

ARTICLE 94

TEXT OF ARTICLE 94

1. Each Member of the United Nations undertakes to comply with the decision of the International Court of Justice in any case to which it is a party.
2. If any party to a case fails to perform the obligations incumbent upon it under a judgment rendered by the Court, the other party may have recourse to the Security Council, which may, if it deems necessary, make recommendations or decide upon measures to be taken to give effect to the judgment.

NOTE

No question concerning the interpretation or application of Article 94 arose during the period under review. However, references to Article 94 were made in two separate opinions appended to the Court's Advisory Opinion on the Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council resolution 276 (1970). One of these opinions referred to Article 94 as the source of the binding force of the Court's judgments by observing that: "The essential difference between judgments and advisory opinions lies in the binding force of the former . . .".¹

NOTE

¹ICJ *Reports* 1971, p. 174.

ARTICLE 95

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