

The Lived Experiences of Wars in a Climate Crisis

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Many of the states that are most vulnerable to climate change are also those which are most affected by armed conflict. Their environments are already fragile due to desertification, drought, ecosystem degradation, and biodiversity loss.¹ In such settings, armed conflict acts as a compounding stressor: war-related environmental destruction interacts with already strained ecosystems, amplifying vulnerabilities and accelerating degradation.

International Humanitarian Law (IHL) protects the natural environment through a combination of general rules governing the conduct of hostilities and specific provisions addressing environmental damage. The general rules on distinction (Arts 48 and 52 AP I), proportionality (Art. 51(5)(b) AP I), and precautions in attack (Art. 57 AP I) apply to the natural environment insofar as it constitutes a civilian object, while Articles 35(3) and 55 AP I specifically prohibit methods and means of warfare intended, or expected, to cause widespread, long-term and severe damage to the natural environment.² However, the specific environmental provisions of Articles 35(3) and 55 AP I establish a particularly high threshold for unlawfulness, prohibiting only damage that is widespread, long-term, and severe. More generally, the IHL framework remains primarily concerned with the direct, foreseeable, and reasonably quantifiable effects of military operations, leaving much cumulative, indirect, and long-term en-

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¹ ICRC, 'When Rain Turns to Dust Understanding and Responding to the Combined Impact of Armed Conflicts and The Climate and Environment Crisis on People's Lives', July 2020, <https://www.icrc.org/sites/default/files/topic/file_plus_list/rain_turns_to_dust_climate_change_conflict.pdf>, last access 2 July 2026.

² See for instance, Michael Bothe, Carl Bruch, Jordan Diamond and David Jensen, 'International Law Protecting the Environment during Armed Conflict: Gaps and Opportunities', *Int'l Rev. of the Red Cross* 92 (2010), 569-592, doi:10.1017/S1816383110000597; Karen Hulme, *War Torn Environment: Interpreting the Legal Threshold* (Brill/Nijhoff 2004), doi: 10.1163/9789047405344; Britta Sjöstedt, *The Role of Multilateral Environmental Agreements: A Reconciliatory Approach to Environmental Protection in Armed Conflict* (Hart 2020).

vironmental harm, including harm experienced in climate-vulnerable settings, outside its scope.³

In its 2025 Advisory Opinion on Climate Change Obligations, the International Court of Justice (ICJ) recognised that climate harm is cumulative, long-term, and potentially irreversible, which requires particularly stringent due diligence obligations. This supports a more demanding standard of care extending beyond the prevention of immediate or visible harm to encompass long-term and systemic environmental risks.⁴ Under a systemic interpretation, as envisaged by Article 31(3)(c) of the Vienna Convention on the Law of Treaties, this reasoning requires that the latter be interpreted in light of the former as part of a coherent legal order. A more stringent due diligence obligation therefore implies heightened levels of precaution and foresight in the assessment of environmental risks in armed conflict, particularly in states vulnerable to climate change.

First, this may affect proportionality assessments. As scientific knowledge about environmental fragility and climate impacts expands, environmental harm becomes increasingly foreseeable. Because proportionality assessments in accordance with Article 51(5)(b) AP I consider only foreseeable consequences, greater awareness of environmental vulnerability may alter how such harm is weighed against the anticipated military advantage of an attack.⁵ In fragile ecosystems, the destruction of wetlands, forests, or other carbon sinks may have consequences extending far beyond the immediate battlefield.

Second, a more demanding due diligence standard may shape the interpretation of the obligation to take feasible precautions in attack. As knowledge about climate impacts increases, what counts as feasible under Article 57 AP I may evolve.⁶ Military planners may be expected to consider environmental consequences more carefully when selecting targets, methods, and timing of attacks, including avoiding operations likely to trigger large-scale fires or damage water systems in drought-affected regions.

Third, greater attention to environmental fragility may influence how specific IHL rules are interpreted. The threshold in Articles 35(3) and 55

³ Britta Sjöstedt and Karen Hulme, 'Re-Evaluating International Humanitarian Law in a Triple Planetary Crisis: New Challenges, New Tools', *Int'l Rev. of the Red Cross* 105 (2023), 1238-1266, doi: 10.1017/S1816383123000449.

⁴ ICJ, *Obligations of States in Respect of Climate Change*, Advisory Opinion of 23 July 2025.

⁵ Stavros-Evdokimos Pantazopoulos, 'Navigating Legal Frontiers: Climate Change, Environmental Protection and Armed Conflict', *Int'l Rev. of the Red Cross* 106 (2024), 366-392, doi: 10.1017/S1816383124000134.

⁶ Pantazopoulos (n. 5).

AP I could be reassessed in light of the cumulative environmental effects in already vulnerable ecosystems. This also intersects with the protection of objects indispensable to the survival of the civilian population under Article 54 AP I and Article 14 AP II. While traditionally linked to food and water infrastructure, this category may also encompass ecosystems that sustain life in climate-stressed environments, such as wetlands regulating water cycles or forests stabilising local climates.

More broadly, the Martens Clause, reflected in Article 1(2) AP I, reminds us that even where specific rules are incomplete, warfare remains governed by the principles of humanity and the dictates of public conscience. This becomes particularly significant in climate-vulnerable and conflict-affected settings, where ecosystems are already under severe stress from desertification, drought, biodiversity loss, and environmental degradation. In such contexts, wartime environmental destruction is not experienced as an isolated or temporary harm, but as part of an accumulating process that threatens the ecological conditions necessary for survival, livelihoods, cultural continuity, and social stability. Armed conflict may intensify already existing ecological insecurity through worsening drought, contamination of scarce water resources, collapse of agricultural cycles, displacement from increasingly uninhabitable territories, and the erosion of community resilience.

Climate-related environmental destruction therefore challenges the application of IHL because its effects are cumulative and intergenerational.⁷ The destruction of ecosystems that sustain human life raises questions not only of proportionality and precautions, but also of compatibility with the principles of humanity. From this perspective, lived experiences of environmental stress become legally significant.⁸ Lived experiences matter because environmental destruction is often experienced not merely as material loss, but as a disruption of identity, belonging, and ways of life. Concepts such as solastalgia capture the distress associated with the degradation of familiar environments,⁹ while scholarship and jurisprudence in particular from the Global South increasingly emphasise the relational dimensions of environmental

⁷ Dieter Fleck, 'The Martens Clause and Environmental Protection in Relation to Armed Conflicts', *GoJIL* 10 (2020), 243–266, doi: 10.3249/1868-1581-10-1-FLECK.

⁸ Juan David Castro Villadiego, *Los derechos de la naturaleza en Colombia: análisis histórico, ético y jurídico* (Universidad Externado de Colombia 2024), doi: 10.60909/BDIGITAL/HANDLE.001.12004; Eduardo Gudynas, *Derechos de la naturaleza: ética biocéntrica y políticas ambientales* (Primera edición peruana, Programa Democracia y Transformación Global 2014).

⁹ Lindsay P. Galway, Thomas Beery, Kelsey Jones-Casey and Kirsti Tasala, 'Mapping the Solastalgia Literature: A Scoping Review Study', *International Journal of Environmental Research and Public Health* 16 (2019), 2662–2686, doi:10.3390/ijerph16152662.

harm.¹⁰ In this sense, damage to ecosystems may also be understood as affecting cultural continuity, social cohesion, and intergenerational relationships, particularly for Indigenous peoples and other communities whose identities are closely tied to specific landscapes. Read in light of these developments and the ICJ's articulation of stringent environmental due diligence obligations in its 2025 Advisory Opinion, the Martens Clause supports a broader and more precautionary understanding of environmental protection in armed conflict, particularly in climate-fragile contexts. Thus, the conduct of hostilities should take greater account of environmental fragility and the compounded risks of warfare in climate-vulnerable settings, ensuring that legal frameworks better reflect the realities of environmental harm experienced in contemporary conflicts.

¹⁰ Belkis Florentina Izquierdo Torres and Lieselotte Viaene, 'Una Im-Posibilidad Legal. El Territorio-Ser Viviente, Víctima Del Conflicto Armado Colombiano. Algunas Reflexiones Desde Un Diálogo Colaborativo Interdisciplinar', *EUNOMÍA. Revista en Cultura de la Legalidad* 27 (2024), 72-101, doi:10.20318/eunomia.2024.9001.