

INTERNATIONAL COURT OF JUSTICE (ICJ)**Prelims- International Policies and Schemes****Mains- GS2 - Important International Institutions, Agencies and Fora- their Structure, Mandate****Context-** Kulbhusan Jadhav case verdict on July 17**About ICJ:**

- ✚ The International Court of Justice (ICJ) is the principal judicial organ of the United Nations (UN).
- ✚ It was established in June 1945 by the Charter of the United Nations and began work in April 1946.
- ✚ The seat of the Court is at the Peace Palace in The Hague (Netherlands). Of the six principal organs of the United Nations, it is the only one not located in New York.

Functions:

- ✚ The Court's role is to settle, in accordance with international law, legal disputes submitted to it by States and to give advisory opinions on legal questions referred to it by authorized United Nations organs and specialized agencies.
- ✚ It has the jurisdiction to settle disputes between countries and examine cases pertaining to violation of human rights according to the tenets of international law.
- ✚ It is the judicial arm of the United Nations.

Composition:

- ✚ The Court is composed of 15 judges, who are elected for terms of office of nine years by the United Nations General Assembly and the Security Council.
- ✚ These organs vote simultaneously but separately. In order to be elected, a candidate must receive an absolute majority of the votes in both bodies.
- ✚ In order to ensure a measure of continuity, one third of the Court is elected every three years. Judges are eligible for re-election. of the 15 judges, it is mandated that three should be from Africa, two from Latin America and the Caribbean, three from Asia, five from Western Europe and other states, and two from Eastern Europe.

Qualification of Judges:

- ✚ All nominees should have a 'high moral character,' and credentials commensurate with those expected from the highest judicial officials of those countries. The Charter also makes it mandatory for judges to have recognised competence in international law.

Kulbhushan Jadhav Case:

- ✚ Mr. Jadhav, a retired Indian Navy officer was sentenced to death by a Pakistani military court on charges of espionage and terrorism in April 2017.
- ✚ India approached the ICJ in May 2017 against Pakistan for **denying consular access** to Mr. Jadhav.
- ✚ India challenged the “**farcical trial**” by the military court against Mr. Jadhav.
- ✚ India based its case on two broad issues —
- ✚ Breach of Vienna Convention on consular access
- ✚ The process of resolution

Pakistan Stand

- ✚ Pakistan on its part insisted that the Indian Navy officer was a "spy" and not a businessman.
- ✚ Pakistan had rejected India's plea for consular access to Jadhav at the ICJ, claiming that New Delhi wants to get the information gathered by its "spy".

