

The numbers game — On India's victory at the ICJ

The [election of Justice Dalveer Bhandari](#) to the International Court of Justice for a second term is a major diplomatic success for India. Five of the 15 judges of the ICJ are elected every three years. This year there were six candidates for five slots. The winning candidates required a majority in both the United Nations General Assembly and the Security Council in simultaneous voting through secret ballot. While four candidates were elected smoothly, Justice Bhandari and Christopher Greenwood of the United Kingdom ended in a dead heat as the former won the UNGA and the latter the UNSC in multiple rounds of voting. The U.K. wanted to end the voting and move to a conference mechanism, which involves selecting a panel of three UNGA members and three UNSC members, who would then elect the judge. This mechanism has never been used before. India opposed the move, and the U.K. could not gather adequate support for its demand in the UNSC. The U.K. then withdrew its candidate, paving the way for Justice Bhandari's re-election. [India and the U.K. had staked considerable diplomatic goodwill](#) in the election, and the outcome is significant politically for both.

For the first time, the U.K. will not have a judge on the ICJ. It is also the first time that a permanent member of the UNSC has lost at the ICJ on a vote. For British Prime Minister Theresa May the loss comes at a difficult time as she struggles with the process of leaving the European Union and with her own leadership coming under assault from Conservative MPs. In this context, the loss at the ICJ is being read as confirmation of the U.K.'s diminishing role in global affairs. As America's inseparable and unquestioning junior partner, the country had asserted its relevance in the post-War order even as its military and economic power eroded. With the U.S. under President Donald Trump less guided by the "special relationship" with the U.K., a post-Brexit U.K. will have to do much more heavy-lifting in multilateral forums. For India, soon after its failure to gain membership to the Nuclear Suppliers Group, the lobbying for the ICJ election has different lessons. With all five permanent members of the UNSC fiercely locking arms to protect their collective interest of dominating the world body, India's success was built primarily on the support of developing countries, among whom it has nurtured goodwill over the decades. Japan also appeared to align with the P-5. India's call for a more equitable world order has a better resonance among developing countries than the custodians of the current order. India's support in the UNGA was expanding with subsequent rounds of voting, a reality the U.K. and the U.S. could not brush aside. For India, the takeaway is clear: to find a louder global voice, it also needs to put more emphasis on ties with countries away from the high table.

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