

ONITA DAS



Environmental Protection, Security and Armed Conflict

A Sustainable Development Perspective



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Foreword

Environmental harm in almost any form is inimical to the human experience when it rises above *de minimis* levels. To that extent, significant environmental degradation always has consequences for humanity, be they economic, social, cultural or political. What has become apparent is that there is also often a further dimension to such harm, namely that which is security-related. Environmental harm is thus increasingly recognised as both a consequence of military conflicts and, as significant, a trigger factor in the creation and/or exacerbation of civil strife, inter-State tensions and armed disputes. Resource scarcity, in particular, has shown itself to be a major cause of human insecurity. The birth of the world's newest country – South Sudan – continues to be mired, for instance, in bitter controversies over natural resources.

Environmental security is thus a pivotal matter for communities, States and the wider international community. However, as with all concepts, it is in danger of becoming a buzzword; critics would say full of 'political-ese' and rhetoric but with no real substance. Nevertheless, environmental security threats – both geographically discrete concerns as well as the more pervasive links between environmental harm / natural resource stresses and human conflict (both actual and putative) – are no less real simply because they can also be conceptualised and modelled. What Dr Das achieves in this monograph is to highlight the true extent of the problem without becoming overly-descriptive of particular issues; to reflect the broader context whilst concurrently relying on key instances to reveal the diverse nature of the threats.

She also underlines the role of international law and international organisations in mediating this complex problem. International law and international organisations are, however, no panacea; they cannot be 'activated' in some on/off fashion to resolve the world's ills. International law and international organisations are as imperfect, inchoate and fractured as the human causes of environmental insecurity – they can do no more, or no less, than political will allows. Nevertheless, within the substantive and procedural norms of international law and within the mission statements of international organisations, there is the potential

for something more, something better – an aspiration for more harmonious co-existence both between peoples, and between peoples and nature. Concepts such as environmental security and sustainable development, which must be considered as integrally related, may indeed be buzzwords but the principles they reflect are worth upholding and pursuing. Indeed, if worst case future scenarios are anywhere near correct, we have no choice but to continue to seek new and additional ways to implement still further the measures necessary to tackle the underlying causes of environmental harm.

Professor Duncan French
Lincoln
May 2012

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Onita Das
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Abbreviations

ACP	African, Caribbean and Pacific Group of States
AJIL	American Journal of International Law
Art.	Article
ASEAN	Association of South East Asian Nations
BBC	British Broadcasting Corporation
BTF	Balkan Task Force
CIA	Central Intelligence Agency
CISDL	Centre for International Sustainable Development Law
Cl. Ct.	(US) Court of Claims Reports
CNN	Cable News Network
CSD	Commission on Sustainable Development
CUP	Cambridge University Press
DAC	(OECD) Development Assistance Committee
DEFRA	(UK) Department for Environment, Food and Rural Affairs
DEWA	Division of Early Warning and Assessment
DOD	(US) Department of Defense
DSB	(WTO) Dispute Settlement Body
DSU	(WTO) Dispute Settlement Understanding
EC	European Commission
ECJ	European Court of Justice
ECOWAS	Economic Community of West African States
ECOSOC	(UN) Economic and Social Council

ECHR	European Convention on Human Rights
EEC	European Economic Community
EEA	European Environment Agency
EIA	Environmental impact assessment
ELI	Environmental Law Institute
ENVSEC	Environment and Security Initiative
EPA	(US) Environmental Protection Agency
ETS	European Treaty Series
EU	European Union
EW	Early warning
F.2d	(US) Federal Reporter, Second Series
FAO	(UN) Food and Agriculture Organization
FRY	Federal Republic of Yugoslavia
F.Supp.	(US) Federal Supplement
GAOR	General Assembly Official Records
GATS	General Agreement on Trade in Services
GATT	General Agreement on Tariffs and Trade
GEF	Global Environment Fund
GOS	Government of Sudan
GOSS	Government of the Republic of South Sudan
HC	House of Commons
HL	House of Lords
HMSO	Her Majesty's Stationary Office
IASC	Inter-Agency Standing Committee
ICC	International Criminal Court
ICISS	International Commission on Intervention and State Sovereignty
ICJ	International Court of Justice

ICJ Rep	International Court of Justice Reports
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the Former Yugoslavia
IELMT	International Environmental Legal Material and Treaties
IISD	International Institute for Sustainable Development
ILA	International Law Association
ILC	International Law Commission
ILM	International Legal Materials
ILR	International Law Reports
IOM	International Organization for Migration
ITLOS	International Tribunal for the Law of the Sea
IUCN	International Union for Conservation of Nature
LNOJ	League of Nations Official Journal
LNTS	League of Nations Treaty Series
MDGs	Millennium Development Goals
MEA	Millennium Ecosystem Assessment
MEAs	Multilateral Environmental Agreements
MUP	Manchester University Press
NAFTA	North American Free Trade Agreement
NATO	North Atlantic Treaty Organization
NGOs	Non-Governmental Organizations
OAU	Organization of African Unity
OCHA	(UN) Office for the Coordination of Humanitarian Affairs
OJ	Official Journal of the European Communities
OJL	Official Journal Legislation

OECD	Organisation for Economic Co-operation and Development
OR	Ontario Reports
OSCE	Organization for Security and Cooperation in Europe
OUP	Oxford University Press
PBC	(UN) Peacebuilding Commission
PCDMB	(UNEP) Post-Conflict and Disaster Management Branch
PCEA	(UNEP) Post-Conflict Environment Assessment
PCA	Permanent Court of Arbitration
PCIJ	Permanent Court of International Justice
PCIJ Ser. A	Permanent Court of International Justice, Collection of Judgements (1922–1930)
REC	Regional Environmental Center for Central and Eastern Europe
RIAA	Reports of International Arbitral Awards
RUF	Revolutionary United Front
SC	(US) Supreme Court
SCOR	(UN) Security Council Official Records
S. Ct.	(US) Supreme Court Reporter
SDC	Swiss Agency for Development and Cooperation
SPLM	Sudan People's Liberation Movement
Stat.	United States Statutes at Large
UCDP	Uppsala Conflict Data Programme
UK	United Kingdom
UN	United Nations
UNAMID	African Union/United Nations Hybrid Operation in Darfur
UNAMSIL	United Nations Assistance Mission in Sierra Leone

UNCBD	United Nations Convention on Biological Diversity
UNCC	United Nations Compensation Commission
UNCCD	United Nations Convention to Combat Desertification
UNCED	United Nations Conference on Environment and Development
UNCLOS	United Nations Convention on the Law of the Sea
UNDAC	United Nations Disaster Assessment and Coordination
UNDESA	United Nations Department of Economic and Social Affairs
UNDG	United Nations Development Group
UNDP	United Nations Development Programme
UN-DPA	United Nations Department of Political Affairs
UNECE	United Nations Economic Commission for Europe
UNEP	United Nations Environment Programme
UNESCAP	United Nations Economic and Social Commission for Asia and the Pacific
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFCCC	United Nations Framework Convention on Climate Change
UNGA	United Nations General Assembly
UN-HABITAT	United Nations Human Settlements Programme
UNHCR	United Nations Refugee Agency
UNICEF	United Nations International Children's Emergency Fund
UNISDR	United Nations International Strategy for Disaster Reduction
UNMIK	United Nations Interim Administration Mission in Kosovo

UNMIS	United Nations Mission in Sudan
UNMISS	United Nations Mission in Southern Sudan
UNOPS	United Nations Office for Project Services
UNOSAT	United Nations Operational Satellite Applications Programme
UNOSOM	United Nations Operation in Somalia
UNRISD	United Nations Research Institute for Social Development
UNSC	United Nations Security Council
UNTS	United Nations Treaty Series
US	United States of America
USAID	United States Agency for International Development
USC	United States Code
WCED	World Commission on Environment and Development
WEU	Western European Union
WHO	World Health Organization
WTO	World Trade Organization
WWII	World War II

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