



UNIVERSITY *of* LUSAKA

Passion for Quality Education: Our Driving Force

SCHOOL OF LAW

**QUERYING THE LEGAL BASIS FOR AND THE ENFORCEMENT OF ECONOMIC
BLOCKADES IN ARMED CONFLICTS AND ITS IMPACT ON CIVILIAN
POPULATION**

By:

JACQUELINE KAYOMBO

LLB212483957

**AN OBLIGATORY ESSAY SUBMITTED TO THE UNIVERSITY OF LUSAKA IN
PARTIAL FULFILMENT OF THE REQUIREMENTS FOR THE AWARD OF THE
BACHELOR OF LAWS (LLB) DEGREE.**

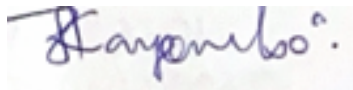
2025

DECLARATION

I, **JACQUELINE KAYOMBO** declare that this dissertation entitled **QUERYING THE LEGAL BASIS FOR AND THE ENFORCEMENT OF ECONOMIC BLOCKADES IN ARMED CONFLICTS AND ITS IMPACT ON CIVILIAN POPULATIONS** which is hereby submitted as part of the requirements for the award of the Bachelor of Laws (LLB) degree to the school of law, University of Lusaka, is my original work and has not been previously submitted for an award of a degree at this or any other tertiary institution.

I understand what plagiarism entails and I am aware of the policy of the University in this regard. The sources that have been used or quoted have been indicated and duly acknowledged as complete reference.

JACQUELINE KAYOMBO

A handwritten signature in blue ink, appearing to read 'Kayombo' with a small mark at the end.

2025

SUPERVISOR'S RECOMMENDATION

I, **MWIKI MUSAKUZI**, do recommend that this dissertation titled **QUERYING THE LEGAL BASIS FOR AND THE ENFORCEMENT OF ECONOMIC BLOCKADES IN ARMED CONFLICTS AND ITS IMPACT ON CIVILIAN POPULATIONS** authored by **JACQUELINE KAYOMBO** done under my supervision, be accepted by the University for Examination. I have checked it carefully and I am satisfied that it meets the requirements relating to the format as laid down by the University regulations.

MR. MWIKA MUSAKUZI



2025

DEDICATION

This dissertation is dedicated to my father, Mr. Collins Kayombo, whose unwavering love, wisdom, and faith have been my greatest source of strength and inspiration. From the beginning of this journey, you have been my guiding light teaching me the value of hard work, integrity, and perseverance. Your sacrifices and never ending encouragement have molded every step of my journey. You believed in me even when I doubted myself, telling me “nothing good comes on a silver platter” reminding me that no dream is too great when pursued with determination and humility.

You taught me that education is not merely a path to success but a lifelong pursuit of truth and service. Your words, your patience, and your faith in me have carried me through every challenge I faced in this academic journey. This work stands as a testament to your love and to all that you have poured into my life. I dedicate it to you with the deepest gratitude and affection for being my role model, my protector, and my greatest supporter.

May this achievement be a reflection of all that you have given me, and may it bring you pride, as you have always brought pride and purpose to my life.

ACKNOWLEDGEMENTS

First and foremost, I give thanks to God Almighty, whose grace, wisdom and strength have guided me throughout this journey. Without his divine guidance, this work would have not been possible. My moments of clarity and challenge have been sustained by his mercy and faithfulness. To him be all the glory and honor

I extend my deepest gratitude to my supervisor, whose guidance, insightful feedback and constant encouragement have shaped this research. Your patience and dedication have been instrumental in helping me refine my ideas and bring this work to completion.

I would also like to extend my appreciation to my lecturers, mentors, and the entire faculty for their commitment to academic excellence and for creating an environment that fostered both intellectual and personal growth.

To my father, Mr. Collins Kayombo and my aunt, Ms. Sharon Mulenga, your unwavering love, sacrifice, and faith in me have been the foundation of my life, I owe you everything. Your words of wisdom, encouragement, and belief in my potential have been my greatest motivation.

A special acknowledgment goes to my best friend, Jade, with whom I began this incredible journey through law school. Your friendship and unwavering support have been a constant source of strength and joy. From the first day of lectures to the long nights of study and reflection, you have stood beside me with encouragement and faith. I am truly grateful for your companionship and for the countless memories we've shared along the way.

I am also deeply grateful to my family and friends for their unconditional love, understanding, and prayers. Your patience during long nights of study and your constant reassurance gave me the strength to persevere.

Finally, I wish to acknowledge all those who, in one way or another, contributed to the completion of this dissertation. Your support whether through advice, assistance, or simple words of encouragement has made this achievement possible.

ABSTRACT

This dissertation explored the legal basis and enforcement of economic blockades in armed conflicts and their impact on civilian populations. It examined whether such measures are compatible with the United Nations Charter, Customary international law and the Geneva Conventions, questioning the extent to which they can be justified as lawful acts of war.

The study evaluated the fine balance between legitimate military objectives and unlawful collective punishment, while considering the principles of proportionality, distinction and humanity. It also assessed the effectiveness of enforcement mechanisms, particularly the role of the United Nations and international judicial bodies.

Through case studies such as Gaza and Yemen, this research highlighted the severe humanitarian consequences of economic blockades, including deprivation and widespread civilian suffering. The findings demonstrated that international legal instruments are often ineffective without adequate implementation and accountability mechanisms.

LIST OF ACRONYMS

IHL – International Humanitarian Law

ICC- International Criminal Court

ICJ- International Court of Justice

UNSC- United Nations Security Council

GBV- Gender Based Violence

HRC- Human Rights Council

TABLE OF CONVENTIONS

Additional Protocol I to the Geneva Conventions of 1977

Convention on the Elimination of All Forms of Discrimination against Women

The Geneva Conventions of 1949

The Hague Convention of 1907

Paris Declaration Respecting Maritime War 1856

San Remo Manual on International Law Applicable to Conflicts at Sea 1994

TABLE OF CASES

The Prosecutor v Dusko Tadic IT-94-1-AR72

Nicaragua V United States

TABLE OF CONTENTS

Contents

DECLARATION	ii
SUPERVISOR'S RECOMMENDATION	iii
DEDICATION	iv
ACKNOWLEDGEMENTS	v
ABSTRACT	vii
LIST OF ACRONYMS	viii
TABLE OF CONVENTIONS	viii
TABLE OF CASES	viii
TABLE OF CONTENTS	ix
CHAPTER ONE	1
1.0 INTRODUCTION	1
1.1 BACKGROUND OF THE STUDY	2
1.2 STATEMENT OF THE PROBLEM	3
1.3 OBJECTIVES OF THE STUDY	4
1.4 RESEARCH QUESTION	4
1.5 SIGNIFICANCE OF THE STUDY	5
1.6 SCOPE OF THE STUDY	5
1.7 LITERATURE REVIEW	5
1.8.0 RESEARCH METHODOLOGY	9
1.8.1 RESEARCH APPROACH	10
1.8.2 RESEARCH DESIGN	10
1.8.3 RESEARCH TYPE	10
1.8.4 DATA ANALYSIS	10
1.9 ETHICAL CONSIDERATIONS	10
CHAPTER TWO	11

THE LEGAL FRAMEWORK GOVERNING THE USE OF ECONOMIC BLOCKADES IN ARMED CONFLICT	11
2.0 INTRODUCTION	11
2.1 DEFINING ECONOMIC BLOCKADES IN INTERNATIONAL LAW	11
2.2 HISTORICAL EVOLUTION OF ECONOMIC BLOCKADES	12
2.3 TREATY BASED LEGAL FRAMEWORK.....	14
2.4 CORE PRINCIPLES REGULATING BLOCKADES	17
CHAPTER THREE	23
ENFORCEMENT MECHANISMS UNDER INTERNATIONAL LAW REGULATING THE USE OF ECONOMIC BLOCKADES IN ARMED CONFLICT	23
CHAPTER FOUR	30
HUMANITARIAN CONSEQUENCES OF ECONOMIC BLOCKADES ON CIVILIAN	30
POPULATIONS IN ARMED CONFLICTS	30
4.1 INTRODUCTION	30
4.1 IMPACT ON ACCESS TO BASIC NECESSITIES	30
4.1.1 FOOD INSECURITY	30
4.1.2 MEDICAL SHORTAGES	31
4.1.3 ENERGY AND WATER SCARCITY	32
4.2 IMPACT ON VULNERABLE GROUPS.....	33
4.2.1 IMPACT ON CHILDREN: Malnutrition and interrupted Education	33
4.2.2 IMPACT ON WOMEN	34
4.2.3 IMPACT ON ELDERLY AND DISABLED PERSONS	35
4.3 ECONOMIC DISINTEGRATION	37
4.4.1 SOCIAL DISINTEGRATION AND COMMUNITY BREAKDOWN.....	38
4.4.2 PSYCHOLOGICAL IMPACT OF ECONOMIC BLOCKADES ON CIVILIAN POPULATIONS IN ARMED CONFLICT.....	39
4.5 CONCLUSION	40
CHAPTER FIVE	41
CONCLUSION AND RECOMMENDATIONS.....	41

5.0 INTRODUCTION	41
5.1 GENERAL CONCLUSION.....	41
5.2 SUMMARY OF CHAPTERS.....	41
5.2.1 CHAPTER ONE	42
5.2.2 CHAPTER TWO	42
5.2.3 CHAPTER THREE	42
5.2.4 CHAPTER FOUR	43
5.3 RECOMMENDATIONS.....	43
5.3.1 STRENGTHENING OVERSIGHT AND ACCOUNTABILITY MECHANISMS	44
5.3.2 BALANCING MILITARY NECESSITY WITH HUMANITARIAN CONSIDERATIONS.....	44
5.3.3 ENHANCING THE ROLE OF INTERNATIONAL JUDICIAL BODIES.....	44
5.3.4 CLARIFICATION AND CODIFICATION OF LEGAL STANDARDS.....	45
5.3.5 A NORMATIVE VISION FOR THE FUTURE REGULATION OF ECONOMIC BLOCKADES	45
BIBLIOGRAPHY	46
CONVENTIONS	46
CASES	46
TEXT BOOKS	46
JOURNALS AND ARTICLES	47
REPORTS.....	48
THESIS	48
WEB SOURCES.....	49

CHAPTER ONE

1.0 INTRODUCTION

A blockade generally refers to the act or a strategy that is employed to restrict trade and supplies in order to impact military capabilities or exert political pressure.¹ In contemporary armed conflicts, economic blockades have emerged as a potential instrument for exerting strategic pressure without direct military engagement. Deployed with the intent to isolate and economically cripple an adversary, the aim of blockades is to restrict access to goods, services, and humanitarian relief. While blockades are legitimized historically as a means of warfare under the laws of naval and international armed conflicts, the modern application of economic blockades increasingly blurs the line between military necessity and humanitarian catastrophe. Civilian populations, particularly those in territories under siege or occupation, often endure the impact of such measures, suffering from extensive shortages of food, medicine and basic infrastructure.

Over time, the use of economic blockades has expanded beyond conventional military goals to cover broader political and economic objectives. As warfare has evolved, the nature and scope of blockades. In modern conflicts, economic blockades are often used in cross warfare strategies and frequently target entire regions or populations, clouding the line between military necessity and unlawful collective punishment, and **article 33** of the fourth Geneva Convention provides that *“No protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited.”*²

This research examines the legal basis for economic blockades under International Humanitarian Law (IHL) with key principles such as assessing their compliance with key principles such as distinction, proportionality and the prohibition of starvation as a means or method of warfare. It also explores the tension between state security interests as well as the fundamental rights of civilians, analyzing whether the already existing legal instruments such as the Geneva Convention and additional protocols adequately

¹<<https://www.wisdomlib.org>> accessed 9th April , 2025

² Fourth Geneva Convention (signed 12th August 1949, entered into force 21st October, 1950)

constrain the use of blockades. This research further looks into the enforcement gaps as well as the gaps in accountability when it comes to the use of economic blockades.

This dissertation also seeks to reveal the humanitarian and legal challenges that are posed by the continued use of economic blockades in armed conflicts, through legal analysis and the use of case studies which shall include the Blockade of Gaza and the siege tactics used in Yemen and Syria.

1.1 BACKGROUND OF THE STUDY

Historically, economic blockades have been used as tools of warfare to isolate and pressure enemy territories, often with significant consequences for civilian life. Legal instruments such as the, *Hague Convention VIII Relative to the Laying of Automatic Submarine Contact Mines* (1907), the *Geneva Conventions of 1949*, and *Additional Protocol I* of 1977 set out conditions under which blockades may be lawful.³ These circumstances include requirements of effectiveness, proportionality, non-discrimination, and the protection of objects indispensable to civilian survival.⁴ Despite these legal measures that are taken for the protection of civilians, recent conflicts such as those in Gaza and Yemen have shown that economic blockades when used, frequently result in humanitarian crises, including starvation, lack of access to medical supplies, and mass displacement.⁵

Enforcement of international humanitarian law in relation to blockades remains incompatible, this is because International mechanisms, such as the United Nations Security Council and international courts, face a lot of political and jurisdictional limitations when it comes to holding violators accountable.⁶ The blurred line between legitimate military strategy and unlawful collective punishment continues to pose challenges for international legal institutions. This study also aims to contribute to the evolving

³ Convention (VIII) Relative to the Laying of Automatic Submarine Contact Mines (adopted 18 October 1907, entered into force 26 January 1910).

⁴ San Remo Manual on International Law Applicable to Armed Conflicts at Sea (12 June 1994), art 102–105.

⁵ UN Human Rights Council, 'Report of the Independent International Commission of Inquiry on the Protests in the Occupied Palestinian Territory' (25 February 2019) UN Doc A/HRC/40/74; UN Office for the Coordination of Humanitarian Affairs, 'Yemen Humanitarian Needs Overview (2023)

⁶ Marco Sassòli, *International Humanitarian Law: Rules, Controversies, and Solutions to Problems Arising in Warfare* (2nd edition, Edward Elgar Publishing 2023) 528–532.

discussion by examining the legal foundation of economic blockades, analyzing enforcement mechanisms, and assessing their impact on civilians through the use of selected case studies.

1.2 STATEMENT OF THE PROBLEM

In modern armed conflicts, the use of economic blockades has become a recurring strategy aimed at weakening an opponent's economic base and military capacity. While the law of armed conflict has recognized blockades as a lawful method and warfare tool under specific conditions, the humanitarian implications and consequences of such actions have ignited considerable legal and ethical arguments. The main issue arises from the fact that, although blockades may serve a military purpose, they often have overwhelming consequences for civilian populations, including restricted access to food, water, medicine, and humanitarian aid.

International humanitarian law provides a framework for regulating the use of economic blockades. The San Remo Manual on International Law Applicable to Armed Conflicts at Sea allows the blockades only if they are declared, effective, and comply with the principles of necessity, distinction, and proportionality. Crucially, IHL prohibits the use of starvation as a method of warfare and mandates the protection of objects indispensable to civilian survival. **Article 54(1)** of Additional Protocol I to the Geneva Conventions expressly states that *starvation of civilians as a method of warfare is prohibited*.⁷ Similarly, **Article 33** of the Fourth Geneva Convention prohibits collective punishment, which economic blockades may constitute if they indiscriminately affect civilian populations.⁸

Despite these legal protections that have been put forward, recent conflicts such as those in Gaza and Yemen have demonstrated that blockades are frequently enforced in ways that severely compromise civilian well-being and health. These practices have raised significant concerns about state compliance with international humanitarian law, particularly regarding the principles of proportionality and humane treatment.

⁷ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) (adopted 8 June 1977, entered into force 7 December 1978) art 54(1).

⁸ Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention) (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 287, art 33.

Furthermore, enforcement of international legal norms governing blockades is hindered as there is the lack of a strong and unprejudiced accountability mechanism, and because of this violations are often left unaddressed due to political constraints at the international level.⁹

Thus, the problem lies in the inconsistency between the legal theory and practical application of economic blockades. While law has recognized their legitimacy under certain conditions, their humanitarian consequences and the inadequacy when it comes to enforcement mechanisms question the effectiveness of existing legal frameworks. This calls for a critical examination of the legal basis for blockades, their enforcement, and the urgent need to enhance the protections of civilian populations in armed conflict.

1.3 OBJECTIVES OF THE STUDY

1. To critically examine the legal framework governing the use of economic blockades in armed conflict.
2. To assess the enforcement mechanisms available under international law for regulation of economic blockades.
3. To analyze the humanitarian consequences of economic blockades on civilian populations in armed conflicts.

1.4 RESEARCH QUESTION

The following are the research questions this study will address.

1. What is the legal basis for the use of economic blockades in international armed conflict under international humanitarian law?
2. What enforcement mechanisms exist under international law to regulate the use of economic blockades in armed conflict?
3. What are the humanitarian consequences of economic blockades on civilian populations in modern armed conflicts?

⁹ . San Remo Manual on International Law Applicable to Armed Conflicts at Sea (12 June 1994) <<https://ihl-databases.icrc.org/en/ihl-treaties/san-remo-manual-1994>> accessed 10th April, 2025

1.5 SIGNIFICANCE OF THE STUDY

This study is remarkable as it will contribute to a deeper understanding of the legal parameters within which economic blockades are conducted in armed conflict, an area that remains underexplored despite its growing relevance in modern warfare. As state and non-state actors increasingly resort to economic blockades as a method of applying pressure, there is a pressing need to clarify the scope and limitations of such actions under international humanitarian law. This study will equivalently highlight the inconsistency between legal theory and practical enforcement of economic blockades and, lastly, the study will look at the humanitarian impact of economic blockades, particularly on vulnerable civilian populations. Through the examination of case studies such as Gaza and Yemen, this research exposes the real-world consequences of legal ambiguities and enforcement gaps. In doing so, it advocates for stronger legal protections and enforcement tools to ensure that the use of blockades does not result in disproportionate harm or amount to collective punishment, both of which are prohibited under international humanitarian law.

1.6 SCOPE OF THE STUDY

This study examines the legal basis and enforcement of economic blockades in armed conflict under international humanitarian law, with specific reference to the Geneva Conventions, Additional Protocols, and the San Remo Manual. The study will focus on the legality, implementation, and humanitarian consequences of economic blockades, particularly their impact on civilian populations. The analysis is limited to economic blockades used as a method of warfare, with case studies drawn from recent conflicts such as Gaza and Yemen.

1.7 LITERATURE REVIEW

Different scholars have addressed issues surrounding the use of blockades in armed conflicts and their humanitarian impact on civilian populations. The following are some of the writings surrounding the topic:

The 2025 international conference of the Red Cross and Red Crescent (International Conference),¹⁰ coincides with the **75th anniversary of the Four Geneva Conventions of 1949**, the foundational treaties of international humanitarian law (IHL) are a remarkable success in many ways: the four Conventions, together with IHL more generally, have proven extraordinarily durable and have enjoyed unwavering universal endorsement by states. With frequent reaffirmation on the importance of IHL. Yet, problems persist. Violations of fundamental rules remain a serious concern. And even where parties contend that their actions are compliant, divergent interpretations of both the letter and spirit of IHL pose significant obstacles to the law's ability to fulfil its purpose.¹¹

Junteng Zheng in his article entitled “Unlawful Blockades as Crimes Against Humanity” stated that the use of blockades in armed conflicts cannot be said to be unlawful in itself, but they must be used in a manner that is consistent with international law. In his article he stated that: blockades that cause mass starvation and deprivation of humanitarian relief can constitute as both wars crimes and crimes against humanity. In his article he also calls for better legal recognition of these actions as crimes to ensure that, leaders and military officials can be held accountable when Blockades are used to punish or destroy civilian populations rather than to achieve their intended military aims or objectives.

While the above mentioned author's work and my work both focus on the legal and humanitarian issues of blockades, the named author approach towards the topic is through international criminal law, he arguing that certain blockades should be prosecuted as crimes against humanity. In contrast, my research takes a broader view under international humanitarian law, as it examines the legal basis, enforcement, and lastly, impact of economic blockades on civilians. Whereas the author aims to expand criminal accountability, my work critiques the legal justifications and humanitarian consequences of blockades in modern armed conflicts.

¹⁰ IRRC No.927 2025

¹¹ International Humanitarian Law and Challenges of Contemporary Armed Conflicts, 2025

Pierce Young,¹² his dissertation titled **Blockades: Their Status under International Law, Effectiveness and Impact**, looks at the evolution of economic blockades and how they have developed over time in relation to international law. He explains the circumstances as to when a blockade is considered legal, and focuses on how effective and successful blockades have been in past wars. His thesis mentions humanitarian concerns. However, it does not explore them in depth. Instead, it focuses more on a state's right to use blockades as a legitimate war strategy. Because of this state-focused approach, the thesis is helpful as a starting point, but it doesn't deeply examine: How blockades are enforced, the humanitarian consequences of modern blockades. This gap is what this dissertation seeks to explore and fill.

Additionally **Yoram Dinstein**¹³ in his literature titled "War, Aggression and Self Defence" underscores that even if a state claims self defence or a lawful use of force, its methods of warfare (for example: blockades, sanctions, sieges) must adhere to humanitarian standards. He stated that states cannot use lawful conflict as a justification for causing disproportionate harm to civilians, such as cutting off access to food and medicine.

While both pieces of work examine what is legally permissible during hostilities. The authors above look at what's permissible through the lens of self defence and the use of force between states. On the other hand, my research will focus more on how conflict is conducted, the enforcement of legal standards and the accountability gaps when economic blockades cause disproportionate harm to civilian populations.

Nathanael Tilahun and Obiora Okafor in their article entitled **Economic Sanctions and Humanitarian Principles**.¹⁴ Looked into modern economic sanctions, they stated that while economic sanctions are often portrayed as peaceful substitutes to armed conflict, they can function as forms of economic warfare that lack the humanitarian precautions present in international humanitarian law. They highlight that international humanitarian law has developed vigorous principles like distinction and proportionality for the protection

¹² Pierce young, Blockade: their status under international law, effectiveness and impact (undergraduate thesis) California state university Maritime academy, 2019

¹³ Y Dinstein "War, Aggression and Self Defence" (7th edition, Cambridge University Press, 2021)

¹⁴ N Tilahun and O Chinedu Okafor, 'Economic Sanctions and Humanitarian Principles: Lessons from International Humanitarian Law' (2023) available at: < <https://yjil.yale.edu> > accessed on 12th april, 2025

of civilians during warfare, but similar protections are not present or they are underdeveloped in the legal frameworks governing sanctions. The authors have noted that sanction regimes often lack clear rules to prevent disproportionate harm to civilian populations and critical infrastructure, leading to far reaching humanitarian impacts. The authors advocate for the incorporation of humanitarian principles into sanction laws, suggesting measures such as exclusionary rules for essential economic infrastructure, mandatory impact assessments before and during sanctions implementation, and continuous evaluation of the cumulative effects of sanctions on civilian populations. By drawing parallels with international humanitarian law, Tilahun and Okafor call for an approach that is more humane and legally consistent to the design and enforcement of economic sanctions.

While the authors above focus on integrating humanitarian principles into the legal design of economic sanctions generally, emphasizing legal reform and alignment with international humanitarian law norms. On the other hand, my work critically examines the use of economic blockades in armed conflict, questioning not just their design but their legal legitimacy and humanitarian impact, especially when they are used as tools of collective punishment, this can be looked at in contexts like Gaza and Yemen.

Amichai Cohen in his article titled “**Economic Sanctions in IHL: Suggested Principles**”¹⁵ analyzes the application of economic sanctions through the lens of IHL, he argues that economic sanctions, though typically seen as non-violent tools of coercion, can have devastating humanitarian consequences when used in armed conflict. He proposes a set of principles to guide their use within the framework of international humanitarian law (IHL). These include; severity which simply entails that sanctions must not cause excessive harm to civilians. He also suggested the effectiveness principle which entails that sanctions should achieve legitimate objectives. Lastly, the conditionality principle which states that they must be tied to clear, achievable goals with criteria for their removal. Cohen emphasizes that without such principles, sanctions risk becoming indiscriminate tools that violate the fundamental IHL norms of distinction and

¹⁵ A Cohen, Economic Sanctions in IHL: Suggested Principles (2009) available at: < <https://www.cambridge.org> > accessed on 12th April, 2025

proportionality, especially in protracted conflicts where civilian suffering becomes systemic.

The author above focuses on reforming the use of economic sanctions by proposing the principles that would make them compatible with IHL, assuming that sanctions that can be lawful if properly regulated, by comparison my research takes a different stance which is, questioning whether sanctions in armed conflicts can be justified at all, especially when they target civilian populations. While the author above seeks to humanize sanctions within the already existing legal framework. My research interrogates the legitimacy and legality of blockades themselves.

Lastly, **Justine Walker** in her article entitled **“The Public Policy of Sanctions Compliance: A Need for Collective and Coordinated International Action”**¹⁶ emphasizes the need for international cooperation to reduce the harmful humanitarian consequences of economic sanctions. She argues that countries that impose sanctions along with other actors involved in designing and enforcing them must actively collaborate to prevent sanctions from blocking life-saving humanitarian aid. She also stated that actors should not wait until harm is already done. Instead, they should plan ahead and identify potential risks and build mechanisms to protect humanitarian operations from being disrupted.

The author’s article is extremely relevant to my research, even though it focuses more on the practical and regulatory barriers that sanctions create for humanitarian actors, highlighting the need for better compliance and coordination frameworks. On the other hand, my work critically examines blockades as tools of warfare, questioning their legality, legitimacy and humanitarian impact under international law.

1.8.0 RESEARCH METHODOLOGY

The following research methodology will be employed in the course of study.

¹⁶ J Walker, the public policy of sanctions compliance: A need for collective and coordinated international action (2022) IRRC No. 916-917 available at: < <https://international-review.icrc.org/articles/public-policy-of-sanctions-compliance-need-for-collective-and-coordinated-international-action-916> > accessed on 13th April,2025

1.8.1 RESEARCH APPROACH

Since this research will aim at discoursing the legal basis and enforcement of economic blockades in armed conflict as well as their impact on civilian populations. The research approach that would be suitable is the qualitative approach as it is a non-numerical research. This is to the effect that the research will look up literature such as international legislation, journal articles, credible internet sources, international instruments and past dissertations.

1.8.2 RESEARCH DESIGN

The research design that will be employed, as previously indicated, is the qualitative method, applied through a case study approach. This design allows for an in-depth examination of international legislation, legal instruments, and relevant case law within real-world contexts, enabling the researcher to critically assess the legal basis and enforcement of economic blockades in armed conflict.

1.8.3 RESEARCH TYPE

The type of research that will be employed will involve the qualitative approaches in order to gain a comprehensive understanding on this research topic.

1.8.4 DATA ANALYSIS

The data analysis for this study will be centered around assembling all information collected through the antecedent avenues. The information will then be organized and only those pieces that are relevant to this study will be selected and thereafter incorporated into the study.

1.9 ETHICAL CONSIDERATIONS

In order to ensure complete ethical standards, the researcher declares that the information required for this research is purely for academic purposes only. The researcher will ensure that information that is collected will be confidential. In addition, the researcher will also ensure that all work of other authors is rightly acknowledge.

CHAPTER TWO

THE LEGAL FRAMEWORK GOVERNING THE USE OF ECONOMIC BLOCKADES IN ARMED CONFLICT

2.0 INTRODUCTION

Economic blockade, by nature have historically been recognized as legitimate methods of warfare. Despite being recognized as lawful methods of warfare, economic blockades are subject to strict regulation under international humanitarian law. Their legality depends on compliance to core principles which are designed to balance military necessity with the protection of civilians. The contemporary application of economic blockades extends beyond their military objectives, this expansion has brought about debates questioning their legality, especially in cases where they cause disproportionate harm on civilian populations. This chapter will examine the legal framework governing the use of economic blockades in armed conflict. It begins by defining the concept of economic blockades as well as distinguishing them from other measures such as sanctions and sieges. This chapter will then trace the historical development of blockade law through conventions such as, The Hague Conventions of 1907, the Geneva Conventions of 1949, Additional Protocol I of 1977 and the San Remo Manual of 1994. This chapter will further examine the key principles of International Humanitarian Law (IHL) that regulate blockades.

2.1 DEFINING ECONOMIC BLOCKADES IN INTERNATIONAL LAW

A blockade can be generally understood as an act of sealing off a place to prevent goods or people from entering or leaving.¹⁷ Historically, blockades were maritime in nature meaning, they were originally carried out at sea, usually by naval forces cutting off enemy ports, trade routes or coastlines. But in modern conflicts they have taken the form of economic blockades. Economic blockade is a strategy that is used to restrict trade supplies in order to impact political capabilities or to apply political pressure.¹⁸ In simpler terms, an economic blockade could be described as cutting off the flow of essential goods to a country or region. This distinguishes them from sanctions which can be defined as

¹⁷<https://www.collinsdictionary.com>

¹⁸<https://www.wisdomlib.org>

an action which is carried out by a state or more toward another one to force the later to comply with given legal obligations.¹⁹ Sanctions are usually non-military regulatory measures imposed by states or international organizations. Lastly, sieges which are a military operation in which enemy forces surround a town or a building, cutting off essential supplies, this is done with the aim of compelling those inside to surrender. The ***San Remo Manual on International Law Applicable to Armed Conflicts at Sea (1994)*** outlines the conditions under which a blockade is considered lawful, putting into account that it must be declared, notified, effective and non-discriminatory.²⁰

2.2 HISTORICAL EVOLUTION OF ECONOMIC BLOCKADES

The principle of blockades has had significant transformation over the years. The evolution of blockades includes how they are evolving from a purely military strategy regulated by customary practices on naval warfare into a diverse tool with both military and political dimensions, including economic warfare. Originally, blockades were mainly used in wartime in order to isolate an enemy by cutting off their access to supplies and trade. However, their modern application has evolved to meet the needs of major powers and extended to encompass economic sanctions and diplomatic pressure in peacetime, as well as serving as means of enforcing international law or achieving specific political objectives.

The regulation of blockades evolved primarily through the law of naval warfare and it later expanded to encompass broader humanitarian concerns.

The 19th and early 20th codifications include the **Paris Declaration Respecting Maritime Law (1856)** which was a landmark international agreement codified the rules of naval warfare, this included the law of blockades. The Declaration established the following points regarding blockade; Effective, meaning a blockade is legally binding if it is effectively maintained and a mere declarations without an actual presence of naval force are invalid. The declaration also established the aspect of impartiality, this simply means that a blockade must be equally applied to or nations and not selectively. Another point that was established is that there must be notification, meaning the blockading power must publicly announce the blockade and specify so that neutral parties can comply.²¹

¹⁹ <http://casebook.icrc.org>

²⁰ San Remo Manual on International Law Applicable to Armed Conflict at Sea (1994)

²¹ Paris Declaration Respecting Maritime War (1856)

Developments after World War II in international law; the damage caused by sieges and blockades, which resulted in mass civilian starvation and suffering, highlighted the urgent need for stronger legal protections for non-combatants. This acknowledgement shaped the **Geneva Conventions of 1949**, predominantly the Fourth Geneva Convention, which extended humanitarian protections to civilians during armed conflict and it clearly prohibited measures such as collective punishment under article 33 and the indiscriminate deprivation of food or medical supplies.²² The evolution continued with the **Additional Protocol I of 1977** which codified and expanded customary law by expressly prohibiting the use of starvation as a method of warfare under Article 54 and obliging belligerents to refrain from attacking, destroying, or rendering useless objects indispensable to the survival of civilians, including foodstuffs, agricultural areas, crops, livestock, and water installations.²³ These provisions marked a noteworthy shift from earlier practices that often blurred the line between combatants and civilians, implanting in treaty law the humanitarian principle that blockades and sieges must not be conducted in a way that disproportionately deprives civilian populations of essential means of survival.

Contemporary codification: **The San Remo Manual on International Law Applicable to Armed Conflicts at Sea (1994)**: This manual came about from efforts to clarify and to bring up to date, the laws governing naval wars. To be more particular, after the shortcomings revealed during conflicts such as the World Wars, the Arab Israeli wars, and the Falklands conflict which is also referred to as the Malvinas conflict.²⁴ While The Hague and Geneva Conventions put forth some rules, they did not properly address the coming of new technologies, the change maritime practices, or humanitarian concerns at sea. In response, the International Institute of Humanitarian Law convened a series of expert meetings between 1987 and 1994 in San Remo, Italy, these meetings involved naval officers, government representatives, and international lawyers.²⁵ The outcome was not a binding treaty, it was rather a restatement of customary international law.²⁶ The Manual sets out in detail the legal framework for the declaration, enforcement, and

²² The Geneva Conventions (IV) relative to the Protection of Civilian Persons in Time of War (adopted 12 august 1949)

²³ Additional Protocol I to the Geneva Conventions (adopted 8 June 1977)

²⁴ Louise Doswald-Beck (ed), San Remo Manual on International Law Applicable to Armed Conflicts at Sea (12 June 1994, International Institute of Humanitarian Law 1995) Introduction.

²⁵ Natalino Ronzitti, The Law of Naval Warfare: A Collection of Agreements and Documents with Commentaries (Martinus Nijhoff 1988).

²⁶ Ibid p 1-12

termination of blockades, reaffirming the long standing obligation of effectiveness. Crucially, the manual integrates present day humanitarian principles into the law of blockade; blockades must comply with the rule of proportionality, it must also respect the principle of distinction by targeting only military objectives, and may not be designed to starve civilian populations or deny them objects essential to their survival.²⁷ The Manual has also placed emphasis on the requirement to allow humanitarian relief, requiring blockading powers to permit the free passage of foodstuffs, medical supplies, and other essential goods when the civilian population is inadequately provided for, subject only to inspection and control measures to prevent abuse.²⁸ In this way, the San Remo Manual bridges the gap between traditional naval practice and the Post World War II humanitarian regime, embedding the values of the Geneva Conventions and Additional Protocol I into the operational law of modern maritime conflict.

2.3 TREATY BASED LEGAL FRAMEWORK

The regulation of blockades in international law is grounded in several key legal treaties that have codified and refined customary practices which have developed over the years. These instruments form the legal basis as well as the standards governing the declaration, enforcement and humanitarian limitations of blockades. We have treaties such as;

The Hague Convention of 1907: The Hague Convention of 1907: The Hague Convention (particularly The Hague Convention (XIII) Concerning the Rights and Duties of Neutral Powers in Naval War) elaborated important rules on the conduct of blockades. It reiterated that a blockade, in order for it to be legally binding, must be declared formally by the hostile or aggressive power and it must be duly notified both to the opposing party and to neutral states.²⁹ This guaranteed transparency and allowed neutral shipping to avoid unintentional violations. The Convention also codified the long standing customary rule that a blockade must be effective, meaning it must be maintained by a force sufficient to prevent access to the enemy coastline; mere declarations without enforcement “paper blockades” were deemed unlawful.³⁰ These requirements reinforced the principles first

²⁷ Ibid, paras 93-98

²⁸ Ibid, paras 93,102-103

²⁹ Hague Convention (XIII) Concerning the Rights and Duties of Neutral Powers in Naval War 1907

³⁰ Ibid, art 2

set out in the Paris Declaration of 1856, while placing them within a more systematic framework of treaty law. By binding belligerents to the principles of publicity, notification, and effectiveness, the Hague Convention of 1907 helped to limit abuses and provided clearer guidance for both neutral and belligerent maritime powers in times of war.

The Geneva Conventions of 1949: The Fourth Geneva Convention of 1949, assumed in the after effects of the Second World War, it represents a milestone in the codification of humanitarian protections for civilians in armed conflict. **Article 33** precisely prohibits collective penalties and retaliation against protected persons, stating that “*no protected person may be punished for an offence he or she has not personally committed*” and it forbids measures that would inflict punishment on civilians as a group.³¹ In the context of economic blockades, this provision has significant relevance: blockades that indiscriminately deprive civilian populations of essential goods, food, or medical supplies may constitute a form of collective punishment, even if the intended target is the enemy state’s government or military infrastructure.³² The prohibition is part of a broader framework designed to ensure that belligerents distinguish between combatants and non-combatants, and that the use of economic measures in warfare does not lead to starvation or suffering among civilians. This principle was later strengthened and explained in detail in Additional Protocol I 1977, **Article 54**, which clearly forbids the use of starvation as a method of warfare and obliges parties to allow access for humanitarian relief.³³

Additional Protocol I (1977): Article 54 of Additional Protocol I to the Geneva Conventions explicitly forbids the use of starvation as a method of warfare, whether it is done by depriving civilians of food, water, or other objects necessary to their survival, or by targeting their agricultural infrastructure essential to sustaining civilian populations.³⁴ This provision builds up on the humanitarian principles embedded in the Fourth Geneva Convention, underpinning the obligation to distinguish between combatants and non-combatants and to ensure that military operations do not deliberately inflict widespread suffering on civilians.³⁵ **Article 70** further complements this protection by requiring parties

³¹ Geneva Convention (IV) Relative to the protection of Civilians In Wartime 1949

³² Yoram Dinstein, *The Conduct of Hostilities under the Law of International Armed Conflict* (Cambridge University Press 2010) 192-194

³³ Additional Protocol I to the Geneva Conventions of 1949, Art 54

³⁴ Protocol Additional to the Geneva Conventions of 1949, protocol I 1977

³⁵ Yoram Dinstein, *The Conduct of Hostilities under the Law of International Armed Conflict* (Cambridge University Press 2010) 187-189

to the conflict to allow and facilitate rapid and unimpeded passage of humanitarian relief, including food, medical supplies, and essential goods, to civilian populations in need.³⁶ Together, these provisions have established clear legal limits when it comes to the conduct of economic blockades or sieges: while belligerents may follow legitimate military objectives, they must also avoid actions that may cause civilian starvation and must actively permit the delivery of humanitarian assistance. The Protocol therefore represents a more up to date codification of the principle that the humanitarian considerations cannot be subordinated to military advantage, set in the protection of civilian life as a fundamental principle of modern international humanitarian law.

The San Remo Manual (1994): The San Remo Manual on International Law Applicable to Armed Conflicts at Sea is a broadly respected restatement of customary international law, which provides detailed guidance when it comes to the conduct of naval warfare, this includes the use blockades. Article 93 of the Manual clearly prohibits blockades whose main purpose is to starve civilian populations, it reinforces the principle that economic or naval measures must not be used as instruments of collective punishment or to inflict suffering on non-combatants.³⁷ This reflects a comprehensive humanitarian objective which is consistent with Article 54 of Additional Protocol I and the Fourth Geneva Convention, clearly emphasizing that military necessity cannot be justified by deliberate civilian starvation. **Article 102** also comes in to complements this protection by making it a requirement that neutral vessels which are carrying humanitarian assistance must be permitted to pass through blockaded areas, this is to ensure that essential food, medical supplies, and other relief reach populations that are in need.³⁸ Put together, these provisions have made an establishment that, while belligerent states may impose blockades to achieve legitimate military aims, they must do things in a manner that respects the principles of proportionality, distinction, and humanitarian relief. The San Remo Manual therefore provides a practical framework which is necessary for implementing these legal obligations at sea, this helps in bridging the gap in the middle of Treaty Law, customary law, and operational military conduct.³⁹

³⁶ Ibid, art 70; ICRC, commentary on Protocol I (1987) 567-572

³⁷ International Institute of Humanitarian Law, San Remo Manual on International Law Applicable to Armed Conflicts at Sea (1994) arts 93, 102.

³⁸ Ibid, arts 93-102

³⁹ ICRC, Commentary on The San Remo Manual (1995) 45-48

2.4 CORE PRINCIPLES REGULATING BLOCKADES

The regulation of economic blockades under international humanitarian law is grounded in core principles that are designed to balance the intended military objectives. These core principles are made with the intention to protect civilian populations. These principles are; necessity, proportionality, distinction, impartiality and humanity. These principles require blockades to be directed only against the enemy's military capabilities, these principles also ensure that civilians do not suffer excessive harm. Put together, these principles ensure that the use of blockades as a method of warfare remains consistent and not far reaching. The legality of economic blockades is assessed using the following principles;

2.4.1 THE PRINCIPLE OF MILITARY NECESSITY AND HUMANITY

The principles of military necessity and humanity form a standard foundation of all the rules that govern the conduct of hostilities, this includes the imposition of blockades. These two principles serve as substitute constraints, this is to ensure that the intended military advantage of a blockade does not override the humanitarian objectives of international humanitarian law. The principle of necessity only allows measures of warfare that are necessary for achieving an intended military objective and measures that are not in different circumstances prohibited by international humanitarian law. Put forth in Article **49(1) of the Additional Protocol I to the Geneva Conventions 1977**, military operations must only be limited to those that are intended to achieve a "definite military advantage."⁴⁰ The San Remo Manual on International Law Applicable to Armed Conflicts at Sea 1994 also reinforces this notion in paragraph 93, which stipulates that a blockade is lawful only if it is "intended to achieve an intended military purpose." Measures that cause suffering which is disproportionate to the military gain pursued, or that are imposed purely to punish or starve the civilian population, fall outside the permitted scope of necessity.

⁴⁰ Protocol additional to the Geneva Conventions of 1949, and Relating to the Protection of Victims in international armed conflicts

On the other hand, the principle of humanity works as a balance, it prohibits the inflicting of unnecessary suffering and mandates the protection of persons not, or no longer, participating in hostilities. The Martens Clause, first preserved in the Preamble to the 1899 Hague Convention (II) and reaffirmed in Additional Protocol I, Article 1(2), reflects this enduring principle, proclaiming that civilians and combatants remain under the protection of the principles of humanity and the dictates of public conscience even where specific rules of law are missing. In blockade operations, humanity requires that the belligerent power consider the humanitarian impact of its actions particularly the potential deprivation of food, medicine, and other essentials to civilians. This is echoed in Article 54(1) of Additional Protocol I, which explicitly prohibits starvation of civilians as a method of warfare, and in paragraph 102 of the San Remo Manual, which mandates that blockading parties allow passage of humanitarian assistance where civilians are inadequately supplied. The interplay between military necessity and humanity therefore imposes a double obligation on states: while the principle of necessity legitimises the use of blockades for military aims, humanity comes in to restrict their execution on order to prevent excessive or disproportionate civilian suffering. The balance between these two principles is central in weighing the legality of a blockade under international humanitarian law, as identified by both jurisprudence and academic commentary. The International Court of Justice ICJ in the Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons underscored that the principles of necessity and humanity are “intransgressible” and constitute the “cardinal principles” of IHL, governing all means and methods of warfare. Hence, any blockade that disregards humanitarian considerations in pursuit of military necessity risks being deemed unlawful under contemporary international law.⁴¹

2.4.2 THE PRINCIPLE OF DISTINCTION

The principle of distinction is one of the oldest principles and a cornerstone of international humanitarian law, the International Court of Justice considers it a cardinal and a principle that forms part of the fabric of international humanitarian law.⁴² It applies only in the context of an armed conflict and prohibits directing attacks against civilians and civilian objects. This principle dictates that parties to an armed conflict must at all times

⁴¹ICJ, legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, 1996

⁴² Ibid

distinguish between civilians and combatants, what this means is that attacks must be directed only at military objectives and combatants. The principle of distinction prohibits measures that indiscriminately impact the civilian population or any measures that deny them access to essential supplies. Thus, the principle of distinction functions as both a substantive rule and a guiding framework for the conduct of hostilities. It imposes an ongoing duty on parties to continuously assess the nature of targets and the consequences of their actions. Its central purpose to protect individuals who are not or no longer participating in hostilities remains a core expression of the humanitarian ethos underpinning the entire body of international humanitarian law. A blockade that does not differentiate between military targets is at risk of violating this principle or rule.

2.4.3 THE PRINCIPLE OF PROPORTIONALITY

The principle of proportionality limits the extent to which a belligerent may impose or enforce a blockade. It requires that any expected accompanying harm to civilians or civilian objects must not be excessive in relation to the concrete and direct military advantage expected.⁴³ This guarantees that blockades, though lawful as a method of warfare, are not to be used in ways that may cause disproportionate suffering or economic destruction to civilian populations. Under Additional Protocol I (1977), **Article 51(5)(b)**, attacks are prohibited if they are anticipated to cause extreme civilian harm in relation to the intended military gain, a principle that extends to the enforcement of blockades.⁴⁴ Customary international humanitarian law has constantly reiterated proportionality as a binding rule, as it ensures that the humanitarian impact of blockades is substance to strict limits.⁴⁵ The principle of proportionality does not forbid all harm to civilians; rather, it prohibits disproportionate harm. This distinction is very critical in the context of blockades, where civilian suffering often arises not from direct attack but from deprivation of essential goods, disruption of economic life, and decline in public health infrastructure. The blockade's broader humanitarian consequences, consequently becoming part of the proportionality analysis, especially where the blockade risks causing longstanding

⁴³ International Court of Justice, *Legality of the Threat or Use of Nuclear Weapons* [1996] ICJ Rep 226, 78

⁴⁴ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) (adopted 8 June 1977, entered into force 7 December 1978) 1125 UNTS 3, art 51(5)(b).

⁴⁵ International Committee of the Red Cross (ICRC), *Customary International Humanitarian Law*, Volume I: Rules (Cambridge University Press 2005) Rule 14.

deprivation or severe economic breakdown. Although the text speaks explicitly of “attacks,” modern-day legal scholarship and state practice progressively support the view that the proportionality rule applies more broadly to all methods of conflict, including blockades. This interpretation replicates the underlying humanitarian rationale: whatever the form of military operation, civilian protection must remain a dominant consideration. This interpretation supports the argument that proportionality applies not only during the imposition of a blockade but also during the course of its maintenance. In practice, this means that belligerents must frequently reevaluate the humanitarian impact of a blockade as conditions progress over time. A blockade that may be lawful at its commencement can become unlawful if its effects on civilians are exaggerated or if its military utility moderates over time. Factors such as increasing malnutrition rates, extensive unemployment, destruction of essential infrastructure, or denial of humanitarian relief become relevant pointers in determining whether the blockade has crossed the threshold of disproportionality.

In due course, the principle of proportionality makes certain that while blockades are recognized as legitimate tools of warfare, they cannot be employed in a manner that may causes excessive civilian suffering. It imposes continuing obligations on belligerents to mitigate harm, facilitate humanitarian aid, and unceasingly evaluate whether the blockade remains necessary and proportionate to the legitimate or the intended military objectives pursued.

2.4.4 THE PRINCIPLES OF IMPARTIALITY

The principle of impartiality is a fundamental pillar of international humanitarian law and humanitarian action, requiring that all persons affected by armed conflict be assisted and protected solely on the basis of need, without any form of adverse distinction founded on nationality, ethnicity, political allegiance, religion, or any other similar criteria. Entrenched in **Article 3 of the 1949 Geneva Conventions** and strengthened throughout Additional Protocols I and II, the principle affirms that humane treatment and humanitarian relief must be administered equitably, reflecting the underlying humanitarian purpose of international humanitarian law: to alleviate suffering without discrimination.⁴⁶ In reality,

⁴⁶ Geneva conventions 1949 art 3

impartiality acts as a legal restraint on aggressive conduct as well as a normative requirement for humanitarian institutions such as the International Committee of the Red Cross, whose operational function is based on neutrality and impartiality. This principle carries substantial consequences when it comes to blockades, for it forbids the use of deprivation or selective access to vital resources as a means of applying political or military pressure. A blockading party cannot impede humanitarian aid efforts that are impartial in nature and carried out only to address civilian needs, nor may it favor or condemn specific groups of civilians based on their alleged loyalty. Crucially, impartiality demands equitable treatment, indicating that more assistance must be offered where it is most required. Customary international humanitarian law and decisions of international courts, such as the International Court of Justice's affirmation in **Nicaragua v. United States** that humanitarian aid must be "strictly humanitarian and impartial in character," support that the denial of relief on prejudiced grounds amounts to an illegal form of collective punishment.⁴⁷ Therefore, within the legal regime governing blockades, the principle of impartiality serves as a critical safety measure to ensure that the humanitarian magnitudes of economic isolation do not fall disproportionately or intentionally upon specific civilian groups, and that relief efforts can be distributed free from political manipulation or strategic intervention. The principle of impartiality necessitates that humanitarian relief and protections during armed conflict be provided without adverse distinction, based solely on need and not on the nationality, religion, or political affiliation of affected persons.⁴⁸ Applied to blockades, this principle obliges belligerents to allow and facilitate the passage of humanitarian aid to civilians in need, regardless of which side they belong to. A blockade that denies relief on discriminatory grounds, or favors one civilian population over another, would therefore be unlawful. This principle is reflected in Additional Protocol I (1977), **Article 70**, which obliges parties to allow impartial humanitarian relief operations for civilians, subject to their consent.⁴⁹ The San Remo Manual 1994 supports this requirement by authorizing that neutral vessels carrying humanitarian assistance are to be allowed to pass without blockades, provided the aid is

⁴⁷ Military and paramilitary Activities in and Against Nicaragua (Nicaragua v United States of America) 1986

⁴⁸ International Committee of the Red Cross (ICRC), The Fundamental Principles of the Red Cross and Red Crescent (ICRC 1979) 6–7

⁴⁹ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) (adopted 8 June 1977, entered into force 7 December 1978) 1125 UNTS 3, art 70.

delivered impartially and under humanitarian auspices art 102. Thus, impartiality oversees blockades by ensuring that humanitarian relief is never suspended or constrained for political or military reasons.

2.5 CONCLUSION

This section of the research has examined the legal framework governing the use of economic blockades in armed conflict, tracing their development from traditional naval practices to their contemporary regulation under international humanitarian law. It has shown that while blockades are recognized as a legitimate method of warfare, their legality is strictly conditioned by a number of principles designed to protect civilians. Instruments such as The Hague Conventions of 1907, the Geneva Conventions of 1949, Additional Protocol I of 1977, and the San Remo Manual of 1994 collectively establish that blockades must be declared, effective, proportionate, and must not result in the starvation of civilians or the denial of humanitarian relief. This sets the stage for the next chapter, which is going to critically examine the mechanisms which are available under international law for the implementation of these rules and the accountability of states that employ blockades in ways that disregard international humanitarian standards.

CHAPTER THREE

ENFORCEMENT MECHANISMS UNDER INTERNATIONAL LAW REGULATING THE USE OF ECONOMIC BLOCKADES IN ARMED CONFLICT

3.1 INTRODUCTION

Economic blockades when imposed, their nature, often blurs the line between legitimate military strategy and illegitimate collective punishment. When civilian populations are made to suffer disproportionate harm as a result of blockades, questions of accountability arise. International law has made available different avenues for the regulation and the addressing of unlawful blockades, ranging from state accountability and diplomatic measures to institutional mechanisms such as the United Nations Security Council, the International Court of Justice and the International Criminal Court. Additionally, monitoring bodies like the International Committee of The Red Cross, the Human Rights Council, and independent commissions of inquiry also contribute to the supervision of compliance, even though their powers are limited to reporting and advocacy. Notwithstanding the existence of these mechanisms, enforcement remains inconsistent and often influenced by political deliberations, making accountability for illegitimate blockades rare while civilian populations continue to endure the humanitarian consequences with little to no recourse. This chapter will therefore examine the enforcement mechanisms that are available under international law, their real-world challenges and their efficiency in addressing unlawful blockades, this will be done using case studies such as Gaza and Yemen to highlight persistent enforcement gaps and their humanitarian consequences.

3.2 INSTITUTIONAL ENFORCEMENT MECHANISMS

The enforcement of economic blockades under international law relies heavily on institutional mechanisms that provide both legitimacy and oversight. These mechanisms do not only determine when and how blockades may be lawfully imposed, but also monitor their implementation to ensure consistency with international humanitarian and legal standards. The institutional actors are as follows;

3.2.1 UNITED NATIONS SECURITY COUNCIL

The UN Security Council is the central actor in matters of peace and security, an important body in the realm of international politics, it bears the vital responsibility of maintaining global peace and security. The council consists of 15 members, five permanent members and ten elected members. These members meet regularly to assess threats to international security, including civil wars, natural disasters, the spread of weapons and terrorism.⁵⁰ The UNSC was established post World War II, it is essential for settling conflicts, authorizing peacekeeping missions and implementing sanctions to deter aggression. According to **Article 24(1)** UN Charter, UN members have conferred upon the Security Council the primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.⁵¹ Under the Charter of the United Nations all members are obligated to comply with the councils decisions.⁵² The Security Council is the system's most powerful institutional actor. Its decisions are binding for UN members and it has the power, under Chapter VII of the UN Charter, to authorize enforcement actions such as blockades. The Council also functions to condemn and address existing blockades that violate international law or cause humanitarian suffering. However, the roles of the Council are undermined by political constraints. The five permanent members (p5: The United States of America, The United Kingdom, France, Russia and China) can block any substantive resolution with a single negative vote, regardless of how many other countries support it, these have frequently paralyzed efforts to regulate blockades, particularly when they are imposed or supported by a permanent member.⁵³ As such, while the Council is the most powerful enforcement organ in international law, its effectiveness in addressing unlawful blockades is highly variable.

3.2.2 THE INTERNATIONAL COURT OF JUSTICE

The International Court of Justice or "World Court" is the principal judicial organ of the United Nations, it has contributed significantly to the development of the legal framework governing the use of economic coercion and measures like blockades. Although the Court's authority is limited to cases where states have consented to, its judgments and

⁵⁰ Council on Foreign Relations, 'The UN Security Council' (CFR, 27 August, 2025)< <https://www.cfr.org>> accessed 5th September, 2025

⁵¹ UN Charter art 24 (1)

⁵² UN Charter art 25

⁵³ Thomas M Frank, Recourse to Force: State Action Against Threats and Armed Attacks (CUP 2002) 47-50

advisory opinions carry substantial normative authority and help where there is need to clarify the scope of obligations under international law. The most significant case remains **Nicaragua v United States of America**.⁵⁴ In this case, Nicaragua challenged the United States' support for armed opposition groups and its imposition of a trade embargo, as well as the mining of Nicaraguan ports. The International Court of Justice held that the embargo and mining constituted illegitimate interference in Nicaragua's internal and external affairs, breaching the principle of non-intervention and violating Nicaragua's sovereignty.⁵⁵ The Court also observed that economic coercion, when used to compel a state to adopt particular policies, may amount to unlawful intervention under customary international law. This decision is particularly important because it confirms that economic blockades and embargoes, when imposed unilaterally and outside the framework of the United Nations, can be contrary to international law. It distinguished between lawful countermeasures proportionate to a wrongful act and coercive measures that interfere with a state's sovereign choice in its internal and external affairs. Despite all its contributions, the Court's enforcement capacity remains limited. The ICJ relies on state consent for jurisdiction, which restricts its ability to adjudicate disputes concerning blockades where powerful states are involved. For instance, in the Nicaragua case, the United States withdrew its declaration accepting the Court's compulsory jurisdiction and refused to participate in the merits phase, although the Court proceeded in its absence.⁵⁶ Moreover, even where judgments are rendered, compliance depends on the willingness of states, since the Court has no direct enforcement mechanism beyond referral to the Security Council under **Article 94(2)** of the UN Charter.⁵⁷

3.2.3 THE INTERNATIONAL CRIMINAL COURT

The International Criminal Court was established by the Rome statute in 2002. The Court provides a mechanism for individual accountability, this is in respect to individuals responsible for the gravest crimes of concern to the international community. It encompasses the four most serious crimes of international concern and these are;

⁵⁴ Military and Paramilitary Activities in and against Nicaragua (Nicaragua v United States of America) (Merits) [1986] ICJ Rep 14.

⁵⁵ Ibid 245-246

⁵⁶ Nicaragua V United States 28-31

⁵⁷ Charter of the United Nations (adopted 26 June 1945, entered into force 24 October 1945) 1 UNTS XVI, art 94(2).

Genocide, crimes against humanity, war crimes and the crime of aggression. The statute does not explicitly provide for economic blockades as an international crime, certain blockades, depending on their nature, scale and intent, may fall within the scope of conduct criminalized by the Court. Particularly when blockades are deliberately imposed to destroy populations or to inflict severe deprivations on civilians, they may amount to genocide or crimes or crimes against humanity under **Articles 6 and 7 of the Rome Statute of the International Criminal Court**.⁵⁸ Article 6 of the Rome Statute defines genocide as “*any act committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group. These acts include killing members of the group, causing serious bodily harm or mental harm to members of the group, deliberately inflicting on the group conditions of life calculated to bring about its physical destruction on whole or in part, imposing measure intended to prevent births within the group and lastly, forcibly transferring children from one group to another group*”.⁵⁹ The deliberate imposition of a blockade that cuts off essential supplies such as food, water, medicine and humanitarian assistance could therefore constitute genocide if carried out with specific intent to destroy a protected group. In addition to genocide, blockades may also constitute crimes against humanity when imposed as part of a widespread or systematic attack directed against civilian populations, with knowledge of the attack. Article 7(2)(b) brings out extermination which is defined as *the intentional infliction of conditions of life, such as the deprivation of access to food and medicine, calculated to bring about the destruction of part of a population*”.⁶⁰ Thus, the ICC could exercise jurisdiction over state leaders who impose blockades that have genocidal intent. However, the courts faces challenges in exercising its jurisdiction effectively as it depends on the effective corporation with state parties in preparing criminal cases, particularly when it comes to the key issue of arrest and surrender of the accused person, the lack of any form of executive power is the courts weakness because the matter is simple: no arrest, no trial and justice remains an illusion.⁶¹

⁵⁸ Rome Statute of the International Criminal Court (adopted 17th July 1998, entered into force 1st July 2002) Arts 6-7

⁵⁹ Ibid Art 6

⁶⁰ Ibid Art 7(2)(b)

⁶¹ Hans Peter Kaul, The International Criminal Court Current Challenges and Perspective (Salzburg Law School on international criminal law, Salzburg, 8 August 2011)

3.3 HUMAN RIGHTS ENFORCEMENT MECHANISMS

The extraterritorial effects of blockades mean that they are not confined to the law of armed conflict but also fall within the ambit of international and regional human rights law. While blockades are traditionally analyzed under IHL, their impact on the enjoyment of fundamental rights has led to scrutiny by courts and monitoring bodies with human rights mandates.

3.3.1 THE HUMAN RIGHTS COUNCIL

Human rights mechanisms include the Human Rights Council which is composed of 47 member states elected by the General Assembly. Established on the 15th March, 2006, replacing the Commission on Human Rights. The HRC was established with a mandate to promote and protect human rights globally.⁶² Although it does not have binding enforcement powers comparable to those of the Security Council, the HRC has developed a central forum for accountability, especially in situations where grave violations of international humanitarian law overlap with human rights crises. Its mechanism which are; fact finding inquiries, special rapporteurs and thematic mandates play an important role in documenting the humanitarian consequences of blockades. The HRC's most visible enforcement adjustment function was is the establishment of Commissions of Inquiry and Fact Finding Missions, which are independent expert bodies mandated to investigate serious violations of international humanitarian law and human rights. In the context of Gaza, the Council has repeatedly created commissions to examine the humanitarian impact of Israeli military operations and the ongoing blockade. For instance, following the 2008–09 conflict in Gaza, the Council authorized the United Nations Fact-Finding Mission on the Gaza Conflict (the Goldstone Report), which found that the blockade had caused disproportionate harm to civilians and might amount to collective punishment.⁶³

The Council's strong point lies in its capability to mobilize information and legitimacy. By commissioning self-governing investigations, the HRC generates authoritative reports that NGOs, states, and international tribunals can use as evidence. These findings frequently underpin debates in the General Assembly and the Security Council, and have

⁶² UNGA Res 60/251, Human Rights Council (15th March, 2006) UN Doc A/RES/60/251

⁶³ Human Rights Council, Report of the United Nations Fact-Finding Mission on the Gaza Conflict (25th September, 2009) UN Doc A/HRC/12/48

informed proceedings before the ICJ and ICC. Despite these strengths, the HRC has been the subject of long standing concerns as the council cannot compel compliance with its findings, states under scrutiny frequently reject its reports as biased.

3.3.2 EUROPEAN COURT OF HUMAN RIGHTS

The European Court of Human Rights, established in 1959, is an international judicial body that adjudicates cases brought by individuals or states alleging breaches of the civil and political rights which are guaranteed under the European Convention on Human rights. The court has sat as a full time court since 1998 and individuals can apply to it directly.⁶⁴ Over the decades, the court has issued more than 10,000 judgments, these decisions are binding on the states involved. The court has recognized extraterritorial responsibility, this allows them to hold states accountable for violations committed outside their borders, when they exercise effective control. The court has interpreted state obligations to extend extraterritorially, measures like economic blockades or military control outside a state's territory may engage the state's responsibility. **Article 2 (1) of the European Convention on Human Rights** provides for the right to life and it states that *"Everyone's right to life shall be protected by law. No one shall be deprived of his life intentionally save in the execution of a sentence of a court following his conviction of a crime for which this penalty is provided by law"*.⁶⁵ **Article 3** provides for freedom from torture and inhuman or degrading treatment⁶⁶, inhuman treatment can be defined as treatment which causes intense physical or mental suffering. Looking at the two articles under the convention, it can be clearly stated that the blockade place on Gaza by Israel violates the right to life as well as the Article that prohibits torture, and inhuman or degrading treatment. Thus the state can be held responsible by the European Court of Human Rights.

Despite having judgments that are legally binding, the court cannot enforce its decisions directly. The effectiveness of the court depends on the willingness of states to comply. In cases involving extraterritorial measures or actions such as blockades or military occupations, states may refuse to lift restrictions or provide remedies, undermining the

⁶⁴ European Court of Human Rights, The European Court of Human Rights (ECHR, 2025) < <https://www.coe.int> > accessed 16th September, 2025

⁶⁵ European Convention on Human Rights Art 2(1)

⁶⁶ Ibid Art 3

Court's impact. The Court also faces political resistance from powerful states. For example, Russia has publicly dismissed the Court's rulings related to human rights violations in Ukraine, including deprivation of essential services and civilian protections. The failure to comply highlights the limits of judicial authority when challenged with politically sensitive cases.⁶⁷

3.4 CONCLUSION

This chapter has established that although international humanitarian law provides a framework for the regulation and the use of economic blockades, the practical enforcement of these rules remains strictly limited. Mechanisms such as the United Nations Security Council, international courts, and ad hoc tribunals are often constrained by political interests and jurisdictional barriers, resulting in unpredictable accountability. This chapter has also shown that the gap between the legal obligations of states and the realities of enforcement continues to undermine the effectiveness of International Humanitarian Law in protecting civilian populations. Without stronger, impartial, and enforceable mechanisms, violations that are linked to economic blockades will continue to be unchecked, leaving civilians to bear the heaviest burdens of contemporary warfare. Therefore, there is a crucial need to reinforce both the institutional capacity and political will of the international community to make sure that economic blockades are not employed in ways that breach fundamental humanitarian principles.

⁶⁷ 'Russia has committed flagrant human rights abuses in Ukraine since 2014, rules ECHR' (The Guardian, 9 July 2025) < <https://www.theguardian.com/world/2025/jul/09/russia-has-committed-flagrant-human-rights-abuses-in-ukraine-since-2014-rules-echr> > accessed 17th September, 2025.

CHAPTER FOUR

HUMANITARIAN CONSEQUENCES OF ECONOMIC BLOCKADES ON CIVILIAN POPULATIONS IN ARMED CONFLICTS

4.1 INTRODUCTION

Economic blockades have long been used as an instrument of warfare and political coercion, they are intended to weaken an adversary's economic and military capacity by restricting access to essential goods and resources. While measures such as blockades are often justified on strategic or security grounds, their humanitarian repercussions are profound and far-reaching. Despite having provisions of international law which state that civilians and civilian infrastructure cannot be deliberately targeted, time and again data has shown that civilian populations are systematically victimized and exposed to disproportionate harm when economic blockades are imposed in armed conflicts. By cutting off vital supplies such as food, medicine, fuel and humanitarian assistance, economic blockades frequently result in widespread civilian suffering and deterioration of public health, infrastructure and livelihoods.

4.1 IMPACT ON ACCESS TO BASIC NECESSITIES

One of the most abrupt and devastating humanitarian effects of economic blockades is that in many cases, they often lead to intense shortages of basic necessities, leaving civilian populations incapable of meeting their most basic needs. Such scarcities do not only result in hunger, malnutrition and the spread of diseases, they also cause a deterioration in the foundations of public health and dignity.

4.1.1 FOOD INSECURITY

One of the major consequences of economic blockades is the disruption of food supply, which often leads to widespread of food security, malnutrition and in extreme cases, famine. An example is the famine scenario in Gaza, according to the Integrated Food Security Phase, two out of three famine thresholds have been reached, and these are plummeting or deteriorating food consumption and acute malnutrition. Leaving out famine as the third criteria because the food security in Gaza does not constitute a famine

classification.⁶⁸ In Yemen, the Saudi led coalition blockade has restricted access to ports through which the country imports 90 percent of its food, leading to an alarming humanitarian emergency, with an increasing number of people deprived of food. The irregular worldwide aid cuts in 2025 have driven the hunger and malnutrition to fatal levels.⁶⁹ The United Nations has again and again described the state of affairs in Yemen as “the world’s worst humanitarian crisis” as it has left approximately 80 per cent of the country’s population in need of some form of assistance.⁷⁰

4.1.2 MEDICAL SHORTAGES

Limitations on the importation of medicines, medical equipment, and fuel unfavorably undermine healthcare systems, especially in conflict or sanctioned regions. When hospitals cannot obtain indispensable supplies or fuel to power generators, lifesaving services collapse. Surgeries, dialysis, intensive care, and vaccination programs halt, while refrigeration for medicines and vaccines fails. Subsequently, outbreaks of preventable diseases and surges in mortality rates often follow, predominantly among children, pregnant women, and the chronically ill. For example, in Gaza, the blockade has led to severe shortages of medicines and fuel, forcing hospitals to suspend operations, putting hundreds of patients and premature infants at risk of death.⁷¹ These restrictions do not only violate the right to health under international law but they also demonstrate how economic blockades can inflict humanitarian harm which is comparable to direct armed conflict. In Yemen, healthcare systems have largely collapsed, this is due to the bombing of hospitals and other healthcare facilities.⁷² This makes it hard to provide proper medical care to those suffering from the effects of the conflict and it has heightened the spread of diseases.⁷³

⁶⁸ UN News < <https://news.un.org/en/story/2025/07/1165517> > accessed 7th October, 2025

⁶⁹ War Child, ‘Yemen’s escalating hunger crisis: Nearly half the population struggles to find enough food’ (War Child, 15 October 2025) <https://www.warchild.org.uk/news/yemens-escalating-hunger-crisis-nearly-half-population-struggles-find-enough-food> accessed 7th October, 2025

⁷⁰ Concern Worldwide, “The ten worst humanitarian crises to know in 2025” (15 January 2025) <https://www.concern.net/news/worlds-worst-humanitarian-crises> accessed 7th October, 2025

⁷¹ Al Jazeera, ‘More than 100 premature babies at risk in Gaza as hospitals run out of fuel’ (10 July 2025) <https://www.aljazeera.com/news/2025/7/10/more-than-100-premature-babies-at-risk-in-gaza-as-hospitals-run-out-of-fuel> accessed 8th October, 2025

⁷² A Campaign Against Arms Trade, ‘A humanitarian crisis, created by war’ (last updated September 2025) < <https://caat.org.uk/data/counties/saudi-arabia/yemens-humanitarian-catastrophe> > accessed 8th October 2025

⁷³ Ibid

4.1.3 ENERGY AND WATER SCARCITY

Blockades that prevent the importation of fuel, repair materials and other essential goods seriously disturb electricity generation, water purification and sewage systems, leading to severe public health consequences for civilian populations. Once electricity supplies delay, water pumping stations and decontamination plants cease to function. With infrastructure failing, civilians are often forced to resort to unsafe water sources, bring about outbreaks of waterborne illnesses and skin infections. Hospitals and clinics that lack dependable access to clean water and electricity find it very difficult to maintain or too uphold basic hygiene standards, thereby putting patients at heightened risk. From international humanitarian law angle, such disturbances implicate well established legal principles. As with all military operations, blockades are governed by the principles of military necessity, distinction and proportionality, and must not result in the starvation or deprivation of essential supplies for the civilian population.⁷⁴ Crucially, **Article 54 of Additional Protocol I** to the Geneva Conventions prohibits attacks against “objects indispensable to the survival of the civilian population”, including drinking water installations, irrigation works and energy supplies necessary for food and water distribution.⁷⁵ Any act rendering such objects useless, including the prevention of access to fuel needed to operate water pumping or purification systems, may constitute a violation of this provision. Similarly, the International Committee of the Red Cross commentary underscores that the denial of water and energy required for basic survival may amount to a form of collective punishment or the use of starvation as a method of warfare.⁷⁶ Studies confirm the scale of harm caused by blockades for example, a 2023 report by the Geneva Academy of International Humanitarian Law and Human Rights observed that, in Gaza, restrictions on fuel and spare parts for electricity generation and water systems reduced access to safe drinking water by over 90 per cent compared with pre conflict levels, contributing to widespread outbreaks of disease.⁷⁷ The report

⁷⁴Medecins Sans Frontieres, The Practical Guide to Humanitarian Law, ‘Blockade’, how does the law protect in war? (ICRC, 2020) <https://guide-humanitarian-law.org/content/article/3/blockade> accessed 8 October 2025

⁷⁵ Protocol I, Art 54

⁷⁶ ICRC, commentary on the Additional Protocols of 1977 to the Geneva Conventions of 1949 (Martinus Nijhof 1987)

⁷⁷ Geneva Academy of International Humanitarian Law and Human Rights, Spot Report: water crisis in war and under occupation, Current Israeli Policy and Practice in Occupied Palestinian Territory under International Humanitarian Law (Geneva Academy 2023) < <https://www.geneva-academy.ch/news/detail/785-spot-report-water-crisis-in-war-and-under-occupation-current-israeli-policy-and-practice-in-occupied-palestinian-territory-under-international-humanitarian-law> > accessed 9th October 2025

concluded that such measures contravene IHL and may give rise to individual criminal responsibility for war crimes. Similarly, Mara Tignino argued in his work that attacks on or interference with water and sanitation installations in armed conflict directly threaten civilian survival and are inconsistent with both the principle of humanity and the prohibition of starvation. Energy scarcity compounds this situation. Electricity is essential to the functioning of water systems; when power plants cannot operate due to fuel shortages, water purification halts, sewage systems collapse, and public health deteriorates rapidly.⁷⁸ This shows that water and energy are interdependent humanitarian goods, the disturbance of one suddenly causes a failure in the other. Henceforth, the legal repercussions of blockades go beyond the denial of material goods to encompass the destruction or degradation of life supporting systems essential for civilian survival. Finally, where a blockade hinders humanitarian relief or the repair of essential infrastructure, it goes against the requirements under Articles 59 and 70 of the Fourth Geneva Convention 1949 and Additional Protocol I 1977.⁷⁹

4.2 IMPACT ON VULNERABLE GROUPS

Certain groups of society that are already marginalized under normal circumstances bear a disproportionate share of suffering caused by armed conflict and economic blockades. These groups include: children, women, older people and people with disabilities. In situations where blockades are prolonged, the deprivation of essential goods undermines the physical security and social resilience of such groups. Vulnerable groups frequently rely on public welfare systems, humanitarian assistance and community support structures that are the first to collapse under the strain of restricted imports and damaged infrastructure. The following are some of the way in which vulnerable groups suffer from the imposition of economic blockades in armed conflicts.

4.2.1 IMPACT ON CHILDREN: Malnutrition and interrupted Education

Children are among the most severely affected by the indirect consequences of armed conflict and economic blockades as they are more susceptible to illness and death from lack of food, poor water and hygiene as well as inadequate shelter and healthcare.

⁷⁸ Mara Tignino, 'Water in Armed Conflicts' (International Institute of Humanitarian Law, 2021) < <http://iihl.org/mara-tignino-water-in-armed-conflicts/> > accessed 9th October 2025

⁷⁹ Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of war 1949, art 59; Protocol I, arts 70-71

Restrictions on food, medicine and humanitarian aid often lead to acute and chronic malnutrition which weakens the immune system, disrupts the young ones development and encourages the spread of epidemics, stunted growth and irreversible cognitive impairment. Such deprivations directly contravene **Article 24(1) of the Convention on the Rights of the Child** provides that “*States parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness or rehabilitation of health. States parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.*”⁸⁰ The situation in Yemen, where over two million children suffer acute malnutrition as a result of prolonged restrictions on imports illustrates this breach.⁸¹ Additionally, the damage and closure of schools has caused a disruption in access to education. Around 3.2 million children of school age do not attend schools and those who are able to go are forced to cope with overcrowded classrooms and overburdened and unequipped teachers.⁸² Furthermore, some children who have lost one or both parents risk exposure to exploitation, abuse and human trafficking. Children are also at risk of being recruited as child soldiers and some are subjected to sexual violence.

4.2.2 IMPACT ON WOMEN

As members of the civilian population, women usually face distinctive problems in armed conflicts and the issue of economic blockades as they intensify already existing gender inequalities. In many cases, women have been separated from the men who traditionally may be their source of income. Making them primary providers and caregivers in society, this intensifies their caregiving burdens because when, water and other basic necessities become scarce, women are forced to spend long hours securing the needs of their families, which leads to exhaustion, deterioration in health and reduced opportunities for education and employment, making it extremely difficult for them to support themselves financially. These obligations placed on them violate **Article 14(2)(h) of Convention on the Elimination of All forms of Discrimination Against Women** which provides that “*states parties shall take appropriate measures to ensure women the right to: enjoy*

⁸⁰ Convention on the Rights of the Child (adopted 20 November 1989, entered into force 2 September 1990) CRC art 24 (1)

⁸¹ UNICEF, ‘Yemen Humanitarian Situation Report’ (2024) < <https://www.unicef.org/emergencies/yemen-crisis> > accessed 9th October, 2025

⁸² Ibid

*adequate living conditions, particularly in relation to housing, sanitation, electricity, water supply, transport and communications.*⁸³ This section obliges States Parties to ensure women enjoy adequate living conditions, including access to essential supplies and services but when blockades are enforced and prolonged the section above is breached. Additionally, blockades have serious consequences when it comes to maternal health, women and girls are most often targets of sexual abuse and violence during humanitarian crises. A restriction on the importation of medical supplies and a collapse of health systems can lead to an increase in maternal mortality, miscarriages and untreated pregnancies related complications, violating the provisions of **Article 12(2) of CEDAW** which provides that “*states parties shall ensure to women appropriate services in connection with pregnancy, confinement and post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation*”.⁸⁴ Lastly, the economic devastation and insecurity created blockades has intensified women’s vulnerability to Gender Based Violence, exploitation and trafficking because women may resort to harmful ways of living such as early marriages and transactional sex in order for them to secure food for their families, as well as safety.⁸⁵ Moreover, the breakdown in law enforcement and protection systems in blockaded territories leaves survivors of Gender Based Violence without any access to justice or support services.

4.2.3 IMPACT ON ELDERLY AND DISABLED PERSONS

Economic blockades in armed conflict have a devastating toll on civilians with disabilities as well as the elderly. People with disabilities experience compounded difficulties fleeing violence, this groups of people depend on specific medical supplies, assistive devices such as; wheelchairs, crutches, walkers and hearing aid.⁸⁶ When economic blockades are imposed, these things becomes scarce, as there is a restriction on imports. Several people with disabilities are usually left behind as their families flee. Some are left behind

⁸³Convention on the Elimination of All Forms of Discrimination Against Women (adopted 18 December 1979, entered into force 3 September 1981) CEDAW Art 14(2)(h)

⁸⁴ Ibid Art 12(2)

⁸⁵ United Nation Entity for Gender Equality and the Empowerment of Women (UN Women), ‘Gender Alert: The Impact of the Gaza Crisis on Women and Girls’ 2024 < <https://www.unwomen.org> > accessed 9th October, 2025

⁸⁶ Human Rights Watch, Gaza: Israeli Attacks, Blockade Devastating for people with Disabilities (HRW, 1 November 2023) < <https://www.hrw.org> > accessed 9th October 2025

because the trip is too difficult for people with disabilities to undertake.⁸⁷ The isolation caused by restriction in movements also increases vulnerability, and disabled persons from caregivers, family support and humanitarian assistance. The effect of economic blockades on people with disabilities and elderly persons is largely similar, as both groups experience increased levels of vulnerability. During conflicts, older men and women are among the last to flee, while some manage, some older people who are unable to flee choose to stay, leaving the particularly exposed to attacks. Economic blockades have a particularly acute impact on elderly persons, whose heightened medical, nutritional, and social care needs make them disproportionately vulnerable to disruptions in essential goods and services. Restrictions on the import of medicines, medical equipment, fuel, and food undermine the management of chronic age-related illnesses, limit access to life-sustaining treatments, and weaken already fragile health systems on which older adults depend.⁸⁸ An increase in prices and shortages have intensified the risk of malnutrition and dehydration, while the collapse of pensions, social protection mechanisms, and community support networks leaves many elderly persons without financial or family assistance. Limited mobility further prevents them from seeking alternative sources of care or supplies, rendering them effectively trapped in declining conditions. When humanitarian access is impeded, specialised support such as geriatric care, adult hygiene items, and assistive devices fails to reach those who need it most. Consequently, blockades not only exacerbate physical and psychological suffering among elderly populations but also elevate preventable morbidity and mortality, underscoring the imperative under international humanitarian law to address their distinct vulnerabilities in the design, enforcement, and humanitarian assessment of economic blockades. Older people who lack support networks or the physical or financial means to look after themselves are at risk of becoming isolated and dying from neglect, starvation or untreated medical conditions.⁸⁹

⁸⁷ Human Rights Watch ‘Leave No One Behind’ (Human Rights Watch, 19 May 2016) < <https://www.hrw.org/news/2016/05/19/leave-no-one-behind> > accessed 9th October 2022

⁸⁸ Armed Conflict: OCHA Protection Paper’ (IGC Global) < <https://globalag.igc.org/armedconflict/unochaprotectionpaper.htm> > accessed 9th October 2025

⁸⁹ UNRWA, Protection Brief: The Situation of older persons in Gaza (June 2025) < <https://www.org/unispal/wp-content/uploads/2025/06/situation-of-older-persons-in-gaza-f.pdf> > accessed 9th October 2025

4.3 ECONOMIC DISINTEGRATION

Prolonged economic blockades have the capacity to cripple national and local economies, leading to long term devastating consequences. Disintegrated economy refers to an economy that is broken or one that has collapsed. This happens when a country is unable to support its population and there is no economic growth. The restriction by blockades, on the importation and exportation of goods often affects the productive sectors that sustain the economic activities. Looking at the situation in Gaza, UN experts have observed that Israeli's prolonged blockade and military operations have led to an economic and humanitarian collapse. Gaza's economy has been effectively dismantled by the ongoing blockade, physical destruction and forced displacement, leading to 80 per cent of unemployment which has also in turn led to extreme poverty levels. The blockade placed on Gaza, restricting trade, financial flows and circulation of currency has produced a liquidity crisis and hyperinflation. Additionally, the destruction of banking and digital payment systems has led to an isolation of civilians from essential goods and services. These measures violate human rights obligations to an adequate standard of living, work, food, water, sanitation, health, life and freedom from cruel inhuman or degrading treatment. The UN experts, have called upon the international community to act urgently to compel Israeli to stop violating the fundamental rules of international law and respect the economic rights of the Palestinian people, to prevent the total collapse of the Palestinian economy.⁹⁰ Another demonstration of what could classify as an economic disintegration is the current situation in Yemen. The war has destroyed factories, roads, bridges, ports and distribution networks, causing massive bankruptcies and unemployment, while making it much harder to get food and other goods to the market.⁹¹

4.4 SOCIAL AND PSYCHOLOGICAL CONSEQUENCES

⁹⁰ UN Human Rights Office (OHCHR), 'Israel's financial stranglehold on the occupied Palestinian territory must end: UN experts' (Press Release, 15 September 2025) < <https://www.ohchr.org/en/press-release/2025/09/israels-financial-stranglehold-occupied-palestinian-territory-must-end-un> > accessed 11th October 2025

⁹¹ Campaign Against Arms Trade, 'A humanitarian crisis, created by war' (9 September 2025) < <https://caat.org.uk/data/countries/saudi-arabia/yemens-humanitarian-catastrophe> > accessed 12th October 2025

The toll of humanitarian crises is inescapable, reaching every individual directly or indirectly. The humanitarian disasters consist of social and mental problems at both communal and individual levels.

4.4.1 SOCIAL DISINTEGRATION AND COMMUNITY BREAKDOWN

Economic blockades, when imposed during armed conflicts increase social disintegration and community collapse by severing access to essential resources, nurturing extensive poverty, displacement, and erosion of communal bonds, often causing heightened intergroup tensions, institutional collapse, and longstanding societal fragmentation. Social integration also depends on the functioning of public institutions such as schools, hospitals and welfare systems that structure daily life. Under blockade conditions, these institutions often collapse due to resource shortages and administrative paralysis.⁹² In Gaza, the 15-year Israeli blockade has induced "de-development," severely restricting human rights, economic opportunities, and daily life, resulting in high unemployment over 45%, food insecurity affecting 1.2 million people, and mass displacement of nearly 80% of the population amid ongoing conflict, which has destroyed social services, education with a lot of children out of school, and healthcare infrastructure, thereby undermining family structures and community resilience.⁹³ In the same way, the Saudi-led coalition's blockade on Yemeni and airspace has had disastrous effects on social solidity. The UN Panel of Experts on Yemen has acknowledged the collapse of community-based governance structures and a rise in localized conflict as groups contest for scarce resources.⁹⁴ The fragmentation of Yemen's social fabric has compounded governmental divisions, making post-conflict re-establishment more difficult. The blockade has not only deprived civilians of essential goods but also pulled to pieces the social foundations that are important for peacebuilding.

⁹² Global Protection Cluster, Occupied Palestinian Territory (oPt): Gaza Protection Analysis update (January- June 2022)(August 2022) < <https://globalprotectioncluster.org/sites/default/files/2022-09/protection-analysis-update-gaza-2022.pdf> > accessed 16th October 2025

⁹³ United Nations Office for the Coordination of Humanitarian Affairs, 'Gaza Strip: Humanitarian impact of 15 years of the blockade (June 2022) < <https://www.ochaopt.org/content/gaza-strip-humanitarian-impact-15-years-blockade-june-2022> >

⁹⁴ Salisbury P, Yemen: National Chaos, Local Order (Chatham House 2017)

4.4.2 PSYCHOLOGICAL IMPACT OF ECONOMIC BLOCKADES ON CIVILIAN POPULATIONS IN ARMED CONFLICT

Economic blockades, when imposed during armed conflicts produce severe and multidimensional psychological penalties for civilian populations, often manifesting as heightened levels of post-traumatic stress disorder, depression, anxiety, and chronic grief due to prolonged economic deprivation, food insecurity, and social isolation. For instance, in the context of the Gaza blockade, which has continued for over 15 years amid ongoing conflict, four out of five children report living with depression, grief, and fear, with statistics showing increases in fear from 50% in 2018 to 84%, nervousness 55% to 80%, and sadness or depression 62% to 77%,⁹⁵ alongside over 50% contemplating suicide and three out of five self-harming; adults, including caregivers, face similar distress, with 96% feeling constantly unhappy and anxious, undermining their ability to support dependents and perpetuating intergenerational trauma.⁹⁶ Similarly, poverty and unemployment caused by the Saudi-led blockade in Yemen's armed conflict have aggravated the country's mental health crisis, resulting in widespread stress, anxiety and PTSD with 79% of children displaying PTSD symptoms and frontline health workers reporting severe adversity that affects their personal and professional well-being.⁹⁷ These repercussions indicate how structural violence in blockades can be more harmful over time than acute fighting experiences, as they not only undermine individual resistance but have also led to wider societal suffering, such as human insecurity and decreased psychological well-being. These effects not only erode individual resilience but also contribute to broader societal suffering, including human insecurity and diminished psychological well-being, highlighting how structural violence in blockades can be more detrimental long-term than acute combat episodes.⁹⁸

⁹⁵ Save the children, Trapped: The impact of 15 years of Blockade on the Mental Health of Gaza's Children (Save the children 2022) < <https://www.savethechildren.net/news/four-five-children-gaza-live-depression-grief-and-fear-new-save-children-research-shows> > accessed 12th October 2025

⁹⁶ B Aldabbour and others, 'Psychological Impacts of the Gaza War on Palestinian Young Adults: A Cross-Sectional Study of Depression, Anxiety, Stress, and PTSD Symptoms' (2024) 12 BMC Psychology 696 < <https://bmcpyschology.biomedcentral.com/articles/10.1186/s40359-024-02188-5> > accessed 12th October 2025

⁹⁷ M R Zughbur and others, 'Prevalence and Correlates of Anxiety, Depression, and Symptoms of Trauma Among Palestinian Adults in Gaza After a Year of War: A Cross-Sectional Study' (2025) 19 Conflict and Health 43 < <https://conflictandhealth.biomedcentral.com/articles/10.1186/s13031-025-00681-1> > accessed 12th October 2025

⁹⁸ World Health Organization (WHO), Mental Health in Yemen: impact of the Crisis and the Humanitarian Response (WHO 2022); United Nations Development Program (UNDP), Assessing the Impact of War on the Development in Yemen (UNDP 2021)

4. 5 CONCLUSION

This chapter has discussed the humanitarian consequences of economic blockades on civilian populations. Through exploring some case studies, it is evident enough that civilian populations experience disproportionate impacts in various spheres, which include health, education, economic security and safety. In order to improve civilian's safety and to foster accountability, the UN Security Council and other state actors must play a crucial role by imposing liability on perpetrators. In a nutshell, the international community must take tangible steps to guarantee the security of civilians. Addressing these challenges requires not only strong legal protection but also concerted effort at all levels, international, regional and local in order to provide meaningful support.

CHAPTER FIVE

CONCLUSION AND RECOMMENDATIONS

5.0 INTRODUCTION

In this concluding chapter, a comprehensive summary of the four chapters previously discussed will be given, each aligned with the objectives given under Chapter One. This summary highlights the key findings and insights gained throughout the research. In addition to this review, recommendations based on the findings, aimed at addressing the issues identified will be presented. By synthesizing earlier discussions and coming up with practical suggestions, this chapter seeks to reinforce the relevance and applicability of the research outcomes.

5.1 GENERAL CONCLUSION

In conclusion, this dissertation titled “Querying the Legal Basis for and Enforcement of Economic Blockades in Armed Conflicts and its Impact on Civilian Populations” examines the legality and humanitarian consequences of economic blockades in armed conflict under international humanitarian law. Although blockades are recognized as lawful method of warfare, this is so when they meet conditions like proportionality, distinction and necessity. In practice, economic blockades often exceed their intended use, causing civilian suffering and violation of International Humanitarian Law principles. While international treaties and conventions represent crucial steps towards safeguarding civilians, their enforcement remains weak and inconsistent, showing how difficult it is to apply international law in actual conflict and the need the need for reform within the Security Council to enhance its effectiveness in addressing such matters.

5.2 SUMMARY OF CHAPTERS

This research study has consisted of five chapters, with each chapter addressing a critical aspect of the legal and humanitarian dimensions of economic blockades in armed conflicts. The chapters examine the legal foundations, enforcement mechanisms and the significant consequences of blockades on civilian populations, providing insights and recommendations for strengthening international humanitarian law in this area.

5.2.1 CHAPTER ONE

The chapter introduces the study in general and forms up a foundation. It giving detailed background of the research, it further identifies and highlights the statement of the problem. Additionally, the chapter gave the background of the study and listed out the three primary objectives which are to: 1) examine the legal framework governing the use of economic blockades in armed conflict: 2) to assess the enforcement mechanisms available under international law for the regulation of economic blockades and lastly; 3) to analyze the humanitarian consequences of economic blockades on civilian populations. The chapter also reviewed existing literature review, highlighting how the approach being used in this dissertation differs from that of other scholars and addressing gaps in previously conducted researches. Lastly, the chapter brought out a detailed methodology to be employed.

5.2.2 CHAPTER TWO

Chapter two explores the legal framework governing the use of economic blockades in armed conflict. It explains that while blockades are a lawful method of warfare, their legitimacy depends on strict compliance with International Humanitarian Law. Tracing their evolution from naval warfare to contemporary measures, this chapter also highlighted key treaties which are, **The Hague Convention 1907, the Geneva Conventions 1949, Additional Protocol 1977 and the San Remo Manual 1944**. The chapter establishes that the legality of blockades is guided by the principles of necessity, humanity, distinction, proportionality and impartiality, this is to ensure that there is a balance between military objectives and the protection of civilians

5.2.3 CHAPTER THREE

This chapter, titled “enforcement mechanisms under international law regulating the use of economic blockades in armed conflict” examines how international law enforces rules on economic blockades and how violators can be held accountable. It emphasizes how political influence, a lack of jurisdiction and a lack of enforcement power limit the effectiveness of organizations such as the **UN Security Council, International Court of Justice** and the **International Criminal Court** in regulating and deciding illegal blockades. The **Human Rights Council** and other related organizations were additionally addressed in this chapter, along with how they use investigations to uncover humanitarian implications but do not have the power to enforce compliance. Highlighted in this chapter

is that overall, enforcement of blockade law remains inconsistent and politically constrained, leaving civilians disproportionately affected, underscoring the need for stronger and impartial international mechanism.

5.2.4 CHAPTER FOUR

The purpose of this chapter was to dive into the humanitarian repercussions of economic blockades on civilian populations. It reveals that economic blockades, though utilized as tactics of war and political pressure, induces terrible humanitarian suffering breaking fundamental standards of international humanitarian and human rights law. As observed by the situations in Gaza and Yemen, they result in acute shortages of needs which lead to starvation, illness and the breakdown of healthcare and sanitation systems. Malnutrition, put a halt on schooling, maternal mortality, gender based violence and neglect adversely impact vulnerable groups, including women, children, the elderly and people with disabilities. According to the study, persistent blockades also cause economic collapse, which destroys livelihoods, raises unemployment and poverty and destroys national economies. Blockades inflicted psychological trauma and social disintegration in addition to physical hardship, shattering communal ties and leaving populations with long-term mental health crises characterized by hopelessness, depression and anxiety. The chapter's overall conclusion is that economic blockades serve as tools of collective punishment, causing significantly more hardship to civilian populations than is necessary for military operations. To guarantee that such actions adhere to humanitarian law and shield people from preventable harm, it need more robust international action and accountability.

5.3 RECOMMENDATIONS

The study's conclusions make it clear that immediate attention is needed to the legal and humanitarian challenges presented by the deployment of economic blockades in armed conflicts. The recommendations that follow are intended to improve accountability, fortify the legal framework and guarantee that civilian populations impacted by such tactics have more protection.

5.3.1 STRENGTHENING OVERSIGHT AND ACCOUNTABILITY MECHANISMS

The first recommendation includes, introducing a robust framework to address the lack of effective monitoring of state conduct during blockades. This can be done by introducing or establishing an independent international mechanism under the auspices of the United Nations or the International Committee of the Red Cross. This body would be responsible for monitoring, assessing and reporting on state compliance with international humanitarian law and human rights obligations related to the imposition of blockades. The mechanism could also maintain a public record of the ongoing blockades, detailing their nature, duration and humanitarian effects. With such transparency, it would be easy to deter the misuse of blockades and reinforce compliance with the principle of proportionality and distinction among other principles of international humanitarian law. Ultimately, strengthened oversight and reporting obligations would help to ensure that blockades are used only within lawful and humane limits.

5.3.2 BALANCING MILITARY NECESSITY WITH HUMANITARIAN CONSIDERATIONS

State parties should take it upon themselves to conduct thorough and careful checks proportionality assessments, this is before and during the enforcement of any blockade to ensure that the military advantage does not outweigh the humanitarian costs of civilians. Humanitarian exemptions for essential goods like food, medicine and relief supplies must be mandatory and effectively implemented. The blockading state should be under an obligation to anticipate and mitigate the foreseeable humanitarian consequences arising from the imposition of a blockade. A blockade that inflicts indiscriminate suffering or disproportionately harms civilians stops to be a lawful instrument of warfare and becomes a form of collective punishment. Compliance with the principle of military necessity and proportionality, as well as humanitarian safeguards is not only a moral imperative but a legal necessity to maintain lawfulness of a blockade within the framework of international humanitarian law.

5.3.3 ENHANCING THE ROLE OF INTERNATIONAL JUDICIAL BODIES

International judicial bodies such as the International Court of Justice and the International Criminal Court should play a more proactive role in interpreting, reviewing and enforcing

the legality of economic blockades. Despite their central functions in the maintenance of international peace and the administration of justice, these institutions have a limited role in addressing complex legal and humanitarian implications of economic blockades. In instances where the imposed blockade results in collective punishment or disproportionate civilian suffering, these courts should have clear jurisdiction to ensure accountability. To facilitate this, the international community should consider strengthening the jurisdictional mandates of these courts by enabling them to address the legality as well as the humanitarian consequences more directly.

5.3.4 CLARIFICATION AND CODIFICATION OF LEGAL STANDARDS

There is an urgent need to clarify and codify the rules governing economic blockades within international humanitarian law. At present, the legal regulation of these measures remain ambiguous, relying mainly on customary international law and the San Remo Manual. These sources are very useful, as they provide useful guidance on the conduct of naval blockades. However, they fail to provide or to address the broader category of economic blockades, particularly those that employ financial, trade or resource restrictions to apply pressure on an adversary. The legal gap has led to significant uncertainty when it comes to the legitimacy, scope and the humanitarian impact of economic blockades. To ensure greater legal certainty, there is need developed the already existing norms into a binding international instruments that clearly define the lawful parameters, permissible methods and strict humanitarian limits in order to prevent disproportionate harm to civilian populations. Additionally, the codification will not only enhance compliance and accountability but it will also strike a balance between the principle of military necessity and humanitarian protection.

5.3.5 A NORMATIVE VISION FOR THE FUTURE REGULATION OF ECONOMIC BLOCKADES

The fifth and final recommendation is that, there is need for a normative framework. A forward looking stance is needed that places the protection of human dignity at its core. This is to ensure that civilians are never the primary victims of economic warfare. The normative direction of international humanitarian law must ensure that economic blockades remain lawful only when they are targeted, proportionate and when they firmly align with the protection of civilian life.

BIBLIOGRAPHY

CONVENTIONS

Additional Protocol I to the Geneva Conventions 1977

Convention on the Elimination of All Forms of Discrimination against Women

Convention on the Rights of the Child 1989

Geneva Conventions of 1949

Hague Convention of 1907

Paris Declaration Respecting Maritime War of 1856

Rome Statute of the International Criminal Court 2002

San Remo Manual on International Law Applicable to Conflicts at Sea 1994

United Nations Charter of 1945

European Convention on Human Rights of 1953

CASES

The Prosecutor v Dusko Tadic IT-94-1-AR72

Nicaragua V United States

ICJ, legality of the Threat or Use of Nuclear Weapons, Advisory Opinion of 1996

TEXT BOOKS

Yoram Dinstein, War, Aggression and Self Defence (7th edition, Cambridge University Press, 2021)

Yoram Dinstein, *The Conduct of Hostilities under the Law of International Armed Conflict* (Cambridge University Press 2010)

Marco Sassòli, *International Humanitarian: Rules, Controversies, and Solutions to Problems Arising in Warfare* (2nd edition, Edward Elgar Publishing 2023) 528–532

Louise Doswald-Beck (ed), *San Remo Manual on International Law Applicable to Armed Conflicts at Sea* (12 June 1994, International Institute of Humanitarian Law 1995) Introduction.

Natalino Ronzitti, *The Law of Naval Warfare: A Collection of Agreements and Documents with Commentaries* (Martinus Nijhoff 1988)

Thomas M Frank, *Recourse to Force: State Action Against Threats and Armed Attacks* (CUP 2002)

Salisbury P, *Yemen: National Chaos, Local Order* (Chatham House 2017)

Hans Peter Kaul, *The International Criminal Court Current Challenges and Perspective* (Salzburg Law School on international criminal law, Salzburg)

JOURNALS AND ARTICLES

N Tilahun and O Chinedu Okafor, 'Economic Sanctions and Humanitarian Principles: Lessons from International Humanitarian Law' (2023) available at: < <https://yjil.yale.edu> > accessed on 12th april,2025

A Cohen, *Economic Sanctions in IHL: Suggested Principles* (2009) available at: < <https://www.cambridge.org> > accessed on 12th April, 2025

J Walker, *the public policy of sanctions compliance: A need for collective and coordinated international action* (2022) IRRC No. 916-917 available at: < <https://international-review.icrc.org/articles/public-policy-of-sanctions-compliance-need-for-collective-and-coordinated-international-action-916> > accessed on 13th April,2025

M Tignino, 'Water in Armed Conflicts' (International Institute of Humanitarian Law, 2021) < <http://iihl.org/mara-tignino-water-in-armed-conflicts/> > accessed 9th October 2025

Medecins Sans Frontieres, The Practical Guide to Humanitarian Law, 'Blockade', how does the law protect in war? (ICRC, 2020) <https://guide-humanitarian-law.org/content/article/3/blockade> accessed 8 October 2025

REPORTS

UN Human Rights Council, 'Report of the Independent International Commission of Inquiry on the Protests

in the Occupied Palestinian Territory' (25 February 2019) UN Doc A/HRC/40/74; UN Office for the Coordination of Humanitarian Affairs, 'Yemen Humanitarian Needs Overview (2023)

UNGA Res 60/251, Human Rights Council

UN Human Rights Office (OHCHR), 'Israel's financial stranglehold on the occupied Palestinian territory must end: UN experts' (Press Release, 15 September 2025) < <https://www.ohrch.org/en/press-release/2025/09/israels-financial-stranglehold-occupied-palestinian-territory-must-end-un> >

ICRC, commentary on Protocol I (1987)

ICRC, Commentary on The San Remo Manual (1995)

International Committee of the Red Cross (ICRC), Customary International Humanitarian Law, Volume I: Rules (Cambridge University Press 2005)

International Committee of the Red Cross (ICRC), The Fundamental Principles of the Red Cross and Red Crescent (ICRC 1979)

Human Rights Council, Report of the United Nations Fact-Finding Mission on the Gaza Conflict (25th September, 2009) UN Doc A/HRC/12/48

THESIS

Pierce.Y: Blockades: their status under international law, effectiveness and impact (undergraduate thesis) California state university Maritime academy, 2019.

WEB SOURCES

A Campaign against Arms Trade, 'A humanitarian crisis, created by war' (last updated September 2025) < <https://caat.org.uk/data/counties/saudi-arabia/yemens-humanitarian-catastrophe> >

Aldabbour B and others, 'Psychological Impacts of the Gaza War on Palestinian Young Adults: A Cross-Sectional Study of Depression, Anxiety, Stress, and PTSD Symptoms' (2024) 12 BMC Psychology 696 < <https://bmcp psychology.biomedcentral.com/articles/10.1186/s40359-024-02188-5> >

Al Jazeera, 'More than 100 premature babies at risk in Gaza as hospitals run out of fuel' (10 July 2025) <https://www.aljazeera.com/news/2025/7/10/more-than-100-premature-babies-at-risk-in-gaza-as-hospitals-run-out-of-fuel>

Armed Conflict: OCHA Protection Paper' (IGC Global) < <https://globalag.igc.org/armedconflict/unochaprotectionpaper.htm> >

Collins Dictionary <<https://www.collinsdictionary.com> >

Concern Worldwide, "The ten worst humanitarian crises to know in 2025" (15 January 2025) <https://www.concern.net/news/worlds-worst-humanitarian-crises>

Council on Foreign Relations, 'The UN Security Council' (CFR, 27 August, 2025)< <https://www.cfr.org>>

European Court of Human Rights, The European Court of Human Rights (ECHR, 2025) < <https://www.coe.int> >

Global Protection Cluster, Occupied Palestinian Territory (oPt): Gaza Protection Analysis update (January- June 2022)(August 2022) < <https://globalprotectioncluster.org/sites/default/files/2022-09/protection-analysis-update-gaza-2022.pdf> >

Human Rights Watch, Gaza: Israeli Attacks, Blockade Devastating for people with Disabilities (HRW, 1 November 2023) < <https://www.hrw.org> >

Human Rights Watch 'Leave No One Behind' (Human Rights Watch, 19 May 2016) < <https://www.hrw.org/news/2016/05/19/leave-no-one-behind> >

ICRC Casebook < <http://casebook.icrc.org> >

International Committee of the Red Cross (ICRC) <<https://www.icrc.org>>

'Russia has committed flagrant human rights abuses in Ukraine since 2014, rules ECHR' (The Guardian, 9 July 2025) < <https://www.theguardian.com/world/2025/jul/09/russia-has-committed-flagrant-human-rights-abuses-in-ukraine-since-2014-rules-echr> >

Save the children, Trapped: The impact of 15 years of Blockade on the Mental Health of Gaza's Children (Save the children 2022) < <https://www.savethechildren.net/news/four-five-children-gaza-live-depression-grief-and-fear-new-save-children-research-shows> >

UN News < <https://news.un.org/en/story/2025/07/1165517> >

UNICEF, 'Yemen Humanitarian Situation Report' (2024) < <https://www.unicef.org/emergencies/yemen-crisis> >

United Nation Entity for Gender Equality and the Empowerment of Women (UN Women), 'Gender Alert: The Impact of the Gaza Crisis on Women and Girls' 2024 < <https://www.unwomen.org> >

United Nations Office for the Coordination of Humanitarian Affairs, 'Gaza Strip: Humanitarian impact of 15 years of the blockade (June 2022)' < <https://www.ochaopt.org/content/gaza-strip-humanitarian-impact-15-years-blockade-june-2022> >

UNRWA, Protection Brief: The Situation of older persons in Gaza (June 2025) < <https://www.org/unispa/wp-content/uploads/2025/06/situation-of-older-persons-in-gaza-f.pdf> >

War Child, 'Yemen's escalating hunger crisis: Nearly half the population struggles to find enough food' (War Child, 15 October 2025) <https://www.warchild.org.uk/news/yemens-escalating-hunger-crisis-nearly-half-population-struggles-find-enough-food>

Wisdom Library <<https://www.wisdomlib.org>>

Zughbur R M and others, "Prevalence and Correlates of Anxiety, Depression, and Symptoms of Trauma Among Palestinian Adults in Gaza After a Year of War: A Cross-Sectional Study' (2025) 19 Conflict and Health 43
<<https://conflictandhealth.biomedcentral.com/articles/10.1186/s13031-025-00681-1>>



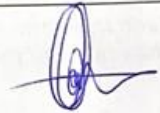
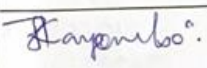
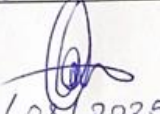
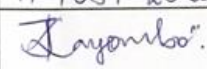
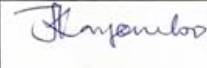
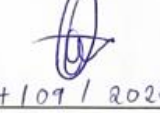
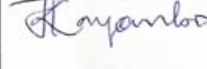
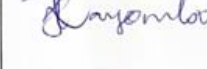
UNIVERSITY
of LUSAKA
Placeness for Quality Education - Ever Changing Future

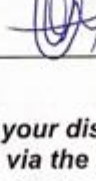
SCHOOL OF LAW

L400B / Dissertation II – DIRECTED RESEARCH (OBLIGATORY ESSAY)

RESEARCH CLEARANCE FORM

NAME:JACQUELINE KA-IOMBO..... STUDENT NUMBER:LLB212483957.....
SUPERVISOR:MWIKA MUKAKUZI..... TOPIC:QUERYING THE LEGAL
BASIS FOR AND ENFORCEMENT OF ECONOMIC BLOCKADES
IN ARMED CONFLICTS AND ITS IMPACT ON CIVILIAN POPULATIONS.....

Stage	Supervisor's Comments	Supervisor's Signature & Date	Student's Signature & Date
Research Proposal	Topic suffices for topic registration. However the statement of problem in the proposal needs to be expanded.	 18/03/2025	 17/03/2025
Chapter 1 – Introduction	Approved, proceed to chapter 2	 6/04/2025	 6/04/2025
Chapter 2 –	Amend before proceeding	 22/08/2025	 22/08/2025
Chapter 3 –	Amend before proceeding	 14/09/2025	 14/09/2025
Chapter 4 –	Amend before proceeding	 19/09/2025	 19/10/2025

Chapter 5 – Conclusions & Recommendations	proceed	 08/11/2025	Kayumbo.
Abstract, Table of Contents, Bibliography and Appendices	//	 08/11/2025	Kayumbo.
First Draft	Done	 11/11/25	Kayumbo.
Second Draft	Amend	 11/11/25	Kayumbo.
Final Draft	Done	 11/11/25	Kayumbo.

***NOTE:** Please attach this form to the back of your dissertation at the end of the research, before submission of the dissertation via the Moodle e-learning platform.

9.89%

SIMILARITY OVERALL

25.82%

POTENTIALLY AI

SCANNED ON: 19 NOV 2025, 6:51 PM

Similarity report

Your text is highlighted according to the matched content in the results above.

IDENTICAL 0.67% **CHANGED TEXT** 9.21% **QUOTES** 0.78%

AI Detector Results

Highlighted sentences with the lowest perplexity, most likely generated by AI.

LIKELY AI 0.00% **HIGHLY LIKELY AI** 25.82%

Report #30106205

3 8 9 10 11 12 16 17 SCHOOL OF LAW QUERYING THE LEGAL BASIS FOR
AND THE ENFORCEMENT OF ECONOMIC BLOCKADES IN ARMED CONFLICTS
AND ITS IMPACT ON CIVILIAN POPULATION By: JACQUELINE KAYOMBO
LLB212483957 AN OBLIGATORY ESSAY SUBMITTED TO THE UNIVERSITY OF
LUSAKA IN PARTIAL FULFILMENT OF THE REQUIREMENTS FOR THE
AWARD OF THE BACHELOR OF LAWS (LLB) DEGREE. 1 3 4 8 9 10 11 12 16 17 2025
DECLARATION I, JACQUELINE KAYOMBO declare that this dissertation
entitled QUERYING THE LEGAL BASIS FOR AND THE ENFORCEMENT OF
ECONOMIC BLOCKADES IN ARMED CONFLICTS AND ITS IMPACT ON
CIVILIAN POPULATIONS which is hereby submitted as part of the
requirements for the award of the Bachelor of Laws (LLB)
degree to the school of law, University of Lusaka, is my
original work and has not been previously submitted for an
award of a degree at this or any other tertiary institution. 1 3 4 8 9 10 11 16
17 I understand what plagiarism entails and I am aware of
the policy of the University in this regard. 1 3 4 The sources that
have been used or quoted have been indicated and duly
acknowledged as complete reference. center386715 JACQUELINE KAYOMBO
2025 SUPERVISOR'S RECOMMENDATION I, MWIKA MUSAKUZI, do recommend
that this dissertation titled QUERYING THE LEGAL BASIS FOR
AND THE ENFORCEMENT OF ECONOMIC BLOCKADES IN ARMED CONFLICTS