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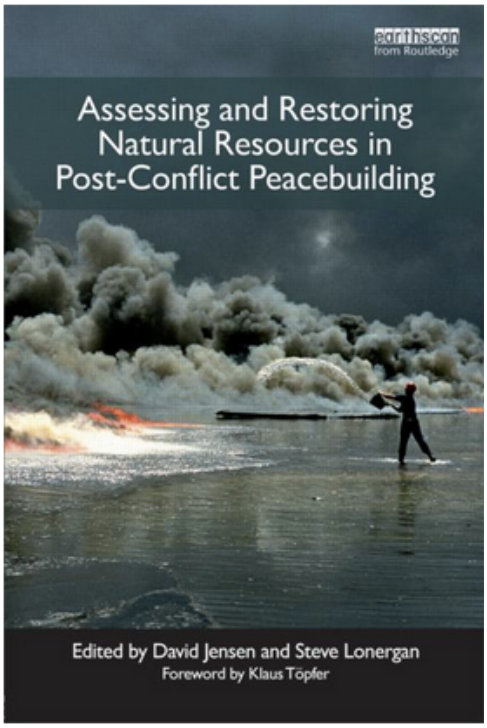

Placing environment and natural resource risks, impacts, and opportunities on the post-conflict peacebuilding agenda

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Placing environmental and natural resource risks, impacts, and opportunities on the post-conflict peacebuilding agenda

David Jensen and Steve Lonergan

Following conflict, a country's natural resources are the single most important asset available to kick-start economic recovery, employment, and livelihoods, and to sustain basic services. Decisions about the restoration, management, and protection of natural resources have fundamental implications for short-term stability, longer-term sustainable development, and successful peacebuilding. Yet many post-conflict countries lack (1) sound information on the quality or quantity of the natural resource base and (2) an accurate picture of how resources were damaged or destroyed during conflict. Moreover, there is often little understanding of the ways in which natural resources may have provided a lifeline to populations coping with conflict, or of how resources may have become entwined with the conflict economy. An informed understanding of the linkages between natural resources and conflict is essential, however, to capitalize on the peacebuilding potential of resources while avoiding the perils associated with their poor governance.

The immediate post-conflict period provides a window of opportunity to establish security, rebuild institutions, and consolidate peace (see sidebar). This period also offers the chance to rebuild and transform the institutions that are related to the restoration, management, and allocation of natural resources in ways that would otherwise be politically difficult to achieve. Capitalizing on early opportunities is particularly critical if the economy depends primarily on natural resources, if resources contributed to the onset or financing of conflict, or if resources were heavily damaged during conflict.

Too often, there is a misperception that environmental governance, including the sustainable management of natural resources, is distinct from—and sometimes even in conflict with—peacebuilding and development goals. Ensuring that natural

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Post-conflict peacebuilding and natural resources: Key terms and concepts

Following conflict, peacebuilding actors leverage a country's available assets (including natural resources) to transition from conflict to peace and sustainable development. Peacebuilding actors work at the international, national, and subnational levels, and include national and subnational government bodies; United Nations agencies and other international organizations; international and domestic nongovernmental organizations; the private sector; and the media. Each group of peacebuilding actors deploys its own tools, and there are a growing number of tools to integrate the peacebuilding efforts of different types of actors.

A post-conflict period typically begins after a peace agreement or military victory. Because a post-conflict period is often characterized by intermittent violence and instability, it can be difficult to pinpoint when the post-conflict period ends. For the purposes of this book, the post-conflict period may be said to end when political, security, and economic discourse and actions no longer revolve around armed conflict or the impacts of conflict, but focus instead on standard development objectives. Within the post-conflict period, the first two years are referred to as the *immediate aftermath of conflict* (UNSG 2009), which is followed by a period known as *peace consolidation*.

According to the United Nations, "Peacebuilding involves a range of measures targeted to reduce the risk of lapsing or relapsing into conflict by strengthening national capacities at all levels for conflict management, and to lay the foundations for sustainable peace and development" (UNSG's Policy Committee 2007). In many instances, this means addressing the root causes of the conflict.

There are many challenges to peacebuilding: insecurity, ethnic and political polarization (as well as marginalization), corruption, lack of governmental legitimacy, extensive displacement, and loss of property. To address these and other challenges, peacebuilding actors undertake diverse activities that advance four broad peacebuilding objectives:*

- *Establishing security*, which encompasses basic safety and civilian protection; security sector reform; disarmament, demobilization, and reintegration; and demining.
- *Delivering basic services*, including water, sanitation, waste management, and energy, as well as health care and primary education.
- *Restoring the economy and livelihoods*, which includes repairing and constructing infrastructure and public works.
- *Rebuilding governance and inclusive political processes*, which encompasses dialogue and reconciliation processes, rule of law, dispute resolution, core government functions, transitional justice, and electoral processes.

Although they are sometimes regarded as distinct from peacebuilding, both peacemaking (the negotiation and conclusion of peace agreements) and humanitarian assistance are relevant to peacebuilding, as they can profoundly influence the options for post-conflict programming. Peacemaking and humanitarian assistance are also relevant to this book, in that they often have substantial natural resource dimensions.

Successful peacebuilding is a transformative process in which a fragile country and the international community seek to address grievances and proactively lay the foundation for a lasting peace. As part of this process, peacebuilding actors seek to manage the country's assets—as well as whatever international assistance may be available—to ensure security, provide basic services, rebuild the economy and livelihoods, and restore governance. The assets of a post-conflict country include natural resources; infrastructure; and human, social, and financial capital. Natural resources comprise land, water, and other renewable resources, as well as extractive resources such as oil, gas, and minerals. The rest of the book explores the many ways in which natural resources affect peacebuilding.

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* This framework draws substantially from the *Report of the Secretary-General on Peacebuilding in the Immediate Aftermath of Conflict* (UNSG 2009), but the activities described have been regrouped and supplemented by activities articulated in USIP and U.S. Army PKSOI (2009), Sphere Project (2004, 2011), UN (2011), UNSG (2010, 2012), and International Dialogue on Peacebuilding and Statebuilding (2011).

resource restoration and management are placed on the political agenda as immediate post-conflict priorities requires making a strong case regarding both the potential benefits of swift action and the potential risks of inaction.

Since the mid-twentieth century, the international community's responses to the connections between natural resources, conflict, and peacebuilding have been mixed, evolving in fits and starts as various conflicts have revealed the many challenges that need to be addressed. The use of Agent Orange in the Viet Nam War is one of the most visible and acute examples of the environmental impacts of conflict in recent history. It is estimated that between 1962 and 1971, the United States sprayed more than 72 million liters of defoliants, including Agent Orange, over Viet Nam, exposing nearly 17 million people to the risks associated with these chemicals (Briggs and Weissbecker 2012). Apart from the immense human toll, the ecological damage was devastating: some estimates suggest that up to half of South Viet Nam's commercial hardwood forests and mangrove forests were destroyed.

In the aftermath of the war, the international community responded with new legal instruments designed to prevent similar environmental damage in future conflicts:

- The Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, adopted in 1976 and entered into force in 1978, was intended to prevent states from using tactics or technologies that could alter the weather, and thereby cause catastrophic environmental change.[1]
- Additional Protocol I to the 1949 Geneva Conventions, adopted in 1977, contained two important articles (35 and 55) that were designed to afford the environment some measure of protection during international armed conflict by prohibiting "widespread, long-term and severe" damage to the environment (UNEP 2009b).[2]

These important advances in international law did nothing, however, to prevent the environmental damage that occurred during the 1990–1991 Gulf War, when the retreating Iraqi army destroyed more than 700 oil wells (Briggs and Weissbecker 2012; UNEP 2003); nor did they prevent Saddam Hussein's government, over a period of several years following the 1990–1991 Gulf War, from

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[1] Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, December 10, 1976. http://treaties.un.org/doc/Treaties/1978/10/19781005%2000-39%20AM/Ch_XXVI_01p.pdf.

[2] Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977, art. 35. The triple cumulative standard called for in Additional Protocol 1, under which all three conditions must be proven for a violation to occur, has been nearly impossible to enforce, particularly given the lack of precise definitions for "widespread," "long-term," and "severe" (UNEP 2009b).

draining 90 percent of the Mesopotamian marshlands in retaliation against an uprising of the Marsh Arabs (Bruch et al. 2009). Nevertheless, the severe environmental damage caused by conflicts in Iraq again prompted a number of important international responses. In 1991, the United Nations Security Council (UNSC) established the United Nations Compensation Commission to provide financial compensation for losses—including environmental damage—resulting from Iraq's illegal invasion of Kuwait (Payne 2013); the inclusion of environmental damage within the scope of compensation constituted an important international precedent.

Also on the normative front, the 1992 Rio Declaration on Environment and Development included principle 24, which recognized that "warfare is inherently destructive of sustainable development. States shall therefore respect international law providing protection for the environment in times of armed conflict and cooperate in its further development, as necessary" (UNGA 1992, prin. 24).[3]

In 2001, the United Nations General Assembly (UNGA), at the urging of the government of Kuwait, established November 6 as the International Day for Preventing the Exploitation of the Environment in War and Armed Conflict—a day for the international community to reflect on the challenge of deliberate war-related environmental damage and take further collective action toward prevention (UNGA 2001). Importantly, UNGA formally recognized that environmental damage during armed conflict impairs ecosystems and natural resources long after conflict has subsided, and often extends beyond the limits of national territories as well as beyond the present generation.

In addition to being subjected to purposeful harm, natural resources play another role in conflict: as financing sources. With the end of the Cold War, in 1989, many countries and armed groups turned to natural resources to fund conflict: since 1990, eighteen internal conflicts have been partially fueled or financed by natural resources (UNEP 2009a). In many cases, natural resources also became the spoils of war: in the wake of conflict, and with little or no regard for transparency, fair terms, or benefit sharing with local communities, resource concession contracts have been handed out by combatants and governments alike.

Where natural resources have been used to finance conflict, the UNSC has in some cases mandated UN peacekeeping missions to address the challenges of natural resource governance (UNEP 2012). So far, five missions have been given direct mandates to help post-conflict countries restore or extend state authority over natural resources (with varying degrees of breadth with respect to the resources addressed and the activities in which the missions engaged): Cambodia, Liberia, Sierra Leone, the Democratic Republic of the Congo, and Abyei, Sudan (UNSC 1992, 2003, 2004, 2008a, 2008b, 2011).[4] To restrict their use in

[3] See Bruch et al. (2012) for more information.

[4] In addition, the UN expert group investigating the production and illicit export of diamonds in Côte d'Ivoire had a mandate to cooperate with the UN peacekeeping mission (UNSC 2005).

conflict financing and prevent illegal trade, the UNSC has also imposed a range of sanctions on oil, diamonds, and timber (UNEP 2012). In the early 2000s, two initiatives—the Kimberley Process (KP) and the Extractive Industries Transparency Initiative (EITI)—were established to restrict conflict financing from diamonds and to ensure transparency in oil, gas, and mining revenues, respectively.[5]

The KP and the EITI were also important elements in the expanding set of tools that the international community could use to address the linkages between natural resources, conflict, and peacebuilding. As these linkages became more complex and multifaceted, the UN saw a need to establish new, dedicated capacity to assist member states in addressing them. As a result, in 2005, the United Nations Environment Programme (UNEP) established the Post-Conflict and Disaster Management Branch (PCDMB). PCDMB's mandate is (1) to conduct post-conflict environmental assessments at the request of member states, and (2) to help integrate environmental and natural resource considerations into UN reconstruction, peacebuilding, and humanitarian assistance efforts. In 2008, the task of helping member states to assess and address the environmental dimensions of both conflicts and disasters became one of UNEP's six overarching priorities; and in 2010, the UN Secretary-General called on member states and the UN system to make "natural resource allocation, ownership and access an integral part of peacebuilding strategies" (UNSG 2010).[6]

This book is an initial response to this call. It captures some of the main lessons that have emerged from efforts to integrate post-conflict environmental assessment into peacebuilding. It also illustrates how post-conflict reconstruction efforts can take environmental and natural resource issues into account—and investigates how, as part of the peacebuilding process, environmental hot spots caused by conflict have been remediated, and natural resources damaged by conflict or unsustainable practices have been restored. The aim is to demonstrate why such measures are important; how they can strengthen peacebuilding; and how they can be better integrated into peacebuilding programs, policies, and practices. Finally, the book highlights the necessity, in assessment, remediation, and restoration, of responding to the unique conditions of post-conflict countries.

The twenty case studies included in this book cover twenty-three post-conflict countries and territories (see map on page 6) and were written by thirty-five experts from UN agencies, government ministries, nongovernmental organizations, academia, and the military. The book is organized into four thematic sections: "Post-Conflict Environmental Assessments," "Remediation of Environmental Hot Spots," "Restoration of Natural Resources and Ecosystems," and "Environmental Dimensions of Infrastructure and Reconstruction."

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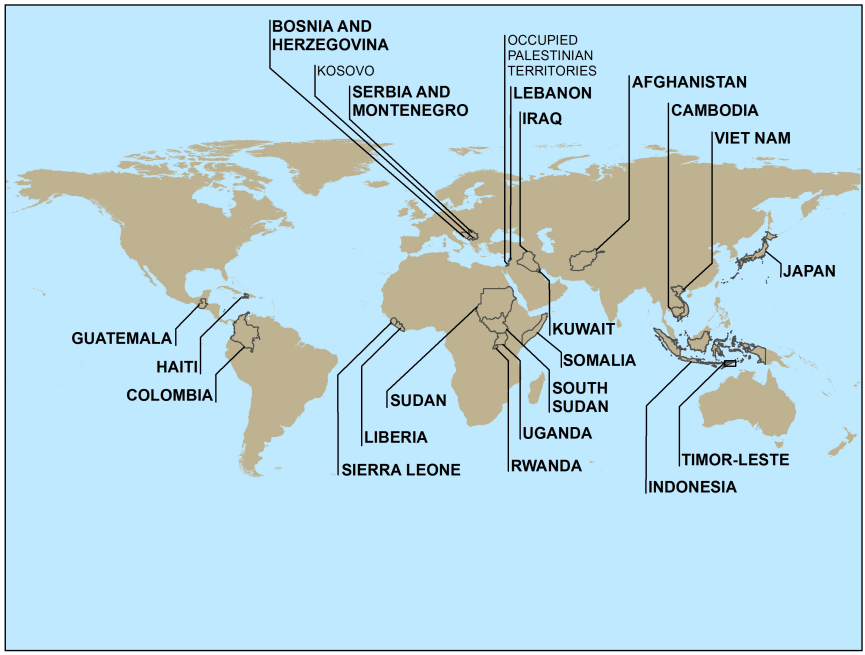
[5] See, for example, Grant (2012), Wright (2012), Bone (2012), Mitchell (2012), and Rich and Warner (2012).

[6] Other important policy documents on post-conflict peacebuilding include World Bank (2011), UN (2011), UNSG (2009, 2012), and UNEP (2009a).



Post-conflict and conflict-affected countries and territories from which lessons have been drawn in this book, either through case studies or broader thematic analyses
Notes: UN member states are set in bold. During the time under consideration in this book, the Palestinian territories were known as the occupied Palestinian territories, and Serbia and Montenegro were one country: first the Federal Republic of Yugoslavia, then Serbia and Montenegro.

POST-CONFLICT ENVIRONMENTAL ASSESSMENTS

The complexity of the potential linkages among natural resources, conflict, and peacebuilding justifies comprehensive assessments at the outset of the peacebuilding process. Such assessments must include three major tasks:

- Identifying the role of natural resources and the environment in contributing to conflict outbreak, financing, perpetuation, and relapse risk.
- Determining the conflict's direct and indirect impacts on natural resources and identifying the associated risks to human health, livelihoods, and security.
- Evaluating opportunities to restore and use natural resources, in order to achieve peacebuilding and sustainable development outcomes while minimizing environmental damage and new grievances.

Environmental assessments in post-conflict countries face a number of challenges: first, many post-conflict countries lack baseline environmental data—

a situation that has often been exacerbated by the conflict itself. Second, key actors with control over natural resources may resist efforts to establish transparency. Third, the "winners" and "losers" in a conflict are typically keen to promote specific agendas—and are therefore not necessarily trustworthy sources of information. Given the lack of reliable data, an objective and verifiable assessment conducted by an impartial actor can be a valuable tool for needs assessments and for the development of priorities.

Individuals, communities, organizations, and nations recovering from conflict also face a number of important decisions about assessment. At what point should an environmental assessment be undertaken? When data are limited, how can sound judgments be made about needs and priorities? How can the assessment address spatial variations in land use, environmental impact, and needs? Can the assessment process itself be used as a platform for community engagement and reconciliation? Who will participate in decision making, and who will set priorities for action? What are the trade-offs associated with different natural resource investments? How can different interventions be sequenced and coordinated? Part 1 of this book provides some initial insight into these challenges, on the basis of case studies from Afghanistan, Albania, Bosnia and Herzegovina, Iraq, Lebanon, Liberia, Macedonia, the occupied Palestinian territories, Serbia and Montenegro, Somalia, and Sudan.[7]

REMEDIATION OF ENVIRONMENTAL HOT SPOTS

Chemical contamination, hazardous waste (including rubble), landmines, and unexploded ordnance are significant threats to human and ecological health in post-conflict settings. The cost of cleanup may be high, but intervention is often crucial to the success of peacebuilding—both as a means of protecting human health, and as a way to demonstrate domestic authorities' capacity for effective response.

When conflict causes environmental hot spots, remediation must address a number of key concerns: What is the minimum level of cleanup needed to avert significant risk? Can remediation projects provide immediate employment for excombatants? Should preexisting levels of contamination and pollution be taken into account in determining the extent of cleanup? Where should hazardous materials be stored or disposed of? When population groups are at odds, can the remediation of hot spots that pose equal threats to all groups be used to build mutual trust, and as an opportunity for cooperation? While there is little question that rapid remediation of hazardous sites is necessary, both domestic and international actors have had difficulty addressing these challenges. The case studies in part 2—which are from Cambodia, Iraq, Lebanon, Serbia and Montenegro, Sierra Leone, Sudan, and Viet Nam—capture some of the key lessons learned to date.

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[7] Albania and Macedonia are not evaluated as conflict-affected countries but rather are mentioned because each was affected by refugee flows.

RESTORATION OF NATURAL RESOURCES AND ECOSYSTEMS

In addition to having been directly damaged by conflict, natural resources and ecosystems may have been harmed by unsustainable practice before or during conflict. Natural resources are often the very foundation of post-conflict recovery, offering livelihoods and employment (for example, farming, forestry, fishing, and mining); construction materials (such as lumber or reeds); and water for people, agriculture, and livestock. Trying to restore ecosystems and natural resources while simultaneously engineering livelihood recovery may seem like a contradiction. But restoration can be a major source of emergency employment—and, in the longer term, post-conflict livelihoods will depend on the restoration and sustainable management of the natural resource base. Thus, the question is not whether restoration should be undertaken, but how quickly and to what extent.

The key challenges in designing and implementing restoration programs in post-conflict countries include the following: Should restoration efforts be directed by local communities, or by outside organizations that have greater technical expertise? In order to support peacebuilding, can restoration be used both as a source of emergency employment, and as a means of empowering communities? Can the restoration of natural resources and the recovery of human livelihoods proceed simultaneously? What practical steps can be taken if the affected region is no longer ecologically viable? How can restoration be undertaken in the absence of good governance? To what condition should the environment be restored? How should the contributions of nonstate actors be coordinated, and by whom? In part 3, case studies from Haiti, Iraq, and Lebanon highlight key considerations in designing and implementing restoration programs in post-conflict countries. This part of the book also considers the potential implications of climate change for natural resources and peacebuilding.

ENVIRONMENTAL DIMENSIONS OF INFRASTRUCTURE AND RECONSTRUCTION

Reconstruction is always a priority in conflict-affected regions, particularly in relation to water, waste, and energy infrastructure. Any reconstruction efforts must take social, economic, and environmental impacts into account, both from a sectoral perspective (which calls for strategic environmental assessments) and on a project-by-project basis (which calls for environmental impact assessments). Like remediation and restoration, reconstruction faces a number of challenges, including the following: How can competing priorities, particularly for scarce resources such as water, be addressed? How can environmental impact assessments be conducted as rapidly as possible, to avoid delays that could affect peacebuilding? How can investments in natural resource–related infrastructure also support peacebuilding, through job creation, confidence building, and regional cooperation? Part 4 includes case studies from Afghanistan, the Balkans, Iraq, and Sudan, as well as lessons from post–World War II reconstruction efforts. This part

of the book also considers the importance, in project evaluations, of assessing a project's potential positive and negative effects on access to natural resources.

FUTURE OUTLOOK

The fragility of post-conflict settings requires immediate attention to natural resources once a conflict has ended—and, in many cases, while it is occurring. Natural resources are essential to most peacebuilding activities, but the design and implementation of post-conflict peacebuilding policies and programs have often failed to effectively analyze, plan for, or address natural resources. This book highlights the important role of environmental assessment, remediation, restoration, and reconstruction in the peacebuilding context, including the implementation challenges that practitioners are likely to face. In addition to stressing the importance of integrating natural resource management and environmental sustainability into peacebuilding, the book offers lessons on how to achieve such integration.

Along with understanding the lessons of the past, it is equally important to assess future risk. For example, the list of fragile states identified in 2011 by the Organisation for Economic Co-operation and Development includes forty-five countries deemed to be at risk (OECD 2011). Of those, about 91 percent contain transboundary waters, globally significant biodiversity hot spots, or both (CI 2005; Wolf, Yoffe, and Giordano 2003); 68 percent contain World Heritage sites (UNESCO 2011); and 80 percent contain extractive resources of strategic global significance (USGS 2010; IEA 2011).

Understanding how to prevent natural resources from contributing to instability and conflict in fragile regions is a critical need, as is the provision of immediate technical and political support in the event of violence. Averting the pillage and plunder of natural resources in fragile states will be one of the key challenges of the next decade. In addition to strengthening post-conflict peacebuilding, this book is intended to provide insights into conducting assessments and designing programs to address the risks and opportunities presented by natural resources in fragile states.

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