

POLICY BRIEF

Conflict, Hunger and UN Security Council Resolution 2417

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The Development Studies Association Ireland (DSAI) is an independent national association whose mission is to provide a platform for dialogue between researchers, policy-makers and practitioners in the area of international development. DSAI Policy Briefs bring together the views of academics and international development practitioners, aiming to influence organisational and government development policy in order to further our joint goals of reducing poverty, inequality and vulnerability in the world.

SUMMARY

After years of consistent progress in addressing global hunger, in 2017, famine was declared in South Sudan, and alerts issued for North-East Nigeria, Somalia and Yemen – sometimes referred to as the ‘four famines’ – all in the midst of violent conflict. In response, United Nations Security Council Resolution (UNSCR) 2417 was passed unanimously in May 2018, the first to explicitly recognise the links between conflict and hunger (UN, 2018). By 2020, violent conflict and insecurity was recognised as the main driver of food crisis for over 100 million people globally (FSIN, 2021a: 22). The current food security outlook to May 2022 indicates that acute food insecurity is likely to deteriorate in a further 20 ‘hunger hotspots,’ (FAO and WFP, 2022), a situation compounded by the global health crisis and growing food system crisis owing to war in Ukraine.

As we mark the fourth anniversary of the Resolution, this policy brief explores the linkages between conflict-driven hunger, and opportunities for policy action both through, and complimenting, UNSCR 2417.

AIM

The aim of this policy brief is to contribute to enhanced Irish government policymaking and action in the area of conflict, hunger and UNSCR 2417. It seeks to do so by:

- Providing an informed and authoritative summary of the key policy area of conflict, hunger and UNSCR 2417 among humanitarian, development, foreign policy and security policymakers in Ireland;
- Supporting ongoing and open critical reflection on key policy areas and opportunities for action related to conflict, hunger and UNSCR 2417;
- Identifying strategic opportunities for meaningful policy action in relation to conflict-driven hunger and starvation crimes in 2022 and beyond.

This policy brief was compiled by Caitriona Dowd, building on two events hosted by DSAI on conflict and hunger, and drawing on the inputs of participants in both events and members across the association.

Background and Rationale

The Irish government has historically had a strong focus on hunger and nutrition in its international development policy, including through initiatives such as the Hunger Task Force (2008). Irish representatives have also been outspoken on the relationship between conflict and hunger since joining the UN Security Council in January 2021 (see for example, DFA, 2021a; 2021b).

Ireland is now in its second year on the UN Security Council, presenting an opportunity to make progress on this important agenda in the months remaining. There is also scope to lead and contribute to initiatives and structures now that will outlast Ireland's tenure on the Council and advance sustainable and incremental progress on conflict and hunger in 2022 and beyond. In the same year, Ireland will also mark the 175th commemoration of 1847, the darkest year of the Great Famine.

Together, these represent a pressing need, and timely opportunity, for Irish humanitarian actors and researchers to shape and inform Irish policy in relation to conflict-driven hunger and starvation crimes.

This brief builds on two events hosted by DSAI:

- Most recently, members took part in a Global Rights Compliance-led training on UNSCR 2417, which sought to increase awareness and understanding of the Resolution, its mechanisms and potential implementation bottlenecks.
- This training built on an event hosted by DSAI's Humanitarian Action Study Group in May 2019, marking one year anniversary of UNSCR 2417, on Conflict, Hunger and International Humanitarian Law (DSAI, 2019a).

Summary of Recommendations

In international development and foreign policy

- Support the development of guidelines for implementation of UNSCR 2417 by political and military actors during overseas assignments, including with agencies who engage with armed groups on IHL obligations and compliance.
- Provide targeted support for the for greater socialisation of 2417 at country-level among humanitarian organisations, national and community human rights actors, and journalists.
- Explore opportunities to support the strengthening of food rights and justice in peacebuilding initiatives, including in targeted support provided to peacebuilding partners.

◆ *At the UN*

- Support the establishment of a single, designated focal point, such as a Special Rapporteur or similar, to lead and coordinate reporting on conflict, hunger and starvation.
- Support the development of specialist pre-deployment training for peacekeepers on starvation of civilians in conflict, in light of Ireland's strong commitment on peacekeeping and institutional leadership on Protection of Civilians training.
- Support the publication of a de-sensitised version of the periodic OCHA white papers, to increase public access, improve transparency, and show what actions are being taken.
- Continue to raise the issue of conflict-driven hunger and reference UNSCR 2417 in cross-cutting areas, including Women, Peace and Security, disarmament, and country-specific briefings and discussions.
- Engage more directly with regional bodies on conflict and hunger, to generate more regional engagement with the agenda, and work to engage more conflict-affected countries to join the Group of Friends of Action on Conflict and Hunger.
- Review engagement with the Conference on Disarmament and related processes to examine where a focus on food security could be added or strengthened, including the development of the Political Declaration on Explosive Weapons in Populated Areas.
- Support the inclusion of starvation and UNSCR 2417 references to humanitarian access in the work of the Special Advisor on the preservation of humanitarian space and access, provisionally to be established later in 2022, and engage Inter-Agency Standing Committee Principals on UNSCR 2417 to build consensus and shared understanding on the agenda.

◆ *At the EU level and domestically*

- Support the development of guidelines for implementation of UNSCR 2417 by political and military actors during overseas assignments, including with agencies who engage with armed groups on IHL obligations and compliance.
- Provide targeted support for the for greater socialisation of 2417 at country-level among humanitarian organisations, national and community human rights actors, and journalists.
- Explore opportunities to support the strengthening of food rights and justice in peacebuilding initiatives, including in targeted support provided to peacebuilding partners.

Conflict-driven hunger, food security crises and starvation

The state of conflict and food crisis globally

As of May 2022, 193million people in 53 countries are considered to be in what the Food Security Information Network (FSIN) labels 'Crisis' phase or worse (FSIN, 2022: 6). [1] Violent conflict and insecurity has been identified as the single, largest driver of food crisis worldwide (FSIN, 2021a) and each of the five largest food crises globally – the Democratic Republic of Congo, Ethiopia, Yemen, Afghanistan and North-East Nigeria (FSIN, 2021b: 6) – are profoundly affected by conflict. In extreme cases of protracted, high-intensity conflict, such as Yemen and South Sudan, over half of the population are estimated to be in 'Crisis' phase or above (ibid). However, not all violent conflicts result in the same level or intensity of food crisis (see Sturge et al, 2017: 26). The impacts of violent conflict are highly context-specific, crucially depending on the tactics employed by armed groups, and the ways in which these interact with and disrupt local food systems and coping strategies, highlighting key differences in the conditions (and appropriate terminology) in various contexts.

Conflict-driven hunger

The term 'conflict-driven hunger' refers to a lack of food and nutrition arising in, and as a result of, a conflict in the broadest terms, including inter-state conflict, civil war, and more localised forms of violence and unrest. In these contexts, hunger can result from targeted tactics, such as direct attacks on food sources and the wilful impediment of humanitarian aid and

access. Conflict-driven hunger can also arise through range of relatively less direct mechanisms, including population displacement; disrupted transport and access to markets; and damage to local food system infrastructure (such as productive fields or water sources) and health services as a result of violence (Concern Worldwide, 2018; Oxfam, 2018). Effects can also be transmitted more broadly through the macro-economic impacts on trade and currency; diversion of public expenditure away from livelihoods and agriculture; and disruption to health services, water and sanitation. Hunger can be both acute and chronic, and may or may not refer to those in more extreme levels of undernutrition, and/or in larger numbers.

Food crisis

In technical terms, 'food crisis' refers to a situation where people are deemed to have met the criteria of Phase 3 ('Crisis') or above (Phase 4: Emergency; 5: Catastrophe / Famine) outlined by the Integrate Phase Classification (IPC) Acute Food Insecurity Classification system. Although determination of this status is complex and a full discussion is beyond the scope of this brief, in general terms, this refers to a situation where households either: "Have food consumption gaps that are reflected by high or above-usual acute malnutrition; or are marginally able to meet minimum food needs but only by depleting essential livelihood assets or through crisis-coping strategies." (IPC Info, 2021: 37)

1. Note, global health crisis has undermined and impeded food security assessments and the true scale of food crisis may be much higher.

Conflict-driven hunger, food security crises and starvation

An area – for example, a county or other sub-national unit – is deemed to be in a given IPC Phase when 20 percent of the population in the area are experiencing the conditions related to that phase or more severe phases (ibid.) Although the IPC system is the most widely used and recognised worldwide, there have been important instances in which the process for generating estimates has broken down, such as in South Sudan, and consequently limited the availability of reliable figures (Buchanan-Smith, Cocking and Sharp, 2021), and in general, the system is undermined where there is limited humanitarian access. As with conflict-driven hunger, food crisis can arise from either indirect, and/or more direct mechanisms, but is likely to reflect a heightened scale, duration or intensity of those impacts in order to result in crisis levels among a significant portion of the population.

Starvation

The term ‘starvation’ has a wide range of medical, humanitarian, political, and colloquial meanings. Critically, however, its meaning in international law is relatively narrow, and links starvation of civilians as a method of warfare (hereafter, starvation tactics) to the deprivation of objects indispensable to survival (OIS) and wilfully impeding relief supplies.

Under International Humanitarian Law (IHL), OIS can include – but is not limited to – “foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works.” (see GRC, 2019: 6).

Under IHL, it is prohibited to “attack, destroy, remove or render useless objects indispensable to the survival of the civilian population.” Parties to an armed conflict must also “allow and facilitate rapid and unimpeded passage of humanitarian relief for civilians in need, which is impartial in character and conducted without any adverse distinction, subject to their right of control.” (ICRC, 2005) Mass starvation can occur through several tactics in conflicts, including attacks against OIS (as listed above), sieges, blockades, and/or obstruction of humanitarian aid.

Under International Criminal Law (ICL), the Rome Statute first categorised starvation as a war crime in international armed conflicts, under Article 8(2)(b)(xxv) which criminalises “Intentionally using starvation of civilians as a method of warfare by depriving them of OIS, including wilfully impeding relief supplies as provided for under the Geneva Conventions.” More recently, in 2019, the Rome Statute was amended to criminalise the same conduct in non-international armed conflicts. However, this amendment ratified by seven states, [2] has only come into force in one, namely New Zealand.[3]

2. New Zealand, Andorra, the Netherlands, Croatia, Norway, Portugal and Liechtenstein.

3. Governed by Article 121(5) of the Rome Statute, “Any amendment to articles 5, 6, 7 and 8 of this Statute shall enter into force for those States Parties which have accepted the amendment one year after the deposit of their instruments of ratification or acceptance. In respect of a State Party which has not accepted the amendment, the Court shall not exercise its jurisdiction regarding a crime covered by the amendment when committed by that State Party’s nationals or on its territory.”

Conflict-driven hunger, food security crises and starvation



What's is a name? Why labelling matters

Importantly, the relatively narrow definition of starvation above does not capture all instances in which conflict-driven food crises arise. Provisions in international law, above, primarily concern starvation of civilians as the result of deliberate policy or action. While this a key pillar of UNSCR 2417, the latter also includes references to “the risk of famine and food insecurity in countries with armed conflict” and “the risk of conflict-induced famine and widespread food insecurity in armed conflict contexts.”

These pillars are discussed further, below, but this distinction is worth noting. Precision, specificity and consistency is important for two reasons: first, because humanitarian responders, researchers and policymakers who are primarily concerned with preventing and addressing food crises in conflict may not be exclusively concerned with acts of starvation specifically. Where addressing humanitarian needs is the primary imperative or mandate, intervention at an earlier stage of food crisis, and potentially in the absence of starvation tactics, may be the primary focus. Identifying and under what conditions actors with this mandate have common ground with those specifically focused on acts of starvation is important for identifying opportunities for, and limitations to, multi-stakeholder initiatives and action.

Second, because for those explicitly concerned with starvation tactics, consistent and appropriate labelling can help to ensure that conduct that may constitute a breach of human rights or violation of international humanitarian and/or criminal law is properly recognised, accountability is pursued, and that international norms rendering these acts “morally toxic” (de Waal, 2019) are further consolidated.

UNSCR 2417 was passed unanimously in May 2018 and welcomed as a “landmark” resolution for being the first to explicitly recognise the link between conflict and hunger (UN, 2018). The resolution presents a number of different entry points for potential policy action. Its four pillars are (GRC, 2019):

- **Norm-setting:** UNSCR 2417 is a norm-setting resolution. It strongly condemns the use of starvation of civilians and the unlawful denial of humanitarian access. It is the first resolution to explicitly recognise the link between conflict and hunger in this way. In this respect, it is similar to parallel flagship resolutions under the protection agendas, or landmark resolutions such as UNSCR 1325 on Women, Peace and Security (WPS), and can play an important role in mobilising global, multilateral awareness and condemnation of starvation tactics, and contributing to the moral unacceptability of their use in conflict.
- **Data-gathering:** UNSCR 2417 also has explicit information-gathering and reporting pillar. It requests that the Secretary-General engage in three forms of reporting: the first, to “provide information on the humanitarian situation and response” as part of regular, country-specific reporting; the second, to “report swiftly to the Council when the risk of conflict-induced famine and wide-spread food insecurity in armed conflict contexts occurs,” and the third, to report on implementation of the resolution within annual Protection of Civilians reporting.
- **Investigating:** UNSCR 2417 also includes investigation as a key pillar. The resolution strongly urges states “to conduct, in an independent manner, full, prompt, impartial and effective investigations” into violations of IHL, related to both starvation of civilians explicitly, and the wider unlawful denial of humanitarian assistance.
- **Pursuing accountability:** UNSCR 2417 also contains an accountability pillar. The resolution explicitly references “prosecution of [war] crimes in the national and international criminal justice system,” and references to the adoption of sanction measures, specifically in relation to obstruction of humanitarian assistance. The resolution can therefore serve as a tool to advocate for accountability through these pathways.

Each of these pillars has the potential for policy action, but may also present potential challenges, tensions and dilemmas in implementation, explored below.



Norm-setting

Norm-setting can serve an important role in global politics. Beyond the more formal, legal considerations, norm-setting can establish which behaviours are openly condemned in multilateral fora; create political and policy space for voicing public outcry or give a platform for the accounts of victims and survivors of specific forms of violence that may have gone unacknowledged; and contribute to a general movement to render certain forms of violence “morally toxic” (de Waal, 2019).

Although no two thematic agendas are identical, some key factors to which the impact and uptake of other normative frameworks has been attributed include:

Institutionalising a thematic focal point tasked with regular reporting: The publication of Graça Machel's seminal 1996 report, *The Impact of Armed Conflict on Children* marked a turning point in the international community's consideration of children and armed conflict. In addition to the accounts and information captured in the report itself, the publication served to institutionalise a commitment to addressing the issue, through establishment of the Special Representative of the United Nations Secretary-General for Children and Armed Conflict (Baghat et al, 2017). The institutionalisation of this specific focal point proved pivotal. Today, annual publication of the *Children and Armed Conflict* report has such a profile that inclusion – or exclusion – of states from the so-called ‘list of shame’ in itself generates considerable debate, and reflects the normative power of the publication (e.g. HRW, 2019).

Currently, there is no single, designated focal point for the conflict and hunger agenda at UN level to coordinate among diverse agencies, informal bodies such as the Group of Friends of Action on Conflict and Hunger, the High-Level Task Force on Famine and member states supportive of this agenda.

Socialising thematic agendas where it matters most – locally, within member states: While advocates – and critics – of the WPS agenda point to the significant scope for progress that remains in addressing and preventing gendered harms in conflict, WPS has seen greater advances and institutionalisation than many parallel agendas. Research points to the importance of both socialising and domesticating the agenda in these successes. The 2015 *Global Study* reiterated how essential localized approaches and inclusive, participatory processes are to ensuring the agenda meaningfully reflects the specific contexts, expectations and demands within and across conflict-affected contexts (UN Women, 2015). Instruments such as National – and, increasingly, Regional – Action Plans have been introduced with the aim of shifting the locus of action, reporting and accountability for WPS outside from UN bodies to, and within, member states (see contributions in George and Shepherd, 2016). Although there is much more work to do in implementation and achieving the full vision of the Women, Peace and Security agenda, its successes to date point to the critical importance of centring affected communities, civil society groups and member state action in meaningful normative change.



To date, there has been relatively limited socialisation and localisation of the conflict and hunger agenda outside the UN system and within member states themselves.

Building awareness, understanding and technical expertise among protection actors: Strengthening understanding of the responsibilities of parties to a conflict under IHL, and the complimentary roles different protection actors – from civil society to states and mandated peace operations – is a key step in consolidating norms around the illegality of specific tactics in armed conflict. For example, technical guidance in peace operations is one area where advances have been made in the domain of Protection of Cultural Property, with policies, procedures and/or specialist pre-deployment training modules developed by the NATO-affiliated Civil-Military Cooperation Centre of Excellence (CCOE) and the Peace Operations Training Institute, among others (Joye, 2020). Specialist training and guidance – particularly for troop-contributing countries seeking to contribute highly specialised technical expertise within larger protection missions – can serve an important function in establishing, consolidating and institutionalising knowledge at scale for peace operations. At present, technical expertise among protection actors on the legal framework concerning starvation tactics; how food systems are transformed, leveraged and targeted in conflict; and how peacekeeping actions might intersect with, and impact positively or negatively upon, food systems and conflict actors’

role in them, lags behind other protection areas.

Data Gathering

The availability and accessibility of accurate, timely, credible and actionable information is essential to early warning and early action mechanisms in food crises. While information-gathering and reporting on conflict-driven hunger is a central component of UNSCR 2417, to date, this has been relatively limited. Of the three forms of reporting mandated in the resolution, annual reporting by the Secretary-General as part of wider Protection of Civilians reporting has resulted in only brief updates, often lacking in detail; while the swift reporting mandated when there is a risk of conflict-induced famine in conflict contexts has resulted in a series of white papers developed by UN OCHA on South Sudan (2018), Yemen (2018), DRC, Northeast Nigeria, South Sudan and Yemen (2020), and Tigray (2021). However, these are and not available publicly, and have been relatively ad hoc, with a lack of transparency around the criteria and specific triggers for undertaking reporting of this kind.

Beyond the frequency and format of reporting, the process of data-gathering can generate concerns among operational agencies, depending on their mandate. Humanitarian organisations are often well-placed to both document the prevalence and intensity of food crises first-hand and may directly observe instances of starvation tactics in areas of operation.



However, participating in reporting or feeding information into reporting mechanisms can also raise concerns for humanitarian actors of compromising neutrality and independence, with consequences for access.

These risks take place against a wider backdrop of contracting civil society space globally, contributing to greater risk (and need for risk management) due to increasing direct threats.

The implications of increasing localisation for reporting are also significant. On the one hand, local humanitarian actors, with better knowledge of the intricacies of local food systems, including pressure points, or vulnerabilities, within them might also be more alert to deliberate actions. However, greater humanitarian localisation may contribute to a greater risk transfer downward to local and national staff and partners, who often bear disproportionate burdens when humanitarian activities are criminalised (see discussion in DSAI, 2019b).

Different organisations – depending on their mandates – can potentially play discrete roles in data-gathering and reporting, from closed-door advocacy to more outspoken and public engagement. However, significant progress on data-gathering and early action rests on two considerations:

The first consideration is the establishment of a secure, central and effective system for information-gathering and reporting.

As above, the absence of a central focal

point for conflict and hunger has impeded progress on the agenda, and contributes to confusion over leadership, mandates and roles within and outside the UN system. While no two initiatives are identical, learning from parallel protection initiatives can be instructive. . In line with UNSCR 2286, condemning attacks on medical facilities and personnel in armed conflict, the World Health Organisation has launched a surveillance system for attacks on healthcare (WHO, 2019). In a similar vein, the Global Coalition to Protect Education from Attack (GCPEA) has launched a toolkit to collect and analyse data on attacks on education (GCPEA, 2021). Learning from these, and wider human rights monitoring initiatives, should be documented and drawn on to guide the establishment of a secure, central and effective system that can inform early action, support transparency and accountability, and be leveraged in advocacy by and for affected populations.

The second key consideration is the political will to act on information gathered concerning the use of starvation tactics, once collected.

It is important to note that the collection of data alone – even if timely – may not necessarily translate into early action or overcome political barriers (e.g. Rohwerder, 2015). Data-gathering is not an end in itself. A clear distinction should be drawn between those contexts where low or highly restrictive information environments mean essential data and estimates are unavailable or disputed (Buchanan-Smith, Cocking and Sharp, 2021), and those where there is no

shortage of information on the severity of crisis, such as Yemen, and yet political action still trails far behind. In the absence of political will, a narrow focus on technical data gathering might direct resources, advocacy efforts and attention away from the need for much-needed leadership and action.

Investigations

Detailed, targeted investigations into suspected violations of human rights and IHL are an essential step in documenting actions, identifying culpability and ultimately contributing to accountability. Beyond broad information-gathering, as above, investigations are specifically referenced in UNSCR 2417 as a third key pillar, specifically citing investigations into starvation tactics and the unlawful denial of humanitarian assistance. Importantly, investigations typically engage actors in the wider UN system, beyond the Security Council alone, highlighting the ways other UN fora can be leveraged for action and accountability on this agenda.

To date, relevant investigative mandates and reports that specifically refer to starvation and the right to food have included (see GRC, 2021a for further discussion):

- **Human Rights Council Res S-33/1 on the Situation of Human Rights in Ethiopia, Dec 2021**, which explicitly raised concerns over “reports of violations and abuses of economic, social and cultural rights, including the rights to an adequate standard of living, including food, safe drinking water and sanitation.”
- **The resolution established an international commission of human rights experts**, with a mandate to investigate allegations of violations and abuses.
- **Human Rights Council Res 31/20 on the Situation of Human Rights in South Sudan, Mar 2021**, which established the Commission on Human Rights in South Sudan. In 2020, the Commission published a landmark report, the first of its kind to explicitly and directly document that, “Pervasive human rights violations, as well as deliberate strategies on the part of both Government and opposition forces to use starvation of civilians as a method of warfare, amounting to acts constituting war crimes, have contributed to the food insecurity in Western Bahr el Ghazal, Jonglei, and Central Equatoria States.”
- **Human Rights Council Res 36/31 on Human Rights, Technical Assistance and Capacity Building in Yemen, Sept 2017**, which established the Group of Eminent International and Regional Experts on Yemen, with a mandate to monitor and report on the situation of human rights there. The Group’s 2019 annual report included an extensive discussion of starvation as a method of warfare, references to UNSCR 2417 and documentation of several attacks on objects indispensable to the survival of the civilian population (OIS).
- **The International Criminal Court (ICC) prosecutor’s request for authorisation of an investigation into**

the situation in Bangladesh / Myanmar in 2019 makes specific reference to allegations that food and food sources had been destroyed, including through “burning paddy fields, confiscating farming and fishing tools, destroying food stocks and killing or confiscating livestock,” leading to mass displacement.

Beyond starvation tactics specifically, the wider denial of humanitarian assistance can be included in specific investigative mandates. It is worth noting, however, that data on humanitarian access restrictions is also being collected independently. UN OCHA has an established access monitoring and reporting framework (OCHA, 2012). ACAPS (an independent humanitarian information provider) uses this framework in its collection of data and monitors patterns in humanitarian restrictions (ACAPS, 2021). In the absence of dedicated investigations, and/or in earlier stages of a crisis in which the necessity for targeted investigations is being considered, data of this kind can serve as one indicator of potential violations or abuses, and an effective tool in advocacy and diplomacy on these issues.

Accountability

Accountability is the fourth pillar of UNSCR 2417, including explicit reference to the potential for both sanctions and prosecution.

To date, violations and abuses, including of food rights, as well as interference with objects indispensable to survival (OIS), denial of humanitarian assistance and (though relatively rarely), starvation

specifically, have been included in sanctions regimes in DRC, Somalia, South Sudan, Sudan and Yemen since 2017 (GRC, 2021b). However, sanctions present numerous potential dilemmas. Extensive research and advocacy have documented how the introduction of sanctions can have serious, unintended negative consequences in humanitarian terms. Even where humanitarian exemptions are in place, sanctions regimes can generate high levels of risk aversion around financing that create major obstacles to humanitarian response (see for example, Sarfati, 2020; VOICE, 2020). Sanctions, particularly at the country level which are less targeted, can also impede development activities, which risks placing additional strain on the humanitarian system, undermining nexus approaches, and preventing long-term planning for sustainable interventions.

Prosecution is a second potential pathway for accountability. A full discussion of the potential for prosecution in international criminal law is beyond the scope of this brief, but is well-documented in dedicated resources, including Global Rights Compliance’s 2019 policy paper on methods of prosecution (see GRC, 2019; Jordash, Murdoch and Holmes, 2019; Conley et al, 2022). While some progress on this agenda has been made – as noted above, in 2019, the Rome Statute was amended to criminalise the starvation of civilians as a method of warfare in non-international armed conflicts – the fact that this amendment has yet to be widely ratified, including by Ireland, remains a barrier to more concrete advances on this agenda.

Pillars of UNSCR 2417

However, even in the absence of formal accountability pathways leading to prosecution, more informal and localised processes for accountability could still be explored and supported. For example, transitional justice mechanisms which take into account violations and abuses of food rights or the denial of humanitarian assistance could play an important role in addressing harms and supporting justice in key contexts. Similarly, recognition of the harms done by conflict-induced hunger, and

commitments to protect and strengthen food rights, among others, can be integrated in peacebuilding processes both locally and nationally (Dowd and Kumalo, 2022).

This can serve as another mechanism for recognising past harms and promoting justice, with the advantage that some (though not all) approaches to peacebuilding can involve extensive community leadership and participation.

Recommendations for Ireland

In conclusion, this policy brief has set out to provide an informed and authoritative summary of the key policy area of conflict, hunger and UNSCR 2417 among humanitarian, development, foreign policy and security policymakers in Ireland; and support ongoing and open critical reflection on key policy areas and opportunities for action related to conflict, hunger and UNSCR 2417.

Drawing on the summary and analysis above, below is a list of strategic opportunities for meaningful policy action in relation to conflict-driven hunger and starvation crimes in 2022 and beyond. These include:

- Immediate actions that can be undertaken in that timeframe while still a member of the Council;
- Initiatives that can be established during Ireland's tenure, with a view to institutionalising systems, procedures and practices that can outlast Ireland's current seat; and
- Complimentary areas of policy action that can be undertaken now and beyond 2022 to support wider, multilateral action on this important agenda, and contribute to a wider enabling environment for effective prevention, response and accountability.



At the UN Security Council

- Support the establishment of a single, designated focal point, such as a Special Rapporteur or similar, to lead and coordinate reporting on conflict, hunger and starvation. Notwithstanding the political and resource barriers to the establishment of such a role, support for the establishment of a focal point is essential to securing clear, effective leadership on this agenda, and ensuring meaningful and safe coordination on data-gathering and reporting across diverse stakeholders.
- Support the development of specialist pre-deployment training for peacekeepers on starvation of civilians in conflict, in light of Ireland's strong commitment on peacekeeping and institutional leadership on Protection of Civilians training.
- Support the publication of a de-sensitised version of the periodic OCHA white papers, to increase public access, improve transparency, and show what actions are being taken.
- Continue to raise the issue of conflict-driven hunger and reference UNSCR 2417 in cross-cutting areas, including Women, Peace and Security, disarmament, and country-specific briefings and discussions.
- Make joint statements more often in UN fora, including the UNSC, following the example of the Safe Schools Declaration, to broaden engagement beyond individual member states.
- Engage more directly with regional bodies on conflict and hunger, to generate more regional engagement with the agenda.
- Work to engage more conflict-affected countries to join the Group of Friends of Action on Conflict and Hunger, to promote leadership by countries most directly affected by the issue.
- Encourage the Group of Friends to meet more regularly and develop a strengthened programme of work, including regular briefings with civil society actors and, potentially, an annual policy workshop similar to the annual policy workshop on Children and Armed Conflict.
- Convene more open debates on conflict and hunger, including wrap-around meetings to coincide with hunger hotspot reporting by WFP / FAO which continue to highlight conflict as the main driver of food insecurity.
- Propose civil society briefers – including survivors of starvation – in the Council, as this has been effective with other norm-setting agendas. This needs to include a thorough risk analysis and risk mitigation for proposed speakers.

- Identify a member state that could continue the conflict and hunger agenda on Ireland's departure from the UN Security Council, and support their engagement with the Group of Friends, and/or through on-boarding training of incoming individual diplomats.
- Consider advocating for Member States to support France and Germany's Call for Humanitarian Action to bolster respect for international humanitarian law, following Ireland's endorsement.

In other UN Fora

- Leverage Universal Periodic Review as a space for influencing member states to legislate for and ratify the amendment to the Rome Statute, following past precedent on recommendations on Rome Statute ratification in this forum.
- Review engagement with the Conference on Disarmament and related processes to examine where a focus on food security could be added or strengthened, including the development of the Political Declaration on Explosive Weapons in Populated Areas and the implementation of the declaration when finalized.
- Initiate or support member state discussions with the Inter-Agency Standing Committee (IASC) Principals on UNSCR 2417, to build consensus on the agenda and understand issues that may be limiting humanitarian engagement to date.
- Support the inclusion of starvation and UNSCR 2417 references to humanitarian access in the work of the Special Advisor on the preservation of humanitarian space and access, provisionally to be established later in 2022.



In international development and foreign policy

- Support the development of guidelines for implementation of UNSCR 2417 by political and military actors during overseas assignments.
- Provide targeted support for the for greater socialisation of 2417 at country-level among humanitarian actors, including the Humanitarian Country Team, the Cluster System and NGO coordinating fora within countries. This would help promote collective humanitarian action, reduce some of the risks of individual organisations participating in data-gathering and reporting, and building greater awareness and engagement.
- Provide targeted support for the for greater socialisation of 2417 at country-level among human rights actors, including national human rights actors, monitoring systems and observatories. Efforts should focus on building the capacity of local and national actors to safely monitor starvation violations and crimes, and to support early warning systems and anticipatory action in response to monitoring reports.
- Support the provision of training for journalists in terms of responsible and accurate media coverage of the issue of conflict and hunger, tackling a dominant framing of famine as an ‘inevitable’ consequence of conflict or ‘natural’ disaster.
- Support the provision of training to communities and community leaders on hunger and food rights, potentially integrated into existing protection training, in conflict-affected areas.
- Strengthen support to international organisations and NGOs that train armed forces and armed groups on IHL obligations and compliance, with a particular focus on starvation and access issues under international law.
- Explore opportunities to support the strengthening of food rights and justice in peacebuilding initiatives, including in targeted support provided to peacebuilding partners and in nexus approaches.



EU Action

- Propose follow-up to the European Humanitarian Forum high-level event on conflict and hunger to discuss concrete actions the EU and its Member States can take to improve humanitarian access and space, including through humanitarian diplomacy and a strengthened COHAFA agenda (e.g. Joint Conclusion, training).
- Support the inclusion of starvation and UNSCR 2417 references to humanitarian access in the work of the EU-French Observatory on IHL Violations, including that monitoring and reporting on monitors and reports on food-related violations.
- Explore the potential for joint EU action on the ratification of the amendment to the Rome Statute as a way to deepen joint, multilateral action on this agenda, particularly surrounding the upcoming twentieth anniversary of the Rome Statute coming into force in July 2022.
- Explore options for Ireland to work through the European Parliament and/or Council of Ministers to include conflict-induced hunger in EU and domestic policies.

Domestic Action

- Ratify the amendment to the Rome Statute to support the creation of an enabling environment for accountability, particularly surrounding the upcoming twentieth anniversary of the Rome Statute coming into force in July 2022.
- Leverage Ireland's National Committee on IHL and/or the DFA NGO Standing Committee on Human Rights as spaces for consultation and expert input to shape further domestic progress on this agenda.
- Explore the potential for the right to food and/or the prohibition on starvation as a weapon of war to be enshrined in domestic law.

In research and organisational learning

- Support the documentation of lessons learned from past human rights data initiatives and monitoring systems. The aim should be to build understanding of where documentation of violations of this kind has been effective (and where has it not) and through what efforts, initiatives or particular leverage points in the international system these have achieved impact.

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