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An imperative mandatory demand by a belligerent State for the temporary or permanent use of movable or immovable property <sup>[1]</sup> or services, against payment of compensation.

International humanitarian law recognizes a limited right of requisition, especially in occupied territory <sup>[2]</sup> from local government bodies and individuals.

Requisitions must be in proportion to the resources of the country, and of such a nature as not to involve the inhabitants in the obligation of taking part in military operations against their own country.

The right of requisition is also recognized as applying to

- a. property of a neutral State <sup>[3]</sup>;
- b. ships that are unable owing to circumstances of *force majeure* to leave an enemy port or which are not allowed to leave;
- c. enemy merchant ships encountered on the high seas whilst still ignorant of the outbreak of hostilities;
- d. enemy cargo on board the vessels referred to a (b) and (c) above.
- e. There are also precise rules for the requisition of medical installations, material and transports.

See **Seizure** <sup>[4]</sup>; **Property** <sup>[1]</sup>;

**OUTLINE**

Chapter 8, IV. 7. d) limited admissibility of requisitions <sup>[5]</sup>

## LEGAL SOURCE

HR, 52 <sup>[6]</sup>

GCI, 34/2 <sup>[7]</sup> and 35/3 <sup>[8]</sup> (see ICRC updated Commentary <sup>[9]</sup>)

GCIV, 55/2 <sup>[10]</sup> and 57 <sup>[11]</sup>

PI, 14 <sup>[12]</sup> and 63/4 <sup>[13]</sup>

## CASES

ICJ/Israel, Separation Wall/Security Fence in the Occupied Palestinian Territory (Part A., Para. 132 and Part B., Paras. 8 and 32) <sup>[14]</sup>

Israel, Ayub v. Minister of Defence <sup>[15]</sup>

International Criminal Court, Trial Judgment in the Case of the Prosecutor V. Jean-Pierre Bemba Gombo <sup>[16]</sup>

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[3] <https://casebook.icrc.org/glossary/neutral-state>

[4] <https://casebook.icrc.org/glossary/seizure>

[5] [https://casebook.icrc.org/law/civilian-population#iv\\_7\\_c](https://casebook.icrc.org/law/civilian-population#iv_7_c)

[6]

<https://www.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=A0B26A7782CD608FC12563CD0>

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<https://www.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=FC9CE656E4817314C12563CD0>

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[9] [https://ihl-](https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Comment.xsp?action=openDocument&documentId=B0C2DA8E57015298C1257F7A0)

[databases.icrc.org/applic/ihl/ihl.nsf/Comment.xsp?action=openDocument&documentId=B0C2DA8E57015298C1257F7A0](https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Comment.xsp?action=openDocument&documentId=B0C2DA8E57015298C1257F7A0)

[10]

<https://www.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=8803ECCAB8E2414BC12563CD0>

[11]

<https://www.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=1B943A20B23CBA4DC12563CD0>

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<https://www.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=224F14A85C295774C12563CD0>

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<https://www.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=1CE1813256C75580C12563CD0>

[14] [https://casebook.icrc.org/case-study/icjisrael-separation-wallsecurity-fence-occupied-palestinian-territory#part\\_a\\_para\\_132](https://casebook.icrc.org/case-study/icjisrael-separation-wallsecurity-fence-occupied-palestinian-territory#part_a_para_132)

[15] <https://casebook.icrc.org/case-study/israel-ayub-v-minister-defence>

[16] <https://casebook.icrc.org/case-study/international-criminal-court-trial-judgment-case-prosecutor-v-jean-pierre-bemba-gombo>