



THE ISSUE OF THE US VETO AND POSSIBLE ALTERNATIVES TO FULL PALESTINIAN MEMBERSHIP OF THE UNITED NATIONS IN 2024

LAMRI HAKIM ¹, MENAD ICHERAK ²

Yahya Fares University of Medea, Algeria ¹

Yahya Fares University of Medea, Algeria ²

hakimlamri43@gmail.com ¹

menadicherak@gmail.com²

Abstract -

At the beginning of each session of the United Nations General Assembly, Palestinian and international calls for Palestine's full membership in the United Nations are sometimes renewed, but always fail.

This paper examines the legal alternatives through which the State of Palestine can achieve full membership in the United Nations, in light of the United States' veto of any draft resolution to upgrade Palestine's status to that of a full member state.

Keywords: Palestine, membership, state, veto.

INTRODUCTION:

The idea of the United Nations come from as a partnership of pick nations throughout the 2nd Globe Battle. Nevertheless it quickly broadened to include the whole world with the present variety of complete participants of the United Nations standing at 193.

The Palestinian Authority is presently looking for to end up being the 194th participant of the United Nations.

The United Nations (UN) is a global company that aims to consist of all nations. Nations look for to sign up with the UN as well as get complete subscription as a result of the advantages it supplies in the global plus worldwide field.

Nevertheless there are circumstances when nations fall short to acquire complete subscription for different factors. These factors consist of the Security Council not electing as well as authorizing the subscription application or utilizing the veto to avoid the choice

On 29 November 2012 the General Assembly provided Palestine non-member onlooker state condition at the UN. This resolution was embraced by a huge bulk. In the resolution, the General Assembly shared the hope that the Security Council would certainly react to the demand made by the State of Palestine in September 2011 for complete UN subscription. On 2 April 2024 Palestine sent a letter to the UN Secretary-General asking for restored factor to consider of its application for UN subscription initially sent in 2011. After obtaining the demand the Secretary-General sent it to the Security Council which occupied the issue on 8 April 2024 in an open session.

The United States of America worked out veto power to avoid the fostering of a draft resolution that would certainly have advised that the General Assembly confess the State of Palestine as a participant of the United Nations. Of the 15 participants of the Council 12 elected for the resolution the United States opposed it, as well as the UK and also Switzerland abstained.

Getting complete participant state standing in the United Nations for Palestine is a difficult yet not overwhelming goal. This is especially real light of the global coupled with local elements that existing barriers for the Palestinian event.

As a result it is vital to embark on an extensive evaluation of the staminas as well as weak points of the Palestinian placement, with a sight to recognizing techniques for leveraging the previous together with minimizing the last.

What are the lawful options that the Palestinians can utilize to acquire complete subscription in the United Nations?



1. First section: : Requirements for Palestine to become a full state member of the United Nations.

It is extensively recognized that Palestine has actually met all the problems along with standards outlined in the 1923 Montevideo Treaty which specifies the legal rights plus tasks of states.

These consist of a long-term populace, a specified geographical location an authorities plus the capability to develop relationships with various other states

1.1. Procedures for applying for full United Nations membership.

In order to join the United Nations, an applicant must fulfil a number of conditions, some of which are substantive and others of which are procedural.

1.1.1. : United Nations membership conditions:

States are confessed to subscription in the United Nations by a choice of the General Assembly on the referral of the Security Council.¹

In order to end up being a participant of the United Nations a candidate needs to meet 5 unbiased problems. These are as adheres to:

- The candidate needs to be a state.

Subscription in the United Nations is restricted² of political teams as well as devices .³

As a result the application for admission should be from an entity that fulfills the requirements of a state according to the 1933 Montevideo Convention on the Rights. Furthermore the principle of a state is specified by the visibility of 3 basic aspects: a populace, a specified region and also a level of sovereignty⁴, Numerous scholars present that the problem of acknowledgment makes up a 4th requisite for achieving statehood which is why Palestine is thought about qualified for this standing. The problem of statehood is among the problems for signing up with complete subscription in the UN. The Palestinian state with its standard components, exists along with delights in lawful individuality. The variety of nations that have actually identified Palestine goes beyond the variety of nations that have actually identified Israel. Presently, the Palestinian state does not have UN subscription⁵

- The state needs to be peace-loving. This problem increases as well as remains to increase concerns concerning the idea of a peace-loving state together with its parts. The Charter does not offer any kind of referral to the elements of a peace-loving state. As a political problem it enables the General Assembly significant discernment in identifying which nations are qualified for subscription, without being limited by lawful or unbiased standards. ⁶

This problem has actually been utilized for political functions with some nations objecting to the admission of various other nations on the premises that they do not like tranquility.

this problem was regularly utilized for political objectives, with some nations contesting the admission of various other nations on the premises that they did not like tranquillity .⁷

In countless settings and also declarations, along with in the Declaration of Independence provided by the Palestinian National Council in 1988 the Palestinian management has actually suggested that it is a peace-loving state devoted to the concept of calm coexistence, as well as will certainly deal with all states coupled with individuals to accomplish an enduring tranquility based upon justice and also regard for civil liberties.⁸

The Palestinian Authority's (PA) unwavering commitment to the Oslo Accords, despite Israel's repeated violations of them, provides irrefutable evidence of the PA's dedication to the accords.

- The state needs to approve the commitments stated in the Charter. This problem is based upon lawful together with unbiased premises together with consists of the state's affirmation according to its legal condition that it approves the commitments stated in the Charter plus promises to apply them unconditionally.⁹

The Security Council has actually enforced a need on any kind of state looking for to come to be a participant of the UN to send a demand to the Secretary-General which need to consist of a statement in a main record specifying that it approves the commitments stated in the Charter. This demand was initially developed by the Security Council in 1946.



Short article 58 of the Charter of the United Nations together with the guidelines of treatment of the General Assembly both validate that this problem is satisfied once the state sends its¹⁰ application to sign up with the organization.

The State of Palestine has actually shown its dedication to the UN Charter via the 1988 Palestinian Declaration of Independence which clearly specifies that the State of Palestine is devoted to the functions together with concepts of the United Nations, the Universal Declaration of Human Rights coupled with the plan as well as concepts of non-alignment. Additionally, the State of Palestine has actually straightened itself with the Fourth Geneva Convention of 1949 as well as the Hague Regulations on Land Warfare of 1907.¹¹

In addition, the has actually validated its approval of the responsibilities stated in the Charter in its application to the UN on 2 April 2024.

- Capacity to meet the commitments stated in the Charter.

A substantial variety of polite along with lawful specialists concur that Palestine can meeting in addition to executing the commitments stated in the UN Charter without any question. The UN is encouraged to acknowledge a state's capability to accomplish the obligations stated in the Charter for participant states.¹²

- The state should want to fulfill the commitments of the Charter. This problem is primarily of a political nature since it is challenging to identify the state's need to apply the commitments. The asking for state might state that it agrees to execute the responsibilities had in the Charter however there are no lawful bases to establish the truthfulness of states in their affirmation of their need to execute the responsibilities.¹³

Clearly from Article 4 of the Charter that accession to the United Nations is optional in 2 areas: on the part of the asking for state which does not take such activity unless its objective to follow the responsibilities stated in the Charter doubts; plus on the part of the company which does decline the asking for state unless its 2 major body organs, the General Assembly as well as the Security Council, validate that this state is truly going to and also able to accomplish the commitments stated in the Charter. The Charter is resolute in its arrangements and also unless it has the ability to satisfy these responsibilities as well as on the part of the company which does decline the asking for state unless its 2 major body organs the General Assembly along with the Security Council, validate that this state is absolutely going to plus able to execute the responsibilities of the Charter.¹⁴

These substantial problems are details as well as detailed solely as comprehensive problems, as verified by the International Court of Justice in its 1948 advising viewpoint which chose not to problem the admission of brand-new states to subscription on added problems not attended to in Article 04, mostly the grant the Member State to the subscription of brand-new states.¹⁵

1.1.2. : United Nations accession procedures..

The Charter of the United Nations determines that the admission of a brand-new state to subscription in the United Nations is determined by the General Assembly upon the referral of the Security Council.¹⁶

Nonetheless the Charter did not consist of a comprehensive declaration of the treatments that need to be observed to approve the admission of a state to the company. The Charter of the United Nations did not consist of a thorough declaration of the treatments that must be observed to approve the admission of a state to the company. Rather it left this to the interior guidelines and also laws of the Security Council and also the General Assembly. The policies of treatment of the General Assembly after that examined the phases of subscription of a brand-new state in the adhering to fashion:

- The state looking for to sign up with sends an application to the Secretary-General come with by a letter consisting of an official affirmation that it approves the commitments stated in the Charter.¹⁷

- The Secretary-General offers the subscription application to the Security Council immediately where the President of the Security Council refers the subscription application to¹⁸



the Committee on the Admission of New Members an additional board of the Council containing reps of the participant states of the Council.¹⁹

The board after that takes a look at the application and also sends a record to the Security Council in advance of the General Assembly conferences. This makes it possible for the Council to provide a suggestion to the General Assembly concerning the admission of the brand-new candidate state.²⁰

- The General Assembly obtains the referral of the Security Council and also refers it to its Political Committee which is accountable for preparing a record on it plus sending it to the General Assembly for a choice. The suggestion might declare or unfavorable.²¹

" It can be seen that the suggestion of the Safety And Security Council is not last. If the referral declares, it is moved to the General Assembly for a ballot. Nonetheless if the Safety Council releases a suggestion of denial the Assembly takes a look at the factors for the denial²² If it does decline it the subscription application is described the Council. In case no recommendation is provided by the Security Council the General Assembly is not able to accept the admission of a complete participant state to subscription in the United Nations.

This is due to the fact that according to the consultatory viewpoint of the International Court of Justice on 3 March 1950 the referral of the Security Council is a requirement for the General Assembly to confess brand-new participants to the organisation.²³

Although the problem of UN subscription refers worldwide regulation, the ballot is affected by political factors to consider. Additionally the unbiased problems formerly evaluated are open up to analysis as a result of the lack of clear standards regulating them. Certainly, nations were not able to accomplish complete subscription in the UN throughout the supposed subscription situation of 1948-1955 because of political factors to consider.²⁴

1.2. The application of Palestine to the Security Council for full membership in April 2024.

On 2 April 2024, Palestine sent a letter to the UN Secretary-General asking for restored factor to consider of its application for subscription in the United Nations, an application sent by the Palestinian Authority (PA) in September 2011.

The application to sign up with the UN as a long-term participant was based upon the all-natural, lawful plus historic civil liberties of the Palestinian individuals, UN Resolution 181 as well as the 1988 Declaration of Independence. Based on Rule 59 of the Rules of Procedure of the Security Council the Security Council referred Palestine's subscription application to its Committee on the Admission of New Members which met on 2 events, on 8 as well as 11 April 2024.²⁵

The United Nations calls for a favorable referral from the Security Council and also a two-thirds bulk enact the General Assembly for complete subscription. For that reason it is required to get a suggestion from the Security Council prior to a subscription application can be thought about by the General Assembly. This is what the Palestinian Authority did when it sent a application for subscription to the Secretary-General of the United Nations, Antonio Guterres.

On 2 April 2024, Guterres sent the application to the Security Council for factor to consider according to the well-known treatments. The President of the Security Council referred the Palestinian application for subscription to the Committee for the Admission of Members, which is accountable for researching as well as approving applications.

1.2.1. The position of the Security Council on the application for full membership

The Committee on the Admission of New Members of the Security Council analyzed the application at its conferences hung on 8 April as well as 11 April 2024.

The board's goal was to develop whether Palestine fulfills the credentials along with problems of statehood stipulated in the aforementioned Montevideo Charter. Moreover, the board looked for to identify whether Palestine can be taken into consideration a peace-loving state as needed by the UN Charter. It deserves keeping in mind that this problem was not only taken a look at from a lawful point of view; it was likewise thought about from a political point of view, as shown in the board's record. This mirrored the board's considerations on the importance of the abovementioned problems to the instance of Palestine.

The problems taken a look at were as complies with:.



.1.2.1.1 **The initial problem:** whether Palestine is a state or otherwise the fulfilment of the Montevideo Charter problem was analyzed.

- The problem of the presence of an irreversible individuals has actually been met.
- A test of the problem of the boundaries, which are not specifically specified, does not make up a challenge to the facility of the state with referral to the presence of preliminary limits, which are the boundaries prior to the 1967 battle.
- An evaluation of the problem of the presence of an efficient federal government in light of the presence of actual authority of Hamas in the Gaza Strip together with the Israeli line of work is necessitated. It is stressed that the PLO is the single genuine agent of the Palestinian individuals along with not Hamas. While the Israeli line of work works out real physical authority on the ground this does not suggest that it takes pleasure in sovereignty. Without a doubt, sovereignty stays with individuals.
- An exam was performed of the ability of Palestine to participate in global connections especially in light of its complete subscription in various global organisations as well as its acknowledgment by over 137 nations. Concurrently, the level of its capability to take part in connections with various other states was thought about, offered the minimal authority appreciated by the PNA under the Oslo Accords.

1.2.1.2. The 2nd problem: It was kept in mind that Palestine is a peace-loving state, while acknowledging that Hamas looks for the damage of Israel along with its being rejected of physical violence. It was even more stressed that just the activities of the main authority are thought about. Both problems, particularly that Palestine has the ability plus efficient in carrying out the commitments included in the claimed Charter, are met. Nevertheless, it was kept in mind that Hamas' behavior, according to the conversation, interferes with this capability which is unclear provided what was pointed out in product (b) over. The participants stopped working to get to an agreement on the Palestinian quote for complete subscription in the UN.

The Committee was split in between those that sustained the suggestion that the Committee approve the application as well as those that were skeptical that Palestine had actually satisfied the problems stated in the Charter.

1.2.2. **Reasons for Palestine's failed bid for full United Nations membership:**

Any type of application for complete subscription in the United Nations sent to the Security Council might deal with 3 opportunities:".

- A desirable referral from the Safety And Security Council (approval of the demand)
- Failing to get the 9 lawful ballots needed to authorize the demand (consisting of the 5 long-term participants)
- The use of a veto by several long-term participants of the Security Council.

The State of Palestine was not successful in its quote for complete subscription of the United Nations because of the USA exercising its veto power. This caused the denial of a draft resolution advising the admission of the State of Palestine as a participant of the United Nations. Of the 15 participants of the Council, 12 enacted support of the resolution while the United States opposed it and also the United Kingdom plus Switzerland abstained.

The approval of Palestine as a complete participant specify in the United Nations is a simply political problem that is chosen by elect, not based upon the arrangements of the UN Charter and also General Assembly guidelines, or according to the applicability of the aspects of statehood as well as the standards for acknowledgment. This appears by the reality that Israel was provided complete subscription. This is to claim that the standing of a participant state was given to Israel on 11 May 1949, in spite of the reality that it did not satisfy the problems for subscription then nor perhaps today. The crucial consider Israel's admission was its ballot power²⁶

2. second section: Possible alternatives for Palestine's full United Nations membership.

The delayed subscription of the State of Palestine in the United Nations supplies a possibility to analyze all readily available choices and also to prioritise them according to the demands of the altering political situations.



This is being performed in order to prevent the blockage of complete subscription of the State of Palestine by some UN participant states particularly in the Security Council which is sparing no initiative in intimidating to ban any type of draft resolution that elevates the State of Palestine to an irreversible participant of the United Nations.

The possible lawful opportunities for achieving complete subscription of Palestine in the UN include a variety of opportunities, consisting of the purchase of acknowledgment from added states, a repetition of the ask for complete subscription in the Security Council, together with the invocation of Resolution 377 "" Uniting for Peace "" which has a criterion within the UN.

2.1. Recognised by an increasing number of countries:

This choice increases the problem of mobilising states' acknowledgment of the State of Palestine as well as the demand to remain to lower the variety of states that have actually not acknowledged Palestine. This alternative has a substantial favorable effect on Palestine's application for complete subscription in the United Nations.

2.1.1. Ways to increase the number of countries recognising Palestine

The hidden facility of this choice is the Palestinian pursuit for statehood as well as the growth of polite depiction from UN participant states that have actually not yet identified the State of Palestine. There are 2 prospective methods for attaining this objective:

The initial approach is to provide a draft resolution to the General Assembly, which would certainly advise participants that have actually not yet acknowledged the State of Palestine to do so. In order for this resolution to be passed an outright bulk of the participants existing as well as electing is called for.

If this action achieves success the The resolution will certainly sign up with the countless resolutions come on the General Assembly in the past plus that are better provided the concepts they have. As notes,²⁷ General Assembly sessions need to be utilized in a much more effective and also efficient .

The 2nd technique is based upon Palestinian diplomacy to create a initial strategy that consists of dividing the globe according to continents and also making use of pleasant nations in each continent.

This is made with the goal of advising private participant specifies that have actually not yet acknowledged the State of Palestine to do so plus to open up straight polite networks with them. In order to guarantee that this acknowledgment is specific it is essential to have it consisted of in a treaty or introduced in a polite file²⁸

2.1.2. . Importance of new recognitions for full UN membership of Palestinian state:

This seeks political along with lawful value.

2.1.2.1. On the political degree

The expanding acknowledgment of the State of Palestine exerts stress on the plans of the United States of America with regard to the State of Palestine's application for complete subscription in the United Nations. This adds dramatically to eliminating the problem from the structure of American hegemony and also trusteeship over it, and also improves the leads of success of the application for complete subscription in the future ²⁹

2.1.2.1. At the lawful degree:

The expanding acknowledgment of the State of Palestine has actually caused Palestine being coupled with the lawful individuality as well as capability to end finalizings together with be a celebration to global contracts. While the Palestinian side has actually had the ability to appreciate this condition, it has actually not had the ability to do so with the requisite visibility as well as stamina.³⁰

The expanding acknowledgment of the State of Palestine by states suggests their desire for Palestine to sign up with the worldwide area.

This need will certainly be validated later on ought to Palestine request subscription as a permanent participant specify in the United Nations.

Furthermore the training of the shame arising from the physical effort of stress on states to dissuade them from electing favorably for the Palestinian draft resolution will certainly be helped



with as these states will certainly have currently identified the State of Palestine as well as will certainly not want to show up prior to various other states as states that have actually been burglarized of their will or rely on the United Nations of America. Rather, they will primarily reveal their political propensities as well as alignment in the ballot which will primarily be volunteer.

2.2. Repeating the call to join the Security Council as a full member and how to deal with a possible veto

The UN General Assembly can be utilised to resubmit the Palestinian application to the Security Council.

2.2.1. Reapply for full Security Council membership

The Articles of the UN Charter grant the General Assembly considerable authority to fulfil its duties within the context of the balance of powers within the UN organs. This enables the Assembly to prevent the Security Council from overreaching its authority and to ensure that it does not take definitive decisions on issues before the Council, especially those of Shared territory. When it comes to the problem of delayed subscription in the United Nations, the Charter needs both chambers to approve.³¹

Although the irreversible participants of the Safety Council can veto such subscription, the General Assembly has the authority to return the application to the Safety Council for reconsideration based on Post 137.

2.2.1.1. Reasons for turning to this action.

In accordance with the consultatory point of view of the International Court of Justice provided on 2 March 1950 the admission of any type of state as a participant of the United Nations requires a suggestion by the Security Council, adhered to by a resolution by the General Assembly. The Security Council's suggestion of approval, being rejected or deferral makes up a considerable issue to which the long-term participants of the Security Council can object. Additionally the General Assembly resolution is a vital issue that has to be authorized by a two-thirds bulk of participants existing plus taking part in the ballot. In case that either of these problems is not fulfilled³²

2.2.1.2. Just how to reply to a prospective veto on complete subscription for the State of Palestine.

In this option circumstance Palestine can interest the General Assembly, which then can ask for that the Security Council reconsider its position on the Palestinian application.

In this circumstances, the General Assembly's demand does not urge the Security Council to approve the application. Nonetheless, it does bind the Security Council to re-examine the application combined with an extensive document connected by the General Assembly consequently making it possible for the Security Council to review it in the General Assembly based on the appropriate laws as well as techniques of the United Nations Organisation (UNO).

Because 1946 the long-term participants have actually obstructed the subscription applications of many nations consisting of Jordan, Japan, Ireland, Italy, Ceylon, Finland, Libya, North Korea, South Korea and also Vietnam. This has actually been done for political instead of lawful factors.

The Soviet Union obstructed Portugal's application in 1946 as well as 1947, as well as Portugal duplicated its application in 1949 up until its subscription was approved in 1955, in addition to many various other .³³

2.2.2. The importance of this alternative for Palestinians

The value of this choice relies on the Palestinian Authority's capacity to utilize it successfully. It is vital to assess the awaited end results of this polite effort in light of the political context that will certainly form its result. This action holds substantial global value. Must this alternate stop working to safeguard a positive suggestion from the Security Council it will certainly have the result of restricting along with decreasing the variety of nations that do not sustain Palestine's subscription in the company. It will certainly likewise offer to enhance the setting of those nations that do sustain Palestine's subscription



. Furthermore he will certainly try to preserve the subscription application in the corridors of the UN till such time as a positive scenario occurs in which the Security Council makes a favorable suggestion.

In case of a repeat of complete subscription falls short it is advised that the PA needs to look for an advisory point of view from the International Court of Justice (ICJ) to establish Palestine's qualification for complete subscription in the UN.

2.3. Unity for peace

The approximate activities of the long-term participants of the Security Council paired with their raised use the veto have actually caused a paralysis of the Security Council coupled with its lack of ability to accomplish its jobs.

This has actually triggered nations to look for options somewhere else consisting of the General Assembly.

As a result a variety of nations sent a variety of draft resolutions to resolve this circumstance. Complying with the combining together with modifying of these resolutions Resolution 377 United for Peace was released on 13 November 1950.

In accordance with this resolution, the problem that had actually formerly been the topic of an unfavorable choice by the Security Council was described the General Assembly for a ballot. The General Assembly is a worldwide parliament standing for the will of all UN participant states as well as consequently has the authority to make a reliable choice hypothetically worried ³⁴

2.3.1. Why Palestine should activate the "United for Peace" resolution

First of all it is required to think about the inspirations behind Palestine's choice to trigger the United for Peace resolution.

Among the factors for considering Resolution 377 Uniting for Peace is that the United States of America asked for the incorporation of this resolution in the 5th session of the United Nations General Assembly and also its fostering in 1950.

It appears that the United States of America has actually used this method on various celebrations, most especially in the resolution of worldwide problems that have actually been obstructed by the Security Council.

On various other celebrations, the transfer of debatable concerns to the General Assembly has actually been used to prevent conversations within the Security Council making certain the fostering of resolutions lined up with the nation's diplomacy positionings.

. It is exact to state that the Security Council is equipped to approve the subscription of brand-new states in the UN. Nonetheless, the General Assembly is additionally able to fulfill under the Uniting for Peace resolution plus identify the State of Palestine in particular tough plus complex conditions. This is just one of the possible methods that might be sought..³⁵

2.3.1.1. Steps essential for Palestine to trigger the Uniting for Peace resolution.

The principle of this alternative is based upon the suggestion that the General Assembly needs to elect on the admission of the State of Palestine as a long-term participant of the United Nations. This would certainly be accomplished via the use of Resolution 377 United for Peace in case that an irreversible participant of the Security Council mistreats its veto power as well as the In case that the Security Council falls short to meet its obligation to keep worldwide tranquility as well as protection, the disagreement is made that obstructing the admission of the State of Palestine to the United Nations intimidates local tranquility as well as safety in the Middle East.

On the other hand, it is posited that the admission of the State of Palestine would strengthen and support peace and security in the Middle East ³⁶.

In the occasion that the Security Council is incapable to satisfy its duties, the General Assembly is contacted us to elect on the admission of the State of Palestine as an irreversible participant of the United Nations. The General Assembly changes the Security Council and also finishes the admission treatment without the demand for a suggestion from the Security Council. ³⁷

The General Assembly's choice amounts the Security Council's choice.



2.3.1.2. Lawful debates for using the Uniting for Peace Resolution.

The Uniting for Peace resolution gives a lawful together with political possibility to prevent a possible United States veto in the UN Security Council by connecting the rejection of Palestinian nationwide legal rights to a danger to global tranquility along with safety. As a result, the General Assembly can be turned to to embrace a resolution based upon what is called the Uniting for Peace resolution based on the adhering to lawful reasons along with debates:-RRB-:

Nations has actually consistently reaffirmed the right of the Palestinian individuals to self-determination along with sovereignty based on the UN Charter along with the Universal Declaration of Human Rights.

- The UN Charter states that a person of the goals of the United Nations is to promote pleasant connections in between countries on the basis of regard for the concepts of equivalent legal rights as well as the self-determination of lenders along with to take various other proper actions to strengthen global tranquility. ³⁸The Charter hence develops the concept of the right of lenders to self-determination as the structure for pleasant connections in between countries that make certain the upkeep of global tranquility along with safety.
- The right of lenders to self-determination is a suitable action to advertise globe tranquility. This is due to the fact that it worries the close web link in between the right to self-determination as well as the upkeep of worldwide tranquility and also protection. Subsequently if an individuals is avoided from working out its genuine legal rights, this makes up a danger to worldwide tranquility and also protection due to the fact that the line of work authorities remain to avoid it from working out its genuine legal rights. This puts on the Palestinian situation.
- The United States of America's use the veto in the Security Council versus Palestinian civil liberties together with the failure of the Security Council to interfere successfully in the Palestinian concern give a engaging reasoning for the application of the Uniting for Peace resolution.

2.3.2. How important this alternative is for the Palestinian people.

Resolution 377 stands for a durable choice to think about as it provides a path to attain the Palestinian goal of achieving long-term subscription in the United Nations as well as conquering the Security Council veto worked out by the United States versus any kind of draft resolution that would certainly improve the level of Palestinian depiction within the organisation.

This is especially pertinent given that Palestine has actually delighted in depiction within the organisation because 1974 and also has actually been managed specific unique opportunities.

The Palestinian management will certainly remain to evaluate the loved one benefits of this choice when it come to dominating political situations along with its prospective to accomplish the preferred end result.

In order to execute Resolution 377 it is required to acquire a bulk of enact the General Assembly on the top place. This needs an affirmative ballot of two-thirds of the participants of the General Assembly. In addition, the very same portion should be attained on the 2nd event in order to authorize the resolution on the subscription of the State of Palestine in the United Nations (United Nations Organisation, 1945, Article 18).³⁹

Now, 137 UN participant states identify Palestine. As a result, must the initial ballot to impose using Resolution 377 do well getting two-thirds of the enact the 2nd ballot will be a fairly simple job. This strategy will certainly as a result succeed leading to the resolution being come on the General Assembly to confess the State of Palestine as a long-term participant of the UN. It is prepared for that the General Assembly will certainly pass a resolution confessing the State of Palestine as a long-term participant of the UN. Nevertheless, need to the requisite two-thirds bulk not be acquired to apply Resolution 377 the 2nd ballot will certainly not occur, and also the delaying of this action is the likely end result.

CONCLUSION

The research study wrapped up with numerous final thoughts as well as referrals.

I. Final thoughts:



1. Palestine satisfies the problems for complete subscription in the United Nations consisting of being a state, relaxed, able, going to as well as able to comply with the arrangements of the UN Charter. Nonetheless, the giving of subscription is impeded by the United States veto. The United States veto stopped the Security Council from suggesting subscription to the General Assembly.

2. There are a variety of different opportunities offered to Palestine that can be sought in order to boost its depiction at the UN. These consist of duplicating a demand to the Security Council, turning on Article 137, turning on Resolution 377 "" Uniting for Peace" as well as raising the variety of nations that identify the State of Palestine.

3- Repeated Palestinian efforts to get subscription in the United Nations boost the political gains as well as future possibilities of success in embracing a full-fledged Palestinian state. This was shown by sensible experience in the very first strategy in 2011 to acquire subscription in UNESCO, and also in the 2nd technique to get onlooker state condition in the United Nations.

Second: Suggestions:

1- Repeating Palestinian efforts to get complete subscription in the United Nations.

2. It is advised that refresher courses be performed on possible opportunities for obtaining complete subscription in the United Nations specifically in light of Palestine's onlooker state condition in the United Nations, and also in factor to consider of the nature of global connections together with the political situations that will go along with the following demand.

3. It is recommended that actions be required to finish the Palestinian department to unify political initiatives, as well as to sustain the toughness of Palestinian depiction at the UN and also worldwide establishments.

4. Continue diplomatic efforts to expand the number of countries that recognize the State of Palestine. It is not sufficient to be satisfied with the recent success in the General Assembly in obtaining observer status, which is merely an interim step towards full membership in the United Nations.

Bibliography List Charters and resolutions:

1. General Assembly, Rules of Procedure, 2016.
2. United Nations, Charter of the United Nations, 26 June 1945.
3. Security Council, Provisional Rules of Procedure of the Security Council.
4. Palestinian National Council . (1988). Declaration of Independence. Palestine: Palestinian National Council.
5. The Declaration of Independence Document issued by the Palestinian National Council in 1988.
6. International Court of Justice. Summary of Judgments and Advisory Opinions, 1948-1991. Advisory Opinion of the International Court of Justice on the Conditions for Admission of a State to Membership in the United Nations, United Nations. United Nations Organisation.

Translated with DeepL.com (free version)

Books:

1. Suhail Hussein Al-Fatlawi, (2010), Public International Law in Peace, vol. 01, Dar Al-Thultha, Amman.
2. Abdul Aziz Sarhan. (1989). Introduction to the Study of the Palestinian State. 23 Abdul Khaliq Tharwat Street, Cairo: Arab Renaissance House.

posts:

1. National Centre for Studies and Documentation. (09, 2011). Issues for Dialogue The Political and Legal Dimensions of the September 2011 State Entitlement. Gaza, Palestine: National Centre for Studies and Documentation.
2. Ibrahim Hamami. (2012). The Palestine Liberation Organisation and the Palestinian Authority's choice to apply for non-member state status at the United Nations. London : Centre for Palestinian Affairs.
3. Yasser Ghazi Alawneh. (2013). Palestine and its membership as a state in the United Nations. Gaza: Independent Commission for Human Rights.

**articles:**

1. Al-Azar Muhammad. (2011). Evaluating the project of UN recognition of the Palestinian state through UN mechanisms. Arab Affairs, No. 148, Cairo.
2. Mabrouk Sherif. (2011). The Palestinian state between the anvil of the UN and the US-Israeli hammer. Arab Affairs, Issue 148, Cairo.
3. Mohammed Hawash (2011), The September entitlement, 'The forbidden dream', The establishment of a Palestinian state by force of action and not by negotiations, Siyasat Magazine, No. 16, 2011, Al-Ayyam Foundation, Ramallah, Palestine.
4. Mansour Karim. (07, 2018). Full Membership of the State of Palestine in the United Nations under the Uniting for Peace Resolution. Gaza, International Conference, (The United Nations and the Palestinian Question 'Challenges and Opportunities'), Palestine: Israa University Journal of Scientific Conferences.

Theses:

1. Amjad Mohammed Saud Thabet. (2013). Palestinian diplomatic alternatives to face the political challenges of recognising the State of Palestine at the United Nations.
2. Shaimaa Mohammed Abdulhadi. (2016). International recognition and its impact on the political and diplomatic status of the State of Palestine. Master's thesis. Gaza, Department of Diplomacy and International Relations, Palestine: Al-Aqsa University.
3. Mona Muthaqal Fathi Fares Abu Ramadan. (2016/2017). The impact of Palestine's membership in the United Nations on the European Union's policy towards the Palestinian cause (2012-2016). Master Thesis. Gaza, Faculty of Economics and Administrative Sciences, Palestine: Al-Azhar University.
4. May Barakat. (2018). The Legal Implications of Palestine's Observer State Status at the United Nations. Master's thesis. Ibrahim Abu-Lughod Institute for International Studies, Palestine: Birzeit University.
5. Ashour Moussa. (2015/2016). Palestinian Diplomatic Representation. PhD thesis. Faculty of Law, Algeria: University of Algiers 01, Youssef Ben Khedda.

Conferences:

1. Abdulrahman Abulnasr. (2012). The Palestinian State: Constitutional Prospects. International Conference on Palestine's Membership in the United Nations, Legal and Political Dimensions. Hebron University.

Websites:

1. Mazen Safi. (29 09, 2011). Dunya al-Watan. From, <https://pulpit.alwatanvoice.com/content/print/238677.html> : <https://pulpit.alwatanvoice.com/>
2. United Nations, Explanatory Essay: Palestine's membership in the United Nations, <https://news.un.org/ar/story/2024/04/1130181>

REFERENCES:

¹ - *United Nations Charter, 1945, Article 02.*

² - *Ibid, Article 4.*

³ - *Mazen Safi, Dunya al-Watan, <https://pulpit.alwatanvoice.com/content/print/238677>, (29 09, 2011), accessed on 05/01/2024, 10:13.*

⁴ - *Ibrahim Hammami, The PLO and PA's choice to apply for non-member state status at the United Nations, London: Centre for Palestinian Affairs, (2012), p. 40*

⁵ - *Abdul Rahman Abu Al-Nasser, The Palestinian State and Constitutional Horizons, International Conference on Palestine's Membership in the United Nations, Legal and Political Dimensions, Hebron University, (2012)*



- ⁶ –Yasser Ghazi Al-Alawneh, *Palestine and its membership as a state in the United Nations, Gaza: Independent Commission for Human Rights*, (2013), p. 20.
- ⁷ –Suhail Hussein Al-Fatlawi, (2010), *Public International Law in Peace*, vol. 01, Dar Al-Thultaqafa for Publishing and Distribution, Amman, p. 141
- ⁸ –*Palestinian National Council, Declaration of Independence. Palestine: Palestinian National Council*, (1988).
- ⁹ –Mazen Safi, *op. cit.*, accessed on 10 January 2024, 15:30.
- ¹⁰ –*General Assembly, Rules of Procedure*, 2016, Article 34.
- ¹¹ –Achour Moussa, (2015/2016), *Palestinian Diplomatic Representation*, PhD thesis. Faculty of Law, Algeria: University of Algiers 01, Youssef Ben Khedda, p162
- ¹² – Shaimaa Mohamed Abdel Hadi, *op. cit.* p. 29.
- ¹³ – Yasser Ghazi Al-Alawneh, *op. cit.* p. 21.
- ¹⁴ – Shaimaa Mohamed Abdel Hadi, *op. cit.* P. 90
- ¹⁵ –*International Court of Justice. Summary of Judgments and Advisory Opinions, 1948-1991. Advisory Opinion of the International Court of Justice on the Conditions for Admission of a State to Membership in the United Nations, United Nations. United Nations Organisation*, p4, p6.
- ¹⁶ – *Charter of the United Nations, Article 2 and Article 4*
- ¹⁷ –*General Assembly, 2016, Article 134.*
- ¹⁸ –*Security Council, Provisional Rules of Procedure of the Security Council, 1947, Article 59.*
- ¹⁹ –Mohammed Hawash (2011), *The September entitlement, ‘The forbidden dream’, The establishment of a Palestinian state by force of action, not by negotiations*, *Siyasat Magazine*, No. 16, 2011, Al-Ayyam Foundation, Ramallah, Palestine, p. 82.
- ²⁰ –*General Assembly Resolution 2016, Article 135 and Article 136*
- ²¹ –Mohammed Hawash, *op. cit.*, p. 82.
- ²² – *General Assembly Resolution 2016, 137.*
- ²³ –Amjad Mohammed Saud Thabet. *Palestinian diplomatic alternatives to face the political challenges of recognising the State of Palestine in the United Nations, Gaza, Faculty of Economics and Administrative Sciences, Palestine: Al-Azhar University*, 2013, p. 56
- ²⁴ –Mai Barakat. (2018). *The Legal Implications of Palestine's Observer State Status at the United Nations. Master's thesis. Ibrahim Abu-Lughod Institute for International Studies, Palestine: Birzeit University.* p. 145
- ²⁵ –*United Nations, Explanatory article: Palestine's membership in the United Nations*, <https://news.un.org/ar/story/2024/04/1130181>, 18/04/2024, accessed on 19/04/2024, 01:13.
- ²⁶ – Mona Muthaqal Fathi Fares Abu Ramadan, *The impact of Palestine's membership in the United Nations on the European Union's policy towards the Palestinian cause (2012-2016). Master Thesis, Gaza, Faculty of Economics and Administrative Sciences, Palestine: Al-Azhar University*, p. 32.
- ²⁷ –Amjad Mohammed Saud Thabet, *op. cit.*, p. 80
- ²⁸ –*National Centre for Studies and Documentation, (09, 2011), Issues for Dialogue The Political and Legal Dimensions of the September 2011 Statehood, Gaza, Palestine: Publications of the National Centre for Studies and Documentation*, pp. 40-41.
- ²⁹ –Mabrouk Sherif, *The Palestinian state between the anvil of the United Nations and the US-Israeli hammer. Arab Affairs*, No. 148, Cairo, (2011)
- ³⁰ – Mohammed Al-Azar, *Evaluating the project of UN recognition of the Palestinian state through the UN mechanisms. Arab Affairs*, No. 148, Cairo, pp. 81-83.
- ³¹ –*Charter of the United Nations, Article 04.*
- ³² – Sarhan Abdel Aziz, *Introduction to the Study of the Palestinian State, Dar al-Nahda al-Arabiya*, 1989, edition 01, 104.
- ³³ –Amjad Mohammed Saud thabit, *op. cit.* p. 87..
- ³⁴ –Mansour Karim, *‘Full Membership of the State of Palestine in the United Nations under the Uniting for Peace Resolution’, Gaza, International Conference, ‘The United Nations and the Palestinian Question: Challenges and Opportunities’, Palestine: Israa University Journal of Scientific Conferences*, (07, 2018), p. 192.
- ³⁵ –Mohammed Hawash, *op. cit.*, p. 81



³⁶ -*Mona Muthaqal Fathi Fares Abu Ramadan, op. cit. p. 33.*

³⁷ -*United Nations Charter, Article 04.*

³⁸ -*Charter of the United Nations, Article 01, paragraph 2.*

³⁹ -*UN Charter, Article 18.*