

Q Discuss the concept of Neutrality. How a neutral state differs from a neutralized state. Explain the rights and duties of neutral and the Belligerent States during war?

Introduction:-

In International law, the concept of neutrality is that one state should not take part in the other state war. It is a legal status of a special nature which involves a complex of rights, duties and privileges at international law and must be respected by belligerents and neutral states.

Concept of Neutrality:-

The concept of neutrality involves the following principles:-

Attitude of Impartiality

A neutral state is a state which does not take part in war and remains impartial. For example, In Indo-Pak recent conflict (May-2025), Bangladesh remained neutral state.

Recognition of Impartiality by Belligerent state:-

It is also necessary that this impartiality should be recognised by the belligerent states. Otherwise, it can create a conflict to it.

For example, In Russia and Ukraine war many western state choose to be neutral. And this neutrality recognised by Russia.

Rights and Duties Established:-

Neutrality give certain rights and impose some duty toward neutral state. These rights and duty were recognised under International law, and should be observed by the Belligerent states as well as the neutral states.

Rational behind the Neutrality

- 1) It helps to localise the area of war
- 2) It discourages the war and conflicts
- 3) Some States are able to keep them - selves away from war

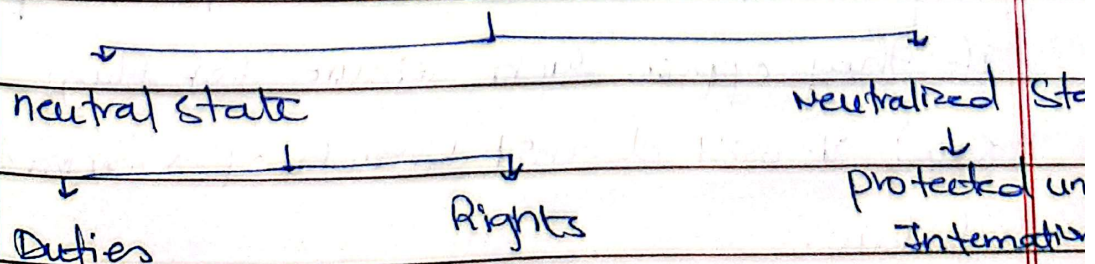
- 4) It regularises international law and regulations.

Different between neutral state and Neutralized state

i) Neutral state, is a state which choose not to be, take part in current time war or conflict. It has the right and duties in international law. It applies the particular time of war, not all the time.

Neutralized state
is a legal state which protected by international law and state recognizes it. It remain neutral in current and future war events.
For, example
Switzerland
is a neutralised State

International law



Rights and Duties of Neutral State During War:-

There are some rights and duties of neutral state under international law, which are follows:

Abstention:-

Neutral state to abstain from rendering direct or indirect help to the belligerent states.

Prevention:-

It is also the duty of the neutral states to prevent certain things within their territory. **For example,** not to help the state which is in war. Like not to take part in arms and medical assistance during war.

Acquiescence:-

It is also the duty of the neutral states to give their acquiescence in respect of certain matters. **For example,** if they oppose such seizure (of flag ship) it will be deemed breach of neutrality of law.

Duties of the Belligerent States:-

According to the international there are certain duties of Belligerent States which are as follow:-

Abstention of Belligerent state:-

It is the duty of the belligerent state to abstain from committing any act of war within the territory of the neutral state.

Prevention of wrong acts:-

Another duty toward the neutral state by the belligerent state is to prevent bad treatment towards the ambassadors, toward citizens, etc. of the neutral state. For example, the trade agreement will not be effected, nor the ties between these two state will be effected.

Acquiescence by Belligerent State:-

Belligerent States are under duty to give their acceptance in respect of certain matters. For example,

Neutral state ships repair in its port then it is the duty of other belligerent state not to oppose.

Conclusion:-

As per International law, the neutral state and neutralized state are play very important role, as the neutral state helps to prevent the war. These neutral state and belligerent state have rights and duties towards each other. Limit the war. So that conflict or war should be ended as soon as possible. All the possible because of neutrality under International law.