

Addressing repercussions for use of starvation as a form of warfare, perpetrating international law by causing civilian harm

The employment of starvation as a tactic in armed conflict constitutes a profound violation of international humanitarian law. It is expressly prohibited by the Geneva Conventions, the Rome Statute, and established customary law. Nevertheless, this practice persists in contemporary conflicts, notably in Yemen, Sudan, Ethiopia, Ukraine, and Gaza. In these instances, the intentional obstruction of humanitarian aid, the destruction of food infrastructure, and the limitation of humanitarian access have resulted in significant suffering among civilian populations.

The United Nations Security Council has made strides to address this critical issue, particularly through Resolution 2417 adopted in 2018, which explicitly condemns the weaponization of starvation in conflicts and calls for unimpeded humanitarian access. Despite this framework, the implementation of these provisions has been largely ineffective. Divergent interests among member states inhibit decisive action. The United States, United Kingdom, and France advocate for sanctions, humanitarian exemptions, and referrals to the International Criminal Court, while Russia and China often emphasize principles of sovereignty and frequently obstruct more rigorous measures, particularly in geopolitically sensitive conflicts. Meanwhile, states like Germany, Switzerland, and Japan advocate for accountability and enhanced humanitarian assistance. Regional actors such as Sudan, Ethiopia, and Israel exhibit reticence, particularly when their actions may come under international scrutiny. The cases of Palestine and Ukraine underscore the alarming use of starvation as a strategic weapon, while the Human Rights Council reinforces the imperative of addressing the human rights implications.

While there exists a broad consensus among states that starvation ought never to be weaponized, the mechanisms for enforcement remain selectively applied. Sanctions, monitoring, and accountability measures are often inconsistently enforced, and humanitarian corridors are frequently impeded. To make substantive progress, the Security Council must enhance its reporting and follow-up mechanisms, ensure guaranteed humanitarian exemptions within sanctions frameworks, and cultivate a comprehensive approach to prosecutions via the International Criminal Court or national judicial systems. Only through overcoming existing political rifts can the international community aspire to eliminate the acceptance of starvation as a waged warfare strategy.

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