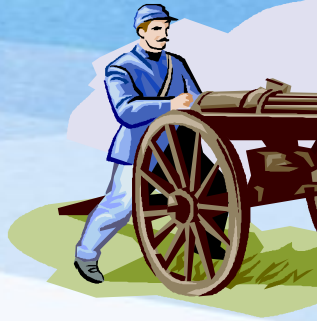




**RSM GC ADVISORS**



**Presentation on**

# **International Day for Preventing the Exploitation of the Environment in War and Armed Conflict**

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**(This presentation is made in my personal capacity and no opinion herein can be attributed  
to RSM GC Advisors)**

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# Why it Started....!!

The International Day for Preventing the Exploitation of the Environment in War and Armed Conflict recognizes the great importance of ensuring that action on the environment is part of conflict prevention, peacekeeping and peace building strategies - because there can be no durable peace if the natural resources that sustain livelihoods and ecosystems are destroyed

“On 5th November 2001, the United Nations General Assembly declared 6th November of each year as the International Day for Preventing the Exploitation of the Environment in War and Armed Conflict”



## United Nations Resolution Snap shot

### **Resolution adopted by the General Assembly**

*[without reference to a Main Committee (A/56/L.8 and Add.1)]*

#### **56/4. Observance of the International Day for Preventing the Exploitation of the Environment in War and Armed Conflict**

*The General Assembly,*

*Recalling* the United Nations Millennium Declaration,<sup>1</sup> which emphasizes the necessity of safeguarding nature for the sake of future generations and working for the protection of our common environment,

*Considering* that damage to the environment in times of armed conflict impacts ecosystems and natural resources long beyond the period of conflict, and that such damage extends beyond the limits of national territories and the present generation,

*Recalling* Article 2, paragraph 4, of the Charter of the United Nations, which states that all Member States shall refrain from the threat or use of force against the territorial integrity of any State in their international relations,

1. *Declares* 6 November each year as the International Day for Preventing the Exploitation of the Environment in War and Armed Conflict;

2. *Invites* Member States, entities of the United Nations system and other international and regional organizations to observe 6 November each year as the International Day for Preventing the Exploitation of the Environment in War and Armed Conflict;

3. *Requests* the Secretary-General to ensure the implementation of the present resolution and to promote it in the international community.

*37th plenary meeting  
5 November 2002*

# Environment - "The unpublicized victim of war"



Mankind has always counted its war casualties in terms of dead and wounded soldiers and civilians, destroyed cities and livelihoods, the environment has often remained the unpublicized victim of war

Water wells have been polluted

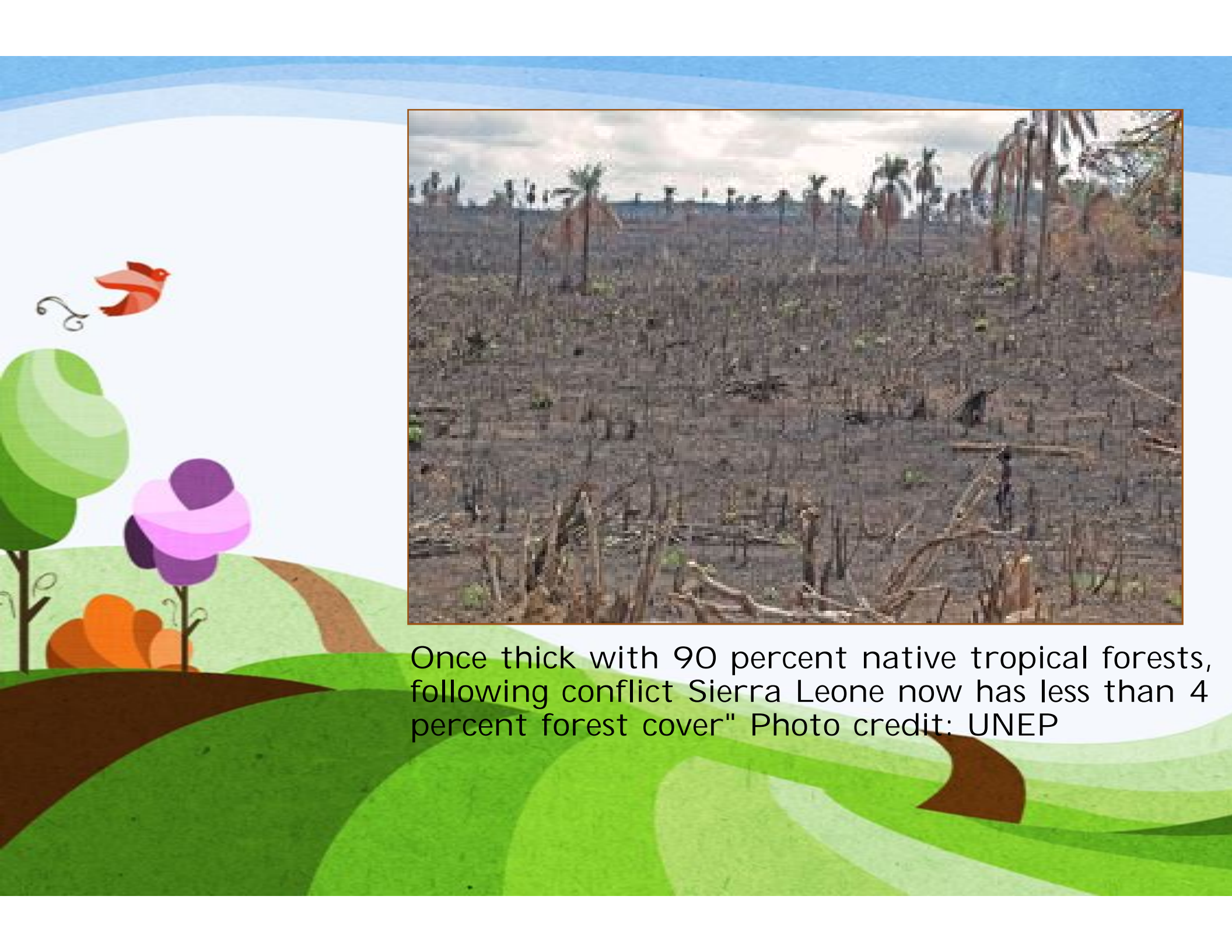
crops torched

forests were cut down/Deforestation

soils poisoned

Animals killed to gain military advantage





Once thick with 90 percent native tropical forests, following conflict Sierra Leone now has less than 4 percent forest cover" Photo credit: UNEP



The United Nations Environment Programme (UNEP) has found that over the last 60 years, at least 40 percent of all internal conflicts have been linked to the exploitation of natural resources, whether high-value resources such as timber, diamonds, gold and oil, or scarce resources such as fertile land and water.

**Let us renew our commitment to preventing the exploitation of the environment in times of conflict, and to protecting the environment as a pillar of our work for peace.**

**UN Secretary-General Ban Ki-moon**

**International Day for Preventing the Exploitation of the Environment in War and Armed Conflict, November 6, 2008**

# What The UN Millennium Project Says....!!

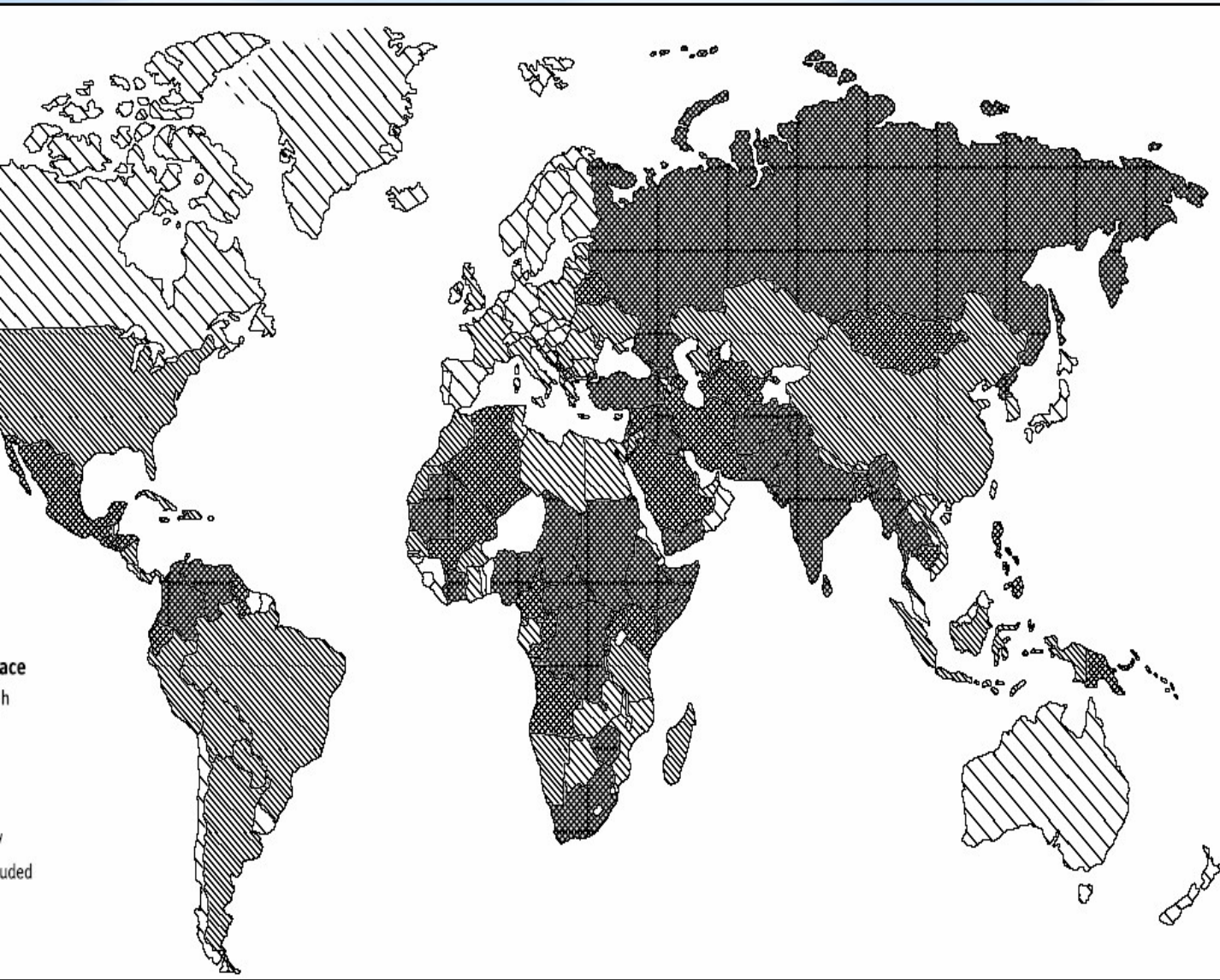
The Millennium Project defines environmental security as environmental viability for life support, with three sub-elements:

- ❑ preventing or repairing military damage to the environment
- ❑ preventing or responding to environmentally caused conflicts, and
- ❑ protecting the environment due to its inherent moral value

12 million hectares of land are lost yearly due to degradation and environmental causes. Desertification threatens regions of high vulnerability: nearly 70% of agricultural lands in the Arab region and 65% of those in Africa—where 60% of the population depends on agriculture. By 2020, water shortages might affect 250 million people in Africa, and agricultural production could decline 50%; in the meantime, population is expected to increase from 967 million to 2 billion in 2050. The situation might be exacerbated by several food-importing countries, including China, South Korea, Saudi Arabia, and the UAE, that have started to buy farmland in poor countries in Africa, Latin America, Central Asia, and Southeast Asia in order to address their food and energy security.



# Global Peace Index 2009



Comparing world peace (see Figure) with potential risks triggered by climate effects and environmental degradation (e.g., global sea level rise, temperature change, water scarcity, desertification) could help present vulnerabilities efficiently.



# UN Security Council Debate.....At Glance

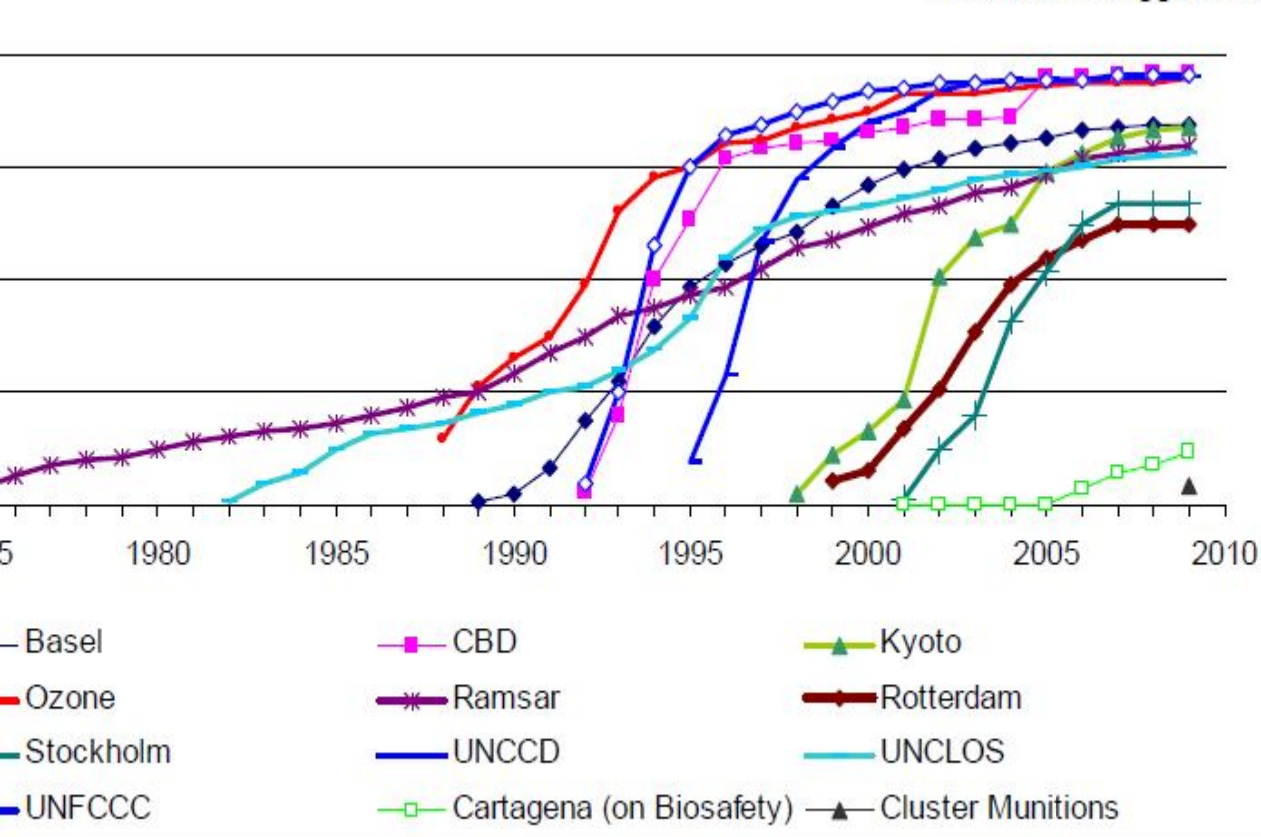
- ❑ In 2007, the UN Security Council held its first debate on the security implications of climate change, and many Council members considered the issue a top priority for their governments.
- ❑ “The world has moved from a global threat once called the Cold War, to what now should be considered the Warming War,” says Afelee Pita, Tuvalu Ambassador to the UN

## Least Environmentally Sustainable Countries

- Middle Eastern countries are among the least environmentally sustainable, and conflict has caused massive damages to ecosystems from Iraq to Lebanon and North Africa.
- Many post-conflict health and environmental impact assessments are ongoing, as are liability disputes. A motion submitted to the Security Council is requesting Israel to pay Lebanon nearly \$1 billion for environmental damages caused during the 2006 Second Lebanon War (including, inter alia, the cost of UN cleanup of the oil spill after Israel bombed a large refinery).
- In May 2009, UNEP conducted a post-conflict environmental assessment in the Gaza Strip on the impact of the Israel invasion of December 2008–January 2009 in order to make rehabilitation recommendations

## of parties to multilateral environmental agreements, 1975–2009

Environmental security analysis should include the impacts of new kinds of weapons; asymmetrical conflicts and warfare; increasing demands on natural resources; urbanization (which makes more people dependent on vulnerable public utilities); environmental degradation and climate change; continued advances in environmental law, with escalating environmental litigation; and the globalization that is increasing interdependencies. In view of increasing environmental conflicts triggered by environmental factors, enforcement of international multi-



UNEP GEO Data Portal with compilation by the Millennium Project



## **UNEP and Environmental Law Institute (ELI) Findings.....**

Articles 35 and 55 of Additional Protocol I to the 1949 Geneva Conventions do not effectively protect the environment during armed conflict due to the stringent and imprecise threshold required to demonstrate damage:

## **UNEP and Environmental Law Institute (ELI) Findings.....**

**Provisions in humanitarian law that regulate the means and methods of warfare or protect civilian property and objects provide indirect protection of the environment:**

Restrictions on the means of warfare (in particular weapons) and the methods of warfare (such as military tactics) provide indirect protection to the environment, although new technologies, such as the use of depleted uranium, are not yet addressed – except by the general principles of the law of war. Provisions that protect civilian property and objects, including industrial installations and cultural/natural sites, also provide indirect protection to the environment. However, these protections have rarely been effectively implemented or enforced.

## **UNEP and Environmental Law Institute (ELI) Findings.....**

**The majority of international legal provisions protecting the environment during armed conflict were designed for international armed conflicts and do not necessarily apply to internal conflicts:**

Given that most armed conflicts today are non-international or civil wars, much of the existing legal framework does not necessarily apply. This legal vacuum is a major obstacle for preventing the often serious environmental damage inflicted during internal conflicts. There are also no institutionalized mechanisms to prevent the looting of natural resources during armed conflict or to restrict the granting of concessions by combatants that may lack legitimacy or legal authority. In addition, there are no systematic mechanisms to prevent States or corporations from aiding and abetting civil war parties in causing environmental damage or looting natural resources



## Peace and Environmental Law Institute (ELI) Findings.....

concern regarding the targeting and use of the environment during wartime first peaked during the Viet Nam War. The use of the toxic herbicide Agent Orange, and the resulting massive deforestation and chemical contamination it caused, sparked an international outcry leading to the creation of new international legal instruments. The Environmental Modification Convention (ENMOD) was adopted in 1976 to prohibit the use of environmental modification techniques as a method of warfare. Additional Protocol I to the Geneva Conventions, adopted in the following year, included two articles (48 and 55) prohibiting warfare that may cause "widespread, long-term and severe damage to the natural environment."



**Agent Orange was sprayed over areas during the Viet Nam War**



Wildlife guards protect Silverback gorillas from poachers in Virunga National Park, in DR Congo. This World Heritage site has been threatened by decades of conflict in the region

### *Convention Concerning the Protection of the Cultural and Natural Heritage (World Heritage Convention) (1972)*

The World Heritage Convention was adopted by UNESCO Member States in 1972. Through the Convention, State Parties recognize their duty to identify, protect and safeguard for present and future generations cultural places that constitute part of the heritage of humanity. The Convention states that “the outbreak or continuation of an armed conflict” is sufficient to place a site on the World Heritage in Danger list.<sup>149</sup> Since 1992, a threatened site can also benefit from a special monitoring mechanism if it is at risk of losing its status for which it was inscribed on the World Heritage List. The inclusion of a provision specifically tailored to armed conflict indicates that the Convention is intended to apply during hostilities.





© UNEP

About 73,000 tons of crude oil and oil products are reported to have burned or leaked into wastewater collection canals or into the ground from the bombing of the oil refinery at Novi Sad, in Serbia

**Source: UNEP**





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Aftermath of a 2012 IED attack in Kandahar. Although the national-level insurgency between anti-government elements and government and international forces attracts the most attention the reality of conflict in Afghanistan is more complex, with disputes over natural resources underlying many local and regional conflicts

Source: UNEP



# Snap shots

## **Climate Change Triggers Redrawing Swiss-Italian Borders**

Switzerland and Italy are cooperating in redrawing their national borders in the Matterhorn mountain area, due to melting Alpine glaciers that previously set the border lines. The new proposal considers the rocks rather than glaciers as border criteria. The Swiss-Italian border change will not affect any inhabited area. Franco Narducci, of Italy's opposition Democratic Party, who is preparing the bill for redefining the frontier, said that similar negotiations will be proposed to France and Austria. Redrawing these borders creates a precedent with implications for other effects of climate change in other regions such as the Arctic and Antarctic regions, and the Low-lying Island States. [March 2009. [Military Implications, Sources](#)<sup>129</sup>]

## ap shots

### *Global Trends 2025: A Transformed World*

*Global Trends 2025: A Transformed World* by the US National Intelligence Council is an analysis of threats to security and potential geopolitical developments. It features four scenarios: "World Without the West"; "October Surprises"; "BRICS's Bust-up"; and "Politics is not Always Local." It includes a chapter on "The Demographics of Discord" (chapter 2), as well as a chapter on "Water, Food, and Climate Change" (in chapter 4: "Scarcity in the Midst of Plenty?") (November 2008. [Military Implications, Source](#)<sup>134</sup>]



**Some accords and regulations related to environmental security recently adopted, strengthened, in negotiation, or proposed**

- Convention on Cluster Munitions (opened for signature in December 2008)
- United States restrictions on export of cluster munitions (adopted in March 2009)
- International Convention for the Suppression of Acts of Nuclear Terrorism (entered into force in July 2007)
- EU resolution to lead negotiations for a global treaty to ban depleted uranium weapons (adopted in May 2008)
- International Convention for the Safe and Environmentally Sound Recycling of Ships (adopted in May 2009)
- International Convention on the Control of Harmful Anti-Fouling Systems on Ships (entered into force in September 2008)
- Revised MARPOL Regulations for the Prevention of Air Pollution from Ships (adopted in October 2008)
- Stockholm Convention on POPs updated with nine new chemicals (May 2009)
- Stockholm Convention continued negotiations for noncompliance mechanisms (agreement expected in 2011)
- Rotterdam Convention on PIC updated with new compounds (October 2008)
- Advancing discussions for cooperation among the Rotterdam, Basel, and Stockholm Conventions (October 2008)
- Convention on the Protection of the Underwater Cultural Heritage (entered into force in January 2009)
- Negotiating text for a post-2012 treaty on the reduction of greenhouse gas emissions (to be negotiated in December 2009, in Copenhagen)
- Tougher regulations for mandatory greenhouse gas emission targets being adopted by countries, regional authorities, local governments, and industries
- Network of Marine Protection Areas (to be adopted by 2012)
- EU ban on all exports of mercury (to take effect in March 2011)
- Airline industry mandatory participation in the EU Emissions Trading System (starting in January 2012)
- Shipping industry participation in the EU Emissions Trading System proposed from 2013
- EU Batteries Directive (entered into force in September 2008)
- Revision of the EU WEEE and RoHS for greater coherence with other EU regulations (December 2008)
- EU alignment of legislation on classification, labeling, and packaging of substances and mixtures with the UN Globally Harmonized System (December 2008)
- EU protection of the environment through criminal law (proposal approved in May 2008)
- Restrictions on plastic bags in China and India (effective 2008 and 2009, respectively)
- A global ban on mercury (in negotiation)

Source: UN Millen



# *Thank You*

*"On this International Day, we stress the critical importance of protecting the environment in times of armed conflict and restoring the good governance of natural resources during post-conflict reconstruction. We also recognize the important role that natural resources play in supporting the livelihoods and resilience of all members of society, especially women, and the implications of sustainable natural resource management for conflict prevention and peace."*

*UN Secretary-General Ban Ki-moon*