

India and the UN

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Abstract

After the League of Nations failed, forming and establishing an international organisation was necessary to resolve conflicts and maintain global peace. This necessity led to the formation of the United Nations, a prominent global player in the international and transnational arena. The events of global warming, the rise of terrorism, human rights violations, the refugee crisis and the recent Russia-Ukraine crisis have challenged the functioning of global governing organisations. However, the United Nations successfully provides humanitarian assistance and prevents military conflicts between the member countries through its collaborative mechanism. Since the beginning of Independence, India has played a significant role in the United Nations as a founding member. India advocated UN Charter principles of anti-colonialism, peaceful settlement of disputes, human rights, disarmament, environmental protection and stable world order through its domestic and foreign policy approaches. This paper deals with the need for the UN in the contemporary world and primarily focuses on the significant contributions of India to the United Nations and the involvement of the UN in India.

Keywords: India, United Nations, Peacekeeping, Terrorism, Human Rights and Veto Power.

1. INTRODUCTION

Throughout history, conflicts have emerged between nations on various issues and matters on topics that were related to their national interests and security. The need for a neutral forum to discuss and debate issues of importance to more than one nation was considered to be very necessary. This need was heightened by the nineteenth century, with many countries interested in creating international organisations with specific goals. Thus, it led to the formation of first international organisation, the League of Nations. It was established in 1920 and founded by the Treaty of Versailles¹ to prevent the repetition of World War-1 and to endorse international collaborations, and accomplish peace and security. Though the organisation was a failure and ceased operations by 1946, the next decades saw the establishment of various organisations with a varied scope ranging from peace to sports events.

2. THE UNITED NATIONS: A HISTORICAL BACKGROUND

The League of Nations turned out to be ineffective when the world saw the birth of another World War in 1939, and the nations of the world fell into chaos and destruction. Following this, the world's governments realised the need to build a more vital international organisation from the ashes of World War II with the primary requirement to establish global peace and security and ensure that another world war would not occur (Sengupta, 2019).

Following this, on 25 April 1945, 51 governments of the world came together for a conference² at San Francisco for the formation of the UN Charter³. The charter was adopted on 25 June 1945 and took effect on 24 October 1945, when the UN began its functioning with the ratification of the charter (United Nations, 2022). The term was first coined in 1942 by US president Franklin D Roosevelt 1942 and was first used on 01 January 1942 in the Declaration of United Nations, during the Second World War, when representatives of 26 nations pledged their Governments to continue fighting together against the Axis Powers⁴. At present, the United

¹The Treaty of Versailles was the peace treaty that was signed on 28 June 1919 and ended the state of war between Germany and the Allied Powers.

²The United Nations Conference on International Organization, commonly known as the San Francisco Conference, was a convention of delegates from 50 Allied nations from 25 April 1945 to 26 June 1945 in San Francisco, California, United States.

³The Charter of the United Nations of 1945 is the foundational treaty of the United Nations.

⁴United Nations (2022). United Nations Charter. Accessed on 31 May 2022, URL: <https://www.un.org/en/about-us/un-charter>

Nations has 193 member nations⁵, its headquarters are in New York City's international territory https://en.wikipedia.org/wiki/New_York_City, and other main offices are in Geneva, Nairobi, Vienna, and The Hague.

In accordance with the charter, the UN has 6 Major Organs, i.e. The General Assembly (193 Members), Security Council (5 permanent and ten non-permanent members), Economic and Social Council (54 Members), Trusteeship Council (Suspended in 1994), International Court of Justice and Secretariat (David, 2009). In addition to this, the UN also has several agencies affiliated with it, such as the United Nations Development Programme (UNDP), International Monetary Fund (IMF), World Bank (WB), World Trade Organization (WTO), Comprehensive Nuclear Test Ban Treaty (CTBT), International Atomic Agency (IAEA), World Health Organization (WHO) etc. (United Nations, 2022). From its initial stage, the Organs and the Agencies follow the four major principles according to the charter, i.e., Upholding international peace and security, Promoting and Protecting Human Rights, Endorsing Sustainable development initiatives and programmes, Providing Humanitarian Aid and, and Advocating International Law. At present, the UN and its agencies help the third world⁶ countries to eradicate poverty, reduce inequality and achieve sustainable goals (Kumar, 2020).

3. INDIA IN THE UNITED NATIONS

India played a very significant role in several bilateral- multilateral treaties and organisations including the Universal Postal Union in 1876, the International Union for the Publication of Customs Tariffs, the International Wireless Telegraph Convention in 1912, and the International Radiotelegraph Conference in 1912 and becoming one of the founding members of the League of Nations (Shenoy, 2018).

On 26 June 1945, India became one of the founding members of the United Nations and participated in the San Francisco conference. The Indian delegation led by Sir Arcot Ramaswamy Mudaliar⁷ and Sir V. T. Krishnamachari signed the UN Charter as a part of this (Ministry of External Affairs, 2022). After Independence, during 1945-1947, the 'Free India' under Jawaharlal Nehru can be seen immersing entirely in UN affairs. Its objective was to bring an interdependent relationship between the UN's objectives and foreign policy.

India gave utmost importance to its membership with the UN as a guarantee of its mission to maintain world peace and security and has been an ardent supporter of the global governance ideology of the UN. It has also been a strong advocate of the objectives and goals as stated by the UN charter and has also been at the forefront of the UN's struggle against colonisation, bloc politics, apartheid etc. This can be seen from the time of its initial years as a free nation starting from raising its voice at the general assembly against the racial discrimination faced by Indians in South Africa in 1946 and against colonialism⁸ India also called for the Universal United Nations Membership to maintain international peace and harmony.

Over the past 77 years, India's contribution to the International world order such as terms being the founding member of NAM (Non-Aligned Movement) and the Group of 77⁹ reaffirmed its position within the UN system as a leading advocate of the concerns and aspirations of developing countries and the creation of a more equitable international economic and political order (Ministry of External Affairs, 2022).

3.1. India's Involvement in the UN Affairs

⁵The Republic of South Sudan was admitted as a 193rd member of the UN General Assembly on 09 July 2011.

⁶The countries in Asia, Africa and Latin America were referred to as the Third World during the Cold War. These countries were not aligned with either the First World (North America, Western Europe, Japan and Australia; an alliance of capitalist, industrial and developed countries that had their political and economic interests aligned with the United States after World War 2) or the Second World (previous communist-socialist and industrial states that came under the territory of the influence of the USSR). After the Cold War, the use of these terminologies became comparatively rare.

⁷Sir Ramaswamy Mudaliar later went on to serve as the first president of the United Nations Economic and Social Council in the year 1946

⁸UN (2022), In-Depth – India and the UN, 70 Years, Accessed on 19 May 2022, URL: https://in.one.un.org/Untimeline/ebook_V2.0.pdf

⁹The Group of 77 (G77) at the United Nations (UN) is a coalition of 134 developing countries designed to promote its members' collective economic interests and create an enhanced joint negotiating capacity in the United Nations

India's involvement in the organisation's affairs and the importance assigned to it as an instrument of its foreign policy has been accustomed to considerable changes over the past decades. These changes have been primarily due to the country's changing ideas of security needs, development, and the changes brought about in the global international systems. Its role has varied through the different fields of the organisation but is primarily focused on four primary sectors, i.e., disarmament, peacekeeping, terrorism, organisational reforms and climate change reforms.

3.1.1 Disarmament

India has always advocated for disarmament and peace in the United Nations. Since joining, India has promoted several UN policies and initiatives to slow down the arms race. India's disarmament campaign began with Prime Minister Jawaharlal Nehru, who advocated for the cause of Nuclear Disarmament and a standstill agreement on Nuclear Testing by the end of the 1950s. According to him, this "would save humanity from the ultimate disaster"¹⁰, following this, in 1978, under the Moraji Desai government, India put forward two major resolutions at the General Assembly intending to put an immediate stop to nuclear testing and control the development of the superpowers and their new weapons testing. However, it failed to make a change as it was withdrawn following the use of Veto by both US and USSR.

In 1988, Rajiv Gandhi, the then Prime Minister of India, proposed an action plan at the General Assembly session to achieve a nuclear-weapon-free and Non-Violent world order. He was primarily focused on the large-scale consequences that the weapons would have on humanity and stated, "We cannot accept the logic that a few nations have the right to pursue their security by threatening the survival of humankind. It is not only those who live by the nuclear sword who, by design or default, shall one day perish by it. All humanity will perish"¹¹. The proposal was framed against nuclear weapons on three major grounds, i.e. They are highly immoral and, do not differentiate between the combatants and civilians and have long-term consequences; act as the harbinger of a lot of inhuman threats, chaos and destruction in the international arena, and they act as a diversion from the most pressing needs of the planet and humanity. The proposal is the only action plan put forward by the head of a country in the UN on nuclear disarmament (Sundaram, 2018).

Another major event in the course of the world on nuclear disarmament was the Non-Proliferation Treaty (NPT) which the Eighteen Nation Committee on Disarmament put forward¹². The treaty was formed with the primary objective of preventing the spread of nuclear weapons and their technology, promoting cooperation on the peaceful usage of atomic energy, and furthering the goal of achieving nuclear disarmament, which will one day lead to general and complete disarmament¹³. As of 2016, 191 countries have signed the treaties, but four UN states (India, Israel, Pakistan and South Sudan) have turned their backs on it and have not accepted the treaty.

Among the four, India was the one who faced heavy criticism from the international arena on account of it not signing the treaty though being one among the flag bearers of nuclear disarmament. As of 1998, India has carried out five nuclear tests and is one of the world's nuclear powers. Though all this, India has highly criticised the NPT and states that the treaty is flawed as it creates divisions on the grounds of 'Nuclear Haves' and 'Nuclear Have Nots' by restricting the possession of nuclear weapons to the "Nuclear States" who according to the treaty are those that manufactured and tested a nuclear weapon or device before 1967 and there is no justification given out on such a distinction¹⁴. Though its non-party stand India has followed the principles and objectives of the treaty, including its aspirations for nuclear disarmament. As a method of neutralising the criticism faced on account of not signing the treaty and also as a responsible nuclear power, during the Atal Bihari Vajpayee

¹⁰ Ministry of External Affairs (2014), Statement by India at the Second Conference on the Humanitarian Impact of nuclear weapons at Nayarit, Mexico, Accessed on 30 May 2022, URL: <https://mea.gov.in/Speeches-Statements.htm?dtl/22936/Statement+by+India+at+the+Second+Conference+on+the+Humanitarian+Impact+of+Nuclear+Weapons+at+Nayarit+Mexico>

¹¹ *ibid*

¹² *ibid*

¹³ An organisation sponsored by the UN and is based in Geneva, Switzerland.

¹⁴ UN (2022), the treaty on the Non-Proliferation of nuclear weapons (NPT), Accessed on 30 May 2022, URL: <https://www.un.org/disarmament/wmd/nuclear/npt/>

¹⁴ The Hindu (2017), India rules out joining NPT as a non-nuclear-weapon state, Accessed on 30 May 2022, URL: <https://www.thehindu.com/news/national/india-rules-out-joining-npt-as-non-nuclear-weapon-state/article19855611.ece>.

tenure, India took up the policy of no first use of atomic weapons against atomic states and no use policy against the non-nuclear states.¹⁵

3.1.2. Peace Keeping and Peace Building

Among the major UN objectives, the UN gives primary importance to upholding international peace and security. Peacekeeping and peace building are two effective tools employed by the UN as a part of this process. For this, the UN maintains its peacekeeping force contributed by its member states and is tasked with the responsibilities of protecting civilians, actively preventing conflict, strengthening security and empowering the authorities of its member states to assume the same¹⁶.

Since its joining, India has been a part of a significant number of peacekeeping missions in the UN. Their contribution to the UN objective of maintaining peace and security dates back to the times before its Independence in the United Nations Special Committee on Palestine in 1947. Here the Indian forces made recommendations to diffuse and control the conflict in the region. This was followed by the army's commitment to a UN assignment during the Korean war of 1950. Following this, the Indian Army and Police have been a part of nearly 42 out of 60 UN peace missions worldwide in areas such as Iraq, Kuwait, Angola etc. (Kumar, 2020).

Another major landmark in India's role in the peacekeeping missions was in the year 2007, when India sent the first all-women police unit to serve and be a part of the UN peacekeeping mission in Libya, tasked with the role of providing guard duty, Night patrols etc. they also played a major role in inspiring and supporting women in the conflict region.¹⁷ Among the member states, India is one of the leading contributors, even more than the P5 Nations as of 2018, as illustrated in the table below:

Table: India and the P5 countries: Contribution to UN Peace-Keeping Operations (1996-2018)

Country	Year...					
	1996	2000	2005	2010	2012	2018
China		52	1038	2131	1896	2506
France	494	507	606	1709	1400	739
India	1986	2297	5154	8759	8093	6701
Russia	1229	214	363	367	212	77
UK	437	518	431	281	283	704
USA	2449	653	428	80	127	49

Source: Karamala Areesh (2020), UN peacekeeping (2018) and Global Policy Forum (GPF)(2018).

The Indian peacekeeping representatives also brought yoga practice to the UN missions, resulting in members of the UN mission in regions of Lebanon, South Sudan, UNMISS, and UNIFIL celebrating International Yoga Day in 2015. Medical care is among the many services the Indian Peacekeepers bring to the table during their missions representing the organisation. The Indian professionals led several medical missions to different regions based on urgency, such as in 2020 when two Indian medical teams of 15 members each were sent to Goma (in the Democratic Republic of Congo) and Juba (in South Sudan) as a part of countering the rising Covid-19 cases in the regions.

According to a 2019 report by the UNSC the UN secretary-general Antonio Guterres stated that the UN owes 38 million USD to India, followed by the peacekeeping missions during the period to Rwanda (31 million USD), Pakistan (28 million USD), Nepal (23 million USD) and Bangladesh (USD 25 million). This is the highest the UN has ever had to pay to any country¹⁸. Keeping the roles and significant contributions made by the developing countries in mind in the peacekeeping missions, India has demanded greater roles for them in the decision-making of the body. India has also appealed to allocate greater resources to the conflict regions where the

¹⁵ Ministry of External Affairs (2015), Permanent Seat in UNSC, Accessed on 30 May 2022, URL: <https://mea.gov.in/lok-sabha.htm?dtl/24808/qno35+permanent+seat+in+unsc>

¹⁶ UN (2022), In-Depth – India and the UN, 70 Years, Accessed on 19 May 2022, URL: https://in.one.un.org/Untimeline/ebook_V2.0.pdf

¹⁷ UN (2022), In-Depth – India and the UN, 70 Years, Accessed on 19 May 2022, URL: https://in.one.un.org/Untimeline/ebook_V2.0.pdf

¹⁸ The Economic Times (2019), UN owes India USD 38 million for peacekeeping operations: UNSG report, Accessed on 03 June 2022, URL: <https://economictimes.indiatimes.com/news/defence/un-owes-india-usd-38-million-for-peacekeeping-operations-unsg-report/articleshow/68904063.cms>.

peacekeeping forces are deployed (Kumar, 2020). This is the poster child brought forth by India and its supporters, i.e., the G4 and the third world countries, while pushing the latter's name for a permanent seat in the UNSC.¹⁹

3.1.3. Organisational Reforms

The United Nations Security Council or the UNSC is one of the six principal organs of the United Nations. It consists of 15 members, of which 5 are the permanent or p5 members, and 10 are the non-permanent members (They are elected for two years without veto power). According to the UN charter, the security council is vested with the power and responsibility to maintain global peace and security. Furthermore, the Council can also impose economic sanctions and military actions, send troops on peacekeeping missions, passing resolutions and sanctions on various topics of debate.²⁰

After the cold war period, several countries started rising as military, economic and technological powers from different regions like Brazil, Germany, India, Japan etc. They, along with several third world countries, started arguing about the undemocratic representation in the UNSC and how it is a representation of the second world war geopolitics. They went on to state how the Rich and Powerful North Countries take over the Council, and there is limited or no representation from the nations such as Africa, Latin America, the Middle East etc. and that the veto power and unequal power distribution make the Resolution of disputes and crisis impossible. This is also leading the world towards a global governing system shortly. They started calling for structural reforms of the Council with the removal of Veto and changes in membership tags as they believed the Council needed to represent the 21st-century reality (Bosco, 2009). In the present international arena, India is one of the contenders for permanent membership status at the UNSC with the support of several third-world states and countries with multilateral and bilateral corporations.

As a part of this campaign, the states, namely Brazil, Germany, India and Japan, came together under the umbrella of a multilateral international organisation called the G4, intending to support each other's bid for a permanent seat in the UNSC. The claims raised by each member of the G4 are justified by their actions and contributions as a part of the UNSC, with each member being the emerging economic and military power from their respective regions in the world and are also the largest contributors to the peacekeeping forces and other initiatives (Zorn, 2007). Throughout the decades, they have introduced reform plans and have tried to gain more support for the need for a change in the Council. Though they have been able to do so partially by even managing to acquire the help of the UK, France and Russia on the G4 membership into the security council, the veto abolition clause raised along with it makes their supporters sceptical and thus, it puts them back at square one.

India and the others have also raised demands for the reforms of internal organisations like the World Bank (WB) and the International Monetary Fund (IMF) to create a new international economic order on the grounds of an equal share of income and resources. The countries state that the US hegemony in such organisations is forcing the developing countries to set up financial assistance institutions. The involvement of the third-world countries and other developing nations is essential for the UN and such internal organisations to fully bring out their potential and work towards achieving a solution to the major global challenges (Kumar, 2020).

3.1.4. Terrorism

Terrorism is considered one of the primary global challenges for the International Arena in the 21st century. The definition of terrorism through contested can be regarded as, in the broadest sense, to be the unlawful use of force and violence against people or property to force a government or citizens to further specific objectives or ideological aims. The rise of Non-state actors, changing nature of war, the evolution of technology, and a complete paradigm shift in global politics have led to increased terrorist activities in the present world. This has prompted the UN to take it up as one of the pressing issues, and it involves its member states to counter it (Kumar et al., 2022).

India has been a frequent victim of cross-border terrorism throughout the decades. According to the Global terrorism index 2022, India ranks 12th on the list of the countries affected by terrorist activities²¹ and thus has been at the forefront of global efforts against terrorism long before the major powers and has played an essential role in the international efforts to counter it. India was a part of nearly 13 conventions taken up by the UN as an

¹⁹ UN (2022), In-Depth – India and the UN, 70 Years, Accessed on 19 May 2022, URL: https://in.one.un.org/Untimeline/ebook_V2.0.pdf

²⁰ United Nations (2022). United Nations Charter. Accessed on 31 May 2022, URL: <https://www.un.org/en/about-us/un-charter>

²¹ Global Terrorism Index 2022: Measuring the Impact of Terrorism (PDF) (Report). Sydney: Institute for Economics & Peace. November 2022. p.8.

initiative against countering terrorism starting from the 1996 Comprehensive Convention on International Terrorism (CCIT) which was a comprehensive legal framework to tackle terrorism. Later in 2007, a draft text of the CCIT came up, which some states had an issue with and in 2018, India highlighted its demand for a CCIT at the 73rd General Assembly session. The Indian Representatives have also chaired several committees that were established to deal with terrorism and its effects, such as the Security Council Committee on Counter-Terrorism Committee [CTC], Somalia - Eritrea Sanctions Committee in 2011 – 12 etc.²²

India had also extended its full support to the Security Council resolutions and the Counter-Terrorist mechanisms, which were its by-products such as Resolutions 1267 and 1988 etc. related to the sanctions on countering the Taliban, Al Qaeda, ISIL etc. and also the Resolutions like 1373²³, 1540²⁴ and others that renewed or strengthened the original resolutions. India was also a strong supporter of setting up the UN Office of Counter-Terrorism in the year 2017 as they believed that it would lead to a better-joined counter-terrorism approach within the UN system and will also strengthen the UN's ability to coordinate its work on this critical problem. Recently, in 2020, India proposed an eight-point action plan for the 20th anniversary of the UNSC and Resolution 1373 to deal with the scourge of terrorism. This included different parts ranging from the need to destroy terrorist funding to denouncing the double standards in the fight against terrorism.²⁵

3.1.5. Climate Security

In the present International Arena, the UN has expanded its scope to focus on various rising issues such as climate change, women and human rights, poverty, underdevelopment and terrorism. This climate change and sub-issues have increased to be a primary danger to the world and gained the UN attention from the second half of the 20th century. To counter the rapid climate changes, the first global environment conference took place in 1972. The conference went on to put the climate issue as one among the forefront issues of the international world order and initiated conversations between industrialised and developing countries on the connection between economic growth, air pollution, water pollution, and the pollution of oceans (Mohan, 2017). It also gave importance to the well-being of people around the world. Throughout the coming decades, several UN initiatives and programs have been aimed at controlling this crisis.

In 1992 the countries came together in Rio de Janeiro, Brazil, for the United Nations Conference on Environment and Development (UNCED). This was also known as the 'Earth Summit' or the 'Rio Summit'. The summit's main objective was to produce a comprehensive plan and a new layout for the actions on environmental and development issues that would help in international cooperation and development policy in the twenty-first century. The countries came together to form the United Nations Framework Conventions on Climate Change (UNFCCC), which also led to the formation of the UN Commission on sustainable development. India's participation in the global climate change politics can be traced from this period, and the major role they played in the creation of the UNFCCC has been one of the major participants of the UN climate change initiatives from the year 1992 and also played a significant part in the creation of the UNFCCC.²⁶

Following the Rio Summit, India can be seen playing a major role in the climate conventions that followed and global negotiations, and this eventually played its part in establishing the Berlin Mandate.²⁷ The Kyoto Protocol stressed the distinction between the developed and developing countries concerning climate change responsibilities. This was highly favourable for India and the other G77 nations. India from the 1990s has played a significant role in all the UN climate change conventions, negotiations and efforts, such as with the successful negotiations of the Paris Agreement. Many countries praised India's role in the agreement though criticisms and questions were raised internally because it was in contrast to the foundational basis of India's climate policy (Mohan, 2017).

In the present world order, many countries can be seen placing their bets on India to become a net-zero carbon emission country by 2070 (As announced by PM Narendra Modi at the 26th Nations Climate Change Conference

²²Permanent Mission of India at the UN (2022), India and United Nations: Counter-Terrorism, Accessed on 31 May 2022, URL: <http://surl.li/ccwrf>

²³ This resulted in the establishment of the Counter-Terrorism Committee.

²⁴ Dealt with the Non-Proliferation of Weapons of Mass Destruction

²⁵ Ministry of External Affairs (2020), India and UN 2020, Accessed on 31 May 2022, URL: https://mea.gov.in/Portal/ForeignRelation/India_UN_2020.pdf

²⁶ UN (2022), United Nations Conference on Environment and Development, Rio de Janeiro, Brazil, 3-14 June 1992, Accessed on 01 June 2022, URL: <https://www.un.org/en/conferences/environment/rio1992>

²⁷ The process of enabling countries to take climate actions for the post-2000 period through adopting the Kyoto Protocol in 1997.

at Glasgow) and also be a Good Samaritan by a helping and supporting other in achieving their personal climate goals.

4. UNITED NATIONS INVOLVEMENT IN INDIA

The United Nations has been a part of India's journey of Political, Social and Economic development throughout their 77 years of relationship and has played its role in several events of the country's history from the 1940s. Though at present, India is one of the prominent and most vital members of the UN throughout the years, there have been several instances of cooperation and disagreement among them. This range from the Kashmir Issue, which took place right after the Indian Independence, to the Human Rights Violations that have taken place in the country in recent times.

4.1. UN on Kashmir

In the early years after the Indian Independence, the India-UN relationship was primarily based on issues that arose after the partition between India and Pakistan. These issues included the princely states' disputes of Kashmir, Hyderabad and Junagadh, which later on were joined and brought under the Indian domain with the help of the military force. Among these, the significant UN intervention concerning the Kashmir dispute can be seen. The Indian attempt to create an image of a global peacemaker was scarred due to its conflict with their neighbour Pakistan over the control and ownership of the state of Kashmir. The faith of the then PM Jawaharlal Nehru in the organisation went in vain due to the Internal Power Politics of the Organization (Kochanek, 1980). The strategic move that Nehru made that day is still criticised on the accounts of why the issue was taken to an organisation with a majority of pro-Pakistani partisan powers at its upper levels.²⁸

Between the years 1948-57, the Council had taken up the dispute nearly 18 times but could not get to an acceptable solution for both parties. The only result they achieved was the entire issue receiving a disputable tag and asking to be put to the test of the referendum. The issue later went on to a stalemate with the Indian Government asking the Pakistan Government to vacate POK before a referendum is conducted and the Pakistan Government asking the exact opposite before making a move. The Indian Government, later on, faced similar issues when in the UNSC, the US, UK, and France prevented it from using force to absorb the former Portuguese colony of Goa in 1961 (Kochanek, 1980).

4.2. UN Response to the Indian Nuclear Tests

In the year 1998, both India and Pakistan conducted their Nuclear Tests, i.e. The Pokhran-II test²⁹ by India and the Chagai Test³⁰ by Pakistan. The UN was highly concerned about the tests conducted as it was proof of the presence of nuclear weapons in South Asia and a potential arms race in the region. The UNSC heavily criticised the countries, and Resolution 1172 was passed by the Council unanimously against this. The Resolution recognised the tests as a severe threat to the global goals of non-proliferation and disarmament. Through this, both the countries were asked to stop their tests immediately, abstain from any future ones and cease their nuclear weapons programs. The UNSC also stated that under the NPT, both the countries cannot have the status of Nuclear State and urged both the parties to be a part of the NPT and the CTBT without raising further demands.³¹ In return for their cooperation, the Security Council offered their help and support in resolving the Kashmir dispute between the countries (Whitney, 1998). The Resolution and the UN demands were met with anger and resentment from both countries, with the Indian Government calling the Resolution coercive and unhelpful, while Pakistan went on to state that the presence of nuclear power in South Asia is a fact and that nothing can change it.³²

²⁸ The Financial Express (2010), Terrorism, Kashmir 'festering sores' due to Nehru's mishandling: Advani, Accessed on 04 May 2022, URL: <https://web.archive.org/web/20140221233856/http://www.financialexpress.com/news/terrorism-kashmir-festering-sores-due-to-nehrus-mishandling-advani/579985>

²⁹ India conducted a series of five nuclear bomb test explosions at the Pokhran Test Range of the Indian Army in 1998. This is the test experiment undertaken by India.

³⁰ Pakistan conducted five continuous nuclear tests in the Balochistan Province in 1998. This was Pakistan's first public atomic test.

³¹ UN (1998), Security council condemns nuclear tests by India and Pakistan, Accessed on 04 May 2022, URL: <https://www.un.org/press/en/1998/sc6528.doc.htm>.

³² BBC News (1998), India and Pakistan react angrily to UN, Accessed on 04 May 2022, URL: http://news.bbc.co.uk/2/hi/events/asia_nuclear_crisis/latest_news/108136.stm

4.3. UN on Human Rights Violations in India

Human Rights have been an essential category since the UN charter formation in 1945. It contains the reaffirmation of “Faith in Fundamental human rights, the dignity and worth of a human person in the equal rights of men and women and nations large and small”, “Promoting and encouraging respect for human rights and “assisting in the realisation of human rights and fundamental freedom”³³. Thus, with the drafting of the charter of the United Nations, Human Rights achieved a central place on the world stage.”

In the past decades, most of the countries of Asia and Africa that have come forward in terms of development in the International Arena have faced criticisms on the topic of human rights abuse. Throughout the years, India has also received its share of discriminatory charges on child labour, discrimination against minorities and women etc. It can be seen that the protection and promotion of human rights have been one of the primary objectives that India has always kept up from the time of the signing of the charter and the formation of Independent India. For example, the amendment to article 1 was one among the many modifications to the alliance recommended by India, which included the promotion of human rights as a purpose of the UN. India has also been an active member during the drafting stage of the Universal Declaration of Human Rights (UDHR), which works with the primary goal of making the member nations promote human, civil and economic rights, which is considered the foundation of freedom, justice and peace in the world. Thus, India has always claimed they have supported and promoted the protection and promotion of human rights through its policies and actions in the UN (Murthy, 2020).

India in the international arena has been challenged the most on the grounds of human rights violations with the Kashmir issue based on reports that came out on many human rights violations by the Indian armed forces. This was mainly due to Pakistan's attempts by which they criticised India for using excessive force and establishing harsh laws against the peaceful protesters in the state. This went on to gain sympathetic reactions from the NGOs and Governments of the Western world. During the early 1990s, Pakistan can be seen trying to initiate an anti-Indian resolution at the human rights commission, raising the demand for a UN fact-finding team to be sent to India. Similar moves from Pakistan can be seen during their highly persistent mission to raise issues against India at the UN on different occasions (Murthy, 2020).

India can be seen reacting back in the same way during the session at the Human Rights Council in 2006. India criticised Pakistan for their blind eye toward the hardships and problems faced by the people of the PoK due to the continuous terror attacks and sectarian violence. India went on to refer to Pakistan as a terror state and an 'epicentre of global terror', stating the fact how they failed in keeping up their 2004 commitment on not allowing the usage of their territories for terror attacks against India and for using terror against their citizens at Balochistan, Sindh etc. and the utter disregard they showed on protecting the rights of their religious minorities.³⁴ India went ahead to advise Pakistan on sorting their issues in order and taking measures to ensure proper action is taken against the people involved in the terrorist attacks against their neighbours instead of accusing human rights violations elsewhere.³⁵

The UN human rights high commissioner's office released a report by a special rapporteur in the year 2018 based on the excessive violence by the Indian security forces against peaceful protestors in Kashmir. This report was a major landmark in the relationship between the Government of India and the Office of the High Commissioner for Human Rights (OHCHR). This led to the Indian Government denying entry for the OHCHR team into Kashmir and the recommendation for an international investigation into the issue. The Government also criticised the report for excluding the PoK's disturbances and basing their observations on propaganda. They also raised objections regarding the usage of the phrase “Indian administered Kashmir” in the report.³⁶ The permanent representatives reiterated the objections when the high commissioner's office demanded a follow-up and stated that further communications on the subject would not be entertained (Murthy, 2020).

India faced similar criticisms concerning the AFSPA³⁷ Act from the beginning of the 1990s. Several international bodies, such as the United Nations Human Rights Committee, have been throughout the decade. In 1991 the validity of AFSPA was questioned by the Committee following the submission of the periodic report

³³ United Nations (2022), United Nations Charter, Accessed on 10 April 2022, URL: <https://www.un.org/en/about-us/un-charter>.

³⁴ Permanent Mission of India at the UN (2015), In exercise of the right of reply, 29th session, Accessed on 10 June 2022, URL: <https://www.pmindiaun.gov.in/pages.php?id=1122>

³⁵ Permanent Mission of India at the UN (2017), statement at the HRC's 36th regular session, Accessed on 10 June 2022, URL: <https://www.pmindiaun.gov.in/pages.php?id=1494>.

³⁶ Permanent Mission of India in UN (2017), Permanent Representative's statement in 34th session, Accessed on 10 June 2022, URL: <https://www.pmindiaun.gov.in/pages.php?id=1444>

³⁷ The Armed Forces Special Powers Act, 1958 is an act that grants special powers to the Indian Armed Forces to maintain public order and peace in disputed areas.

by India. The members went ahead and challenged the constitutionality of the act under Indian Law and enquired on how the act could be justified taking Article 4 of the International Covenant on Civil and Political Rights (ICCPR) into consideration. In 2009 the UN Human Rights Commissioner Navanethem Pillay went on to call the law a "dated and colonial-era law that breaches contemporary international human rights standards" and asked India to repeal it.³⁸

Similarly, in 2012, a UN special Rapporteur Christof Heyns urged India to revoke the law following his findings after his 12-day fact-finding mission to examine and analyse the situations of arbitrary, extra judicial executions in India "During my visit to Kashmir, AFSPA was described to me as 'hated' and 'draconian'. It violates International Law. Several UN treaty bodies have also pronounced it to violate International Law."³⁹ AFSPA thus was a topic of continuous conflict throughout the decades, for which finally the supreme court gave its judgement that any encounter by the armed forces carried out under the AFSPA label will be subjected to thorough enquiry. In the court's words, "It does not matter whether the victim was a common person or a militant or a terrorist, nor does it matter whether the aggressor was a common person or the state. The law is the same for both and is equally applicable to both. This is the requirement of a democracy and the requirement of preserving the rule of law and individual liberties" (Rajagopal, 2016).

4.4. United Nations Development Programme and India

The United Nations Development Programme is an organisation under the United Nations that works towards supporting and helping countries eliminate poverty. It is the lead agency under the UN on International development. They aim to work towards reducing the inequalities among nations and eradicating poverty, and helping countries in human development and their sustainable economic growth.⁴⁰

The UNDP has worked in India since 1951 at the federal and provisional levels on several human development issues such as environment, literacy, sustainable energy etc. They support the country in reflecting the new global agenda in the nation's development plans and policies and also provide their expertise on the initiatives of sustainable development both at the central and state level.⁴¹

As a part of UNDP's India country programme, three major areas are focused upon from 2018-2022. They include Inclusive growth, Environment, and Energy and strengthening the systems and institutions at the National and state levels. One of the primary contributions by the UNDP was launching their accelerator lab in the year 2019 as a part of working on the country's air pollution levels and achieving the sustainable development goals in connection with the Atal innovation mission by the Government. The UNDP were also highly active in the country as a part of their covid 19 crisis response by responding to the health emergency and protecting the livelihoods of citizens.⁴² At present, the Indian Government has joined hands with the UNDP as a part of working toward India's 2030 National Developmental Mission and work together towards achieving the country's sustainable development goals.⁴³

5. CONCLUSION

Throughout the past decades since its initiation, the UN and India have moved towards achieving many goals and objectives as part of the interests of both parties. Since the charter's signing, India's interests have always varied from armed conflicts to international security, nuclear disarmament, protection of human rights, taking action against global terror, climate actions and many more. But it can also be observed that India's role and involvement in the different issues have always varied on a case-by-case basis on any international issue according to the country's objectives and policies. Such as India supporting Israel in the Israel-Palestine conflict to taking a neutral stand during the voting of resolutions against India on the Russia-Ukraine crisis. In the past 77

³⁸ India Today (2009), UN asks India to repeal AFSPA, Accessed on 10 June 2022, URL: <https://www.indiatoday.in/latest-headlines/story/un-asks-india-to-repeal-afspa-42464-2009-03-23>

³⁹ NDTV (2012), UN asks India to repeal Armed Forces Special Powers Act, Accessed on 10 June 2022, URL: <https://www.ndtv.com/india-news/un-asks-india-to-repeal-armed-forces-special-powers-act-474228>

⁴⁰ UNDP (2022), Accessed on 10 May 2022, URL: <https://www.undp.org/about-us>

⁴¹ United Nations Development Programme (2022), UNDP India, Accessed on 11 June 2022, URL: <https://www.undp.org/india>

⁴² UNDP India (2022), Join us in combating Covid, Accessed on 11 June 2022, URL: <https://www.undp.org/india/join-us-combating-covid-19>

⁴³ United Nations Development Programme (2022), UNDP India, Accessed on 11 June 2022, URL: <https://www.undp.org/india>

years of the India-UN relationship, the policies and stances that were adopted by the country were not accepted mainly by the other nations and sometimes even the UN themselves, but this doesn't change the facts of India's contributions and efforts and the role it has played to becoming one of the primary members of UN in the current international order.

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