

INTERNATIONAL REVIEW of the Red Cross

Call for Papers: Protecting the Environment in Armed Conflict: The Legal and Policy Framework of the Future

The environment and war

The environment is facing a triple planetary crisis of climate change, pollution and loss of biodiversity – and this crisis is worsened by war. Yet while the urgency is new, environmental damage in armed conflict is as old as war itself. Conflicts in recent decades have featured the deliberate poisoning of water sources, the extraction of natural resources to finance conflicts, and the use of certain means and methods of warfare, such as scorched earth tactics, with severe environmental consequences.

Today, advancements of data collection in contemporary conflicts are resulting in greater depth of knowledge of how war devastates the environment. The international community now has a better grasp of how the targeting of, indiscriminate attacks against, and collateral damage to urban areas, including works and installations containing dangerous forces, can pollute the water, land, or air. We are also more aware of indirect environmental impacts: consequences of war, such as displacement or the depletion of natural resources, can likewise contribute to environmental degradation. We are beginning to ask questions as to how the industrial and military activities, increased land, aeronautical and marine transportation, and particles from munitions and projectiles linked to armed conflicts – emitting massive amounts of greenhouse gases – might be contributing significantly to humanity's carbon footprint.

As all elements of the environment are interwoven, changes in or by one entity will have (in)direct impacts on other elements of the environment. As classic examples, various human-driven phenomena, such as deforestation, population growth and contamination, have caused significant changes to the environment. Accordingly, the environmental impacts of war threaten to be woven into the planetary crisis in a myriad of ways, seen and unseen.

International legal framework for protecting the natural environment in armed conflict

Until 1977, the natural environment was not specifically protected by international humanitarian law (IHL). Since then, a steady cadence of developments in different bodies of international law have expanded the natural environment's protection before, during and after armed conflict. Yet most would argue that there remains more to be done.

States and the international community are taking measures to strengthen environmental protection in armed conflict to meet these needs. In 2022 and after a years-long process, the

ILC adopted the Draft Principles on the Protection of the Environment in Relation to Armed Conflicts.¹ These 27 principles, along with their preamble and commentaries, provide for the protection of the environment in relation to armed conflicts, laying out the responsibilities of States and non-state actors. As well as addressing law applicable during armed conflict, the principles also apply before and after conflict. They address States' obligation to take the necessary legislative, administrative and judicial measures to protect the environment, they recommend the designation of protected zones pre-conflict, and address the removal of remnants of war on land or at sea post-conflict.

In 2020, the ICRC released its updated Guidelines on the Protection of the Natural Environment in Armed Conflicts.² These guidelines provide a collection of IHL rules and recommendations protecting the natural environment. The 2020 Guidelines also contain commentaries that can serve as a reference to all parties involved in armed conflict or those in a position to influence them. With the aim of protecting the natural environment, the Guidelines call for the dissemination of the relevant rules of IHL, adoption of measures that would enhance awareness of the effects of armed conflict on the natural environment, the designation of demilitarized zones to protect areas of particular environmental importance or fragility, and exchanges of good practices to improve behaviour.

Call for papers

The *International Review of the Red Cross* invites proposals regarding the international normative framework for the protection of the environment in armed conflict for an upcoming edition, to be published in 2023. This edition seeks to provide a forum for contributions on contemporary understanding of the challenges of the protection of the environment in armed conflicts. Given the breadth of existing literature on the topic, we particularly value proposals with a forward-looking perspective that offer recommendations to improve current legal and humanitarian problems, as well as papers that present innovative and creative arguments that may have an impact on future legal and policy debates.

What follows is a non-exhaustive list of questions and themes intended to stimulate thinking and encourage submissions on the edition's theme:

- How IHL and international law in general, in their current forms, protect the natural environment in armed conflict and regulate the use of contemporary means and methods of warfare
- Conduct of hostilities and the protection of the environment
 - Whether and, if so, in what circumstances certain parts of the natural environment lose their civilian character and become military objectives

¹ International Law Commission, "Draft Principles on the Protection of the Environment in Relation to Armed Conflicts," 2022. Available at:

² International Committee of the Red Cross, "Guidelines on protection of natural environment in armed conflict," 2020. Available at: . The original was published in 1994.

- Implications of the rules proscribing the destruction of any part of the natural environment unless required by imperative military necessity (including prohibition of wanton destruction)
- Application of core IHL principles to the natural environment (i.e., prohibited attacks directed against or adversely affecting the environment in the context of the principles of distinction, proportionality, precaution)
- Use and effects of means of warfare on the natural environment (explosive weapons, incendiary weapons, chemical weapons, biological weapons, nuclear weapons, etc.)
- Reprisals against the natural environment
- Parts of the natural environment as specially protected objects
- The protection of the natural environment and the law of occupation
- Non-State armed groups and the protection of the environment in armed conflict
- Protected and/or demilitarized zones of particular environmental importance or fragility in armed conflict
- National implementation of the laws protecting the natural environment in armed conflicts
- The environment, armed conflict, and intersecting fields of international law
 - Interplay of IHL, human rights law, environmental law and/or criminal law in the protection of the natural environment in armed conflicts
 - Prosecuting crimes related to the environment under international criminal law, including the crime of ecocide under national and/or international law
 - (Transnational) environmental crimes in armed conflicts
- Anthropocentric vs ecocentric/intrinsic understandings of the protection of the environment during armed conflict
- The environmental responsibilities of peace operations
- Legal protections of the environment of the sea and/or outer space in armed conflict
- Climate law and policy and their implications for and interplay with IHL in conflict-affected contexts
- Advances in data collection on environmental damage in armed conflict and mapping implications for IHL application and accountability
- Opportunities and challenges for the global multilateral architecture and the “Nature-Security nexus”

- Next steps: the future of the normative framework protecting the environment in relation to armed conflict, with the ILC Draft Principles and ICRC Guidelines in hand
- Challenges or protections of the environment in armed conflict that are not yet addressed by the current international normative framework

How to submit your proposal

We invite anyone interested to submit **by Monday, 14 November 2022**, an abstract of maximum 500 words, as well as a CV or bio of maximum 300 words. Note that the target length for a completed traditional article should be between 8,000 and 10,000 words, though we are open to proposals for other formats (opinion notes, etc.). Our selection process will prioritize innovative proposals that have clear potential to contribute to and advance legal and policy debates in this space in the years ahead.

In the abstract, please include:

- (i) title;
- (ii) main arguments you intend to develop; and
- (iii) an explanation as to how your topic innovatively adds to the existing literature and fits within the *Review's* editorial line (for further reference, please visit our [Guidelines for Authors](#)).

Please send these materials in a single Word document to review@icrc.org. Note that, in line with our ongoing commitment to provide space for a diverse array of voices in this field, we encourage submissions by established and emerging voices alike.

You will be notified as to the status of your proposal by **Friday, 16 December 2022**. If you are invited to submit a full-length article, a draft of your completed article will be due no later than **Friday, 3 March 2023**.

Submissions to this edition will be reviewed by a jury, the composition of which will be announced by Monday, 14 November 2022.