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Abstract

Key Words: United Nations, UN Security Council, International conflicts, Kashmir, India-Pakistan.

This research has been principally undertaken to explore the intricate nuances of the United Nations role in Kashmir. While delving deep into the historical complexities of the dispute, this study tries to find out why the UN's role in Kashmir remained limited just to official sermons from the UN Headquarters.

The core objective of this study is to examine the inadequate measures taken by the UN in dealing with the Kashmir problem. As a point of departure, the multifaceted structural and situational factors precipitating the conflict in pre- and post-1947 have been studied in detail. While trying to understand the basic tenets of the UN's conflict resolution mechanism besides the nation-building enterprise of both India and Pakistan, this study is an attempt to revitalize the UN's symbolic mandate and its scope for future intervention in Kashmir.

The guiding hypothesis of this research remains that the United Nations role in Kashmir was a quasi-investigation of material facts overshadowed by power-politics of the member states. As the study deeply follows the entire process of the UN Security Council's engagement from the beginning, a kind of subversive intervention the way Council avoided to look into the merits of the case. As a result, the Council's entire process was later followed by resolutions nothing other than a recommendatory process.

Apart from the UN 'mediation' as center of discussion; multiple theories related to identity, ideology, sovereignty, territory, geographical contiguity, international conflicts, bloc-politics and behind-the-scenes diplomacy have been studied in detail so as to identify the causes of successes and failures of international mediation. More particularly these theories and concepts

have helped to develop a unique and a grand understanding of issues in a way to contribute to the continuous discourse surrounding Kashmir.

A convincing assertion is that whatever the situation, sooner or later, conflicts are amenable to solution. This may not always be an optimistic or utopian perspective. Usually, solutions to inevitable conflicts laden with the burden of history and violence are scarcely promising – unearthing a solution to such persistent conflicts remains a difficulty. The time violence appears as a motivation for actors to end a certain conflict; naturally the consequences discredit the very hope for perpetual peace. Many times, the primary actors start an armed conflict based on the premise would avoid the perils of permanent hostility – but once precipitated, rarely can an armed conflict go the way as the actors may have anticipated. As things unfold there remains no one to guarantee that peaceful relations may govern; because the primary actors prefer victory rather than conciliation until the movement, they exhaust the means of their strength.

However, the UN intervention in Kashmir was entirely accumulated around one broad perception – the process of state-formation in South Asia in 1947. The Security Council faced India-Pakistan's competing claims of nationalism and security apprehensions against each other. In the meantime, both nations became psychologically obsessed with the territories of Jammu and Kashmir. From the realistic perspective, the Security Council's political impasse in Kashmir is a revelation of the truth that international institutions have minimal influence on state behaviour. This by and large recognizes that it holds little promise for promoting stability and peace.

This competing conclusion suggests that there are ample chances of solution at the incipiency phase of the conflict provided the international intervention is impartial and timely. As the conflict persists, especially if it is about territory, the parties position become so entrenched that a strong party among them prefers to maintain the status quo. Despite its sincere attempts in the beginning, the UN intervention in Kashmir conclusively resulted in regrettable outcomes for all the actors involved. The issue was victimized by both the constitutional and legal incompetencies within the Organization. As the Security Council chose political solutions over judicial dimensions of the problem. Within which the Council took non-binding actions under Chapter VI instead of binding one's called by Chapter VII of the UN Charter that ultimately resulted in the Council's inability in resolving the problem.