



# **OUR GENERATION'S OPPORTUNITY TO ENHANCE ENVIRONMENTAL PROTECTION IN CONFLICT**

**DOUG WEIR**

**TOXIC REMNANTS OF WAR PROJECT**

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OF WAR PROJECT



**Research project exploring the humanitarian impact of environmental damage resulting from conflict and military activities.**

**Aims to engage CSOs from the environment, humanitarian disarmament, human rights and public health.**

**Seeks to contribute to the debate over strengthening the protection of the environment in relation to armed conflicts.**

**Established 2012.**

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**Article36**



**Civil society network working to reduce the humanitarian and environmental impact of pollution generated by conflict and military activities.**

**The Network supports the development of a stronger standard of environmental and civilian protection before, during and after armed conflict.**

**Established 2015.**

















## Pathways for direct environmental damage

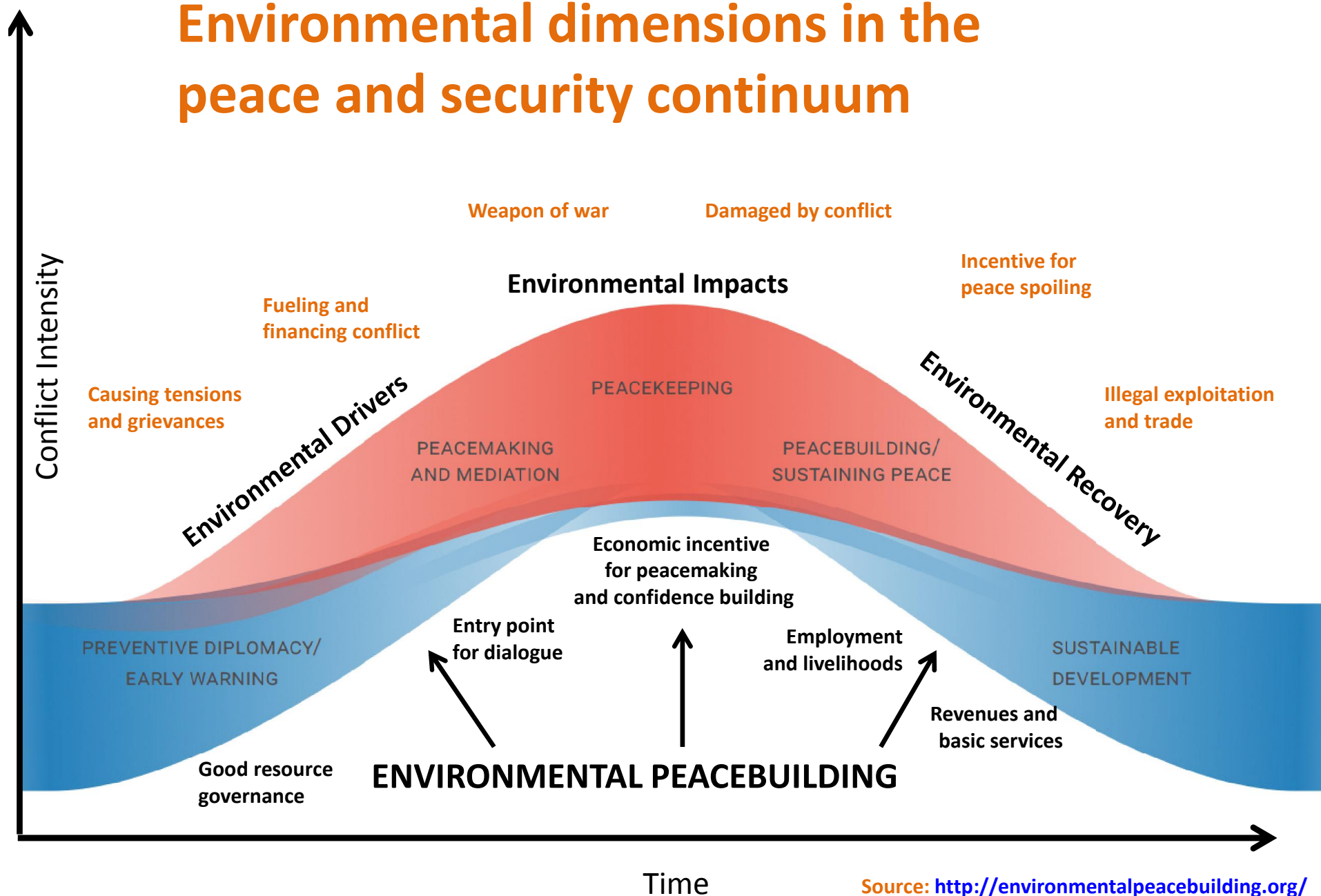
- Toxic hazards from damaged industrial sites and urban infrastructure.
- The legacy of weapons' use.
- Human displacement.
- The use of extractive industries to fund conflict.
- The loss of water supply, sanitation, and waste disposal infrastructure.
- Direct targeting of natural resources i.e. scorched-earth tactics.

## Pathways for indirect environmental damage

- Conflict and the loss of economic opportunity may compel affected populations to engage in unsustainable coping mechanisms or survival strategies.
- Disruption to state and local institutions undermines the enforcement of laws and the protection of resource rights, leading to poor resource governance.



# Environmental dimensions in the peace and security continuum







## Potential sources of law protecting the environment in relation to armed conflict

- International Humanitarian Law
- International Criminal Law
- International Environmental Law
- International Human Rights Law
- International Security Law
- 2009 report initiated long-overdue discourse on how protection could be increased...



## 2011 ICRC report on strengthening legal protection for the victims of armed conflicts

*“The protection of the natural environment has gained increasing prominence in the last few decades... As a result of this awareness, international environmental law has expanded considerably.*

*“At the same time, the protection of the environment has also come to be seen as important during armed conflicts, including non-international conflicts. However, the clarification and development of international humanitarian law for the protection of the environment has lagged behind.*

*“The ICRC is of the opinion that international humanitarian law in this area should be made more explicit and developed to safeguard the well-being and livelihood of present and future generations.”*

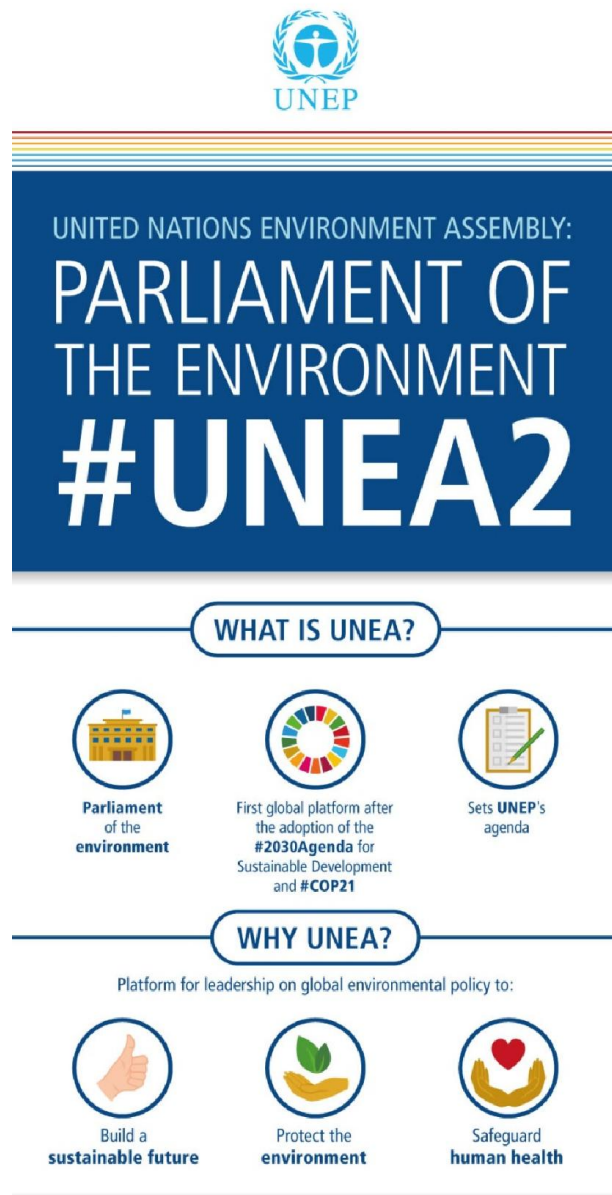




## International Law Commission study on the Protection of the Environment in Relation to Armed Conflicts (PERAC)

- ILC is mandated by the UN to undertake the progressive development of international law.
- Reports published between 2014-16 consider law before, during and after conflicts.
- Setting legal agenda and forcing states to engage.





## 2016 UN Environment Assembly resolution

- Most significant UN resolution on the topic since 1992.
- Ukraine, co-sponsored by Jordan, the DRC, Iraq, South Sudan, Norway, Lebanon, Canada and the EU.
- Hybrid humanitarian/environmental approach.
- States urged to minimise and mitigate harm.

## Parallel initiatives

- The ICRC is updating its guidelines for militaries and has called for better ways to address the short and long-term impacts, and for preventative measures.
- The ILC process will continue to consider the draft principles and other relevant areas of law.
- The International Criminal Court has announced that it will increasingly focus on environmental crimes.
- Governments are now engaging and more work can be expected in the UN Environment Assembly and beyond.
- Good things are now in motion but can they be sustained?



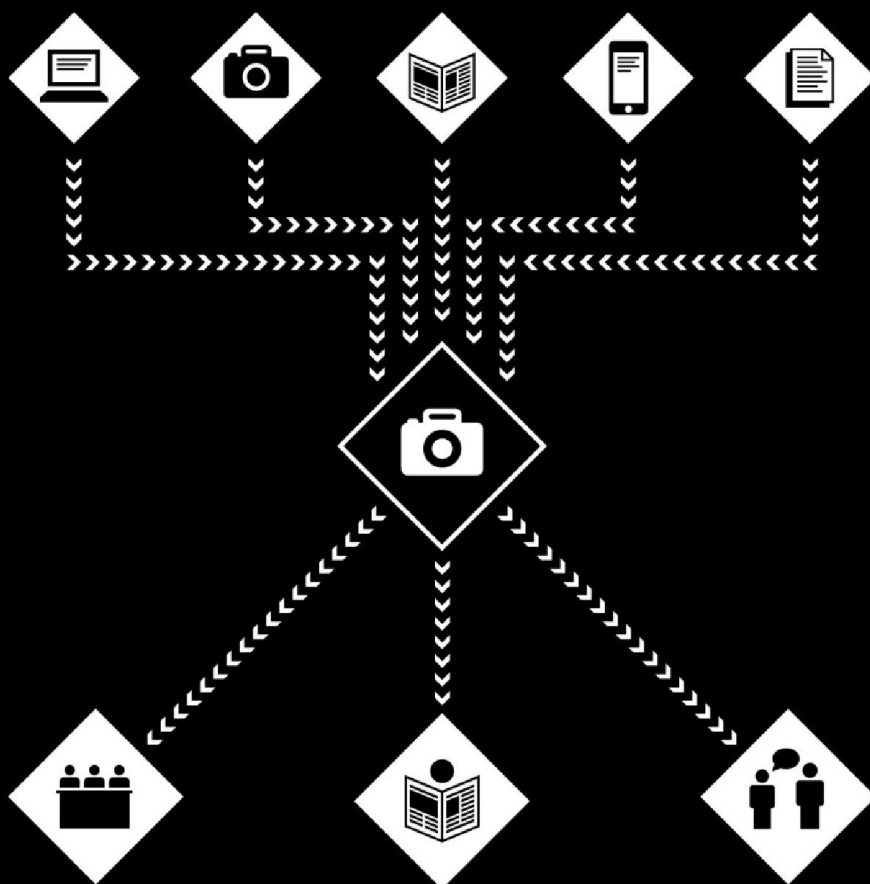
## A role for us

- Progress will not happen without civil society engagement.
- Unfortunately, the environment is a cross-cutting issue.
- Fortunately, the environment is a cross-cutting issue.
- Public health? Conservation? Human rights? Humanitarian response? Development? Gender? Environment?
- We failed in the 1970s because we didn't know enough or care enough.
- We failed in the 1990s because we lost interest when the fires went out and left it to the military lawyers.
- Our generation doesn't have to repeat these mistakes.





# Thank you



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