified granting it to the major powers after World War II. This section, therefore, addresses two

interconnected elements: the conditions for using the veto as established by the UN Charter, and the political and pragmatic justifications behind its adoption as a cornerstone of the collective security system.

A. Conditions for using the veto and voting of the five permanent members

The use of the veto in the Security Council is based on a set of procedural and substantive conditions, primarily outlined in Article 27 of the UN Charter, which distinguishes between procedural and non-procedural matters. In procedural matters, a resolution is adopted by a majority of nine votes, without requiring the consent of all permanent members[22]. However, in non-procedural matters—which constitute the vast majority of peace and security resolutions—passage depends on obtaining nine votes, provided that none of the five permanent members objects. This grants these permanent members the power to unilaterally block a resolution[23]. UN practice has established that an abstention by a permanent member does not constitute a veto, thus allowing resolutions to pass even without the unanimous support of all permanent members. Recent practice reveals an increasing use of the veto for reasons related to geopolitical interests rather than the resolution's alignment with the requirements of international peace and security, which has weakened the Council's effectiveness in addressing numerous conflicts[24].

B. Justifying the Veto at the Founding of the United Nations (Balance of Power and Political Realism)

When the United Nations was founded in 1945, the

inclusion of the veto right in the structure of the Security Council was one of the most prominent elements of the political compromise that allowed the organization itself to exist. The major powers – especially the United States, the Soviet Union, and the United Kingdom – insisted on obtaining a special privilege that would guarantee that no decision would be issued that might affect their vital interests, based on the logic of the balance of power that governed international relations after the Second World War[25]. This logic was linked to the orientations of the political realist school, which believes that the international system will not be stable unless the major powers guarantee themselves a central role in shaping it, and that any collective security system will not succeed if those countries fear that decisions will be imposed on them that do not conform to their fundamental interests. Therefore[26], the veto was a prerequisite for the five powers to accept participation in the collective security system, as it is a mechanism that prevents major decisions from being made without their agreement, and thus ensures their effective participation in maintaining international peace and security[27].

3. Ways to Reduce the Impact of the Veto on Human Rights Principles and International Humanitarian Law.

The veto power faces widespread criticism for perpetuating structural discrimination within the international system by granting only five states the authority to block crucial Security Council resolutions. This constitutes a serious exception to the principle of

sovereign equality and undermines the democratic nature of international decision-making[28]. These criticisms are exacerbated when the veto paralyzes international intervention in critical humanitarian crises, contributing to the worsening situations in Syria, Bosnia in the 1990s, and Palestine on numerous occasions[29].

Conversely, proponents of the veto argue that it is a strategic necessity for ensuring the stability of the international system. They contend that it prevents a split among the major powers and maintains consensus among them, a condition considered essential for the success of the collective security system after World War II. This justification stems from the pragmatic logic that ignoring the interests of the major powers could lead to deeper paralysis or even their withdrawal from the organization[30].

Based on the foregoing, we have divided this discussion into two sections as follows:

3.1. The impact of veto use in international conflicts

The veto power has been one of the most prominent mechanisms influencing the course of international conflicts since the establishment of the United Nations. Its role has not been limited to maintaining the balance of power within the Security Council, but has extended to becoming a decisive element in determining or obstructing international intervention. While the veto was used during the Cold War as a tool of political conflict between the two blocs, in subsequent decades it has transformed into a tool that contributes to defining the boundaries of international

legitimacy, whether by justifying intervention in some crises or obstructing it in others, despite the gravity of the violations. The importance of this point lies in studying how the patterns of veto use have changed between the past and present, and the resulting legal, political, and humanitarian consequences, which reveal the structural role of this mechanism in shaping the reality of international peace and security.

3.1.1. The Use of the Veto During the Cold War

During the Cold War, from 1945 to 1991, the Security Council witnessed extensive use of the veto power, amidst the sharp polarization between the United States and the Soviet Union. The veto became a crucial tool for blocking any resolution that did not align with the strategic interests of either superpower. The Soviet Union used its veto extensively to prevent condemnation of its policies in Eastern Europe, while the United States resorted to it to protect its allies in the Middle East and Western Europe[31].

This extensive use transformed the Security Council into an arena for political maneuvering rather than an effective body for maintaining international peace and security. This resulted in clear institutional paralysis in several major international issues, such as the Hungarian Crisis (1956), the Czechoslovakia Crisis (1968), and several Arab-Israeli conflicts[32],This paralysis deepened the decline in international confidence in the Council's ability to make impartial and effective decisions, contributing to the prolongation of conflicts and exacerbating their humanitarian and political

consequences in numerous regions. Nevertheless, some researchers argue that the use of the veto during that period was not entirely negative, as it provided a legal framework that allowed the superpowers to contain tensions and prevent them from escalating into direct military confrontation, especially given the delicate nuclear balance at that time[33].

An analysis of the use of the veto during the Cold War shows that this mechanism was a direct product of the bipolar structure of the international system, where the security and political considerations of the superpowers intertwined with the workings of the Security Council in a way that made the veto power a means of reflecting the balance of power rather than a tool for enhancing international legitimacy. The repeated use of the veto has led to institutional paralysis in dealing with major crises and a decline in the Council's ability to perform its basic role in maintaining international peace and security. This reflects an actual restriction of the collective security system in favor of the logic of deterrence and geopolitical interests. However, this historical experience also reveals that the veto played a role in containing the conflict between the two poles and avoiding direct confrontation, which makes its evaluation confined to two interrelated dimensions: one dimension that highlights its disruptive nature to international legitimacy and the effectiveness of the Council, and another that shows its function as a mechanism for achieving stability and preventing the collapse of the international balance. Thus, the experience of the Cold

War confirms that the problem does not lie in the existence of the veto itself, but rather in how it is politicized and employed in a way that goes beyond the requirements of international law and subjects it to considerations of power.

3.1.2 The Use of the Veto in Modern Conflicts

Following the collapse of the Soviet Union, many researchers predicted a decline in the use of the veto and an increase in the effectiveness of the Security Council. However, reality has shown a qualitative shift in its application[34]. It has become primarily used to protect specific geopolitical interests rather than to prevent conflict between major powers. This has often led to the obstruction of international intervention, the protection of regimes, or the prolongation of conflicts. The Syrian conflict represents the most prominent example of the excessive use of the veto. Russia—sometimes supported by China—has repeatedly used its veto power to prevent the adoption of resolutions concerning a cessation of bombing, the establishment of humanitarian corridors, or the accountability of perpetrators of violations. This has contributed to prolonging the war and exacerbating the humanitarian situation to an unprecedented degree[35].

As for the Palestinian issue, the American veto has been one of the most significant obstacles to implementing resolutions that protect civilians or condemn the practices of the occupation. This has often rendered Security Council resolutions ineffective and entrenched the imbalance of power within the international system[36].

Similarly, in the case of the Ukrainian war, Russia used its veto to block any resolution that described its military intervention as aggression or imposed binding measures against it. This paralyzed the Security Council's role in maintaining international peace and security and reignited the question of whether a party to a conflict can obstruct any international accountability[37].

This shift underscored the persistence of structural imbalances and the emergence of what is known as the selective veto[38], which directs decisions regarding humanitarian intervention and the imposition of sanctions within collective security mechanisms, despite the transformation of the international system after the Cold War[39].

These examples reveal that the veto is no longer merely a procedural mechanism, but a political tool that reproduces power relations within the Security Council and limits its effectiveness in addressing the world's most complex conflicts, This leads to the obstruction of necessary decisions and the exacerbation of humanitarian crises in conflict zones.

3.2. Alternatives to Veto Reform Outside of Charter Amendment

Articles 108 and 109 of the United Nations Charter represent the legal framework that regulates the mechanisms for amending the Charter, reflecting a delicate balance between the sovereignty of member states and the protection of the interests of the major powers. Article 108 stipulates that any amendment requires the approval of two-thirds of the General

Assembly members, including all permanent members. This effectively grants these states the power to block any amendment that affects their privileges, most notably the veto power[40]. Academically, this requirement is viewed as a legal safeguard for protecting the position of major powers within the collective security architecture. However, it simultaneously limits the possibilities for profound institutional reform[41]. Article 109, while allowing for an international conference to review the Charter comprehensively or partially, leaves the essence of the amendment process contingent upon the ratification of the five permanent members for any change affecting their rights. This renders reforming the veto system virtually impossible under the current geopolitical balance[42]. Legal studies demonstrate that this constitutional framework of the Charter perpetuates a rigid structure that hinders the modernization of the collective security system and limits the organization's ability to adapt to the transformations of the international order[43].

Given these difficulties, a number of practical alternatives have emerged, aiming to mitigate the negative effects of the veto power without altering the Charter's provisions. This demand revolves around three main trends that today form the basis of the international debate on reforming the veto practice without amending the Charter:

3.2.1. The Uniting for Peace Mechanism as an Alternative to Overcoming Security Council Paralysis

The Uniting for Peace mechanism is one of the

most important institutional alternatives the United Nations resorts to in order to address the paralysis that afflicts the Security Council due to the frequent obstructive use of the veto by the permanent members. This mechanism was established by General Assembly Resolution 377 (V) of 1950, which authorized the General Assembly to intervene when the Security Council is unable to fulfill its primary responsibilities for maintaining international peace and security due to a lack of consensus among its permanent members.

This mechanism allows for the convening of an emergency special session within a short timeframe, enabling the General Assembly to issue collective recommendations on establishing fact-finding committees, calling for political and diplomatic measures, recommending pressure that may include non-binding sanctions, and even supporting collective measures in serious situations that threaten international peace[44]. Although these recommendations do not have the binding force of Security Council resolutions, Uniting for Peace provides the General Assembly with a practical framework for limiting the veto monopoly and reviving the principle of collective responsibility in the face of acute crises[45].

In terms of assessment, while the mechanism offers the potential to overcome institutional paralysis and maintain a degree of effectiveness within the UN system, its impact remains limited due to the non-binding nature of its recommendations and the General Assembly's lack of enforcement tools comparable to those granted to the

Security Council under Chapter VII of the Charter. Furthermore, political balances within the General Assembly often influence the strength of its recommendations[46], thus limiting their practical effect in major crises requiring a swift and binding international response[47].

Nevertheless, the "Uniting for Peace" mechanism remains one of the most important legal and political tools for mitigating the dominance of the veto power, particularly given the difficulty of amending the Charter. It is not a complete replacement for the Security Council, but it represents a realistic avenue for enhancing collective effectiveness when the Council is unable to act.

3.2.2 The France-Mexico Initiative to Restrict the Use of the Veto in Cases of Grave Crimes

Given the difficulty of amending the UN Charter due to the permanent members' insistence on their veto power, the French-Mexico initiative has emerged as one of the most important practical alternatives outside the legal framework of amendment. This initiative is based on a voluntary commitment to refrain from using the veto in cases of grave crimes, such as genocide, war crimes, and crimes against humanity. This is an attempt to redirect the veto function towards protecting international peace and security, rather than dedicating it to narrow political purposes[48]. This voluntary restriction is seen as a political and moral mechanism that alleviates paralysis within the Council when mass atrocities occur, even though it does not entail a legally binding obligation.

Nevertheless, the initiative is a significant step in establishing the principle of collective responsibility within the Security Council and linking the exercise of the veto to considerations of protecting civilians and preventing grave crimes, rather than leaving it entirely subject to the calculations of the major powers[49].

The proposal also highlights three key outcomes that reflect its practical value within the United Nations system. First, it contributes to enhancing the effectiveness of the Security Council by reducing the paralysis that often results from permanent members resorting to the veto in crises threatening civilians. This increases the likelihood of adopting collective decisions to protect international peace and security[50]. Second, it raises the political and moral cost of using the veto, as a public pledge of abstention compels permanent members to justify any violation, thus enhancing transparency and limiting the narrow political exploitation of the veto[51]. Finally, the proposal fosters a culture of collective responsibility within the Council by linking the exercise of the veto to considerations of protecting civilians and preventing grave crimes. This aligns with the evolving concept of the Responsibility to Protect and encourages greater international cooperation in addressing the most serious violations[52].

We conclude that the Uniting for Peace mechanism is of added importance when linked to the French-Mexican initiative aimed at restricting the use of the veto in cases of grave crimes. Uniting for Peace is seen as a complementary practical mechanism that

allows the General Assembly to act when the Security Council fails to adhere to the proposed voluntary restriction. On the one hand, the initiative contributes to raising the political and moral cost of using the veto in genocide crises, while the "Uniting for Peace" mechanism provides an institutional way out of the paralysis that occurs when permanent members continue to use the veto despite their stated commitments. Thus, the two tracks together form a dual framework: one normative, limiting the arbitrary use of the veto, and the other procedural, enabling the international community to act when the Council is paralyzed, thereby enhancing the chances of protecting civilians and strengthening the structure of international legitimacy in the absence of fundamental reform of the Security Council's structure.

3.2.3. The possibility of developing international norms that restrict the veto without explicitly amending the Charter.

Developing international norms that restrict the use of the veto is one realistic path to enhancing the effectiveness of the Security Council in the absence of political consensus on amending the UN Charter. Customary rules, unlike rigid charter texts, arise gradually through consistent state practice, coupled with a legal opinion (opinio juris) that certain conduct should be avoided. This opens the door for the international community to impose normative constraints on the veto without altering the original provisions of the Charter[53]. In this context, political initiatives—such as calls for non-use of the veto in cases of grave crimes or serious

threats to peace—can contribute to creating a climate of legal and moral expectations, making the use of the veto in such contexts a politically and morally costly exception, even if it remains legally permissible[54]. Furthermore, the accumulation of voting practices within the Security Council, in addition to the positions of the General Assembly, can gradually establish a customary rule that the protection of civilians and the prevention of mass atrocities constitute an obligation that takes precedence over the narrow interests of permanent members[55]. Although this development requires time and broad political consensus, it provides a practical path to strengthening international legitimacy and reducing the arbitrary use of the veto without embarking on a path of Charter amendment, which faces almost insurmountable obstacles[56].

The alternatives proposed for reforming the veto power outside the framework of Charter amendment—particularly the Franco-Mexican initiative, the Uniting for Peace mechanism, and the growing trend toward establishing international norms that restrict the veto—demonstrate that the international community is increasingly inclined toward a gradual, multi-layered approach to addressing the paralysis within the Security Council. The Franco-Mexican initiative offers a voluntary normative framework aimed at limiting the use of the veto in cases of grave crimes, while the Uniting for Peace mechanism provides an effective procedural avenue enabling the General Assembly to act when the Council is unable to fulfill its responsibilities due to

divisions among the permanent members. At a deeper level, the option of developing international norms that complement these approaches emerges, transforming accumulated practices and growing political expectations into quasi-binding rules that limit the arbitrary use of the veto. Combining these three paths represents a realistic reform structure, based on political pressure, institutional alternatives, and customary development, to expand the scope of collective action without compromising the rigid legal structure of the Charter, and to enhance the legitimacy of the international system and its ability to protect peace and security in the absence of consensus on a comprehensive structural reform of the Security Council.

4. CONCLUSION

The study demonstrated that the legal framework of the veto, as enshrined in Article 27(3) of the Charter, cannot be understood in isolation from the historical context of the post-World War II balance of power. However, the practical application of this privilege has gradually revealed a structural gap between the requirements of international legitimacy—based on peremptory norms and the principle of sovereign equality—and the political and strategic considerations of the permanent members. This contradiction has led to repeated institutional paralysis in critical humanitarian issues and has weakened the Security Council's ability to fulfill its legal responsibilities.

The study also showed that reforming the veto from within the Charter is virtually impossible due to the requirement of unanimity among the five permanent members, making Articles 108 and 109 more mechanisms for protecting the privileges of the major powers than for reform. Given this structural impasse, non-charter alternatives—such as the "Uniting for Peace" resolution and

voluntary initiatives—have become the most realistic path to restoring balance between the logic of power and the logic of law.

Conclusions:

- The veto is a legal-political mechanism deeply rooted in the structure of the international system and cannot be abolished without the consensus of the major powers.
- The selective use of the veto has weakened international legitimacy, especially when it obstructs urgent humanitarian resolutions.
- Modern conflicts have demonstrated that the veto has become a tool for protecting influence rather than a means of maintaining collective security.
- Charter amendment mechanisms have effectively become a shield preventing any genuine reform of the veto.
- Current alternatives offer only partial solutions, but they represent realistic opportunities to reduce its abuse.

Recommendations:

- ✓ Strengthen voluntary commitments not to use the veto in cases of grave crimes and expand international support for the
- ✓ Increase reliance on the "Uniting for Peace" mechanism to activate collective action when the Security Council is paralyzed.
- ✓ Work to establish international norms that raise the political cost of using the veto in humanitarian issues.
- ✓ Establish a formal, written justification requirement for every use of the veto to ensure transparency and political accountability.
- ✓ Member states of the United Nations should threaten a coordinated collective withdrawal from the organization in order to push the five permanent members of the Security Council to engage in serious negotiations on reforming the veto system.

Footnotes :

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