This chapter focuses on enforcement short of force in international law, particularly studying countermeasures, the primary measures available to States in order to induce compliance of wrongdoers with their international obligations. In the last decades, there has been the codification and attempted development by the ILC, in the Articles on the Responsibility of States for Internationally Wrongful Acts (ARSIWA) of an international regime regulating countermeasures. To characterize an act as a ‘countermeasure’ is to concede its illegality in normal circumstances: by definition, countermeasures are acts which are ‘intrinsically unlawful, but are justified by the alleged initial failing to which they were a response’. Countermeasures may not in any case involve the use of armed force. The chapter also discusses the category of reprisals, the so-called ‘acts of retorsion’, and sanctions.
13. Enforcement short of force