

Hunger and armed conflict: IHL Framework



[This fact sheet provides general background on the main rules of international humanitarian law relevant to hunger in armed conflict. It can also serve as a general basis for key messages on the topic. For context-specific guidance, please contact the Policy Branch.]

Hunger is often precipitated in situations of armed conflict. Today, most food insecure and malnourished people live in countries affected by armed conflict: 489 million of 815 million undernourished people and an estimated 122 million of 155 million stunted children.ⁱ

In addition, armed conflict often cuts civilians off from their fields, livestock and other food sources, causing the displacement of millions of people. This escalates food insecurity for both forcibly displaced people and their host communities who are often providers of last resort despite their already scarce resources.ⁱⁱ



Villagers look for snails in Tanganyika province in the Democratic Republic of the Congo. (ICRC/P. Yazdi)

56% of populations in countries affected by conflict live in rural areas where livelihoods depend on agriculture.ⁱⁱⁱ When land and livestock come under attack, access to fields is obstructed, food stocks and essential infrastructure are looted, damaged or destroyed, or populations are forced to flee, hunger often follows. A common response is to deliver humanitarian relief to populations, but parties to armed conflict often impede relief operations or carry out attacks against humanitarian relief personnel or assets, perpetuating situations of food insecurity and hunger.

International humanitarian law as a means to protect against hunger

Under international humanitarian law (IHL), parties to armed conflict must satisfy several obligations designed to

help preserve sources of food and livelihoods and protect against hunger.

- In order to safeguard the civilian population's access to food in armed conflict, IHL prohibits starvation as a method of warfare.^{iv}

To use starvation as a method of warfare is to provoke it intentionally, causing the population to suffer hunger by depriving it of sources of food or supplies. Denying access of humanitarian aid intended for civilians in need, including by deliberately impeding humanitarian aid or restricting the freedom of movement of humanitarian relief personnel, can constitute violations of the prohibition of starvation.

- Related to the rule on starvation, IHL prohibits attacking, destroying, removing or rendering useless objects indispensable to the survival of the civilian population.^v

Such indispensable objects include foodstuffs and agricultural areas for their production, crops, livestock, drinking water installations and supplies, and irrigation works. This list of protected objects is not exhaustive. The rule should be interpreted widely to cover the variety of needs of populations in all geographical areas.

- More generally, the IHL rules of distinction, proportionality and precautions in attack also serve to protect civilian land and infrastructure.^{vi}

In addition to prohibiting attacks directed against civilian objects, IHL prohibits attacking a military objective if the expected incidental civilian death, injury or damage exceeds the concrete and direct military advantage anticipated.

IHL also requires that parties take constant care to spare civilians and civilian objects in the conduct of military operations and take all feasible precautions to avoid and minimize incidental loss of civilian life, injury to civilians and damage to civilian objects.

Attacks against military objectives can have destructive incidental effects on civilian objects in their vicinity, such as land or critical infrastructure, disrupting agriculture or essential services such as water or food supplies, and, in turn, causing hunger and illness. Implementing the rules of proportionality and precautions in attack should factor in such "reverberating" effects that are foreseeable.

- Weapons treaties such as the Antipersonnel Mine Ban Treaty and the Convention on Cluster Munitions also serve to prevent agricultural land, grazing areas, and irrigation systems from being contaminated by unexploded ordnance and thus becoming inaccessible.

Humanitarian relief under international humanitarian law^{vii}

Humanitarian relief can also play a vital role in averting and addressing hunger.



Local community members collect sacks of airdropped food in Jonglei State, South Sudan. (ICRC/A. Gonzalez Farran)

- Once a country has authorized relief operations, IHL requires that all parties to the conflict allow and facilitate rapid and unimpeded passage of humanitarian relief for civilians in need, which is impartial and conducted without adverse distinction, subject to the parties' right of control.^{viii}
- The parties must also ensure the freedom of movement of humanitarian personnel that is essential to their functions. Humanitarian activities or movements can only be restricted in case of imperative military necessity, and only temporarily.^{ix}

ⁱ FAO, IFAD, UNICEF, WFP and WHO, "The State of Food Security and Nutrition in the World 2017. Building resilience for peace and food security." Rome, FAO, 2017.

ⁱⁱ FAO, IFAD, UNICEF, WFP and WHO, "The State of Food Security and Nutrition in the World 2017. Building resilience for peace and food security." Rome, FAO, 2017.

ⁱⁱⁱ *Idem*.

^{iv} Rule 53, ICRC Customary International Humanitarian Law Database.

^v Rule 54, ICRC Customary International Humanitarian Law Database.

- Relief personnel and objects used for relief operations must be respected and protected. Attacks, harassment, intimidation, and arbitrary detention of relief personnel, and destruction, misappropriation and looting of relief objects, are prohibited.^x

Obligations of States not party to armed conflict

- While parties to an armed conflict clearly bear the primary responsibility for respecting IHL, a State also carries a duty to *ensure* that IHL is being respected.^{xi}

This entails ensuring respect for IHL by its *own* armed forces, but also by the forces of *other* parties to the armed conflict, whether or not that State is also a party to it. In particular, States that provide military support to parties to armed conflict—whether through arming, training, intelligence sharing, or other means—are in a unique position to withhold the means by which violations can be committed and provide guidance and conditions to prevent and end them.

UN Security Council Resolution 2417 (2018)

In May 2018, the UN Security Council unanimously adopted Resolution 2417 in response to its deep concern about the level of global humanitarian needs and the threat of famine facing millions of people in armed conflicts, and about the number of undernourished people in the world.

The Resolution recalls the link between armed conflict and food insecurity and the threat of famine. It also restates the range of IHL rules that aim to protect against hunger, calling on all parties to conflict to respect them, and on those with influence over parties to remind them of their obligations. The Resolution also requests that the Secretary-General report: i) annually on its implementation, ii) regularly on the risk of famine and food insecurity in his country reports, and iii) swiftly to the Council when the risk of conflict-induced famine and wide-spread food insecurity in armed conflict contexts occurs.

^{vi} Chapter I, ICRC Customary International Humanitarian Law Database.

^{vii} See also OCHA fact sheet, "Humanitarian Relief Operations in Armed Conflict: IHL Framework."

^{viii} Rule 55, ICRC Customary International Humanitarian Law Database.

^{ix} Rule 56, ICRC Customary International Humanitarian Law Database.

^x Rules 31 and 32, ICRC Customary International Humanitarian Law Database.

^{xi} Rule 144, ICRC Customary International Humanitarian Law Database.