

2019 Mid-Year Report

Peace, Security and Conflict Specialist Group Prepared by Specialist Group Chair Karen Hulme

I. Activity Updates

As in previous years, the work of the Specialist Group on Armed Conflict and the Environment (SGACE) focused on two general themes: (1) the legal protection of the environment in times of armed conflict (led by SGACE Co-Chair Michael Bothe), and (2) the role of natural resources in post-conflict peacebuilding (led by SGACE Co-Chair Carl Bruch).

As to the first part of the work, the essential activity was, as in previous years, contact and cooperation with the UN International Law Commission (ILC), which is dealing with the topic “Protection of the Environment in Relation to Armed Conflict.” The very formulation of the subject chosen by the ILC indicates a broad approach to the subject, which does not only cover rules of behavior applicable during armed conflict, but also rules applicable before and after the armed conflict. This new approach related to pre-conflict, conflict, and post-conflict phases has been a major step forward in allowing a change of thinking in how to approach the subject as well as ensuring a comprehensive analysis of the issues.

In April 2018 the new Special Rapporteur of the ILC, Marja Lehto, submitted a report which led to the provisional adoption of a set of ‘Draft Principles’ by the Commission on the area of protection of the environment during times of occupation. The Report surveyed the area thoroughly and added some new perspectives on the state of international law in relation to an area of the law that has often been side-lined. As to the broader substance of the work, the Draft Principles so far adopted and to be adopted by the ILC will continue to be a major focus of the SGACEs work, including its members, as this represents an important and ongoing piece of work for the ILC.

UN Security Council

On 7 November 2018, to coincide with the UN’s annual International Day for Preventing the Exploitation of the Environment in War and Armed Conflict convened an Arria-formula meeting on the “Protection of the Environment During Armed Conflict.” The meeting was co-sponsored by the German Mission to the United Nations, and SGACE Co-chair Carl Bruch attended the Security Council debate, as Director of International Programs at the Environmental Law Institute and co-founder of the Environmental Peacebuilding Association, to present an intervention from the NGO perspective.

Future of the SGACE

The Co-Chairs have served in that capacity for a considerable number of years and will now move into an Emeritus position, continuing to serve the SGACE and support the new Chair. The new Chair of the SGACE took over in June 2019, and the SGACE has been renamed and will have a broader remit, namely 'Peace, Security and Conflict' (PSCSG).

II. Upcoming events, projects, or anticipated next steps

The range of issues covered by the new, broader group could include the following substantive topics, which are also clearly cross-cutting issues across many of the other SGs:

Armed conflict, occupation and other incidences of attacks by armed groups: Conflict will continue to be a central focus of the work of the PSCSG, both international and non-international armed conflict. The work over the next few years is likely to concentrate on key instruments being adopted and proposed, as well as recent adoptions, such as the recent treaty on the prohibition of nuclear weapons, issues in relation to cyberwarfare and warfare being undertaken within cities. Particular focus could relate to the impacts of conflicts on species and biodiversity, including protected areas, the use of environmentally-destructive tactics and weapons, and the general footprint of conflict. A number of bodies are analyzing related instruments, such as the International Committee of the Red Cross, which is updating its 1993 Guidelines for Military Manuals and Instructions on the Protection of the Environment in Times of Armed Conflict.

Peace and environmental peacebuilding: Continuing the post-conflict related work of the SGACE, the focus of PSCSG is likely to be on issues of water, including water scarcity and strategic resources, forests, marine ecosystems, agriculture, and the fragility of biodiverse areas, stemming the illegal exploitation of natural resources. An important dimension of the work of the PSCSG will be the link between human rights, conflict, security and the environment, particularly in the post-conflict setting, as well as helping to build stronger, more resilient communities in order to prevent the path to conflict.

Environmental security: Environmental security issues will be newly addressed in the group, although some were included within the remit of environmental peacebuilding. Broader security issues might relate to the impacts of climate change, particularly as they relate to conflicts over resources (resource scarcity and competition) and national security, displacement and refugees, natural disasters, and social instability due to horizontal inequalities (such as environmental injustice.) There are a number of aspects of environmental protection necessitated by man-made or natural disasters, for example environmental destruction is often the consequence of armed conflict and the trigger of refugee movements, that have been triggered by climate change impacts. As the Refugee Convention heads towards its 70-year anniversary in 2021, the issue of refugees will be on the international agenda and talking points.

An important dimension of the work of the PSCSG will be to support the IUCN CEESP report, including how the PSCSG can support the CEESP's programme of work and help to develop peacebuilding and conservation efforts.

2020 Congresses

Looking forward to the 2nd World Environmental Law Congress in Rio in 2020, and the 2020 IUCN World Conservation Congress in Marseille, the PSCSG looks forward to supporting the congress, and inputting its expertise. The issue of conflict, security, and human rights is recognised as a cross-cutting theme across both Congresses. Within the Rio Congress, the PSCSG looks forward to receiving and reviewing proposals that relate to all themes, particularly on the environmental rule of law, as well as biodiversity and climate. And for Rio, areas of natural input are the forum workshops on freshwater, as well as the climate and biodiversity crises. Part of the work of the PSCSG will be in expanding the current membership.