

Forcible/ Compulsive Means for Settlement of International Disputes

When the concerned States fail in settling a dispute by peaceful means, forcible or coercive means are adopted. These are Retorsion, then Reprisal, Intervention, Blockade war.

1. Retorsion

According to J.G.Starke, retorsion is relation by a state against Retorsion discourteous or inequitable acts of another state such retaliation. Retorsion may take the form of severance of diplomatic relations, withdrawal of tariff concessions or cancellation of diplomatic privileges or threat of rise in taxes on the exports as Japan, in 1904, threatened Russia to raise taxes on Russian imports because Russian pushed back some of the Japanese fisheries ships. India imposed certain disabilities on South-Africans living in India in 1961 and recalled her High Commissioner.

2. Reprisals

Reprisals are the measures of aid adopted by states for obtaining redress from another state. The form of reprisals are boycott of the goods, seizure the property and to hijack the citizens. According to International Law Retorsion is a legal act while reprisal s an illegal act. It is justified only when the-subject state gives no satisfaction for one. There are numerous instances of states taking action in the nature of reprisal. For instance, when king Alder was murdered, Yugoslavia expelled all the Hungarians from its territory in 1935. The most disreputable case of reprisal was the occupation of Corfu (Greece) in 1923 by Turkey.

3. Reprisal and UNO: According to the U.N Charter

No any member state should threat the territorial integrity and political freedom of a state

The use of force should be avoided.

All those acts are illegal, which involve as the military.

Reprisals, which are applied against a criminal state can be applied against its citizens.

Reprisals can be applied individually as well as collectively by the state representatives. Reprisals are abolished when the accused state compensate for its wrong done.

4. Intervention

Intervention is dictatorial interference in the affairs of another state or of a third state in the dispute of the two parties. A third state interferes in the affairs, having powers over the disputed parties. Such an interference, e.g. control over the communication, is a sort of threat to the disputed parties. In 1895, Russia, France and Britannica intervened in the affairs of Japan to give back the annexed parts of China

and WARSAW Pact Powers intervened in the affairs of Czechoslovakia. According to Professor Winfield, intervention has three categories:

- i. Internal intervention
 - ii. External intervention
 - iii. Punitive intervention
- i. **Internal intervention** means when a state 'A' interferes between the disputing sections of state. 'B' when a foreign state directly or indirectly provides assistance to rebels.
 - ii. **External intervention** means when a state 'A' interferes in the hostile relations of other states for example when Italy entered the Second World War in favour of Germany and against U.K.
 - iii. **Punitive intervention** is the case of a reprisal. For example, pacific blockade against a state, which has breach a treaty.

5. Pacific Blockade

In this method, the ports of the criminal states are blockaded until the blockading state request for satisfaction of its wrong done.

According to the Article-42 of the U.N. Charter, pacific blockade is a source of maintaining International Peace and security.

Examples are Turkish blockade by France, Russia and Great Britain in 1872 while in 1886; Greece was blockaded in order for demilitarization of her frontiers. Some of the lawyers have doubts on the legality of pacific blockade.

6. War

War is the ultimate sanction of International Law. When all other amicable and forcible measures fail, the aggrieved state, by means of war strive to impose the terms of settlement, which that state has no alternatives but to obey. The right to wage war is now restricted both the Braind – Kellogg Pact and also by the Charter of the United Nations.

7. Hostile Embargo

Embargo is proclamation, decree, or order, usually issued by a government, prohibiting the departure of merchant ships from ports Under its control, or prohibiting them from carrying certain types of goods out of the country. An embargo may be levied on both domestic and foreign vessels. Embargoes on foreign ships were formerly levied principally to prevent the spread of information about developments in the country declaring the embargo, or in reprisal for an injury committed by another government and as a means of securing redress for it.

In late 1973 certain oil-producing states in the Middle East placed an embargo against shipment of oil to countries they regarded as favoring Israel in the ongoing political struggle between these neighboring states. It involves provisional seizure or detention of merchant ships or property of the offending state.