STUDY NOTES · BASIC CONCEPT

What are the legal angles involved in Trump's Hormuz blockade plan?

International Relations

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Trump’s Hormuz Blockade Plan: Legal Grey Zones Explained

Core Legal Concern

Donald Trump’s plan to block the Strait of Hormuz raises serious legal questions under international law. The Strait is a globally shared maritime route used by multiple nations for trade and energy transport. Any attempt by a single country to restrict access challenges established legal norms and could be seen as a violation of international rights.

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UNCLOS and Transit Passage Rights

Under the United Nations Convention on the Law of the Sea (UNCLOS), ships from all countries have the right to “transit passage” through international straits. This means they can pass freely without interference. A blockade would directly challenge this principle unless justified under extraordinary legal conditions, making the situation highly contentious.

Legality of a Naval Blockade

A naval blockade is generally treated as an act of war in international law. For it to be considered lawful, there must be a declared or ongoing armed conflict, and the action must be proportionate and non-discriminatory. Since there is no formal war between the US and Iran, imposing a blockade could be seen as legally questionable and potentially unlawful.

Impact on Neutral Countries

The Strait of Hormuz is a critical route for global oil supply, used by many countries not involved in the US–Iran dispute. A blockade would disrupt their trade and energy supplies, potentially violating their rights under

international law. This could lead to strong diplomatic reactions and global opposition.

Self-Defense Argument

The US might justify the blockade under the principle of self-defense. However, international law requires that such actions be necessary, immediate, and proportionate to a real threat. Without clear evidence of imminent danger, this justification may not hold strong legal ground and could be challenged internationally.

Risk of Global Legal and Diplomatic Conflict

Blocking a key international waterway could lead to legal disputes in global institutions and increase geopolitical tensions. It may also weaken the established rules governing freedom of navigation, setting a risky precedent for future conflicts involving maritime routes.

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Conclusion

In conclusion, Donald Trump’s Hormuz blockade plan sits in a legal grey area. While strategically significant, it risks violating international law and triggering widespread diplomatic and economic consequences.