

Combating the Arbitrary Use of Veto Power: A Critical Study of the Inability of the Security Council to Uphold International Peace and Security under International Law

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The UN Security Council holds the primary mandate to maintain international peace and security, empowered with a unique structure that includes five permanent members (P-5) with veto power. However, numerous instances, including the Ukraine-Russia War, Israel's actions in Gaza, and conflicts in Syria and Yemen, illustrate the arbitrary use of veto power by some P-5 countries. This practice often prevents the adoption of effective resolutions against aggressors, driven largely by geopolitical interests rather than the mandated obligation of achieving global peace and security. In this context, this research explores how the arbitrary use of veto power by the Security Council can be addressed within the current international legal framework to fulfil the original purpose of the UN Charter. The main objective is to identify the reasons behind granting such extensive power to the P-5 countries by the framers of the UN and to propose legal and pragmatic solutions that address the contemporary international law framework governing the prohibition of the use of force. Utilising a doctrinal legal research approach, this study employs a qualitative methodology and analyses primary and secondary data based on international law instruments, case law jurisprudence, scholarly works, and selected case studies. Key findings suggest that the UN General Assembly should exercise its residual powers under the UN Charter and utilize its vested power under the 'responsibility to recommend' and the rarely invoked 'Uniting for Peace Resolution' to deter the P-5 states from the arbitrary use of veto power. The research recommends formalising a new world order that includes neutral states, similar to the formerly active Non-Aligned Movement, to compel hegemonic powers to respect fundamental principles of international law, such as the sovereign equality of states and the prohibition against the use of force.

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