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Challenges in the Governance of International Institutions for the 2023 Gaza Crisis, a Case Study: the Security Council

* Hadi Torki¹, Reza Simbar², Dorna Hakimelahi³

1. Ph.D. in International Relations, Kharazmi University, Tehran, Iran

2. Professor of Political Geography, Department of Political Science, Gilan University, Rasht, Iran

3. Associate Professor of Department of Law, Shiraz Branch, Islamic Azad University, Shiraz, Iran

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Abstract

International institutions play a significant role in political, economic, social developments in general and legal issues such as conflicts, coalitions, arbitration and judicial and criminal affairs. One of the important institutions in this field is the United Nations Security Council. The central question is, according to the duties and powers of the Security Council, what are the governance challenges of this international body in the war after October 7? The investigation has shown that the Security Council has not performed well in the three areas of establishing global peace and security, resolving conflicts, and fulfilling assigned duties (not deserting). In terms of establishing peace and security, it has taken a conservative approach due to the influence of members of the Security Council, such as the United States, who have the right to veto; It has not taken the necessary measures in the area of powers to resolve conflicts in relation

Hadi Torki, Ph.D.

Address: Ph.D. in International Relations, Kharazmi University, Tehran, Iran

E-mail: haditorki1366@yahoo.com

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to preventing the occurrence of a crisis, and it has also failed to act in the area of preventing violations of the rules of war. For this reason, it must be said that the governance of the Security Council has not been favorable to the current crisis in Gaza. The present research has used descriptive and analytical method. One of the important and influential institutions is the UN Security Council, said to be the most important pillar of the UN. This institution plays a prominent role in important areas such as war and peace, international security, as well as imposing some sanctions and resolutions, operational and binding decisions. Specifically, one of the controversial issues is the conflict between Palestine and Israel. This conflict, which has involved many countries in the region and the world, has flared up again in the form of a massive war in 2023 and as a result of the October 7 attacks by Hamas. The recent conflict and war, which has been accompanied by Israel's tough and military response, has resulted in more than 50 thousand deaths and the displacement of more than one million people, while many international centers are critical of the forced migration of refugees and every day The dimensions of the crisis are also increasing. Considering that the Security Council has the power to establish peace and security in this region and resolve conflicts, help civilians, issue resolutions and compel the parties to comply with the rules of war to avoid killing civilians. To intervene, but so far he has not taken any effective and deterrent measures. Taking this procedure and its continuation has led to one of the serious doubts regarding the position and governance of international institutions, including the Security Council, which is the concern of the present study. This means that in this article, an attempt is made to examine the challenges of trust in international governance with regard to the role of the Security Council regarding the Gaza crisis and developments after October 2023 ,7.

The main text, which is the governance of the Security Council regarding the events of October 7, was discussed, which first addressed the role of the Security Council's approach to peace, security and human rights violations according to the United Nations Charter, and emphasized that when these requests and financial initiatives " "binding" by international institutions such as the Security Council, it will not have much effect in practice. Therefore, some activities and movements of the members of the Security Council in order to establish a temporary ceasefire or to convince Israel to stop the war have not yielded results until the time of writing this article.

We have also tried to resolve conflicts through the Security Council and we have seen that the Security Council has failed even in the field of helping children and has also failed in the three areas of "safety", "support" and "restriction of

commercial goods". Finally, he addressed the responsibility of international institutions in terms of omissions, and the reference here was the International Law Commission in the plan of responsibility of international organizations in 2011, and since the Security Council is the main pillar in the field of collective security in the international system, it witnessed serious inaction and shortcomings. Especially by America, England and France regarding the events of October 2023 in Gaza and Palestine.

So; The United Nations Security Council can also be evaluated in terms of playing a role in the field of establishing international peace and security or preventing threats to these values, solving and resolving international disputes and hostilities, and fulfilling its duties (not giving up on actions). has created Specifically, several objections can be raised regarding the incidents that took place after the October 7 attacks by Hamas against Israel and the subsequent Israeli comprehensive military response to the military and civilians. The UN Security Council, without considering the pre-war conditions and infiltration, military intervention and killing of civilians in Gaza and Palestine by Israel, and disregarding the ignoring of the resolutions issued against Israel, considered the starting point of the conflict to be October 7, which itself It shows the lack of attention to the duty of this council in terms of dealing with the non-starting of hostilities. The Security Council has taken significant measures in preventing the formation of conflicts, but ignoring and not adopting a pragmatic approach to the potential capacity of the conflict between Gaza and Israel has fueled serious criticism against this international institution. Because based on the duties of the UN Security Council, the absence of conflict and military conflict between governments does not in itself indicate the guarantee of international peace and security.

Another criticism of the performance of the Security Council regarding the Gaza crisis is the failure of this body to fulfill its assigned duties. So that every day a huge amount of killing and massacre of civilians, forced displacement, bombing of schools, hospitals and medical centers occurs and the Security Council, since the occurrence of this inhumane conflict, issued a resolution or Binding Israel to its obligations based on the 1967 treaties, the Madrid Treaty, or preventing the killing of civilians has not been done. In addition, in another dimension, the Security Council has not taken any significant action in the field of establishing peace and security and obliging the parties to observe the rules of war. The procedure of the Security Council is in a way a continuation of a kind of inequality inherent in the structure of the Security Council, which today has been manifested in the form of the support of the United States and some

Western countries such as France and England for military intervention and genocide in the Gaza Strip. Considering the veto of a resolution for a ceasefire between the parties by the US and Israel's support for the development of military attacks in Gaza, the practice of conservatism, the dual approach of the Security Council and the influence of great powers in this council have become more evident. Therefore, considering the three components mentioned, the UN Security Council has lost the ability to maintain international peace and security as a main task in relation to the events of October 2023 in Palestine.

Key words: Trust, International Governance, Security Council, October 7, Gaza Strip.

Conflict of Interest

The authors declare that there is no conflict of interest in conducting this research study.