

# EXAMINATION OF INTERNATIONAL COURT OF JUSTICE DECISIONS CONCERNING INTERNATIONAL LAW ENFORCEMENT

<sup>i\*</sup>Salawati Mat Basir

<sup>i\*</sup>Lecturer, Faculty of Law, Universiti Kebangsaan Malaysia, Malaysia

\*Corresponding author: salawati@ukm.edu.my

## ABSTRACT

This article examines the International Court of Justice's (ICJ) role in the enforcement of international law, focusing on how its decisions influence state behaviour and broader compliance mechanism. This article conducts a critical examination of the International Court of Justice's (ICJ) jurisprudence to analyse the effectiveness and limitations of its decisions in the context of international law enforcement. This article also highlights that, despite the legal finality and binding nature of ICJ judgments, the absence of a standing enforcement body means that compliance often depends on complex diplomatic pressure, the political will of states, and the Court's own perceived legitimacy. This article argues that while ICJ'S judicial function is vital for shaping and reinforcing international legal norms, its direct enforcement capacity is inherently limited by its consent-based jurisdiction and the political dynamics of global governance. It concludes by assessing whether current enforcement mechanisms are adequate for upholding global justice and offers recommendations for strengthening the practical impact of the Court's ruling in an evolving international society.

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## INTRODUCTION

The International Court of Justice (ICJ) serves as the principal judicial organ of the United Nations, playing a crucial role in adjudicating cases of international significance. Although some argue that ICJ decisions do not necessarily guarantee adherence to international law, their impact on the conduct of states remains substantial. This article explores the ICJ's mechanisms for enforcing judgments and managing cases of non-compliance. Drawing upon case studies and real-world examples, it investigates the legal foundations that compel states to comply with international court rulings and considers alternative strategies for implementation. Through a detailed analysis of ICJ jurisprudence, as

well as an assessment of the strengths and weaknesses of existing enforcement mechanisms, the article highlights ongoing debates about the execution of international law and its future trajectory. (McGraw, 2019)

The Court functions as the primary interpreter of international jurisprudence and serves as the adjudicative authority for disputes among nations, granting it the status of the world's highest judicial body. Despite possessing legal authority, the ICJ lacks binding enforcement mechanisms, which makes the implementation of its rulings particularly challenging. Consequently, skepticism regarding the effectiveness of the system has been

growing among scholars, practitioners, and policymakers. (*Zimmermann et al., 2019*) This study also examines the continuing debates on the advantages and shortcomings of the international legal system, focusing on the effectiveness of the various approaches used to enforce ICJ judgments.

### **INTERNATIONAL COURT OF JUSTICE (ICJ)**

The judges of the International Court of Justice, established by the United Nations in 1945, are entrusted with resolving disputes and providing legal opinions when requested by the UN or its affiliated entities. In recent years, the reliability and authority of the ICJ have been increasingly questioned, especially concerning the enforcement of its decisions and the successful resolution of conflicts. Cases dealing with territorial disputes, human rights, and environmental concerns pose particular challenges. When states fail to comply with ICJ rulings, it raises doubts about the legitimacy and authority of international law. (*Alter, 2020*) This article discusses the mechanisms through which ICJ judgments can be implemented, emphasizing both the arguments for compliance and the legal basis for the enforcement of international court decisions.

Examining this issue is essential due to the complex nature of global disputes and the rise of new international judicial bodies. The demand for effective methods of dispute resolution has increased alongside globalization, which is interconnected with challenges such as security, migration, and global trade. This research seeks to evaluate the problems associated with non-compliance and weak enforcement of ICJ rulings in the twenty-first century, offering insights into potential

reforms for strengthening the international legal framework. (*Bogdansky, 2017*)

### **A BRIEF HISTORY AND DISCUSSION OF THE INTERNATIONAL COURT OF JUSTICE**

The International Court of Justice, headquartered in The Hague, Netherlands, is the supreme judicial organ within the United Nations system, established in 1945 following the signing of the UN Charter. The Court's primary responsibilities include resolving legal disputes between states and providing advisory opinions upon request from the UN or its specialized agencies. The ICJ consists of fifteen judges, each serving a nine-year term, elected by both the UN Security Council and the General Assembly. Each judge represents a different nation and is selected based on merit, expertise, and impartiality.

The ICJ adjudicates contentious cases between states and provides advisory opinions on legal matters referred to it. Although its advisory opinions are not binding, they have played a significant role in shaping the development of international law. The ICJ is regarded as a cornerstone institution in international law because its rulings contribute to the strengthening and evolution of the legal order. Its decisions are widely respected among legal scholars and policymakers alike, and through them, the Security Council contributes to promoting peaceful dispute resolution and adherence to the UN Charter.

However, persistent challenges in enforcing ICJ rulings have placed pressure on the institution's credibility. The growing number of cases where states disregard the Court's decisions represents a serious enforcement crisis. This chapter examines the importance of the ICJ in international law, focusing on its structure, functions, and responsibilities, including its vital role

in resolving inter-state disputes and providing authoritative legal guidance.

### **CURRENT CASELOAD AND DECLINE AT THE ICJ**

For decades, the International Court of Justice (ICJ) has been regarded as the foremost authority in matters of international law. However, in recent years, there has been a notable decline in its caseload. From 1946 to 2025, the ICJ has averaged only five to six cases per year. The decreasing number of cases submitted to the Court suggests that states may be increasingly reluctant to rely on it for dispute resolution. One possible explanation for this trend is the growing preference among nations for alternative mechanisms such as arbitration, mediation, and negotiation, which have become more prevalent in settling international disputes.

Furthermore, other global judicial institutions — including the International Criminal Court and the International Tribunal for the Law of the Sea — have, to some extent, challenged the ICJ's leadership in certain areas of international adjudication. As the Court's docket becomes lighter, concerns have emerged about its continuing relevance and effectiveness in the modern international system. Some commentators interpret the decline in case numbers as evidence of waning confidence in the ICJ, while others propose measures to reinforce its authority and operational efficiency. (*Dunoff et al., 2023*)

Although the number of cases before the ICJ has diminished, its position at the pinnacle of the international legal system remains crucial. The Court continues to play an essential role in the peaceful settlement of disputes and the development of international law through its jurisprudence. Nevertheless, the

reduction in its workload has raised valid concerns about the ICJ's capacity to adapt to emerging global challenges and to remain responsive to the evolving dynamics of international relations.

### **DOUBTS IN THE ICJ'S LEGALITY AND AUTHORITY**

The International Court of Justice is widely recognized as the principal judicial organ within the global legal system. Yet, in recent years, debates have intensified concerning its legitimacy and authority. Critics argue that the ICJ's inability to enforce its own rulings has undermined its credibility. Although the Court's judgments are final and legally binding, there is no direct mechanism to compel compliance. Consequently, instances of states disregarding ICJ verdicts have raised pressing concerns about enforcement and adherence to international legal norms.

Many scholars contend that the ICJ's effectiveness in resolving inter-state disputes is limited by its lack of enforcement powers, thereby weakening its overall authority. Questions have also been raised about the representativeness and inclusivity of the Court's composition. The fifteen judges of the ICJ, elected for nine-year terms by the UN Security Council and General Assembly, are selected for their qualifications and impartiality. However, critics argue that the Court's structure remains disproportionately influenced by Western nations and inadequately reflects the perspectives of developing countries. This imbalance, some claim, creates the perception that ICJ decisions may favor certain regions rather than embodying the collective will of the global community. (*Corten, 2021*)

Similarly, doubts persist about the ICJ's capacity to foster amicable and equitable resolutions of international

disputes. While the ICJ is credited with advancing peaceful dispute settlement, it has been criticized for its cautious and conservative approach, particularly regarding environmental and human rights issues. These limitations have led some to fear that the ICJ's influence and relevance may diminish over time.

Nonetheless, the Court remains a pivotal force in shaping the evolution of international law. Its judgments contribute significantly to the resolution of global disputes and the strengthening of international legal principles. However, ongoing concerns about enforcement, fairness, and representativeness continue to challenge the ICJ's legitimacy and raise critical questions about its long-term role in promoting international peace and justice. (*Slagter & Van Doorn, 2022*)

### **REFUSAL TO ADHERE TO ICJ DECISIONS**

The failure to implement ICJ decisions rarely results from a single cause. One major factor is the lack of an effective mechanism for enforcing the Court's judgments. Although ICJ rulings are deemed final and binding, no specific enforcement structure currently exists. This institutional gap, combined with states' growing unwillingness to comply, poses a serious challenge to the Court's authority. Political and strategic considerations often influence states' decisions to disregard ICJ rulings, as compliance may be viewed as contrary to national interests or as too costly to pursue.

States may also challenge the legitimacy of ICJ judgments by questioning the authority of the UN Security Council or disputing the Court's jurisdiction. Misunderstandings or misinterpretations of ICJ procedures further complicate matters, undermining confidence in the Court's role

within the international legal order. Such challenges weaken the United Nations Charter's capacity to uphold justice and peace, eroding the credibility of both the ICJ and the broader international legal framework. Persistent non-compliance not only impairs the peaceful resolution of disputes but also destabilizes global efforts to address pressing transnational issues.

To enhance adherence to ICJ rulings, several measures can be considered. These include the establishment of new enforcement mechanisms, the strengthening of existing procedures, and the broader dissemination of information about ICJ decisions at both national and international levels. Addressing non-compliance requires a comprehensive and multidimensional approach — one that integrates legal, political, and diplomatic strategies. Ultimately, it is through collective commitment by the international community that the authority of the ICJ can be reinforced and the principles of justice and peace effectively upheld worldwide. (*Voeten, 2020*)

### **NON-COMPLIANCE WITH ICJ DECISIONS: WHAT IT MEANS AND HOW IT OCCURS**

The International Court of Justice (ICJ) stands as the principal judicial body responsible for resolving disputes between states and represents the highest authority in international law. Yet, it is noteworthy that despite being the ultimate adjudicatory body, the ICJ lacks the power to enforce its own decisions. This limitation reflects a broader issue in the international community's inability to ensure compliance with ICJ judgments, which is directly linked to the challenges of enforcing international court rulings.

A major obstacle to the effective implementation of ICJ decisions is the problem of non-compliance. When a state

receives an ICJ judgment and chooses to implement it only partially or not at all, this constitutes non-compliance. The reasons behind such behavior are often complex, involving political, economic, and legal considerations.

This section examines the various forms of non-compliance with ICJ rulings, providing definitions and examples to distinguish between full, partial, and delayed compliance. It also explores how a state's sovereignty, domestic political environment, and foreign relations influence its willingness or reluctance to adhere to ICJ decisions. Through the use of case studies, specific examples of non-compliance will be analyzed to uncover the factors that contribute to a state's failure to execute international court rulings.

Additionally, the discussion will address the broader implications of non-compliance for the functioning of the international legal order, particularly the erosion of confidence in the authority and effectiveness of the ICJ. This analysis provides a framework for understanding the enforcement challenges faced by the ICJ and underscores the need for more comprehensive compliance mechanisms. By classifying and assessing different types of non-compliance, this study contributes to strengthening strategies for improving adherence to international judicial decisions. (*Dinstein, 2019*)

### **COMPLIANCE IN STATES AND THE FACTORS THAT AFFECT IT**

For international law to remain legitimate and effective, states must comply with the rulings of the International Court of Justice. Compliance with ICJ judgments, however, varies widely among nations and depends on how such rulings align with each state's legal systems, political structures, and national interests. While enforcement is

often difficult, compliance is more likely when an ICJ decision is grounded in a well-established and widely accepted legal norm. In contrast, if a ruling is based on a contested or ambiguous principle, adherence may be more challenging.

The extent to which a state complies with an ICJ ruling often depends on a rational calculation of national interests essentially, a cost-benefit analysis. When compliance aligns with a state's perceived national interest or when the benefits of adherence outweigh the costs, states are more likely to observe the decision. Conversely, if compliance is viewed as detrimental to national priorities, a state may ignore or resist the judgment. (*Eiriksson, 2021*)

The nature of the dispute itself also affects compliance. Legal or technical disputes are generally easier to resolve and thus more likely to result in compliance, whereas politically charged or strategically sensitive cases tend to produce resistance or delay in implementation. The behavior of non-state actors and international institutions can also shape compliance outcomes. Support from international or regional organizations can facilitate adherence to ICJ rulings, while a lack of engagement or perceived bias can have the opposite effect.

Moreover, reputational concerns play an important role. States that consistently defy ICJ decisions risk damaging their global image and being viewed as habitual violators of international law, which may carry diplomatic and economic consequences. Ultimately, non-compliance with ICJ rulings remains a multifaceted issue, shaped by domestic politics, international relations, and the structure of the global legal system. Addressing these challenges requires concerted action from the international

community to uphold the rule of law and strengthen mechanisms for ensuring global peace and justice.

### **THE CONSEQUENCES OF NON-COMPLIANCE WITH INTERNATIONAL LAW**

The disregard of International Court of Justice (ICJ) rulings poses a serious threat to the integrity of the entire international legal framework. It raises the pressing question of whether international law and the United Nations Charter can truly promote global justice and stability when their principles and judgments are not properly observed. At the core of international law lies the rule of law, a principle requiring that states fulfill their obligations toward one another and accept the authority and outcomes of international courts and tribunals.

When states fail to comply with ICJ decisions, the prospects for peaceful dispute resolution and collective responses to global challenges are significantly weakened. The absence of compliance undermines the predictability and stability of international law and erodes confidence in its enforcement mechanisms. Furthermore, governmental disregard for ICJ rulings blurs the boundaries of what is considered lawful conduct under international law, diminishing the institutional credibility and functionality of the global legal order. This trend increases the risk of renewed conflicts and international instability.

Non-compliance also damages the legitimacy and authority of the ICJ itself, as repeated defiance of its rulings weakens its ability to perform its mandate effectively. The resulting loss of respect for the ICJ may, in turn, undermine confidence in other international courts and tribunals worldwide. Recognizing the ICJ's

supremacy is therefore crucial to maintaining a functional and credible international legal system. To preserve global justice and peace, the international community must adopt a comprehensive and coordinated approach that reaffirms commitment to the rule of law and to universal values of justice and stability. (*Schmidt, 2018*)

### **ENFORCEABILITY OF ICJ DECISIONS**

A central question in assessing the ICJ's effectiveness concerns whether its judgments can be implemented within national legal systems. The ICJ issues legally binding decisions, but it lacks the power to enforce them directly, which has led to continuing doubts about its practical authority and the obligations of states to execute its rulings. Although the Court is responsible for rendering decisions, it relies on external mechanisms and voluntary state compliance to ensure enforcement, as it possesses neither coercive nor financial means to compel implementation.

One potential avenue for enforcement lies with the United Nations Security Council. Under Chapter VII of the UN Charter, the Security Council is authorized to impose measures including the use of force or economic sanctions when a state fails to comply with an ICJ judgment. However, the effectiveness of this mechanism is limited by political considerations and the veto power of the Council's permanent members. Other possible routes to enforcement include support from regional organizations and the incorporation of ICJ decisions into domestic legal systems. Regional institutions can promote compliance through treaties and cooperative frameworks, while national courts can strengthen enforcement by integrating

international law into domestic practice. (Boyle & Redgwell, 2021)

Despite these potential measures, ensuring full compliance with ICJ rulings remains challenging. Political interests, limited resources, and institutional weaknesses frequently hinder enforcement efforts. Addressing these issues requires a collective commitment from the international community to uphold the rule of law and sustain global peace and justice. A comprehensive, multidimensional strategy encompassing legal, political, and diplomatic mechanisms is necessary to enhance the enforceability of ICJ decisions and to maintain confidence in the international legal order.

#### **THE JURISDICTIONAL BASES FOR THE FINALITY AND ENFORCEABILITY OF JUDICIAL DECISIONS ON A GLOBAL SCALE**

The legitimacy of the international legal system depends heavily on the enforceability of its judgments. If the rulings of institutions such as the ICJ become nonbinding or disregarded, the entire structure of international justice risks losing credibility. The fulfillment of obligations stemming from international judicial decisions is supported by several legal foundations, foremost among them the principle of *pacta sunt servanda*, which requires states to perform their treaty and legal obligations in good faith. This principle underpins the enforceability of decisions issued by international courts, including the ICJ.

ICJ rulings, as reflections of international legality, carry significant implications for states' reputations and obligations. These decisions are considered final and binding under customary

international law, which derives its authority from consistent state practice accompanied by a sense of legal obligation (*opinio juris*). Consequently, all states are expected to comply with norms recognized as customary international law when affirmed by the ICJ. Moreover, treaties and international agreements that establish the jurisdiction of international tribunals further obligate states to respect the resulting judgments. (Charlesworth & Chinkin, 2022)

The authority of international judicial decisions is reinforced through the coherence and consistency of court practice and jurisprudence. When international tribunals apply legal principles in a uniform and methodical manner, they strengthen the predictability and reliability of international law. In both procedural and substantive contexts, the enforceability of international judgments is supported by foundational elements such as treaties, custom, legal principles, and consistent judicial practice. Ensuring compliance with these rulings demands that the international community remain firmly committed to upholding the rule of law and advancing global justice and peace.

#### **HOW CUSTOMARY INTERNATIONAL LAW HELPS ICJ RULINGS INTO PRACTICE**

The implementation of ICJ decisions largely depends on the operation of customary international law, which is grounded in consistent state practice and the shared recognition of legal obligation. This body of law provides the normative foundation that grants ICJ judgments their credibility and binding character. The Court itself has repeatedly emphasized the significance of customary international law in its jurisprudence and definitions.

For instance, in the *Nicaragua* case, the United States violated a fundamental customary law principle prohibiting the use of force in international relations by supporting armed opposition groups, thereby contravening the ICJ's ruling. This example demonstrates how customary international law functions as both a guiding and binding mechanism, even for states that are not parties to specific treaties. However, the evolving and sometimes ambiguous nature of customary norms complicates the determination of their origin and application, making enforcement inconsistent across states.

Differences in state interpretation and practice may also affect the degree to which ICJ judgments are implemented. Nonetheless, because these rulings derive their authority from customary international law, they are inherently binding and enforceable. Strengthening compliance with ICJ decisions thus requires greater coherence in the interpretation of customary norms and stronger alignment between state practice and ICJ jurisprudence. Achieving this calls for a coordinated, multifaceted approach by the international community to ensure adherence to international law and to promote global peace and justice. (*Dolzer, Kabrioem & Schreuer, 2022*)

### **ICJ DECISIONS AND THEIR IMPACT ON THE DEVELOPMENT OF INTERNATIONAL LAW**

The International Court of Justice plays a central role in shaping and advancing customary international law by articulating and refining its fundamental norms and principles. Through its judgments, the ICJ has significantly contributed to the formulation of international conventions and legal doctrines.

A notable example is the *Corfu Channel* case, where the ICJ established

that international waters constitute open channels for navigation free from interference — a principle that has since become widely accepted in international law. Similarly, in the *Oil Platforms* case, the Court clarified that the right of self-defense does not extend to the destruction of civilian assets, reinforcing humanitarian standards in armed conflict.

The ICJ has also been instrumental in building institutional and procedural frameworks for the resolution of international disputes, promoting adjudication as a legitimate means of addressing legal conflicts between states. Through its rulings, the Court continues to enhance the precision and development of international law, contributing to both its expansion and modernization. In this way, the ICJ acts as a driving force behind the evolution of the international legal system, whose strength and credibility depend on states' willingness to comply with its decisions. (*Acer, 2017*)

### **THE VARIOUS MECHANISMS USED TO IMPLEMENT ICJ DECISIONS**

The International Court of Justice (ICJ) generally resolves disputes through judicial reasoning and established legal procedures. The extent to which its decisions are implemented determines the legitimacy and effectiveness of the global legal system. Although the ICJ lacks direct enforcement powers, several complementary mechanisms exist to promote compliance with its rulings.

The ICJ's jurisdiction itself serves as the foundation for enforcing its judgments. States are legally obligated to adhere to provisional measures issued by the Court, which helps assure parties that the ICJ's decisions will be respected. Additionally, the ICJ facilitates enforcement indirectly through the publication and dissemination of its rulings,

promoting awareness and accountability among member states.

Article 94 of the United Nations Charter empowers the Security Council to take necessary measures including military action, travel restrictions, and economic sanctions to ensure compliance with ICJ decisions. Domestic courts also play an essential role in enforcement. When a state consents to be bound by an ICJ ruling, individuals or groups may be permitted to seek execution of the judgment in national courts. Many states have strengthened the application of ICJ decisions by incorporating international law into their domestic legal systems.

Regional organizations and specialized international agencies can likewise assist in implementing ICJ judgments. For example, European Union institutions and regional dispute resolution mechanisms can facilitate enforcement. Similarly, organizations such as the International Atomic Energy Agency contribute to monitoring compliance in specific areas of international law. Ultimately, the effectiveness of these enforcement mechanisms depends on the political will of the international community to uphold the rule of law, the institutional capacity of states, and the strength of existing legal frameworks. (Orakhelashvili, 2022)

#### **THE UNITED NATIONS SECURITY COUNCIL'S IMPACT ON ENFORCEMENT PROMOTION**

Under Article 94 of the UN Charter, the Security Council possesses the authority to enforce ICJ rulings. Its tools for implementation include the imposition of economic sanctions, travel bans, and, in exceptional cases, the use of military force. Historically, as seen in the *Corfu Channel* and *Oil Platforms* cases, the Security

Council has used its powers to oversee the execution of ICJ decisions. Typically, the Council prefers economic and diplomatic measures to compel compliance while avoiding the direct use of force.

Despite its central role, the Security Council's involvement has faced criticism. Some argue that its enforcement actions infringe upon state sovereignty and question the impartiality of the ICJ when its decisions rely on Council intervention. Moreover, the potential for political manipulation, especially through the veto power of the Council's permanent members, limits its effectiveness. Consequently, the enforcement of ICJ rulings often depends on the political interests of powerful states rather than purely legal considerations.

Nonetheless, the Security Council remains a vital actor in maintaining the authority of the ICJ and safeguarding the rule of law. Its actions, however, must always comply with international law and the provisions of the UN Charter. Although enforcing ICJ judgments remains a difficult task, the Council's authority to implement sanctions or other measures is indispensable in promoting compliance and protecting the integrity of international adjudication.

#### **POSSIBLE DOMESTIC COURT ENFORCEMENT OF ICJ RULINGS**

National courts play an indispensable role in ensuring the domestic enforcement of ICJ decisions. When a state consents to the jurisdiction of the ICJ, it implicitly accepts that its national courts may be called upon to execute the Court's judgments. In some cases, individuals or organizations may seek redress through domestic litigation when the state fails to implement an ICJ ruling.

The principle of *pacta sunt servanda* which obliges states to perform their international duties in good faith

underlines the responsibility of domestic courts to enforce ICJ judgments. This principle enables individuals and institutions to invoke ICJ rulings within national legal systems, provided that domestic law permits such recourse. (Jennings, 2017)

However, the effectiveness of national courts in enforcing ICJ judgments depends on various factors, including the state's legal framework, institutional capacity, and political will. For instance, in the *Avena* case, the ICJ held that Mexican nationals in the United States were denied their rights under the Vienna Convention on Consular Relations. Following this, the U.S. Supreme Court eventually recognized the ICJ's ruling, highlighting the potential for domestic judicial cooperation in implementing international decisions. (Saurugger & Terpan, 2017)

Despite such progress, domestic enforcement remains inconsistent. Institutional and political obstacles often impede effective implementation. To strengthen the domestic application of ICJ judgments, states should promote the integration of international legal standards into national law and reinforce the independence of their judicial systems. Additionally, civil society and human rights organizations can play a key role by advocating compliance and mobilizing public support for ICJ decisions. (Hathaway, 2021)

Regional organizations, including the European Union, the African Union, and the Organization of American States, also assist in promoting respect for ICJ judgments. These institutions use diplomatic, legal, and technical mechanisms to encourage compliance. Specialized agencies such as the World Health Organization and the International Atomic Energy Agency can further support enforcement through monitoring and

regulatory functions. The success of these mechanisms ultimately depends on political commitment, institutional capacity, and sustained public support for the rule of law. (Allain, 2017)

### **EXISTING ENFORCEMENT MECHANISMS: PROBLEMS AND LIMITATIONS**

Although ICJ judgments are legally binding, significant challenges persist in their enforcement. A major issue lies in the absence of a direct and universally accessible mechanism to ensure compliance. While states are obligated under international law to adhere to ICJ decisions, there is no centralized enforcement authority to guarantee execution.

Domestic incorporation of international law varies across countries, and political, legal, and institutional barriers often hinder national courts from enforcing ICJ rulings. Political factors can also obstruct compliance, especially when states perceive ICJ decisions as biased or contrary to their strategic interests. Some states question the neutrality of the ICJ, viewing it as disproportionately influenced by powerful nations.

Limited financial and institutional resources further constrain the ability of the UN and other international organizations to promote enforcement. Even when political will exists, practical limitations may prevent effective action. As a result, despite the ICJ's importance in interpreting and applying international law, its judgments sometimes lack concrete enforcement. Overcoming these challenges requires stronger legal frameworks, enhanced international cooperation, and increased public awareness of the importance of compliance with international judicial decisions.

## RECOMMENDATIONS TO MAKE ICJ DECISIONS MORE BINDING

The persistent obstacles to enforcing ICJ rulings have heightened calls for reform and for mechanisms that would make the Court's judgments more binding. Several proposals have been suggested to enhance compliance. One such measure involves establishing a permanent international body dedicated to monitoring and ensuring the implementation of ICJ decisions. This would require the collective endorsement and participation of member states.

Another proposal advocates strengthening the existing enforcement framework, particularly by enhancing the powers of the UN Security Council. Expanding the Council's authority to impose sanctions or coordinate with regional organizations could make enforcement more consistent and effective. Additionally, promoting mediation and arbitration as alternative means of dispute resolution could help prevent prolonged non-compliance and foster cooperation between disputing parties.

Some scholars have also suggested creating new legal mechanisms to follow up on states that ignore ICJ rulings or to establish new jurisprudential procedures that would allow for continued supervision of unresolved cases. (Alvarez, 2017)

Ultimately, while multiple pathways exist for strengthening the enforceability of ICJ judgments, improving existing mechanisms and developing innovative legal frameworks remain crucial. A more robust enforcement regime would not only reinforce the ICJ's authority but also contribute to the overall credibility and effectiveness of the international legal system.

## CONCLUSION

This chapter has examined the legal and institutional bases for ensuring compliance with and enforcement of International Court of Justice decisions. It has identified the obstacles that states face in implementing ICJ rulings and analyzed the roles of key actors such as the UN Security Council, national courts, regional organizations, and civil society.

Furthermore, the discussion highlighted alternative dispute resolution mechanisms, the influence of public opinion, and the potential use of emerging technologies in promoting the execution of international judicial decisions. Ultimately, strengthening the enforcement of ICJ rulings requires collective political will, institutional reform, and global commitment to uphold the rule of law and the principles of international justice.

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