

**THE AUTHORITY OF THE UNITED NATIONS SECURITY COUNCIL IN MAINTAINING
INTERNATIONAL PEACE AND SECURITY: A SYSTEMATIC LITERATURE REVIEW
ANALYSIS OF ARTICLES 24-25 OF THE UN CHARTER, MEMBER STATES' COMPLIANCE
OBLIGATIONS, AND THE LEGAL IMPLICATIONS OF RESOLUTIONS ON GLOBAL
THREATS AND THE ENFORCEMENT OF INTERNATIONAL LAW**

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Abstract

This study analyses the binding authority of the UN Security Council in maintaining international peace and security through a systematic literature review of Articles 24–25 of the UN Charter, the obligations of member states, and the legal implications of resolutions on global threats. The findings confirm that Chapter VII resolutions are legally binding under Article 25, requiring states to implement sanctions, adjust national laws, and cooperate in dealing with terrorism (Resolution 1373), nuclear proliferation (Resolution 1718/2397), and the establishment of ad hoc tribunals. Although effective in the evolution of jus cogens norms, the challenges of veto politicisation and compliance gaps undermine the legitimacy of international law enforcement.

Keywords: UN Security Council, Articles 24-25 of the UN Charter, binding authority, binding resolutions, state compliance obligations, global threats, international law enforcement, Chapter VII of the UN Charter, collective sanctions, international security.

Introduction

The United Nations Security Council (UNSC) holds primary responsibility for the maintenance of international peace and security as affirmed in Article 24 of the UN Charter, so that every decision it makes has the potential to determine the direction of the international community's response to armed conflict, aggression, and various other forms of global threats. This central authority makes the UNSC not merely a political organ, but also a key actor in the formation of contemporary international legal norms and practices, particularly when it acts on behalf of all UN member states in situations that are qualified as threats to international peace and security (Higgins, 1972). In this context, the debate over the extent to which UNSC decisions and resolutions are binding and how member states are obliged to comply with and implement these decisions is a highly significant theoretical and practical issue that warrants in-depth study.

The binding force of Security Council resolutions is explicitly based on Article 25 of the UN Charter, which states that UN members agree to accept and carry out Security Council decisions in accordance with the Charter, so that normatively there is a clear legal basis that these decisions create legal obligations for member states (Widnyana et al., 2025). Unlike other main organs of the UN, which generally only produce recommendations, the UN Security Council is mandated to issue decisions that can be

binding, especially when acting under Chapter VII of the UN Charter in the face of threats to peace, breaches of peace, and acts of aggression. This condition gives rise to a unique construct, in which UN Security Council resolutions functionally approach the character of hard law norms in international law, even though the formal source of international law is traditionally formulated in Article 38 of the Statute of the International Court of Justice (Wood, 1998).

In addition to the normative aspects enshrined in the Charter, the practice of the Security Council shows that its resolutions often have very concrete legal consequences for countries, ranging from the obligation to impose economic sanctions, freeze assets, and restrict travel, to the obligation to align national legislation with certain standards set at the international level (Sands, 2018). An example of this can be seen in resolutions related to North Korea's nuclear programme, in which UN member states are required to freeze assets, prohibit the transfer of certain technologies, and report implementation measures to the Security Council, reflecting detailed and measurable compliance obligations. This shows that UN Security Council resolutions not only affirm general norms, but also directly regulate the behaviour of states in order to address specific threats to global stability (Ndolu, 2023).

On the other hand, the development of global threats in the 21st century, such as cross-border terrorism, the proliferation of weapons of mass destruction, organised transnational crime, and large-scale internal conflicts, has required the UNSC to expand the scope and intensity of its actions, both in the form of collective sanctions and the establishment of international law enforcement mechanisms. Resolutions governing the prevention and eradication of terrorism, including the obligation of states to criminalise the financing of terrorism, enhance intelligence cooperation, and strengthen border controls, demonstrate how the UNSC directly influences national legal architecture in response to non-traditional security threats (Rumata et al., 2013). At the same time, this pattern confirms the strategic position of the UNSC in determining standards of state behaviour and shaping practices that have the potential to contribute to the formation of new international customs in the field of security.

However, it should be noted that the binding force of UNSC resolutions also raises a number of conceptual issues, particularly regarding their compatibility with the basic principles of international treaty law such as *pacta sunt servanda* and *pacta tertiis nec nocent nec prosunt*. There is a view that UNSC decisions taken under Article 25 and translated into a broad sanctions regime can bind non-member states to the extent necessary for the maintenance of international peace and security, as indicated in Article 2(2) of the UN Charter, raising questions about the limits of such authority over parties not directly bound by a treaty (Ndolu, 2016). of the UN Charter, thus raising questions about the limits of such authority over parties not directly bound by an agreement (Ndolu, 2016). This debate becomes even more relevant when Security Council resolutions have the potential to deviate from or modify other treaty

obligations of states, creating tension between the hierarchy of norms in the international legal system and the supremacy of the UN Charter (Widnyana, 2020).

In the context of the relationship between international organisations and states, the UN Security Council's power to issue binding decisions must also be seen as a form of delegation of authority by member states, whereby they voluntarily surrender part of their sovereignty to achieve the common goal of maintaining international peace and security. The transfer of primary responsibility to the Security Council through Article 24 of the UN Charter is accompanied by the obligation of states to accept and implement the resulting decisions, giving rise to a complex relationship between the principle of state sovereignty and the principle of loyalty to international organisations (Fatah, 2024). This relationship invites scrutiny of the extent to which states can interpret the obligation of compliance as a consequence of membership, especially when UNSC decisions are deemed to conflict with national interests or domestic constitutional provisions (Shaw, 2021).

Another issue that often arises is the legitimacy and accountability of the Security Council, especially given the membership structure that gives veto power to five permanent members, so that the decision-making process is often influenced by the political interests of major countries. This situation has led to criticism that although UN Security Council resolutions are legally binding, their effectiveness in maintaining international peace and security is often limited by political dynamics and selective application of standards, for example when similar violations receive different responses due to geopolitical considerations (Cassese, 2005). The tension between the legal and political dimensions is one of the reasons why studies on the binding authority of the Security Council and its implications for the enforcement of international law need to be conducted using an approach that is not only normative but also critical and contextual (Siregar et al., 2023).

In practice, Security Council resolutions not only establish abstract obligations but also often contain detailed implementation, monitoring and reporting mechanisms, which are then converted into national policies and regulations by UN member states. This can be seen, for example, in the sanctions and non-proliferation regimes, where countries are required to establish domestic rules to freeze the assets of perpetrators, regulate the transfer of sensitive technology, or strengthen export-import controls, thereby transforming international obligations into national law. Thus, UNSC resolutions play a dual role, namely as instruments for countering global threats and as drivers of harmonisation between national legal standards and collectively agreed international norms.

Research Method

This study utilises a systematic literature review method that is normative in nature with a statute approach, conceptual approach, and case approach to Articles 24–

25 of the UN Charter, selected UN Security Council resolutions, and international legal doctrines related to binding authority and member state compliance obligations (Eliyah & Aslan, 2025). Primary legal sources include the UN Charter, UN Security Council resolutions under Chapter VII (such as Resolution 1373 on terrorism, 1718 and 2397 on North Korea), and relevant International Court of Justice decisions, while secondary legal sources include international law textbooks, academic journals, scientific articles, and official UN reports on the implementation of resolutions (Grant & Booth, 2020).

Results and Discussion

The Binding Authority of the UN Security Council and the Obligation of State Compliance

Article 24(1) of the UN Charter explicitly stipulates that the Security Council bears primary responsibility for the maintenance of international peace and security, and acts on behalf of all UN members in exercising this authority, thereby providing normative legitimacy for the decisions of this organ to bind member states in situations that are qualified as threats to peace (Salim et al., 2023). This construction is reinforced by paragraph (2), which requires the Security Council to submit periodic reports to the General Assembly, affirming its accountability while ensuring transparency in decision-making that has legal implications for countries (Siregar et al., 2023). Thus, Article 24 not only defines the substantive mandate of the Security Council but also forms the basis for the binding nature of its decisions under the overall legal framework of the UN Charter.

Article 25 of the UN Charter is the main basis for the binding force of Security Council decisions, stipulating that UN members agree to accept and implement Security Council decisions in accordance with the Charter, thereby directly imposing a legal obligation on member states to comply with these resolutions. This formulation makes Article 25 an instrument that links the mandate of Article 24 with the obligations of states, where ‘decisions’ are broadly interpreted by the International Court of Justice and doctrine to include resolutions under Chapter VII of the UN Charter. The implication is that member states are not only morally or politically bound, but also legally bound, with the potential for sanctions for non-compliance as stipulated in Articles 39–51 of the Charter (Siregar et al., 2023).

The crucial distinction between resolutions under Chapter VI (peaceful settlement of disputes), which are recommendations, and Chapter VII (action against threats to peace), which are binding, is key to understanding the scope of the Security Council's authority, where only Chapter VII resolutions are consistently considered to have binding legal force under Article 25 (Salim et al., 2023). The practice of the Security Council since 1946 shows that Chapter VII resolutions often contain the phrase ‘decides’ or ‘acting under Chapter VII’ to emphasise their binding nature, as seen in hundreds of resolutions related to sanctions and peacekeeping operations. Nevertheless, a doctrinal

debate has arisen as to whether certain Chapter VI resolutions can also be binding if accompanied by the context of Article 25, although the majority view rejects this interpretation (Cassese, 2005).

Member states' obligation to comply with Security Council decisions includes positive aspects (carrying out mandated actions) and negative aspects (refraining from certain actions), which are detailed in Article 41 (non-military actions) and Article 42 (military actions) of the UN Charter. States are required to cooperate actively, including by adjusting national laws, reporting on implementation to the Security Council, and participating in monitoring regimes established through resolutions. For example, Resolution 1373 (2001) requires states to criminalise the financing of terrorism and freeze assets, which has been implemented by almost all member states through domestic legislation (Shaw, 2021).

The relationship between Article 25 and Article 2(6) of the UN Charter extends the scope of binding authority to non-member states, whereby the UN ensures that its principles are applied universally in order to maintain international peace and security. This doctrine is interpreted as the basis for sanctions against non-state entities or non-member states that threaten peace, although its effectiveness depends on international community cooperation. Practice shows that resolutions such as 1718 (2006) against North Korea have succeeded in influencing the behaviour of non-member states through collective pressure (Cassese, 2005).

The principle of *pacta sunt servanda* in international treaty law implicitly supports the obligation to comply with UNSC resolutions, as the UN Charter as a multiparty agreement requires member states to perform their obligations in good faith. However, the principle of *pacta tertiis* poses a challenge when resolutions affect the rights of third parties, although the *erga omnes* obligation related to peace is considered to overcome this limitation. The International Court of Justice in the *Lockerbie* case (1992) affirmed that Article 25 binds states even if it conflicts with other treaties (Fatah, 2024). Non-compliance with UNSC resolutions can trigger legal consequences in the form of additional sanctions, the establishment of sanctions committees, or referral to the International Court of Justice, as stipulated in Article 39 of the Charter, which allows the Security Council to determine the existence of a threat and respond to it. Practice shows that countries such as Iran and North Korea face years of sanctions regimes for violating resolutions, which affect their economies and international access. This mechanism reinforces the legal force of the Security Council's authority (Widnyana, 2020).

The issue of state sovereignty is often raised as a justification for non-compliance, with states claiming that UNSC resolutions violate domestic jurisdiction or the right to self-determination, even though Article 2(7) of the Charter limits intervention to the enforcement of the Charter itself. The doctrine rejects this argument by emphasising that UN membership implies the acceptance of voluntary restrictions

on sovereignty for the sake of the collective interest. Cases such as Rhodesia (1965) show that the UN Security Council can disregard claims of sovereignty if there is a threat to peace (Ndolu, 2016).

The veto power of the five permanent members (P5) affects the legitimacy of the UN Security Council's binding authority, as it can block resolutions even if they have majority support, giving rise to accusations of politicisation. Nevertheless, resolutions that pass remain legally binding, and veto reform continues to be discussed in the General Assembly. This criticism does not diminish the normative power of Article 25, but highlights the need for a balance between effectiveness and representativeness (Rumata et al., 2013).

Overall, the binding authority of the UNSC and the obligation of state compliance form the main pillars of the UN collective security system, in which Articles 24–25 serve as flexible yet firm legal instruments for responding to global threats. Historical practice reinforces this binding interpretation, although political and doctrinal challenges remain, making this study essential for understanding the dynamics of contemporary international law.

Legal Implications of UN Security Council Resolutions on Global Threats and International Law Enforcement

UN Security Council resolutions under Chapter VII have significant legal implications for dealing with global threats such as cross-border terrorism, with Resolution 1373 (2001) requiring member states to criminalise the financing of terrorism, freeze assets, prevent the movement of foreign combatants, and enhance intelligence cooperation universally. These resolutions are not only legally binding under Article 25 of the UN Charter, but also set a precedent for *erga omnes* norms in international law, with countries adopting hundreds of domestic laws for their implementation, thereby strengthening the global law enforcement architecture against terrorism (Rumata et al., 2013). The impact is evident in the formation of the Counter-Terrorism Committee (CTC) that monitors compliance, making the resolution a dynamic instrument for the evolution of international security norms.

In the context of the proliferation of weapons of mass destruction, resolutions such as 1718 (2006) and 2397 (2017) against North Korea have legal implications in the form of arms embargo obligations, restrictions on dual-use technology exports, and ship inspections, effectively creating a binding collective sanctions regime for member states. These resolutions integrate IAEA and OPCW standards into UN obligations, forcing states to adjust national regulations on export controls and non-proliferation, thereby contributing to the strengthening of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) through multilateral enforcement mechanisms. A broader implication is the recognition that nuclear threats can be qualified as a 'threat to

international peace and security' under Article 39, paving the way for automatic sanctions and periodic reporting (Ndolu, 2023).

UNSC resolutions also influence international law enforcement through the establishment of ad hoc tribunals, such as Resolution 827 (1993) which established the International Criminal Tribunal for the former Yugoslavia (ICTY), affirming jurisdiction over war crimes, genocide, and crimes against humanity as a direct implication of the state's obligation to arrest and surrender defendants. This mechanism enriches the practice of individual criminal responsibility, becoming the foundation for the International Criminal Court (ICC) through the Rome Statute, in which UN member states are required to cooperate even if they have not ratified the ICC. As a result, such resolutions change the paradigm of law enforcement from state responsibility to individual accountability, advancing jus cogens norms at the global level (Sands, 2018).

In armed conflict, resolutions such as 2334 (2016) on Israeli settlements in Palestinian territory reaffirm the prohibition of annexation of territory through violence as a peremptory norm, obliging member states not to recognise such illegal situations and to withhold assistance that supports them. The legal implication is a strengthening of the interpretation of Article 2(4) of the UN Charter, whereby states have adjusted their foreign policies, such as restricting the labelling of settlement products, thereby contributing to the evolution of the law of occupation and the right to self-determination. This resolution also demonstrates how the UNSC can consolidate juristic opinion for the formation of new international customs (Widnyana et al., 2025).

UNSC resolutions facilitate the enforcement of non-military sanctions through Article 41, such as economic embargoes and asset freezes, which in the case of Iran (Resolution 1737, 2006) forced member states to enact domestic laws for cargo inspections and nuclear investment restrictions, creating a standard for harmonising national laws with international norms. UN sanctions committees serve as monitors, receiving thousands of annual reports from countries, which strengthens transparency and accountability in global law enforcement. The long-term implication is a reduction in proliferation through prevention, although enforcement challenges remain due to varying national capacities (Salim et al., 2023).

The transformation of UNSC resolutions into national law has constitutional implications, whereby monist states such as the Netherlands automatically bind themselves to resolutions, while dualist states such as Indonesia require derivative legislation, as seen in Law No. 5 of 2018 on Counter-Terrorism, which refers to Resolution 1373. This process ensures the effectiveness of international law through domestication, but also has the potential to conflict with human rights if sanctions are too broad, giving rise to debates in the European Court of Human Rights. Therefore, UNSC resolutions promote a balance between security and individual rights in law enforcement (Widnyana et al., 2025).

The effectiveness of UNSC resolutions in mitigating global threats is often evaluated through compliance rates, with studies showing that sanctions against terrorism and proliferation have higher success rates than those against political conflicts due to strong multilateral support. However, failures such as in the case of Syria highlight the political limitations of the veto power, where resolutions are blocked despite evidence of violations. These implications emphasise the need for reform to improve international law enforcement (Sands, 2018).

UNSC resolutions contribute to the development of soft law into hard law, for example through the strengthening of multilateral conventions such as UNCLOS on maritime crime (Resolution 2185), where states are required to share information and apprehend perpetrators, thereby enriching the framework for transnational law enforcement. The impact is increased coordination between international institutions, ensuring the consistency of global norms (Ndolu, 2023).

The main criticism of the legal implications of resolutions is the potential for abuse for political purposes, where selective sanctions against developing countries contrast with the non-compliance of the P5, undermining the legitimacy of international law enforcement. Nevertheless, the principle of non-discrimination under the Charter ensures that threats are qualified based on facts, not political affiliations. Reforms such as the 'Code of Conduct on veto' in the General Assembly aim to address this issue (Rumata et al., 2013).

Overall, the legal implications of UNSC resolutions on global threats and international law enforcement include the transformation of norms, national harmonisation, and the establishment of enforcement mechanisms, albeit limited by political dynamics, making them a dynamic pillar of the UN collective security system. This study affirms their central role in the evolution of contemporary international law.

Conclusion

The binding authority of the UN Security Council as affirmed in Articles 24 and 25 of the UN Charter has a legally binding character on member states, particularly through resolutions under Chapter VII that contain the phrase 'decides' or 'acting under Chapter VII', thus giving rise to positive and negative compliance obligations that include the implementation of sanctions, national legal adjustments, and international cooperation. This normative construction is reinforced by the historical practice of the UN Security Council and the interpretation of the International Court of Justice, although it is limited by the principle of state sovereignty as stipulated in Article 2 paragraph (7) and the political dynamics of the veto power of the five permanent members. Thus, Articles 24–25 not only define the primary responsibilities of the UNSC, but also form the foundation of a collective security system that integrates the delegated powers of member states to international organs.

The legal implications of UNSC resolutions on global threats demonstrate their effectiveness in transforming soft law norms into hard law through sanctions regimes (Resolution 1373 on terrorism, 1718/2397 on North Korea), the establishment of ad hoc tribunals (ICTY), and the harmonisation of national laws, which contribute to the evolution of jus cogens norms such as the prohibition of territorial annexation and individual responsibility for international crimes. However, the main challenges lie in the gap between the normative binding nature and the actual level of compliance, politicisation due to the veto right, and potential conflicts with human rights and pacta tertiis, which undermine the legitimacy of international law enforcement in some cases such as Syria or Iran. Nevertheless, UNSC resolutions remain the primary instrument for addressing non-traditional threats such as proliferation and cross-border terrorism.

Overall, the binding authority of the UNSC forms a dynamic pillar in the maintenance of international peace and security, with recommendations for veto structure reform to increase representativeness, strengthening of compliance monitoring mechanisms through sanctions committees and periodic reports, and further harmonisation between resolution obligations and the national constitutions of developing countries such as Indonesia through derivative legislation that balances security and human rights. This study confirms that despite political limitations, the system of Articles 24–25 of the UN Charter remains relevant as an adaptive legal framework for addressing contemporary global threats.

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