

ABSTRACT

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Japan's statement in refusing to comply with the judgment of the International Court of Justice in the *Whaling in the Antarctic* case has made members of the International Whaling Commission raised their eyebrows. It then stimulated several questions regarding the applicability of the international courts' judicial decision since enforcement mechanisms in the national level and the international level were quite different. This Thesis focused on elaborating the enforcement mechanism in the international courts especially in the International Court of Justice by one of its organ, the Security Council, and elaborating it with the *Whaling in the Antarctic* case.

The method used in this research was normative method. The research was mainly conducted in the library by using international conventions as the primary legal sources. Books, journals, and internet research was used as the secondary legal sources.

The result of this research was that the enforcement of the International Court of Justice's judgments is based on the Article 94(2) of the UN Charter and it consists of several other measures that can be implied by the article which are making recommendations and deciding upon measures to be taken to give effect to the judgment. In the event the Security Council cannot enforce the judgment, other organs in the United Nations such as the International Court of Justice and General Assembly can be the alternatives. There is also a basis that determine whether or not the Security Council can enforce the judgment of the International Court of Justice which are; excess of jurisdiction, essential or manifest error, fraud, absence of reasoned judgment, and other grounds for non-compliance.

Keywords: *International Court of Justice, Security Council, Enforcement, Judgment*