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O 24. ARMED CONFLICT AND ITS IMPACT ON THE ENVIRONMENT: PRINCIPLES OF JUS AD BELLUM AND JUS IN BELLO

Miebaka Nabiebu^{1*}, Michael Takim Otu², Amarachukwu Onyinyechi Ijiomah³

¹Department of Jurisprudence and international Law, University of Calabar, Cross River, Nigeria.

²Department of Industrial & Commercial Law, faculty of Law, University of Calabar, Nigeria.

³Department of Jurisprudence and international Law, University of Calabar, Cross River, Nigeria.

E-mail: mdlaw2004@yahoo.com, michealtakim@unical.edu.ng, amarachukwuijomah@unical.edu.ng

ABSTRACT: International humanitarian law and international human rights law are complementary. Both strive to protect the lives, health, and dignity of individuals, albeit from different angles. Humanitarian law applies in situations of armed conflict, whereas human rights, or at least some of them, protect the individual at all times, in war and peace alike. However, both laws can be useful for the environment in terms of armed conflicts. This paper attempts to critically examine whether the Law of Armed Conflict is against the principles of environmental protection. The purpose of this paper is to discuss the impacts of armed conflict on the environment, the pre-armed conflict phase, armed training, the actual war stage, as well as the post-war stage. This paper further narrows the discussion down to: the impact of the Second Sino-Japanese War (1937–1945); the Second World War; the Vietnam War; the War in Afghanistan (1978–2009); and the 2021 Ukrainian-Russian War on the environment. And, lastly, the post-armed conflict phase and its impact on the environment. This paper argues that Armed conflicts in and of themselves always have a disastrous impact on the natural environment. Armed conflict is one of the major causes of the degradation of natural resources. Its training as well as incidence have always occasioned substantial obliteration of the natural environment. The ecological balance gets disturbed due to a lot of human causalities, deforestation effects, and the release of hazardous chemicals as well as hazardous waste by the use of weapons during the armed conflict. This work suggests that There should be innovative jurisprudential techniques devised to adequately deal with the problems of protection and preservation of the environment during armed conflict.

Keywords: International humanitarian law, Jus ad Bellum, Jus in Bello, 2021 Ukrainian-Russian War.