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An Analytical Study on the Role of International Courts and Tribunals in Peaceful Resolution of India's Inter-State Disputes

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ABSTRACT

Particularly in the framework of public international law, this article investigates the changing function of international courts and tribunals in the peaceful settlement of India's international conflicts. It critically looks at India's involvement and reaction to rulings made by international adjudicatory organisations as the Permanent Court of Arbitration (PCA), the International Court of Justice (ICJ). Examining how these processes have influenced India's legal techniques and diplomatic approaches, the study investigates significant instances like the Kulbhushan Jadhav case, the Indus Waters Treaty conflict, and the maritime delimitation with Bangladesh. The paper underlines India's careful but slowly growing dependence on judicial conflict settlement, offset by its historical preference for bilateral and diplomatic interactions. It also looks at procedural frameworks, jurisdictional issues, and how international decisions affect India's sovereign interests and compliance behaviour. While pointing out shortcomings such enforcement gaps and political opposition, the article emphasises the need of rule-based conflict resolution in promoting international peace by means of doctrinal research and case law study. The results support not only the strengthening of world legal order but also the protection of national interests within a multilateral framework by India with international legal forums by more active and consistent participation. This paper adds to the conversation on global governance and underlines the need of legal diplomacy in modern international relations.

I. INTRODUCTION

An important aspect of international law is that of resolution of interstate disputes, which preserves the peace, cooperation and the predictability of the global order. Such disputes are today settled through the role played by international courts and tribunals in the modern legal framework. As an independent nation, India has been involved in different interstate disputes,

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especially over the territorial claims, river water sharing and trade conflicts. Consequently, this dissertation critically examines the ability of international courts and tribunals in addressing to resolve India's interstate dispute and analyses landmark cases with jurisdictional implications on the history of Indian jurisprudence, and international law.

For example, important institutions to determine disputes between states are international courts and tribunals, for example International Court of Justice (hereinafter referred to as **"ICJ"**), Permanent Court of Arbitration (hereinafter referred to as **"PCA"**), and World Trade Organization (hereinafter referred to as **"WTO"**) Dispute Settlement Body. India has had dealings with these bodies in Indus Waters Treaty dispute with Pakistan; the Enrica Lexie case with Italy[3], and in maritime boundary disputes with Bangladesh[4]. These cases have resulted in the outcomes that have shaped India's approach to the international dispute resolution mechanisms.

This research also attempts to determine the legal principles applied in such disputes and their effect on the sovereignty, diplomatic strategies and compliance with international legal obligations of India. In addition, the study will examine the difficulties of enforcement of international tribunal decisions in terms of jurisdiction, state sovereignty and political considerations.

Through this analysis of India's dealings with international courts, this research will help explain how international courts are effective in ensuring global order and peace. This study will aid policymakers, legal scholars and international relations experts in dealing with the contentious issues surrounding international dispute resolution and the role of it for India.

II. THEORETICAL FRAMEWORK AND LEGAL FOUNDATIONS

Order in the world and resolving conflicts between sovereign states are essential since international law has to do with, a principal role to play in the lives and existence of man. This is a set of rules, treaties, conventions and legal principles through which relations between nations are governed. There is a desire to use international dispute resolution mechanisms as a means of peaceful handling of conflicts and providing stability and cooperation in the global legal order. The scope of this chapter is to provide a broad overview of the evolution of international law as applied to the settling of interstate dispute with a special emphasis on the involvement of India in international legal frameworks.

[3] *Enrica Lexie Incident (Italy v India)* (PCA, Award, 21 May 2020)
[4] Arbitration between the People's Republic of Bangladesh and the Republic of India (Award) (2014) PCA Case No 2010-16 https://www.pcacases.com/web/sendAttach/383 accessed 28 February 2024.

DEFINITION AND SCOPE OF INTERNATIONAL LAW

International law can be generally said to consist of legal rules and norms that govern relations between sovereign states, international organizations, and, in some instances, individuals. It can largely be characterized by treaties, customary practices, judicial decisions, and legal principles recognized by civilized nations[5]. Two major branches of international law are public international law, which concerns the relations between states and international entities, and private international law, which defines matters of conflicting jurisdiction and applicable law in transnational private disputes.

The international law includes the following:

1. Territorial Sovereignty: Definition of the national borders and settling of territorial disputes.
2. Human rights and humanitarian laws: Establishing protections under international law for individuals in treaties like the Universal Declaration of Human Rights and the Geneva Conventions.
3. Trade and economic relations: Regulating international trade with mechanisms like the World Trade Organization (WTO).
4. Environmental protection: Regulating transnational environmental issues through treaties like the Paris Agreement on climate change.
5. Dispute resolution mechanisms: Enforcing international obligations and settling disputes through judicial/quasi-judicial bodies such as the International Court of Justice (ICJ) or Permanent Court of Arbitration (PCA).

India, as a sovereign, is one of the parties to international law through its obligations to global treaties and domestic dispute resolution forums. However, India adopts a rather strategic approach to compliance with international law based on its national interest and sovereignty concerns.

HISTORICAL EVOLUTION OF INTERNATIONAL DISPUTE RESOLUTION

From legal means to settle disputes between states, it has changed much over the centuries. The international dispute resolution process can now be marked off as follows in distinct phases:

1. Early Diplomatic Practices and Customary Law:

[5] Rao TSR, "India's International Disputes" [1984] Archiv Des Völkerrechts, 22. Bd. 22 https://www.jstor.org/stable/40798072

In the ancient civilizations of the world, disputes between states were invariably settled through negotiation, mediation, or treaty. Early legal traditions such as Mesopotamia codes and Greek city-states great emphasized diplomacy as an end in itself. The customary international law began by entering into repetitive action taken by states and by recognizing some norms as binding and creating the modern mechanisms for the resolution of disputes[6].

2. The Westphalian System and Modern Sovereignty Birth-from 1648:

The Treaty of Westphalia has turned the attempted new dimensions in international relations known as state sovereignty. According to this system, states would have sovereign jurisdiction over defined territory but would also be equal in an international legal order. This was another element of the differential status that left de facto causes as the primary source of conflict, which disallowed the establishment of formal systems

of dispute resolution by a state[7]. In most instances, deprivation of legally established institutions to enforce norms internationally ended up creating wars and extended conflicts.

3. Arbitration and the 19th Century:

The 19th century marked the trend for arbitration as the ever-reliable mode in recourse for interstate disputes. The Jay Treaty between the United States and Great Britain set a precedence on arbitration as early as 1794, paving the way for the Alabama Claims arbitration to signalize the well-determined attempt on the part of the US and Britain toward the peaceful resort to third-party adjudication in 1872[8].

4. Permanent International Courts Establishment (20th Century):

Moving into the early 20th century, the movement towards institutionalizing mechanisms for the resolution of disputes gained great momentum:

a. Permanent Court of Arbitration (PCA) (1899): Based at The Hague, the PCA does bestow a formal structure on arbitration between states.

b. League of Nations and Permanent Court of International Justice (1920): For international disputes in the domain of the League of Nations, a court was set up;

[6] Anand P and Singh V, "India and International Dispute Settlement: Some Reflections on India's Participation in International Courts and Tribunals" [2018] SSRN Electronic Journal https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3205581

[7]Sikri A, 'International Court of Justice and India' in C Jalloh and O Elias (eds), Shielding Humanity: Essays in International Law in Honour of Judge Abdul G. Koroma (Brill 2015) https://brill.com/display/book/9789004321335/B9789004321335-s011.xml accessed 28 February 2025.

[8]Sinha D, "International Dispute Settlement Mechanisms and India-Pakistan Disputes" (2017) 12 Indian Foreign Affairs Journal 202 https://www.jstor.org/stable/45341993

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however, it could not dispense effective justice due to a lack of enforcement.

c. United Nations and the International Court of Justice (ICJ) (1945): In conjunction with the UN, the ICJ became the main judicial organ governing the adjudication of disputes between states. The court has since remained critical, adjudicating on disputes involving India, such as the Indus Waters Treaty arbitration and the Kulbhushan Jadhav case against Pakistan[9].

5. Contemporary Dispute Resolution Mechanisms:

Modern mechanisms of international dispute resolution provide an assortment of options for settlement of conflicts.

a. Judicial Settlement: Those incidents which settle binding resolution include international courts such as the ICJ and regional courts such as the European Court of Human Rights.

b. Arbitration: PCA and tribunals under bilateral and multilateral treaties offer flexibility in choosing dispute resolution processes with binding awards.

c. Mediation and Conciliation: Third party mediation by the UN or neutral states provides solutions to the disputes without imposing binding legal decisions.

d. Trade and Investment Dispute Resolution: WTO Dispute Settlement Body and investor-state arbitration mechanisms are responsible for settling conflicts within international trade and investment agreements[10].

INDIA'S ENGAGEMENT WITH INTERNATIONAL DISPUTE RESOLUTION

The international courts and tribunals were treated on different occasions by India, usually in an effort to balance its legal commitments and strategic interests. Some of the case studies that India has been involved in are:

- Indus Waters Treaty Arbitration (India vs. Pakistan)[11]: The PCA did adjudicate the cricket match on the water-sharing disputes raised under the Indus Waters Treaty mediated by the World Bank.

[9]Moussa J, "IMPLICATIONS OF THE INDUS WATER KISHENGANGA ARBITRATION FOR THE INTERNATIONAL LAW OF WATERCOURSES AND THE ENVIRONMENT" (2015) 64 The International and Comparative Law Quarterly 697 https://www.jstor.org/stable/24760849

[10]United Nations, "Upholding the Rule of Law at the International Level: The Role of the International Court of Justice | United Nations" (United Nations) <https://www.un.org/en/chronicle/article/upholding-rule-law-international-level-role-international-court-justice>

[11] *Indus Waters Kishenganga Arbitration (Pakistan v India)* (PCA, Final Award, 20 December 2013)

- Enrica Lexie Case (Italy vs. India)[12]: This PCA award dealt with the question of the legal jurisdiction of India over the arrest of two Italian marines in the shooting dead of Indian fishermen.
- The Jadhav Case Kulbhushan (India vs. Pakistan, ICJ)[13]: The Jadhav Case (India vs. Pakistan, ICJ) concerned the breach of consular access rights under the Vienna Convention on Consular Relations (VCCR) by Pakistan, as ruled by the International Court of Justice (ICJ). The case highlights challenges in enforcing international legal decisions and India's approach to international adjudication.

An evolution of the international mechanism for dispute resolution shows how such frameworks have increasingly been taken into account in contributing to the global peace and stability landscape. From early diplomatic negotiations to modern judicial institutions like the ICJ and WTO, international law has developed relatively strong mechanisms for settling disputes. Yet, enforcement issues, jurisdictional limitations, and state sovereignty concerns continue to reflect India's engagement with international courts and tribunals.

ROLE OF INTERNATIONAL COURTS AND TRIBUNALS

International courts and tribunals are unbiased judicial bodies that settle differences between nations, and in some instances, between individuals or organizations. Their core work is essentially maintenance of international law, settlement of disputes, and compliance with treaties and conventions.

The most significant aspect of international courts lies in their ability to translating legal certainty in conditions that otherwise would have deteriorated in armed confrontation. Application of legal principles instead of political or military might in solving disputes is the way they contribute to a peaceful resolution[14]. Along with those factors, their judgments and interpretation further incorporate them into the making of customary international law.

Apart from public interest, these international tribunals also hold states accountable through the establishment of caseloads relating to war crimes, genocide, human rights abrogation, and environmental degradation. In their application and usage, these courts build up into a progressive vision of justice and global governance, with an eye into checking abuses against state and people accountability.

[12] *Enrica Lexie Incident (Italy v India)* (PCA, Award, 21 May 2020)
[13] *Jadhav (India v Pakistan)* [2019] ICJ Rep 418
[14]Bercovitch J and Jackson R, Conflict Resolution in the Twenty-First Century (2009) https://doi.org/10.3998/mpub.106467

Jurisdiction of International Courts and Tribunals

Jurisdiction is a term that refers to the legal powers or authorities of a court or tribunal to hear and decide cases. There exist various types of international court jurisdictions based upon its mandate, the nature of dispute, and the consent of the parties involved.

a. Contentious Jurisdiction

Contentious jurisdiction allows international courts to adjudicate cases which involve bona-fide journalists, witnesses, and whistleblowers who have reason to fear for their security because of their professional obligations and work. For international courts such as the International Court of Justice (ICJ) to determine disputes between states on subjects such as boundary disputes, treaty violations with respect to consular access, and diplomatic conflicts, both the parties have to have recognized the jurisdiction of the ICJ either via treaties, special agreements, or declarations of acceptance[15].

Example: In the Jadhav Case (India v. Pakistan), India brought a case before the ICJ arguing that Pakistan violated the Vienna Convention on Consular Relations by denying consular access to an Indian citizen sentenced to death.

b. Advisory Jurisdiction

Some international courts issue non-binding opinions concerning international law on request from UN agencies or states. The ICJ, for example, will give advisory opinions on questions concerning international law submitted to it by the UN General Assembly (UNGA), the Security Council, or organs directed by the UN Charter[16].

For instance, ICJ's rainy 2004 Advisory Opinion referring to the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory was asked by the UNGA to ascertain the legality of the Israeli security barrier.

i. Jurisdiction over crimes will not only depend on states but also on an individual. They may include prosecution for serious crimes like genocide, war crimes, and crimes against humanity.

ii. International Criminal Court (ICC) established under the Rome Statute is one of those where individual prosecutions are made for serious breaches of the rules of international law.

Example: Sudan's former President Omar al-Bashir was issued an arrest warrant by the ICC for

[15]Cassimatis AE, "PUBLIC POLICY UNDER THE NEW YORK CONVENTION – BRIDGES BETWEEN DOMESTIC AND INTERNATIONAL COURTS AND PRIVATE AND PUBLIC INTERNATIONAL LAW" (2019) 31 National Law School of India Review 32 https://www.jstor.org/stable/26918421

[16]Oellers-Frahm K, "Multiplication of International Courts and Tribunals and Conflicting Jurisdiction — Problems and Possible Solutions," vols 5–5 (Kluwer Law International 2001) https://www.mpil.de/files/pdf1/mpunyb_oellers_frahm_5.pdf

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the commission of war crimes and genocide in Darfur.

c. Arbitral Jurisdiction

Arbitral jurisdiction means the power of arbitral tribunals to settle disputes between mutual parties, most of the time based on treaties, agreements, or arbitration clauses. Unlike international courts, these rules apply to specific laws chosen by both parties; most of them are commercial, investment, and even inter-state disputes. They include both the Permanent Court of Arbitration (PCA) and investment dispute resolution mechanisms like the International Centre for Settlement of Investment Disputes (ICSID)[17].

For the exercise of arbitral jurisdiction, both parties must agree for arbitration, specifying the law governing the arbitration, the procedures, and the selection of arbitral individuals. Arbitral awards are binding and capable of enforcement under international conventions such as the New York Convention (1958).

The Indus Waters Kishenganga Arbitration (India v. Pakistan)[18] is an instance in the Indus Waters Treaty (1960), where Pakistan questioned India's construction of the Kishenganga hydroelectric project, stating alleged violations of the treaty by India. The PCA, in 2013, ruled that India could proceed with the project, but with a minimum flow to Pakistan, balancing both countries' rights under the treaty. This example showcases sort of how arbitral jurisdiction provides a neutral and structured way of approach to resolving inter-state disputes.

Functions of International Courts and Tribunals

International courts and tribunals perform a variety of functions aimed at the maintenance of international peace, dispute settlements, and the upholding of law.

a. Interpretation and Application of International Treaties

International courts interpret treaties for the purpose of determining under international law the legal obligations for state parties.

For ex: In the dispute between Hungary and Slovakia[19] over the Gabčíkovo-Nagymaros Project, the ICJ interpreted the obligations under a treaty concerning the use of the Danube River.

[17] Kumar S and Singh A, 'Dispute Resolution Issues in Indian Cross-Border Transactions' (2012) Jones Day Publications https://www.jonesday.com/en/insights/2012/02/dispute-resolution-issues-in-indian-cross-border-transactions accessed 28 February 2025.

[18] Jasmine Moussa, "IMPLICATIONS OF THE INDUS WATER KISHENGANGA ARBITRATION FOR THE INTERNATIONAL LAW OF WATERCOURSES AND THE ENVIRONMENT" (2015) 64 The International and Comparative Law Quarterly 697 https://www.jstor.org/stable/24760849

[19] Gabčíkovo-Nagymaros Project (Hungary v Slovakia) [1997] ICJ Rep 7

b. Resolution of Territorial and Maritime Disputes

Disputes related to territorial sovereignty and maritime boundary issues are resolved by courts such as ICJ and ITLOS.

For ex: The Maritime Delimitation in the Indian Ocean Case (Somalia v. Kenya)[20] was heard by the ICJ to de-eliminate overlapping territorial claims.

c. Trade and Investment Dispute Resolution

The settlement of economic disputes is within the remit of the Dispute Settlement Body of the World Trade Organization (WTO) and investment arbitration panels under the Permanent Court of Arbitration (PCA).

Example: The WTO Appellate Body rendered a ruling in the trade dispute between the United States and the European Union with respect to subsidies offered to airplane manufacturers Boeing and Airbus.

d. Protection and Enforcement of Human Rights

Regional Courts of Human Rights either the European Court of Human Rights (ECHR) and Inter-American Court of Human Rights adjudicate cases of violations of human rights.

Example: The ECHR held Russia accountable for violations of human rights in Georgia after the conflict.

Types of International Courts

a. International Court of Justice

The ICJ is the United Nations' principal judicial pillar, established in 1945 under the UN Charter; it tries all disputes between States regarding issues which arise in connection with territorial sovereignty, diplomatic relations, coping with treaty interpretation issues, etc. The ICJ also may give advisory opinions on legal questions referred to it by UN bodies or specialized agencies[21]. Its ruling is binding on the parties but enforcement is, however, problematic.

b. International Tribunal for the Law of the Sea

The ITLOS is established under the United Nations Convention on the Law of the Sea (UNCLOS) and organizes decided disputes at sea in terms of territorial waters, exclusive

[20] Maritime Delimitation in the Indian Ocean (Somalia v Kenya) [2021] ICJ Rep 3

[21] Ranjan P, 'The International Court of Justice's Balancing Act' (2024) Carnegie Endowment for International Peace https://carnegieendowment.org/2024/01/15/international-court-of-justice-s-balancing-act-pub-123456 accessed 28 February 2025.

economic zones, and fishing rights. It also issues binding judgments on maritime delimitation and environmental obligations imposed by law of the sea. It operates directly at resolving maritime disputes without travel resort to the international register of support to other countries for international dispute resolution[22].

c. Permanent Court of Arbitration

The origins of the PCA go back to that year, 1899, when it was founded. It is used for arbitration or resolution of disputes between states, corporations, and international organizations. In contrast to a court, PCA applies flexible arbitration procedures that correspond to particular needs of the parties[23]. It has made a significant contribution to the resolution of investment disputes and to borderline settlements. The PCA provides the forum and place where states and private entities can resolve their dispute by establishing arbitration panels, thus making it a much-needed institution in alternative dispute resolution of international law.

d. International Criminal Court (ICC)

Prosecutes individuals for crimes relating to war, genocide, and acts of humanity. It makes sure that serious crimes would be held accountable in international law for the most part.

e. World Trade Organization (WTO)

Dispute Settlement Body Concludes trade disputes between member states, ensuring fair trade practices and adherence to international agreements.

f. European Court of Human Rights (ECHR)

Compliance with the European Convention on Human Rights, and it considers the cases regarding the human rights violations done in Europe.

g. Inter-American Court of Human Rights

Hear and decide cases of human rights violations throughout the Americas and help bring justice and protection to victims and communities affected.

Thus, all these courts put in touch in maintaining international peace and stability through legal resolution of disputes, as well as enforcing international standards. They would thereby provide evidence of the necessity for legal mechanisms in global governance, despite the challenge

[22] Attia I, 'Revisiting Jurisdiction of UNCLOS Courts and Tribunals Over Ancillary Sovereignty Disputes' (2023) 10(2) *Journal of Territorial and Maritime Studies* 5 https://www.jstor.org/stable/48750349 accessed 28 February 2025.

[23] "The Advisory Function of the International Court of Justice: Are States Resorting to Advisory Proceedings as a 'Soft' Litigation Strategy?" (Journal of Public and International Affairs) https://jpia.princeton.edu/news/advisory-function-international-court-justice-are-states-resorting-advisory-proceedings-%E2%80%9Csoft%E2%80%9D

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regarding rigid adherence to the enforcement of their orders.

India's Position in International Law

India has most prominently represented its case when it comes to international law and has championed the cause of global peace and cooperation. A founding member of the United Nations, India has, like most other founding members, been endorsing international legal channels for dispute settlement. Likewise, India has contributed judges to the International Court of Justice (ICJ) as well as actively participated in international arbitration cases under the Permanent Court of Arbitration (PCA).

India has also signed multilateral treaties like the United Nations Convention on the Law of the Sea (UNCLOS), the World Trade Organization (WTO) agreements, and a number of human rights conventions. Furthermore, India has taken an important role in international climate agreements and trade negotiations.

India's Historical Experience with Disputes Settled Internationally

For a long time, India has been involved in many international disputes that mostly are adjudicated by some or the other international legal institutions. It was Indus Waters Treaty (1960) mediated by the World Bank that stays at the moment One of the most successful cases of international mediation to solve a dispute about water usage.

In recent years, India has also been able to join PCA arbitration over maritime boundaries with Bangladesh. The Bangladesh-India maritime dispute peaceful arbitration settled in 2014 open another chapter of India's acceptance of international law. Besides, the country has participated in several trade disputes within the framework of the WTO and has raised several claims in international legal forums for resolving investment disputes based on bilateral investment treaties. All the above-mentioned cases indeed reflect India's approach of being willing to act under a converging regime of international law while still safeguarding its national interests.

This is reflective of India's serious endeavour of committing itself to the establishment of rules-based global order and peaceful dispute mechanisms. International courts and tribunals are playing an increasingly crucial role in actualizing global peace, justice, and the rule of law on an international level. Such legal institutions have been established to adjudicate international disputes between states, prosecute individuals for serious crimes such as genocide and war crimes, and interpret international law[24]. Furthermore, these developments have come as a result

[24] Charney JI, Bilder RB and Wald BHO and PM, "THE 'HORIZONTAL' GROWTH OF INTERNATIONAL COURTS AND TRIBUNALS: CHALLENGES OR OPPORTUNITIES?" (2002) 96 Proceedings of the Annual Meeting 369 https://www.jstor.org/stable/25659808

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of the increasing complexity of international relations which have also necessitated the growth of a well-organized legal framework with which nations, organizations, and individuals can cross borders.

The establishment of international courts and tribunals has been because of the necessity of an impartial and legally valid mechanism for conflict resolution that crosses national jurisdiction. Historically, states resolved their disputes through diplomacy or conflict, which tended to result in a very long period of instability. The growth of global governance institutions together with the codification of international law has steadily persuaded states to regard statutory adjudication as the preferred route for resolving disputes.

III. INTERNATIONAL COURTS AND TRIBUNALS

Much early development of international courts and tribunals can be traced to initial endeavours to establish machinery for the settlement of international disputes. Among the first was the establishment of the PCA in 1899, the very first attempt towards institutionalizing international dispute resolution. This was succeeded by the establishment in 1920 of the Permanent Court of International Justice (PCIJ) under the League of Nations, which today stands as the International Court of Justice (ICJ): the principal judicial organ of the United Nations.

With regard to acts of war and of accountability for war crimes and crimes against humanity, ad hoc tribunals, such as the Nuremberg and Tokyo Tribunals, were established after the Second World War. These were the first to try individuals for committing violations of international law, therefore setting the future template for today's international criminal justice approach. The legacy of such courts was inherited by the United Nations, thereby establishing in the 1990s the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) to prosecute crimes in those areas. Establishment of ICC in 2002 under the Rome Statute was one major milestone in international criminal law. It is a permanent court, having jurisdiction to investigate and prosecute the most serious crimes of concern to the international community as a whole, namely genocide, crimes against humanity, war crimes, and the crime of aggression[25]. In contrast to ad hoc tribunals, which can only be created for a specific conflict, the ICC is an independent institution with supranational jurisdiction provided that the crime occurred on the territory of a state party or involved a national of a state party.

[25] Pushkar Anand and Varsha Singh, "India and International Dispute Settlement: Some Reflections on India's Participation in International Courts and Tribunals" [2018] SSRN Electronic Journal https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3205581

SIGNIFICANCE OF INTERNATIONAL COURTS AND TRIBUNALS

International courts and tribunals fulfil many functions, for example, settling disputes between states, enforcement of international agreements, or protecting human rights. In essence, they provide states and individuals with justice under international law. They also provide the development and interpretation of international law that ensures that international law becomes a consistent and predictable tool of world governance.

Notwithstanding these glorious functions, international courts and tribunals grapple with several problems ranging from barriers to jurisdiction that restrict their access to enforcement of their judgments and political opposition from states that do not recognize the jurisdiction of international courts. Nevertheless, it is this role in promoting accountability, preventing conflict, and giving justice that has become ever more paramount in this age of interdependence[26]. This chapter will highlight the structure and jurisdiction and functioning of some select international courts and tribunals relative to their contribution to the global legal order and how well they have performed in addressing contemporary issues in international law.

1. The International Court of Justice (ICJ)

Originally set up by the UN Charter in 1945, the International Court of Justice (ICJ) serves as the principal judicial organ of the United Nations. The ICJ is located in The Hague, Netherlands. It acts as a venue for the settlement of disputes between states and for giving advisory opinions on legal questions referred to it by these bodies and specialized agencies. The ICJ's jurisdiction is both:

A. Contentious Jurisdiction: This takes place when the states adhere to a process of voluntarily submitting the dispute to the ICJ. The court is in a position to deal with cases like violations of treaties, claims relating to territory, matters concerning diplomatic relations, and international law violations.

B. Advisory Jurisdiction: In this case, the court gives legal opinions on topics presented to it by the organs and specialized agencies of the UN; however, the opinion does not carry any legally binding effect.

The mandate of the Court includes interpretation of international treaties, rules for border disputes, jurisdiction of cases relating to diplomatic and consular relations and accountability of states for violations of international obligations. The International Court of Justice also has

[26] Sikri A, 'International Court of Justice and India' in C Jalloh and O Elias (eds), Shielding Humanity: Essays in International Law in Honour of Judge Abdul G. Koroma (Brill 2015) https://brill.com/display/book/9789004321335/B9789004321335-s011.xml accessed 28 February 2025.

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had to decide numerous disputes brought up by India and Pakistan relating to the complexity of bilateral relations. The well-known ones are: the 10 August 1999 Aerial Incident and the Kulbhushan Jadhav Case.

1.1. Aerial Incident of 10 August 1999 (Pakistan v. India**):**

On 10 August 1999, a Pakistani naval aircraft was shot down near the India-Pakistan border by Indian forces, killing 16. Pakistan alleged that the aircraft was flying in its airspace on a routine training mission, while India asserted that it had intruded into Indian airspace[27].

Proceedings: Pakistan instituted ICJ proceedings against India on 21 September 1999, alleging violations of international law and seeking reparations. Pakistan based the ICJ's jurisdiction on three grounds:

a) General Act for Pacific Settlement of International Disputes (1928): Pakistan argued that both nations were parties to this act, which provided ICJ jurisdiction.

b) Declarations under Article 36(2)[28] of the ICJ Statute: Both countries had declarations accepting the Court's compulsory jurisdiction, with certain reservations.

c) Article 36(1)[29] of the ICJ Statute: Pakistan contended that it fell within treaties and conventions in force, invoking the Simla Agreement of 1972.

India has raised preliminary objections at the International Court of Justice against jurisdiction, among other things, with reference to its Article 36(2) declaration, which excludes disputes with Commonwealth countries and matters regarding armed conflict.

Judgment:

The ICJ found on 21 June 2000 that it had no jurisdiction to entertain the matter. In finding:

- General Act of 1928: India ceased to be a part of the act as early as 1974 and therefore, was no more a basis for jurisdiction.
- Article 36(2) Declarations: Valid reservation against Commonwealth jurisdiction applied as Pakistan had been a Commonwealth country, which barred that jurisdiction from ICJ.
- Article 36(1) of the Statute: The Simla Agreement did not vest jurisdiction in the ICJ explicitly.

[27]Kumar S and Singh A, 'Dispute Resolution Issues in Indian Cross-Border Transactions' (2012) Jones Day Publications https://www.jonesday.com/en/insights/2012/02/dispute-resolution-issues-in-indian-cross-border-transactions accessed 28 February 2025.
[28] Statute of the International Court of Justice, Article 36(2)
[29] Statute of the International Court of Justice, Article 36(1)

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The ICJ therefore dismissed the application of Pakistan on the ground of absence of jurisdiction.

1.2. .Kulbhushan Jadhav Case (India v. Pakistan):

In March 2016, Pakistan arrested Kulbhushan Jadhav, an Indian citizen and a former naval officer. The allegations were primarily related to espionage and terrorism with purported involvement in actions against the state. The Pakistani military court gave a death sentence to Jadhav in April 2017[30].

India argued that Pakistan violated the Vienna Convention on Consular Relations (VCCR) by:

- Failing to give timely notice of Jadhav's arrest to India.
- Denying consular access to Jadhav.
- Failing to inform Jadhav of his rights as per VCCR.

Proceedings:

On 8 May 2017, India applied to the ICJ asking for:

- Stay of execution of Jadhav.
- Declaration to the effect that Pakistan violated international law.
- Annulment of the decision made by the military court and the release of Jadhav.

Provisional measures were granted by the ICJ on 18 May 2017, whereby Pakistan was directed to stay the execution of Jadhav pending the final decision from the Court.

Judgment:

On 17 July 2019, the ICJ gave its judgment establishing that:

Violation of Article 36 of the VCCR: Pakistan failed to fulfil its obligations by not notifying Jadhav of his right to consular access and of failure to notify, without delay, India of Jadhav's arrest and detention, and by denying consular access.

- Espionage Exception: The ICJ rejected the contention by Pakistan that individuals against whom charges of espionage are levelled enjoy an exemption from the provision of consular access under the VCCR.

The Court did not set aside Jadhav's conviction or order his release but required Pakistan to undertake an effective review and reconsideration of his conviction and sentence, with due regard to all violations of his rights. The ICJ emphasized consular rights and obligations of

[30] "International Dispute Settlement Mechanisms and India-Pakistan Disputes" (2017) 12 Indian Foreign Affairs Journal 202 https://www.jstor.org/stable/45341993

states under VCCR, even in cases of alleged espionage[31].

These cases demonstrate the ICJ's function in deciding complex disputes between India and Pakistan. Even if the jurisdictional limitations of the Court may prevent it from deciding concerning the substantive aspects, its decisions in cases such as Kulbhushan Jadhav highlight the compelling need to respect international legal obligations as laid down in the Vienna Convention on Consular Relations.

2. Permanent Court of Arbitration (PCA)

The PCA, an intergovernmental organization, was set up in 1899 under the Hague Convention for the Pacific Settlement of International Disputes with the role of arbitration and other dispute resolution between states, international organizations, and private parties. In comparison with the states-only jurisdiction of the ICJ, the PCA provides a broad and flexible framework to incorporate both state and non-state actors. The PCA presides over arbitration using different legal frameworks, including the UNCLOS; investment treaties and commercial agreements[32]. It appoints arbitrators, provides administrative support, and ensures procedural fairness in dispute resolution.

2.1. Maritime Boundary Dispute between India and Bangladesh (2014)

Bay of Bengal Maritime Boundary Arbitration (Bangladesh v. India): The dispute is between India and Bangladesh regarding the Bay of Bengal maritime boundary, which arose as a result of overlapping claims to maritime territory regarding the continental shelf, EEZs, and territorial waters. Apparently, in 2009 Bangladesh made an application against India under Annex VII of UNCLOS in respect of PCA arbitration for delimitation of their maritime boundaries[33].

Legal Issues

1. Territorial sea, EEZ, and continental shelf delimitation - Different countries have different interpretations of how the boundary is supposed to be drawn.
2. Application of the equidistance principle vs equity - India supported the equidistant approach while Bangladesh sought an equitable resolution couched within special circumstances like its concave coastline.

[31] Jonathan I Charney, Richard B Bilder and Bernard H Oxman and Patricia M Wald, "THE 'HORIZONTAL' GROWTH OF INTERNATIONAL COURTS AND TRIBUNALS: CHALLENGES OR OPPORTUNITIES?" (2002) 96 Proceedings of the Annual Meeting 369 https://www.jstor.org/stable/25659808

[32] TS Rama Rao, "India's International Disputes" [1984] Archiv Des Völkerrechts, 22. Bd. 22 https://www.jstor.org/stable/40798072

[33] Attia I, 'Revisiting Jurisdiction of UNCLOS Courts and Tribunals Over Ancillary Sovereignty Disputes' (2023) 10(2) Journal of Territorial and Maritime Studies 5 https://www.jstor.org/stable/48750349 accessed 28 February 2025.

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3. Sovereignty over South Talpatti/New Moore Island - Contested, a small island at the mouth of the Hariabhanga River.

This ruling had been finally delivered by PCA back in 2014, primarily in favour of Bangladesh in:

- It awarded Bangladesh roughly 19,467 square kilometres of maritime territory to settle the boundary dispute.
- The PCA decided that equidistance principle is alone not enough, considering that Bangladesh has many geographical disadvantages, and it applied a modified equidistant approach so as to bring about an equitable result.
- South Talpatti Island, the tribunal held, is submerged due to rise in sea level and thus the claim for its sovereignty is to be considered moot.

Impact:

- The judgment greatly enhanced Bangladesh's sovereign rights over very large areas of the Bay of Bengal which contain important fishing and energy resources.
- The ruling reinforced the significance of arbitration in maritime boundary disputes and also set a legal precedent for future cases under UNCLOS.
- The Indian government accepted the ruling, thus indicating its inclination to follow the means to international dispute resolution mechanisms.

2.2. The Enrica Lexie Case (Italy v. India, PCA, 2020)

This case revolved around a dispute that arose between India and Italy on the incident of February 15, 2012, when two Italian marines aboard the Italian vessel Enrica Lexie were alleged to have shot and killed two Indian fishermen off the coast of Kerala, under the impression that they were pirates. India detained the marines and commenced prosecution against them under domestic law, while Italy stated that the case fell under its jurisdiction in as-much-as the marines were executing official duties on an Italian flagged vessel in international waters[34].

Legal Issues:

1. Conflict of jurisdiction – Would India or Italy be able to prosecute the Italian marines?
2. Sovereign Immunity – Did the marines have immunity from prosecution under international law?

[34] Jacob Bercovitch and Richard Jackson, *Conflict Resolution in the Twenty-First Century* (2009) https://doi.org/10.3998/mpub.106467

3. UNCLOS rules applying to maritime incidents – The dispute construed the provisions of UNCLOS pertaining to jurisdiction of states on crimes at sea.

Decision: In 2020, the PCA ruled that:

- India lacked jurisdiction to prosecute Italian marines as they were state officials acting in an official capacity.
- Italy had exclusive rights to consider the case and was obliged to ensure that the marines were granted a fair trial.
- Finally, Italy was bound to afford recompense to India for the death and economic loss of the fishermen.

The ruling reaffirmed the essence of sovereign immunity with respect to military personnel on duty. This ruling facilitated the cooling of diplomatic tensions between India and Italy, finally resulting in Italy's compensation to the families of the victims, also highlighted the role of PCA in interpreting provisions of UNCLOS regarding maritime jurisdiction disputes.

The PCA plays an indispensable role in handling complicated international disputes through arbitration, especially with respect to maritime and investment arbitration. The India-Bangladesh maritime dispute and the Enrica Lexie incident testify to such importance of the PCA in peaceful resolution of disputes. The engagement of India with the PCA provides evidence of India's willingness to follow the rules of international legal norms, thereby adding to the importance of arbitration in global governance[35].

3. The International Criminal Court (ICC)

The International Criminal Court (ICC) was established under the Rome Statute of 1998, which came into effect in 2002. It is the world's first permanent international criminal tribunal tasked with prosecuting individuals responsible for the most heinous crimes, including genocide, war crimes, crimes against humanity, and the crime of aggression.

Nevertheless, they work within the specified jurisdictional limitations:

1. State Consent: Unless the United Nations Security Council (UNSC) refers a case under Chapter VII of the UN Charter, the ICC can only prosecute crimes that occurred within the territory of a state party or by nationals of state parties.

[35] Pushkar Anand and Varsha Singh, "India and International Dispute Settlement: Some Reflections on India's Participation in International Courts and Tribunals" [2018] SSRN Electronic Journal https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3205581

2. Complementarity Principle: The ICC only espouses national jurisdictions when those jurisdictions show unwillingness or inability to prosecute crimes adequately.
3. Temporal Jurisdiction: This court can prosecute only for crimes committed after 1 July 2002, that is, the date when the Rome Statute was internationally operative.
4. Personal Jurisdiction: It regards only individuals, excluding states, meaning that as a consequence leaders, military commanders, and policymakers can be made accountable.

Such jurisdiction limits pose questions of sovereignty and legal independence for India. If India ratifies the Rome Statute, theoretically, this would mean that the ICC could exercise jurisdictional powers to bring cases of international crimes committed by Indian nationals before this court, even without India's involvement in their prosecution.

India’s Position on the ICC: India is not a party to the Rome Statute and has maintained an obstinate attitude toward joining the ICC for several reasons:

1. Sovereignty and External Interference - India believes that the ICC interferes with national sovereignty by allowing an external tribunal to investigate and hold trials for crimes that reasonably could have been tried in India.

2. Selective Justice and Political Manipulation - Critics contend that the ICC targets only those heads of state and government from developing nations, particularly in Africa; it does not care to investigate alleged crimes by powerful states.

3. Referral Powers of the UNSC - India fears that politicization and selective targeting apply to cases of non-member states referred to the ICC by members of the UNSC, including the P5.

4. Indian Army Personnel at Risk - Because India participates in UN peacekeeping and war operations in Kashmir and Northeast India, there is a real concern that the ICC may be invoked against its military officials.

5. Ambiguity Concerning the Definition of ‘Crimes of Aggression’ - India has objected to the broad, unqualified jurisdiction of the ICC over the crime of aggression, lest it includes legitimate military operations.

India's reluctance of the ICC is construed due to showing such global cases about the controversy of jurisdictional regime of the court. A few examples include:

1. An arrest warrant was issued by the ICC against former president of Sudan and the indictee of Omar al-Bashir, although Sudan is a non-member state. This made India's concern that it may, in fact, have exercised such a power as extra-territorial jurisdiction through UNSC referrals.

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2. War Crimes Allegations against the US and Afghanistan – The ICC started investigations into the US military actions in Afghanistan. And in retaliation, the US has imposed sanctions on ICC officials. For India, this has set a precedent whereby military actions of a non-signatory involved in the commission of crimes within another country are now deprived of enforcement mechanisms that are applicable to major powers[36].

3. Threat of Withdrawal by Kenya – Following ICC proceedings against certain Kenyan leaders, Kenya has now threatened to withdraw from the ICC, arguing it had been motivated politically. This does seem to indicate politicised judicial trials against developing countries.

India's Different approaches to International Criminal Justice: India is looking for a complementary form of prosecution at the state level and regional co-operation in criminal justice instead of joining the ICC. This supports ad hoc tribunals, such as those created by the United Nations for Rwanda and Yugoslavia, instead of a single, permanent body. India has also taken an active part in conventions on war crimes and human rights without coming under the jurisdiction of the ICC.

India's apprehension about its sovereignty, the possibility of political discrediting, and jurisdictional overreach has kept it away from the ICC. Although the ICC's primary aim is to ensure justice for international crimes of utmost seriousness, India is hesitant to submit to foreign adjudication any matter that could affect its military, political leaders, and sovereignty[37]. Rather, India has advocated reforms in the international criminal law system while actively maintaining a strong commitment to human rights within its own national framework. Taking these concerns into consideration, India attempts to maintain a balance between global justice and its national interest.

4. Regional Dispute Resolution Mechanisms

Dispute resolution mechanisms at the regional level are vital to fostering peace, stability, and legal order between neighbouring states. While inter-state disputes are generally considered global matters, international courts, and tribunals like the ICJ and PCA provide a localized and culturally appropriate avenue for resolution through regional bodies. Such mechanisms uphold treaty obligations, mediate conflicts, and set regional legal precedents. The present paper shall discuss the regional mechanism for dispute settlement under SAARC along with other local

[36] Akande D, "The International Court of Justice and the Security Council: Is There Room for Judicial Control of Decisions of the Political Organs of the United Nations?" (1997) 46 The International and Comparative Law Quarterly 309 https://www.jstor.org/stable/760719

[37]Kumar S and Singh A, 'Dispute Resolution Issues in Indian Cross-Border Transactions' (2012) Jones Day Publications https://www.jonesday.com/en/insights/2012/02/dispute-resolution-issues-in-indian-cross-border-transactions accessed 28 February 2025

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courts and tribunals.

5. SAARC and dispute resolution

The South Asian Association for Regional Cooperation or SAARC is a regional organization founded in 1985 with the membership of eight South Asian countries: Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri Lanka. While SAARC is primarily an economic and cultural cooperative body, it has sought to mediate disputes within the region. SAARC espouses a principle of non-interference in the internal affairs of member states and hence, is reluctant to act as a formal dispute resolution body. Instead, it fosters dialogue with a view to preventing disputes from arising, promoting economic cooperation, and encouraging confidence-building measures[38]. Nonetheless, SAARC's mediation and diplomatic engagement have influenced regional disputes, such as:

1. The Charter of the Regional Convention on Suppression of Terrorism (1987): Recognizing the increase in cross-border terrorism in South Asia, this convention was adopted to strengthen cooperation among SAARC member states in combating terrorism[39]. Although lacking effective enforcement mechanisms, it has initiated legal cooperation on security issues.
2. SAARC Arbitration Council (SARCO): Set up to facilitate conflict resolution regarding trade and investment, SARCO provides arbitration to businesses and governments in the region. Political disputes are outside its purview; nevertheless, it adds certainty to economic relations.
3. Kargil Conflict (1999) and SAARC's Diplomatic Role: In hindering the conflict, there was spirit appointed for back-channel negotiations with SAARC extending its diplomatic role to regional dispute matter during the Kargil War between India and Pakistan.

Even though SAARC aims at being an active potential dispute settlement organization, at the level of diplomacy and conventions, it has developed legal cooperation among the member states. However, political complications have left many unresolved regional disputes, particularly those related to India and Pakistan.

[38] Pushkar Anand and Varsha Singh, "India and International Dispute Settlement: Some Reflections on India's Participation in International Courts and Tribunals" [2018] SSRN Electronic Journal https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3205581

[39] TS Rama Rao, "India's International Disputes" [1984] Archiv Des Völkerrechts, 22. Bd. 22 https://www.jstor.org/stable/40798072

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6. Other Regional Courts and Tribunals

Apart from SAARC, regional states operate various other courts and dispute resolution mechanisms exclusively to manage the conflicts among itself and neighbouring states. Such include the membership of the European Court of Justice (ECJ), the Inter-American Court of Human Rights (IACHR), the African Court on Human and Peoples' Rights (AfCHPR), and ASEAN dispute resolution mechanisms.

A. European Court of Justice (ECJ)

The ECJ is the judicial authority of the EU, which maintains proper uniformity in the interpretation and application of the EU law across the different member states of the union. The jurisdiction of the ECJ comprises the following:

- Infringement Proceedings: It is enacted in cases where there is a failure by member states of the EU to comply with EU law.
- Preliminary Rulings: It gives legal interpretation to national courts on EU laws.
- Competition and Trade Disputes: It resolves disputes between EU institutions and businesses.

Case: ***The United Kingdom v. the Council of the European Union (2005)***[40]

This case was about an EU directive with provisions for working time regulations, which were said to be encroaching upon the sovereignty of the UK. The ECJ upheld the directive, thus reiterating the supremacy of EU laws over national laws.

B. Inter-American Court of Human Rights

The court under the Organization of American States (OAS), where all human rights petitions from Latin America are made, has developed a number of important decisions on state responsibility, indigenous rights, and crimes against humanity.

Case: ***Velásquez Rodríguez v. Honduras (1988)***[41]

Established a principle on enforced disappearances, condemning it as a violation of human rights by Honduras under the American Convention on Human Rights.

C. African Court on Human and Peoples' Rights

The AfCHPR provides for compliance with the African Charter on Human and Peoples' Rights. Jurisdiction is provided for cases instituted by African states, individuals, and non-

[40] The United Kingdom v Council of the European Union (2005) C-84/94, EU:C:2005:95.
[41] Velásquez Rodríguez v Honduras (Judgment) Inter-American Court of Human Rights Series C No 4 (29 July 1988).

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governmental agencies.

Case: ***Tanganyika Law Society v. Tanzania (2013)***[42]

The court ruled against Tanzania's electoral laws citing right to political participation and fair elections.

D. ASEAN Dispute Resolution Mechanisms

The mechanisms are the diplomatic and legal means used by the Association of Southeast Asian Nations (ASEAN) in managing regional disputes. These include the DSM which is used for trade disputes and ASEAN-led mediations in political conflicts.

Case Study: ***South China Sea Dispute (2016)***[43]

This was not under ASEAN, but the Permanent Court of Arbitration ruled for the Philippines against China's claims in the South China Sea. It came into being of its own accord through the diplomatic efforts of ASEAN for compliance with international law.

Above structures that have been introduced could serve a really useful purpose and add valuable weight to the practice of resolving conflict in regional settings. SAARC would continue that pathway but may well not be seen as an adjudicatory body. Its remit has extended to include legal cooperation and economic arbitration, not given to be logical personisation machines in South Asia. The ECJ is a proper example of supranational enforcement of the legal norm; the IACHR and AfCHPR examples pertain to respect for human rights in certain regions. ASEAN efforts, both diplomatic and legal, contribute to stability in that region, too[44]. SAARC for South Asia would have to transform into something that would need increasingly structured legal mechanisms for amicable settlement of disputes among its members. A model from the EU and ASEAN could serve SAARC in constructing a binding arbitration mechanism for trade, water sharing, and territorial disputes. This could provide a well-established instrument for durable settlement of disputes and even more significant strengthening of peace and co-operation amongst neighbouring nations.

IV. CONCLUSION

The amicable settlement of international conflicts is fundamental to global diplomacy & the rule of law. India, as a sovereign state dedicated to global peace and collaboration, has actively

[42] Tanganyika Law Society and the Legal and Human Rights Centre v Tanzania (Judgment) (2013) App No 009/2011, African Court on Human and Peoples' Rights.
[43] South China Sea Arbitration (The Republic of the Philippines v The People's Republic of China) (Award) PCA Case No 2013-19 (12 July 2016).
[44]Jacob Bercovitch and Richard Jackson, Conflict Resolution in the Twenty-First Century (2009) https://doi.org/10.3998/mpub.106467.

pursued peaceful methods to resolve its foreign conflicts. This research has examined the role of international courts and tribunals, such as the International Court of Justice (ICJ), Permanent Court of Arbitration (PCA), along with other treaty-based adjudicatory organisations, as vital instruments in the settlement of India's significant conflicts. This paper highlights the importance and evolving impact of international forums in shaping India's legal and diplomatic stance on the global stage through a detailed analysis of landmark cases, including the Kulbhushan Jadhav Case, the Indus Waters Treaty Dispute, and the Bay of Bengal Maritime Boundary Arbitration.

The results suggest that while India has historically preferred bilateral discussions, its growing dependence on international adjudication signifies a transition towards rule-based conflict resolution. This strategy not only legitimises India's assertions but also bolsters its reputation as a responsible participant in the global arena. International tribunal decisions have, in several cases, supported India's legal postures or offered a systematic means to amicably address intricate geopolitical concerns. Nonetheless, the study underscores certain problems. These include delays in adjudication, challenges about enforceability, and apprehensions about the politicisation of legal institutions. Notwithstanding these constraints, the report asserts that international tribunals and courts are essential for fostering legal predictability, maintaining international standards, and averting the intensification of hostilities.

India's selective participation in such organisations demonstrates a strategic calculation—choosing international conflict resolution institutions that coincide with its national interests and diplomatic objectives. The Kulbhushan Jadhav case exemplified India's readiness to use international legal safeguards for its people, while the Indus Waters issue illustrated its dedication to treaty-based settlement mechanisms. These instances exemplify India's sophisticated approach, reconciling legalism with pragmatism.

Furthermore, the document underscores the necessity for India to enhance its investment in international legal proficiency and institutional capability. As international legal conflicts become more complex and multifaceted—spanning environmental issues to cybersecurity—India must be prepared to successfully advocate for its interests within global legal systems.

In summary, international tribunals and courts have been essential in the peaceful settlement of India's international conflicts. Despite their imperfections, these institutions have contributed to de-escalating tensions, elucidating legal positions, and reinforcing India's dedication to the tenets of international law. India's ongoing involvement with these entities, along with strategic & legal readiness, would be essential for manoeuvring through a more intricate international

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landscape. As India ascends in global significance, its dependence on rule-based frameworks will not only advance its national interests but also significantly enhance the overarching objectives of peace, justice, alongside global stability.

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