

CHAPTER IV

CLOSURE

A. Conclusion

Several conclusions based on the research that has been done in the Chapter III are:

1. The occurrence of non-compliance with the decisions of the International Court of Justice may endanger the development of international law. Military tension or even a war might be reached. Thus enforcement on the decisions is needed. But arguments against the enforcement of the decisions of the Court are delivered by the experts of international law. But the non-compliance issues are occurred and it does need enforcement on the decisions of the Court. Methods on enforcing the decisions of the Court need to be found.
2. There is possibility on enforcing the decisions of the International Court of Justice, Article 94 (2) of the Charter of The United Nations granted the UN Council authority to take measures on the enforcement of the decisions of the Court. Although there is no provisions conducting what measures could be taken by the Council, but it shows that the Council may take any measures necessary and it's allowed to invoke the assistance of specialized agency, regional organizations, and member states of the United Nations. But the enforcement through the Council will not be effective when the Council member is also parties in dispute

in such case due to use of the veto right. Another body of United Nations that have possibilities to enforce the decisions of the Court is UN General Assembly and UN Secretary General. But their possibilities in taking part in the enforcement of the Court decisions are less the UN Security Council's since the provisions don't explicitly allow them to take part in the enforcement.

B. Recommendation

Recommendations to be delivered by the writer are:

1. There is perspective from states that the non-compliance with the Court decisions won't give effect on them since sanctions won't be imposed on them. Therefore methods to ensure the compliance with the Court decisions are needed. Issues concerning the compliance with the decisions of the International Court of Justice need attention from international law experts since writings regarding this matter are low in number. It will be better if many experts put their concern in this issue since this issue is real and there might be new cases relating to the non-compliance with the Court decisions in the future.
2. There is still no certain provision conducting methods of the enforcement of the decisions of the International Court of Justice. Whereas it is needed since the number of non-compliance with the Court decisions is high. It is recommended that beside the possible method that was delivered in the Chapter III of this research, law experts and international community need to put their concern into the development of

international regulation conducting methods on the enforcement of the Court decisions. Regarding the methods delivered in the Chapter III of this research, the Chapter of the United Nations need to be revised for the disputant who is also member of the Security Council should not be able to use its veto right.

