

Question:- The unresolved Kashmir issue exposes the inherent weakness in United Nations Security Council's Architecture". Critically examine the role of UNSC in resolving the Kashmir issue.

Introduction:- Kashmir issue, the most prolonged and daunting issue that remains a bone of contention between the two nuclear armed countries has become a serious global concern. The Kashmir dispute, originating in 1947 between India and Pakistan, remains one of the oldest unresolved conflicts on the agenda of the United Nations Security Council (UNSC). Despite multiple resolutions and diplomatic engagements, the issue persists, raising questions about the structural effectiveness and political neutrality of the UNSC.

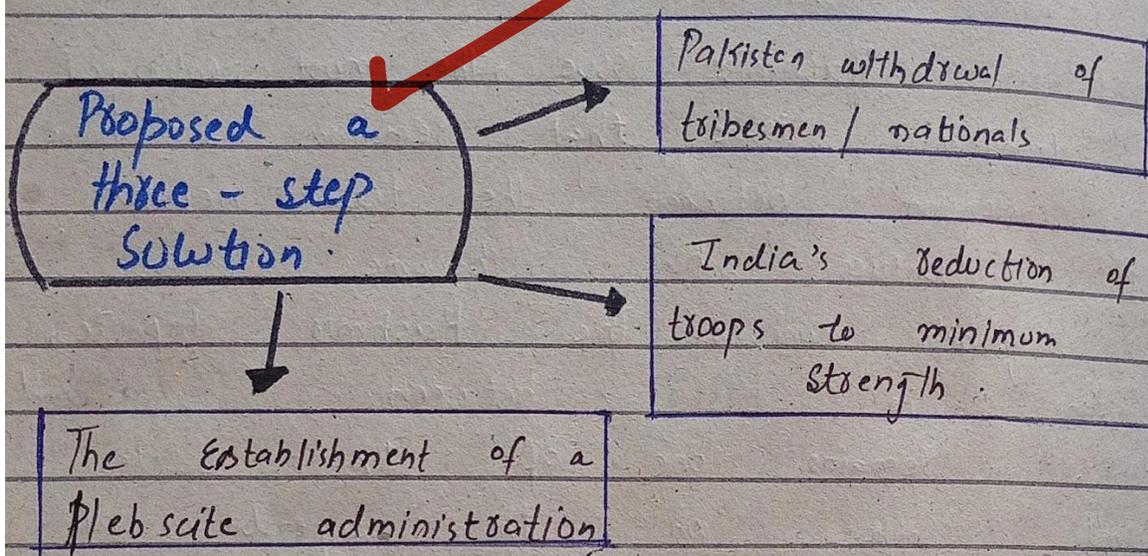
Important UNSC Resolution on Kashmir:-

The UNSC adopted several key resolutions on the Kashmir dispute between India and Pakistan (1948 - 1957). Some important ones are listed below:-

1. Resolution 47 (21 April 1948)

UNSC Council resolution 47, adopted on 21 April, 1948, is a key,

yet largely unimplemented, resolution aimed at resolving the Kashmir conflict through a free and impartial plebiscite.



Key Aspects of Resolution :-

⇒ **Purpose** To restore peace, order, and decide the accession of Jammu and Kashmir to India or Pakistan through a democratic method.

⇒ **Demilitarization**

• **Part 1** :- Pakistan to secure the withdrawal of tribesmen and Pakistani nationals fighting in the state.

• **Part 2** :- Required India to reduce its forces to the minimum level necessary for maintaining law and order.

Significance

- The resolution was not implemented because India and Pakistan could not agree on the terms of troop withdrawal.
- While it was a foundational document, the plebiscite has never taken place.

3. Resolution 91 (30 March 1951)

UN Security Council Resolution 91, adopted on March 30, 1951, addressed the India - Pakistan dispute over Kashmir. It asked UN to ~~support~~ a new representative to help stop demilitarization in Kashmir. It reaffirmed that future of Jammu and Kashmir should be decided by a free and impartial plebiscite of the people.

Key Aspects of Resolution:-

⇒ **Demilitarization** The New UN representative must work to reduce or stop military forces in the state.

⇒ **Plebiscite** The resolution confirmed that the people of Kashmir should decide their own future through impartial plebiscite by the UN.

⇒ **UNMOGIP Continuation** The United Nations decided that the UN military observer group in India and Pakistan (UNMOGIP) should keep watching the ceasefire between India and Pakistan.

⇒ **Resolution 122** (24 January 1957)

The resolution states that any decision made by the Jammu and Kashmir Constituent Assembly to change the state's future is not a valid settlement under UN rules.

⇒ **Plebiscite requirements:** It affirms that the final status of Kashmir must be decided by a free and impartial plebiscite.

⇒ **Purpose** The resolution aims to ensure the dispute is resolved fairly, letting the people of Kashmir decide their own future, rather than accepting unilateral decisions by any assembly.

SWOT Analysis of Key UNSC Resolution on Kashmir.

Resolution 47:—

Strengths:

- proposed a clear three step solution: ceasefire, demilitarization and plebiscite.
- Internationally recognized the principle of self-determination.
- Established UN Mediation mechanism (UNCIP)

use more elaborate and specific main headings. or give subheadings.....

Weaknesses:-

- Ambiguity in sequencing of steps with disqual.
- No strong enforcement mechanism.
- Dependent on mutual consent of both parties.

Opportunities:-

- Could have permanently resolved the dispute through plebiscite.
- Created legal and diplomatic framework for peaceful settlement.
- Set precedent for UN conflict mediation.

add and highlight references/examples against these arguments.....

Threats:-

- a. Veto politics and cold war alignments.
- b. Escalation into wars (1948, 1965, 1971)
- c. Non-implementation weakened UN credibility.

Resolution 91:-

Strengths :-

- a. Rejected unilateral settlement by Jammu and Kashmir constituent assembly.
- b. Reaffirmed plebiscite principle.
- c. Maintained international status of dispute.

Weaknesses

- a. Repetitive in nature; lacked new enforcement measures.
- b. Failed to compel demilitarization.

Opportunities:-

- a. Could have prevented permanent constitutional integration without consent.
- b. Strengthened legal argument for international mediation.

Threats

Resolution 172:-

Strengths

- Reaffirmed that any action by Jammu and Kashmir Assembly could not decide final status.
- Reinforced earlier UNSC commitments.

Weaknesses

Came at a time when ground realities had changed.
Lack enforcement and follow-up mechanism.

Opportunities

- Chance to revive UN mediation efforts.
- could have strengthened international legal oversight.

Threats

- Shift towards bilateralism after 1972 Simla agreements.
- Strategic interests of major power sidelined UN activism.
- Risk of long-term institutional irrelevance.

All the resolutions of UNSC on Kashmir discuss under chapter 6 of UN Charter.

Conclusion:- Resolution 47, 91, and 122 provided a legal and diplomatic framework for peaceful resolution, their major weaknesses in lack of enforcement and veto-driven politics, exposing structural limitations of the UNSC architecture.

work a bit on the structure, references and the paper presentation part.....