

## **CHAPTER V**

### **CONCLUSION**

In the next October, UN was 65 years old. In that age, UN still has a complex problem, and the main problem is around the domination between member state, and also the domination of major power by their right, veto. Because these problem, until now there is too many people asking about the effectiveness of UN and also Security Council. Since UN created on October 24<sup>th</sup> 1945, this international organization considered as the main actor that could manage national interest between state, and many party hopes this international organization is a reliable international agent.

International community has a good picture on UN function as the collective power that could maintain peace as the main purposes based on the charter. UN has a good record on handling conflict with different issues, such as democracy issues, humanitarian, and global security that related with weapon of mass destruction. But, in Gaza Strip crisis, UN has bad mark on handling conflict and the conflict are getting worse when Israel used White Prosperous to attack Hamas on Palestine settlement. And this conflict also showed how poor UN is, and how ineffectiveness the charter is.

UN with Security Council has legitimate power to controlled member of state, manimize potential conflict between states, and also provide solution for every issues that need UN assist. According to the UN charter article 39-51,

Security Council could investigate for every possibility that threat of peace, breach of peace, or act of aggression.

The main factor that cause member of state or even Security Council violated the convention is based on the lack of UN legislation process, which is obligation, precision, and also delegation process. And until now, UN cannot run well the legislation process, and it influencing of UN work as world of government.

The impotencies of UN toward handling conflict in Gaza it caused by legislation process in UN. There are three causes in lack of legislation, and it could be called as the dimension on legislation process, there were: obligation, precision, and delegation. Obligation means that states or other actors are bound by a rule or commitment or by a set of rules or commitments. Specifically, it means that they are legally bound by a rule or commitment in the sense that their behavior thereunder is subject to scrutiny under the general rules, procedures, and discourse of international law, and often of domestic law as well. Precision means that rules unambiguously define the conduct they require, authorize, or proscribe. Delegation means that third parties have been granted authority to implement, interpret, and apply the rules; to resolve disputes; and (possibly) to make further rules.

First in delegation process, there were existences of alliances between states in UN. The effect of alliance system is UN Security Council cannot decide objectively about current issues, and for those has majority in alliance system,

they could get maximum protection from their alliance. And the important thing is state should get their own alliance from permanent member.

Second in precision process, there was existence of major power which could derive the issues, from sensitive one brought to simply one. It shown clearly when international communities try to punish Israel maximally by drive the issue from violation of weapon mass convention to humanitarian issue. And perhaps by humanitarian issues, international community could bring Israel regime to International Court of Justice in Deen Hag.

Third from obligation process is the lack function of UN agencies. This condition influence the work of these agencies, they couldn't maximize the effort by investigating and monitoring some issues. This could be happened because the major states try to controlled the agencies, they has power to do that, and because the actor from these state and also major power is the main actor or founding father of these agencies.

From these things, another problem are rise, and as the effect is UN are questionable of the ability handling the conflict and also neutrality from member of state, and if UN cannot maximize legislation process in UN body, the conflict are getting worse and rise another humanitarian problem that caused by war.