

Protecting the Environment is Protecting Civilians Recommendations for UN Member States for the 2024 PoC Annual Debate

On 21 May, the UN Security Council will hold its annual debate on the Protection of Civilians (PoC) in armed conflict, during which Member States will reflect on the Secretary-General's 2024 PoC report. For the sixth consecutive year, this report will include references to the direct and indirect environmental impacts of conflict on human security and health, including through the report's priority focus this year on the 25th anniversary of the very first protection mandate in UNSCR 1265 (1999).

In the last decade, protecting the environment in armed conflict and addressing the environment-climate-conflict nexus has gained recognition and importance in the UN's agenda, particularly in international fora like the UN Security Council (UNSC), General Assembly (UNGA), Environmental Assembly (UNEA), Human Rights Council (UNHRC), and Peacebuilding Commission (PBC). From adopting thematic resolutions¹ to convening briefings and debates², Arria Formula meetings³, and side events⁴ on the issue, Member States have increasingly recognized the negative consequences of conflict-induced environmental harm on the safety and well-being of civilians, either directly or indirectly through damage to critical civilian infrastructure.

At the policy level, there have been some efforts in recent years to address environmental and related vulnerabilities for civilians in armed conflict. This includes, for example, the UNSC's resolutions 2417 (2018) and 2573 (2021), which aim at enhancing the protection of critical civilian infrastructure and facilitating humanitarian assistance, and the Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas (EWIPA), endorsed by over 80 states, which focuses on avoiding or minimizing the direct and foreseeable indirect harm to the civilian population. More broadly, protection of the environment and critical civilian infrastructure is covered by international humanitarian law (IHL) and human rights law (IHRL). Such frameworks as the ICRC's Guidelines on the Protection of the Natural Environment in Armed Conflict and the International Law Commission's Principles on the Protection of the Environment in Relation to Armed Conflicts (PERAC Principles) are also useful for designing better protection measures. Furthermore, the initiative of the Prosecutor of the International Criminal Court (ICC) to launch a public consultation on the linkages between the Rome Statute and the environment⁵ is a welcomed effort to address the current little to no established

¹ For instance, UNSC resolutions <u>2417</u> (2018) and <u>2573</u> (2021), as well as in successive mandates and renewals for UNFICYP, UNMISS, UNAMI, UNSOM, and MINUSCA; UNGA resolution <u>76/L.75</u> (2022); UNHRC resolution <u>48/13</u> (2021); and UNEA resolutions <u>2/15</u> (2016), <u>3/1</u> (2017) and <u>6/12</u> (2024).

² Besides annual UNSC Open Debates on PoC, this includes the UNSC Open debate on the humanitarian effects of environmental degradation and peace and security in <u>2020</u>, as well as climate and security-related UNSC debates in <u>2007</u>, <u>2011</u>, <u>2018</u>, <u>2019</u>, <u>2020</u>, 2021 (in <u>February</u>, <u>September</u>, and <u>December</u>), <u>2022</u> and 2023 (in <u>February</u> and <u>June</u>).

³ Such as Arria-Formula meetings on Protection of the Environment in Armed Conflict in <u>2018</u> and <u>2019</u>, on Protection of Civilians/Water in <u>2023</u>, as well as several meetings on Climate Finance for Sustaining Peace and Security, and on Climate, Peace and Security in 2020-2023.

⁴ Including UNSC "PoC Week" side events on "Protecting the Environment is Protecting Civilians" in <u>2020</u>, <u>2021</u>, <u>2022</u> and <u>2023</u>, and on "Conflict, Climate Change and Displacement" in <u>2021</u>, UNGA75 high-level side event on the humanitarian impact of combined conflict, climate and environmental risks in <u>2020</u>, and UNGA78 side event on water and conflict in <u>2023</u>.

⁵ See the ICC submissions <u>here</u>.

practice of enforcement mechanisms dealing with the protection of the environment in armed conflicts.

Unfortunately, in today's conflicts, there is often a lack of implementation of the binding frameworks provided by IHL and IHRL, and existing international efforts to prevent, mitigate and address environmental harm in conflict remain ad hoc, disjointed, and underfunded. This has led to a huge protection gap as evidenced by the alarming realities facing civilians on the ground. In 2023 alone, in conflict areas worldwide, including in Gaza, Sudan, Syria, Ukraine or Yemen, civilians continue to bear the brunt of environmental destruction in conflicts, including with the associated public health risks.⁶ From the destruction of urban areas generating millions of tons of conflict-rubble to pollution from burning fossil fuel infrastructure and damaged hazardous facilities, these impacts on civilians are severe and long-term. Furthermore, these impacts disproportionately affect women and girls, people with disabilities, older people, indigenous communities, and other potentially marginalized groups. More can and must be done to protect the environment in armed conflict to improve international PoC capacities.

Prioritize sparing water in armed conflicts

Wide-spread conflict-related damages to water infrastructure, including dams, wastewater treatment plants, desalination plants, wells and water pumps and pipelines has become a particularly alarming part of this trend in 2023, resulting in rapid decline of access to water for millions of civilians around the world. Armed conflicts impact freshwater, water-related installations, and other essential services in multiple ways, posing acute and long-term humanitarian, development, and environmental challenges. More than 180 million individuals in conflict areas suffer from the destruction, misuse, devastation, or pollution of water resources, and over 2 billion people lack access to safe drinking water.

These impacts are exacerbated in prolonged and urban conflict settings, where critical interconnected infrastructure, including vital systems like energy, food production, and healthcare, become increasingly susceptible to attacks. The cascade effects extend to exacerbating conflict-induced food insecurity, the deterioration of health services, the disruption of economic activities, and human displacement. The consequences of these reverberating effects are long-lasting and yet to be fully understood, extending far beyond conflict zones, as displaced persons and destruction of access to water for populations adds pressure on water resources in other countries and communities. Addressing these challenges not only eases the immediate burdens on civilian populations, but it also paves the way for more sustainable peace, stability, reconciliation, and development.

Pledge for a Global Alliance to Spare Water from Armed Conflicts

During the 2024 PoC week, a group of Member States led by Slovenia and Switzerland, will launch the Global Alliance to Spare Water from Armed Conflicts to advocate for better protection of water resources and related installations at the international, regional, and domestic levels. The Alliance will serve as a much-needed platform for coordination among Member States, policy practitioners, civil society, and academics to facilitate the exchange of knowledge on conflict-related damage to water resources, raise awareness about its consequences for civilians, identify opportunities to strengthen legal and policy gaps, and support relevant stakeholders in their implementation. As part of the Alliance, Geneva Water Hub and PAX see it as a crucial step forward to improving international coordination to address conflict-linked environmental challenges in the pursuit of a coherent UN system-wide Environment, Peace and Security (EPS) agenda.

⁶ For more information on some of these cases, see reports on conflict-linked environmental damage by <u>PAX</u> and <u>Geneva Water Hub</u>.

Recommendations for UN Member States ahead of the 2024 UNSC annual open debate on the Protection of Civilians:

- Condemn the practice and instances of conflict-linked attacks on water resources and infrastructure, and other instances of environmental damage, highlighting their grave impacts on civilians and their livelihoods in national interventions during UN Security Council open debates, briefings, and consultations on both country-specific and thematic situations.
- 2) Commit to upholding IHL in relation to water and environment in armed conflicts and to respecting the internationally recognized human rights to water and to a clean, healthy, and sustainable environment in time of peace and armed conflicts.
- 3) Adopt and operationalize a UN system-wide Environment, Peace, and Security (EPS) agenda to improve international prevention, mitigation, and response efforts to environmental damage and better protect civilians from conflict-linked environmental harm.
- 4) Join in supporting the Global Alliance to Spare Water from Armed Conflicts, as well as other key international tools aimed at improving the protection of environment, water, and essential civilian infrastructure in armed conflicts such as: the EWIPA Political Declaration; the ICRC's Updated Military Guidelines on the Protection of the Natural Environment in Armed Conflict Guidelines; and the ILC's PERAC Principles; among others.
- 5) Support international legal enforcement mechanisms such as the ICC, the International Court of Justice, and other judicial and quasi-judicial bodies to ensure accountability for conflict-linked damage to essential civilian infrastructure, including vital environmental and water resources and installations. This should be supported by further analysis of the need for further legal and policy instruments to prevent implementation gaps.
- 6) Strengthen the mandates and resources allotted to humanitarian and environmental response actors to address the environmental dimensions of armed conflict in their field operations, as well as support for development and environmental peacebuilding actors working on pre-conflict preparedness to protect essential water infrastructure and strengthen environmental resilience-building measures. This should also include support for mechanisms for monitoring, data gathering, and reporting on environmental impacts of conflict.
- 7) Commit to including the topics of the protection of environment and water in the training of armed forces and other relevant actors.
- 8) Call on the UN Secretariat to integrate analyses of environmental and climate risks within political strategies, peacebuilding, and transitional justice programming.