

## Abstract

There was no law force system under the International Law. Countermeasure, essential means to drive law practically, is an assisted tool to close the gap of International Law. It is very important for the injured state to stop the state who breaks the law and remedy damages which occurred from wrongful act of international.

A state, under the former International Law before the Charter of United Nations, conducted unlimited power on the state countermeasure. Later the international obligation in force for a state, in the Charter of United Nations age, was the most important norm in international relation and effected as international tradition and treaty. The countermeasure was limited only international obligation in force for a state.

Moreover the draft article on responsibility of states for international wrongful acts which concerned countermeasure and added some special characteristics in using countermeasure on compulsory dispute settlement. State performs for dispute settlement procedures under the draft article on responsibility of states before using countermeasure. The state countermeasure, using by the third state, was the right to invoke the responsibility of another state to make full reparation for the injury caused.

The draft article on responsibility of states for international wrongful acts of international law in the article of state countermeasures which does not affect compulsory use as treaty. In some part of draft is international tradition law code which concerns countermeasures in general bounding and some added for more clear. If states accepted in accordance in carrying out the conduct. It gradually develops for binding states as *lex lata*.

The state countermeasure must be acted as purpose of ceasing the breach of an international obligation by a state and persuading injured state to remedy full reparation for the injury caused in accordance with the internationally wrongful act such as the proportion and the necessity; the obligation to refrain from the threat or use of force as embodied in the Charter of the United Nations; obligations for the protection of

fundamental human rights; the international humanitarian law; and obligations for *jus cogens*.