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## INDIA AND THE UNITED NATIONS

DR. T.S.N. SASTRY\*

In the long history of the 'Comity of Nations' by August 15, 1947, India is to have one more leap in its march ahead. By then it would have completed five decades of its independent existence as a successful democratic polity. In the saga of these fifty years, it has contributed significantly for the promotion of international peace and security through the unique organ of the world community namely 'The United Nations'. As one of the principal signatories to the Charter of the U.N. at San Francisco in 1945, it has played a significant role in the development of the world body. India has also at the forefront of some of the historic moments launched by the U.N. It has certainly played a key role in the struggle against colonialism, apartheid, the campaign for disarmament, the new

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international economic order, development of international law, promotion of human rights, the improvement of the social standards and a just and democratic world order.

The success of any organization mainly depends upon the unity among its big powers. But the hopes of big power unity at the UN faded quickly and the world is divided into two hostile power blocs under the leadership of United States and the former Union of Soviet Socialist Russia. It was conceived by them that the UN is an extension of wartime alliance and who saw themselves as a consortium which would rule the world for the foreseeable future. In this situation, India has attempted to the best of its ability to bridge the gap between the blocs and to establish a collective world community through peaceful co-operation at the UN. The dichotomy between the Western and Indian thinking has distinctly reflected in their approaches to the United Nations.

In the history of the UN in its fifty years, (perhaps with the exception of the two super powers), no other country's constitution and foreign policy has been so rapidly influenced by the policies and framework of the UN than India. It is due to the complementarity between the principles of 'Panchashile' advocated by Independent India in its foreign policy and the objectives of the Charter of the UN.<sup>1</sup> Hence, India resolutely worked with the UN to achieve the aspirations of the people of the world community in attaining peace, and security and to find out a way for peaceful co-operation among Nation-States. Accordingly, it can be stated that the achievements and shortcomings of one has to have a shadow on the other. It is, therefore, very difficult to assess the role played by India at the UN in the last five decades in its entirety. This article aims to study in brief the reflection and mediatory role played by India on some of the issues to highlight the approach of it at the world body.

In the very beginning India was more a silent spectator than as an actor at the UN. This was because she became a member only at the insistence of the UK to represent the voice of British

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imperialism. However, immediately after Independence in 1947, foreign policy chosen by India clearly reflected the aims and objectives what the Charter exactly spelt out in 1945, Mrs. Vijayalakshmi Pandit on 25 October, 1946 in her maiden speech made it clear that the people and the government of India were committed to maintain international peace and security to achieve justice, equality of man-kind as enshrined in the UN charter. In 1947 reiterating its commitment to the UN principles, India made it clear that on any matter that comes for the consideration of members of the UN, it will either offer support or withhold it from proposals only based on its independent judgement in accordance with the merits of the issue rather than aligning blindly on the force of alliances of groupings. However, the UN record proves the point that the latter was used more to its violation than to adhere to it.

### **Membership of the UN**

The independence of India, unfortunately coincided with the emergence of cold war between the two super powers. As an off-shoot of the cold war, the two power blocs tried their best to block the entry of new members into the UN. However, India took up the view that with respect to admission of new members the criteria laid down in Article 4 should be applied without resorting to any other considerations. In the sixth Assembly Session, the conciliatory role played by India which resulted in offering a package deal finally and succeed in admitting the sixteen members in 1955. The mediatory role played by India in extending the membership of other States had helped many Afro-Asian States to join the world body in 60s and 70s after their liberalization from the colonial rule. India also vigorously fought for the admission of the People's Republic of China. The consistent interest shown by India finally succeeded in the seventies to secure admission to the new State of China. However, it was a major shock for India that both the super powers who opposed the admission of China in one way or other, finally preferred China to succeed the membership of the former China in the United Nations including the permanent membership in the Security Council. Even after the end of cold war, India played

a crucial role in securing the admission of various new states including the rump Yugoslavia. These efforts helped the UN in extending its membership today to 185 which clearly reflects as a true world body. However, all the efforts taken by India in securing the admission of FRY became in vain. Even today India is of view that politics should not be linked up with the legal criteria laid down by the charter and specified by the ICJ in the admission of new members to the noble organization.<sup>2</sup>

### **Trusteeship System and India**

The Charter of the United Nations clearly recognized the importance of the administration of the non-self-governing territories. Accordingly it should be the duty of all the member states to adhere to the principles of equal rights and self-determination explicitly recognized by the Charter.<sup>3</sup> In the beginning with respect to the administration of these territories, the colonial powers stated that their liability in accordance with Article 73 was only limited to transmitting the statistical and administrative aspects of these territories and the UN had no role to play. It was India which challenged this view and pleaded for the constitution of a separate committee by the General Assembly. In the year 1947, an *Ad Hoc* Committee was constituted on information of non-self governing territories. By then onwards India is an active member of all the committees constituted by the General Assembly with respect to non-self-governing territories including the special committee on decolonization formed in 1961.

After achieving success to bring the UN in the forefront to directly deal with the Trust territories, India played a key role in formulating the legal policies which are enshrined in the Charter to end colonialism. It was argued by the colonial powers that self-determination and equal rights of the people of these territories belongs to the political sphere based on negotiation and action than the legal rights and duties.<sup>4</sup> India challenged this view and pointed out that instead of having vague and ambiguous ideas on the concept of equal rights and self-determination, it would be better to have a

clear legal formulation. It has been pointed out as a deliberate attempt at legal formulation to clarify the principles which would in turn go a long way to put "a speedy and unconditional end to colonistic in all its forms and manifestations."<sup>5</sup>

The tough line of approach towed by India to end colonialism slowly picked up momentum and many member states came to the support of India. As a result, the General Assembly had finally agreed to assert itself to end the colonistic viewpoint of continuing the trusteeship system, and adopted the famous declaration on the granting of Independence to colonial countries and peoples, in 1960.<sup>6</sup>

The declaration called for immediate steps to transfer all power to the people, in trust as well as non-self governing territories and all other territories which have not yet attained independence in accordance with their freely expressed will and desire. With the adoption of the declaration, the concept of equal rights and self-determination of the people of these territories became a general principle of international law in exercise of their human rights to achieve independence from their colonial masters.

Apart from these efforts in establishing the principles of international law on self-determination, India raised specific questions on South-West Africa, Indonesia, Morocco, Tunisia, Angola, Algeria, Cyprus, Ethiopia, Somalia, Libya, Mozambique, Ruanda, Palestine, Nauru and various other countries. In all these issues India built up political and diplomatic pressure which ultimately led for their independence. It was a success for the United Nations in its 50 years of history in ending colonialism. However, for India, its frontal attack on the colonial powers resulted in vindication of its policy at the world body and led to a sort of love-hate relationship with the big powers.<sup>7</sup>

### **The Issue of Apartheid**

It is one of the chief concern of the United Nations to end discrimination on ground of race, sex, language or religion. However, the policies of apartheid followed by some of its member

nations (especially that of South Africa) has severely affected the fundamental objectives that are enshrined in the preamble of the Charter. The organization has continuously worked to end the policy of apartheid, which received due recognition and support by the member States in the last five decades.

India without hesitation has always championed the cause of human liberty, dignity and individuality of the individuals in the various bodies of the world body. In fact, it was India first raised the issue of discriminatory treatment of Indians in South Africa in 1946 itself. India has consistently brought the issue in the various secessions of the General Assembly which finally resulted in adopting various resolutions and declarations on the issue. It was again on the initiative of India and with the support of some of the Afro-Asian States, in 1952, a special commission was established to examine the various aspects of racial discrimination in South Africa. Further, since 1946 India was one of the few member-States which consistently worked in the UN Commission on Human Rights. It could be stated fairly that India played a key role in formulating the various declarations on Human Rights including the Universal Declaration of Human Rights in 1948. Arguing in favour of United Nations to deal with the issues of Apartheid, India has stated that "to destroy such evil efforts" of some of the nation-States any international action initiated does not constitute as intervention in the domestic affairs of any State. India has further advanced its viewpoint stating that it would be the duty of international community to fight for the elimination of all forms of indiscriminatory against humanity to protect the endangering world peace. It was on the insistence of India with the help of other Afro-Asian States, the General Assembly, the Security Council and its specialised agencies have passed many resolutions and declarations to end the issue of Apartheid.<sup>8</sup> The hard line approach taken by India has finally helped the United Nations to end the aspect of apartheid to a great extent. However in view of the power politics played by the member nations of the world, it could not



achieve to eliminate the discriminatory treatment to humans to the fullest extent.

Although India has succeeded to a certain extent in making the world body to fight for the right cause of the world community, its experience with the United Nations has not been entirely to her satisfaction. This is because the independent attitude adopted by her and its refusal to join with any power blocs has brought her unfair criticism from all sides. In the game of power politics, the efforts made by India to integrate the world community, and the absence of a serious outlook by the UN have certainly impaired the effectiveness of the United Nations. In spite of the criticism it is facing, even today India still has its hopes to achieve the desired results to end all forms of racial discrimination only through the United Nations and committed to do her best to assist the world body.

#### **Peace Keeping Operations**

The Charter of the United Nations has nowhere used the expression "Peace Keeping". However in the five decades of the United Nations, the concept of peace-keeping gained currency due to the cold war limitations which prevented the United Nations to use its military force that is permitted by its Charter. Strictly speaking, the term peace-keeping should not be confused with that of Chapters VI and VII of the Charter. In view of the preventive diplomacy of the two super powers, the term and the methodology of peace-keeping was coined by the United Nations to meet the demands of its Nation-States. Peace-keeping operations are operations of military, para-military character which are operated by the UN, for the maintenance of international peace and security with the exception of enforcement action under Chapter VII of the Charter. These operative forces are generally, constituted at the invitation and with the consent of the parties.<sup>9</sup>

In the last 50 years, the United Nations has so far undertaken early 30 operations with different talks along the globe. In the saga of these operations, India played a key role to promote the objectives of the world body to achieve peace and security on the globe. In fact

this is one of the chief objectives of the foreign policy of India. Hence the participation of India in the UN Peace-Keeping operations always cannot be quantified, with its political benefits. For example, the operations undertaken by India in Sri Lanka, and our assistance to Maldives in 1989 were only out of India's commitment to peace and security than to gainsaying in any manner. Right from the inception of the United Nation Truce Supervision Organization (UNTS) from 1948 in the Middle East till the latest operation in Ruwanda, India participated in almost all the operations with greater commitment.<sup>10</sup> It can be stated without any hesitation that the contributions made by India in maintaining peace and security in the West Asian region has in no way comparable with that of the contributions of any other single State.

In fact India was the first country to come out with a formula<sup>11</sup> to end the problems relating to the authorisation, supervision and financing of the UN Peace Keeping operations than referring the matter to the advice of the ICJ. Though the proposals made by India were vindicated in the beginning, ultimately the formula suggested by India alone was adopted by the UN peace keeping operations. Thus, the fact that can be stated in 1964-65 to resolve the unprecedented crisis of the UN by adhering to a certain position. India has not only promoted the larger interests of the world body but also to the advantage of its national perspectives. The participation of India in the UN Peace Keeping operations is a clear reflection of the strong commitment of India's foreign policy objectives in maintaining peace and good relations with other States. However, at the same time it can be stated that India should insist to evolve a clear policy and guidelines in the decision making process than to set up missions, and also to constitute a separate organization with full structure, powers and functions to meet the exigencies of peace and security in fruitful manner than merely participating in the peace-keeping operations as a silent spectator.

### **Economic and Social Aspects**

With respect to economic and social aspects of the world, the UN

has specially authorized the Economic and Social Council for the formulation of policy recommendations on socio-economic aspects of the world body depending upon the recommendations made by the member states. However, the organization could not make much progress in the last fifty years than what is expected from it. Although the Charter of the UN envisaged with noble ideals and objectives to achieve economic prosperity, promotion of social progress and development and higher standard of living of the member States, it could not achieve much in these areas as stated in the provisions of the Charter.

However the various efforts made by India and the world body together to exchange the economic and social standards of the member States is of great relevance to assess the contributions made by India.

After independence to change its economic status from that of dependence to independence, India has broadly outlined the various aspects, relating to its economic objectives in its foreign policy formulations to seek better socio-economic conditions for its people. Hence from the beginning India considered the UN as the right place for developing its economic and social tie-ups with other nations. However, it did not take much time for India to realize that the UN cannot serve the interests of the developing States than rendering its aid and advice to the developed countries, unless a clearcut strategy to be formulated to stop the hegemonistic tendency of the developed world.

It was on the initiative of India along with some other developing States the UN finally realised that there is every need to drastically change its policy formulations to develop the sagging economics of the third world. As years rolled by, the momentum for reversing the economic imbalances of the world was recognised by the UN and the developing States which resulted in the formation of various groups (such as NAM, G-77, G-7, G-22, etc.) inside and outside the UN system. The Indian representatives played a key role in persuading the UN to designate the sixties as measures for

the setting of a conference on trade and development through UNCTAD.

However in the late sixties and early seventies the world had witnessed the worst ever economic crisis due to the failure of the Bretton Woods monetary system which affected the functioning of the market forces and led to the disruption of production cycles and commercial exchanges. At this juncture, India along with other developing nations put pressure on the UN to take stock of the situation and to initiate the necessary steps to achieve the objectives of the provisions of Chapter IX of the Charter which envisages the promotion of international economic and social co-operation. By late 70s and 80s the developing countries could succeed in making the UN to adopt certain programmes and measures which would render them some assistance to develop their sagging economies. These programmes and conferences include the adoption of the New International Economic Order (NIEO), Charter on Economic Rights and Duties of States, Technical Co-operation among Developing Countries (TCDC), Development of new and renewable sources of energy application of science and technology, monitoring the activities of the transnational corporations etc. However the UN could not achieve much progress as is expected in the economic forefront also due to the opposition of the developed States especially that of the US. Even after the end of the cold war, there is no sign on the part of the UN and its specialised agency ECOSCO to initiate free and global negotiations to bridge the gap between the North and South a programme which was launched in 1984.

India with its vedic and philosophical culture and tradition was the first State to urge the UN to recognise the need for the international protection of the Environmental and ecological imbalances of the world. At long last upon the insistence of India in 1972, the UN convened a Conference on Human Environment at Stockholm. It was in this conference, the then Prime Minister Mrs. Indira Gandhi without any hesitation made it clear that the environmental problems of world should be given utmost priority with a strong commitment by all the States especially, the developed

world and underlined the need to establish an international organ to cater to the needs of the world community, which resulted in the establishment of the United Nations Environmental Programme. With the launching of the momentum for the protection of Environment in 1972, the advancement of Science and Technology in the last two decades led the UN to strengthen the international mechanism to regulate Ecological imbalances of the world. Accordingly, in June 1992, 20 years after the Stockholm conference, the UN organised another Conference on Environment and Development at Rio de Janeiro. India played a key role in developing the legal principles to protect the world environment as it did in the Stockholm Conference.

From the inception of the UN, India became one of the prime members of the body to assist the various organs of it (such as ECOSOC, WTO, UNESCO, UNICEF, etc.) in formulating unified policies to tackle the social issues of the world such as Problems of Population, Health Issues, Employment, Promotion of the Status and Welfare of Women and Children, etc.<sup>12</sup> It was the policies and programme of India only contributed to strengthen and refine the UN policies on population in its 1974 world population conference held at Bucharest. With respect to health issues to the specific conditions adopted by India on aspects like safe drinking water and sanitation, proper food supply and nutrition, material and child health which includes programme of family planning and protection of children from infectious diseases became part of the WTO Agenda Health for all the year 2000. The policies and plans implemented by India to tackle unemployment and under employment within the country became the concern of the world community. In fact the programme of action spelt out at the UN session on social development of Copenhagen in 1995 was mainly developed on the similar lines that are adopted in India. With respect to the promotion of the status of women in the international level, India from the beginning assisted the ECOSOC in several ways with its vast experience in the field. In fact India is a head of several nations in the world to give its best to eliminate the gender

disparity. It was on the insistence of India the UN declared the period between 1975 and 1985 as the UN decade for women. The 1995 Beijing Conference too has vastly considered the experience of India in preparing its programme of action to eliminate the gender in justice in the community on Nations. In the work of the UNICEF India has been a close associate from the inception of the organ. Indians headed the Executive Board of the organ as its Chairman many a times. India has always in the for front to assist the UNICEF in framing its policy formulations for the world. It can be stated without any hesitation that India from the beginning fought for the development of socio-economic aspects to wipe out the imbalances in these areas in the world whether it has be support of other States or not.

### CONCLUSION

It is true that from the foregoing analysis, it is difficult to draw an apt conclusion on the role played by India in the UN in the last fifty years. The above analysis infact specified only a brief glimpse on the contribution made by India in the world body. The discussion presented above is restrictive in nature and it is not easy to draw any apt conclusion or conclusions. However from the experiences of India on certain of these topics an attempt is made to draw a few general concluding remarks. At the same time, the reader is free to draw his own conclusions.

From the above analysis, it can be stated that the relationship between India and the UN is an ever enduring partnership that has been developed over these five decades. Although one may think that the contributions made by India in the long historical process of the development of the world body is of dismal value before the contributions of the two former super powers, it can't be ruled out that the contributions made by India over these fifty years are worthwhile.

Certainly, the international community and the relations between the nation States today stands on a different platform. After the end of cold war, there is every possibility for the UN to tackle all

the issues of the global with extended support from its member nations than earlier. In this changed scenario, there is every need to improve the structural changes of the organization. To meet the requirements and aspirations of new community of States in the non-super power era. States like India which have worked with the system need to be considered for the permanent membership in the Security Council.

At the same time, before staking the claim, it is also necessary on the part of India to change its foreign policy procedures in the world body. Because, even after working with the UN so closely for more than five decades, India unfortunately could not attain any significant stamp of its own in view of the lack of poor diplomatic and strategic practices.<sup>13</sup> Many a time the self-contradictory statements made by the Indian diplomats on various issues led the other States to develop love and hate relationship than mustering the support of the world body. For example on the issue of Kashmir, India instead of attaining the support to strengthen its case, weakened its position before the comity of nations because of its improper presentation of the whole issue.

There is no doubt that India as a leading power owes itself to play a vital role in the international community. However it has to adopt a careful strategy taking into consideration of the interests of the other developing States to stop any further ad hocism by the big powers. As was suggested Dy Prof. K.P. Sakesa, it is the right time that it has to equip its foreign policy and the diplomats in such a manner to be able to play a vital role in the institutional work of the United Nations. Moreover, in order to strengthen the hands of the United Nations and to end any bipolarization of the body, India has to settle the bilateral and certain multilateral issues with small and medium powers on the basis of co-operation and co-ordination to muster always their support. It can be stated that the steps already initiated by Mr. I.K.Gujral when he was the External Affairs Minister with the neighbouring States has to be continued in the same spirit in its relations with its other counterparts even outside Asia.

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9. For detailed and recent views on the area. See Boutros Ghali, "An Agenda for Peace". Military Technology, Vol. XVII, Issue 12, December 1994, p.59. Also see "Empowering the United Nations", Foreign Affairs, Vol. 72, No.5, Winter 1992/93, p.90.
10. The formula suggested by India was that (1) the financing of the UN Peace - Keeping operation should be a collective responsibility, (2) It devolves on the Members, irrespective of, and without prejudice to the provisions of Article 17 of the Charter. (3) Its share be distributed in such proportion and on such principles as agreed upon. (4) The five permanent members should bear the necessary burden. (5) The entire set of questions was political in nature and not a legal one. Hence, India opined that the questions relating to the negotiations than seeking a judicial opinion. UN Resolution 1731 (XVI) of 20 December, 1961.
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