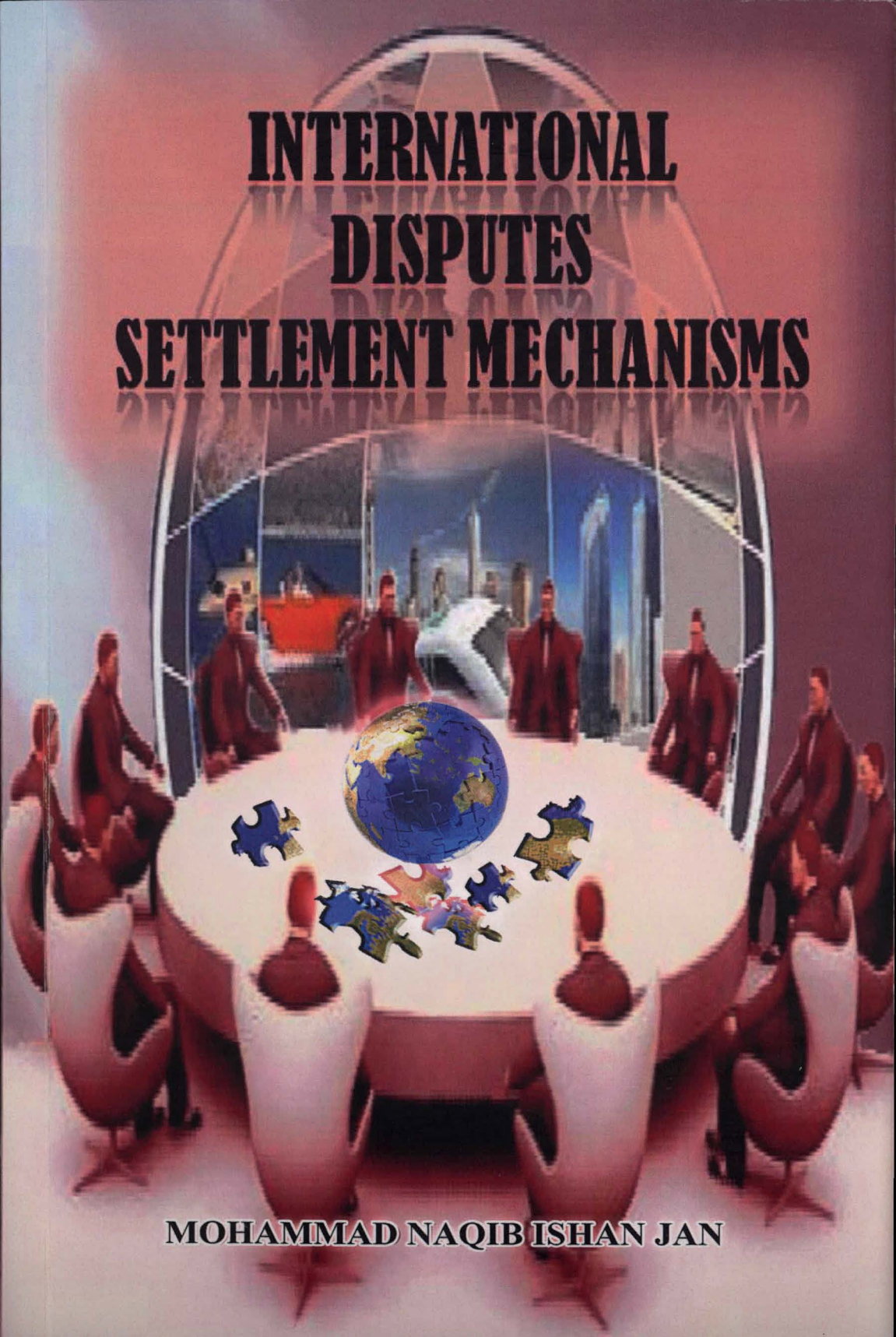


INTERNATIONAL DISPUTES SETTLEMENT MECHANISMS



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IIUM Press

Published by:
IIUM Press
International Islamic University Malaysia

First Edition, 2011
©IIUM Press, IIUM

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Perpustakaan Negara Malaysia

Cataloguing-in-Publication Data

Mohammad Naqib Ishan Jan
International Disputes Settlement Mechanism
Include index
Bibliography

ISBN: 978-967-0225-42-5

Member of Majlis Penerbitan Ilmiah Malaysia – MAPIM
(Malaysian Scholarly Publishing Council)

Printed by :
IIUM PRINTING SDN. BHD.
No. 1, Jalan Industri Batu Caves 1/3
Taman Perindustrian Batu Caves
Batu Caves Centre Point
68100 Batu Caves
Selangor Darul Ehsan

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CHAPTER 10

COERCIVE MEANS OF SETTLEMENT

by

MOHD. HISHAM MOHD. KAMAL

INTRODUCTION

This Chapter explains the way States settle international disputes by coercive means, namely: retorsion, reprisal and unilateral use of force. These means may be resorted to when disputing States cannot agree to solve their disputes amicably by way of negotiation, mediation, conciliation, arbitration or adjudication.

Retorsion, reprisal and unilateral use of force involve pressure or force on a State to settle a dispute. These coercive means of settlement are also considered as coercive means of States enforcing the law or its right which has been violated. They are non-peaceful. These coercive means have existed for centuries, but since 1945 – the year the United Nations (UN) was established, the way States resort to these means are subject to certain limitations and conditions, so that these means are resorted to compatibly with the UN system.