



# SHIA COLLEGE OF LAW

## ***PUBLIC INTERNATIONAL LAW II***

*(MODULE-6)*

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**Module -6**

**Blockade**

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## **Introduction**

Economy is an important factor in warfare. If the economy of a warring state is crippled, it will not be able to prosecute the war. Therefore, a belligerent exerts economic pressure on the enemy. This includes stopping or restricting the supply of goods from neutral states. During the two world wars, neutral trading and shipping relations with belligerents were regulated by the rules of contraband and blockade. These rules were drastically modified and expanded during these two wars.

## **Blockade**

Blockade is one of the methods of warfare and curtails the freedom of trade neutral states with the belligerents. Blockade is closing off a port or region, etc. by surrounding it with troops, ships and/or air power, in order to prevent people or goods, etc. from passing in and out, or to obtain a particular political aim or force surrender.<sup>1</sup> *According to Oppenheim, blockade is “the blocking by men of war of the approach of the enemy coast, or a part of it, for the purpose of preventing ingress or egress of vessels or aircraft of all nations”.*<sup>2</sup>

## **Conditions**

- 1. Declaration and notification-** The belligerent blocking (blockading) the enemy port of its territory must notify it to the neutral states. It must also give the time of commencement of the blockade, its geographical limits and allow reasonable time to neutral ships to leave the ports of blockaded state.
- 2. Impartiality-** The blockade should be applied with impartiality and no concession should be given to any state from the blockade.
- 3. Continuous maintenance-** The blockade should be continuously maintained else it will be deemed to have ended.
- 4. Effectiveness – The Declaration of Paris, 1856** lays down the rule that blockade is binding only when it is effective. It must be maintained by sufficient force to prevent its

violation. The blockaded place must be watched by a force sufficient to render the egress or ingress dangerous.

### **Violation of blockade**

Any attempt or actual breach of blockade renders a ship liable to be captured and to be adjudicated by the Prize Court as contraband.

### **End of blockade**

If the blocking state withdraws it or is unable to maintain it, the blockade stands terminated. End of war or defeat of either party – the blockading state or the blockaded state – also ends the blockade.

## **REFERENCES**

1. Chamber 21 st Century Dictionary (1996) 145.
2. Oppenheim, International Law, vol. II (7<sup>th</sup> Edn.) 768.

## **BOOKS**

- S.K. KAPOOR, INTERNATIONAL LAW AND HUMEN RIGHTS, 27<sup>th</sup> EDITION, PUBLISHER CENTRAL LAW AGENCY.
- K.C. JOSHI, INTERNATIONAL LAW AND HUMEN RIGHTS, 4<sup>th</sup> EDITION EBC EXPLORER.