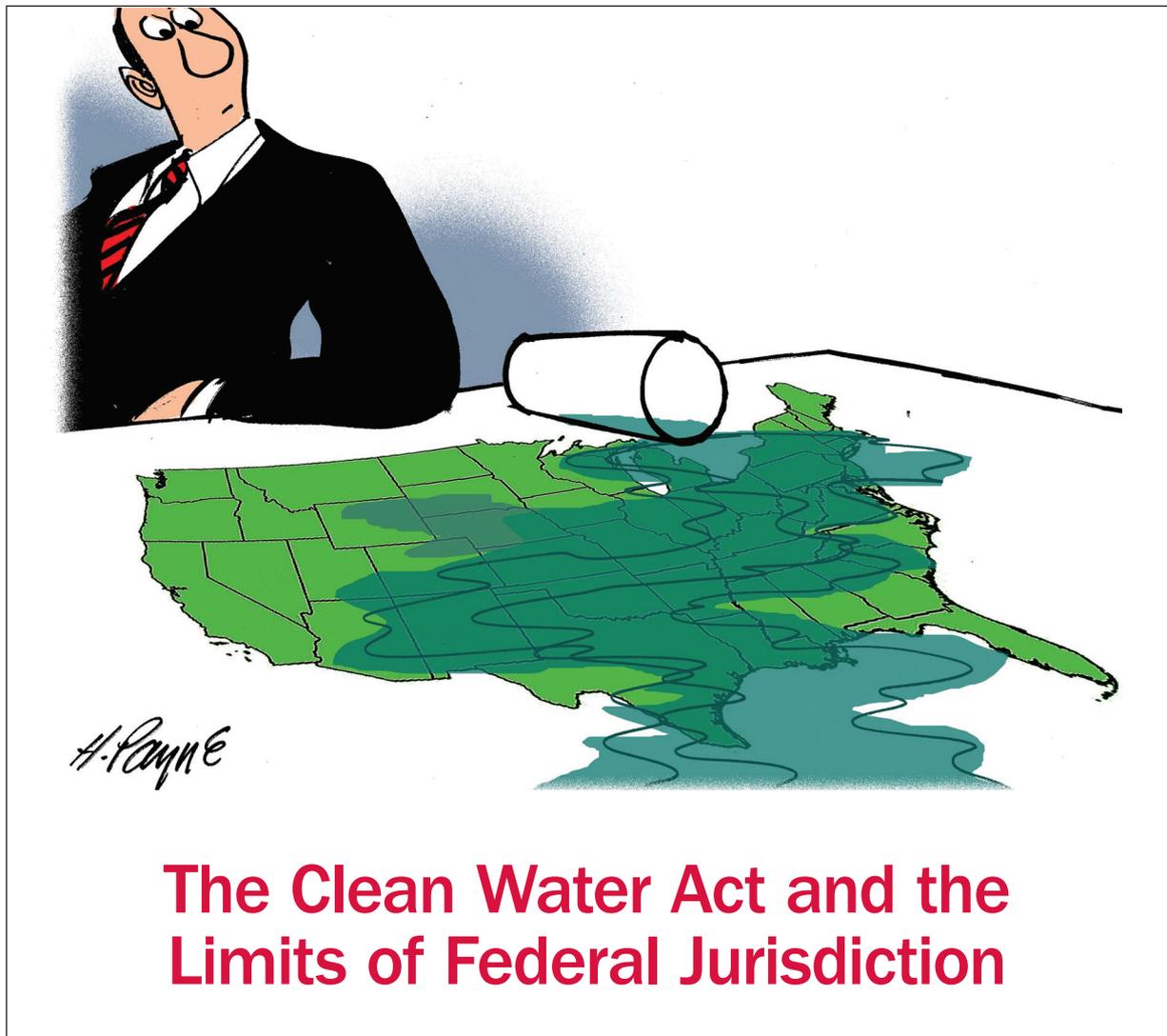


The Environmental FORUM[®]

Advancing Environmental Protection Through Analysis • Opinion • Debate



The Clean Water Act and the Limits of Federal Jurisdiction

Civil Rights

*EPA and a Tale of
Two Legal Sections*

Spoilage of War

*Peacebuilding and
Natural Resources*

Island Nations

*A Primer on Caribbean
Environmental Law*

Peacebuilding and Natural Resources

Post-conflict diplomacy and international environmental law have developed independently and differently. Experiences in managing natural resources to support reconciliation in dozens of countries over the past 20 years, however, highlight the critical role that the environment can play



Carl Bruch is a Senior Attorney and Co-Director of International Programs at the Environmental Law Institute and co-chairs the Specialist Group on Armed Conflict and the Environment of the IUCN Commission on Environmental Law. **Marion Boulicault** is a Research Associate at ELI. **Shuchi Talati** is a Visiting Researcher at ELI. **David Jensen** manages the Environmental Cooperation for Peacebuilding Program of the United Nations Environment Programme.

The end of the Cold War was momentous both for environmental cooperation and for peacebuilding. Presidents George H. W. Bush and Mikhail Gorbachev identified cooperation around the environment — including the possible negotiation of a treaty to address climate change — as an opportunity for the former adversaries to work together. Often considered the unofficial end of the Cold War, the Malta Summit in December 1989 enabled an unprecedented flourishing of international environmental cooperation that led two and a half years later to the adoption of the Rio Declaration,¹ the United Nations Framework Convention on Climate Change,² the Convention on Biological Diversity,³ Agenda 21,⁴ and (eventually) the Convention to Combat Desertification,⁵ as well as the establishment of the Global Environment Facility. Other environmental treaties, protocols, and institutions have followed.

The end of the Cold War also saw a change in how wars were fought and financed, as well as the emergence of peacebuilding. Three days after the close of the Rio Earth Summit, UN Secretary-General Boutros Boutros-Ghali published “An Agenda for Peace,”⁶ which laid the conceptual foundation for peacebuilding. In the two decades since then, the UN regional bodies, countries, and civil society have embarked on dozens of efforts to help countries rebuild after conflict. Some of these efforts have been successful, others have not, and most remain works in progress. Peacebuilding is an imprecise art: an estimated 25–50 percent of post-conflict countries suffer a relapse to conflict in the first 10 years.⁷

Peacebuilding efforts and international environmental law have developed independently and in very different manners. Peacebuilding approaches were often ad hoc efforts rooted in mandates provided by UN Security Council resolutions and guided by the exigencies on the ground, but there has been no meaningful treaty or other generally applicable international legal instrument devoted to peacebuilding. In fact, peacebuilding does not explicitly appear in the UN Charter. In contrast, international environmental law has seen the development and application of numerous treaties and protocols. Peace and security have historically been the province of the Security Council, with environment and development falling within the ambit of other UN bodies, in particular the General Assembly. But peacebuilding has blurred this line. Increasingly, scholars, practitioners, and political leaders are starting to recognize the importance

of sound management of the environment and natural resources to post-conflict peacebuilding and the need to address environmental and natural resource challenges as fundamental aspects of peace, stability, and security.⁸

The process leading up to the UN Conference on Sustainable Development held in June — the so-called Rio+20 conference — represents an important opportunity to take stock of lessons over the past 20 years in managing natural resources and the environment to lay the economic, social, and political foundations for peace in countries emerging from armed conflict. Over the past two decades, peacebuilding has grown from a series of ad hoc undertakings and is coalescing into a body of practice with an emerging policy framework, but with little organic law to guide it.

Although peacebuilding efforts are key to a country's recovery and reconstruction as it emerges from conflict, to date there is no universally accepted conceptual or operational framework for post-conflict peacebuilding. There have been efforts to develop common approaches and standardize procedures, but organizations and individuals seeking to build the foundations for a durable peace still operate under a variety of guiding frameworks.⁹

As the body of post-conflict experiences grows, however, it is possible to discern an emerging framework that is structured around the areas in which peacebuilding activities tend to occur. Following that pragmatic approach, we adopt a framework that focuses on four post-conflict objectives: establishing security, restoring basic services, revitalizing the economy and enhancing livelihoods, and rebuilding governance and inclusive political processes.¹⁰ Furthermore, both peacemaking and humanitarian assistance are relevant to post-conflict peacebuilding as they can profoundly influence the options for post-conflict programming and often have substantial natural resource dimensions.

Each of these four peacebuilding areas comprises a range of activities. Establishing security entails peacekeeping, sanctions, security sector reform, disarmament, demobilization, and reintegration, demining,

and basic safety and civilian protection, including against disasters and environmental risks. Restoring basic services encompasses water and sanitation, waste disposal, energy, health, and primary education. Revitalizing the economy and enhancing livelihoods involves measures to rebuild economically, develop alternative livelihoods where necessary, and rehabilitate infrastructure to facilitate production and trade of goods. Rebuilding governance and political processes includes reestablishing electoral processes, developing conflict-management capacity, restoring government functions, establishing the rule of law, and supporting the return of displaced persons and transitional justice. All of these activities occur nationally, subna-

tionally, and even regionally and internationally to build capacity across all levels of government.

Together, these objectives and activities constitute an emerging framework for post-conflict peacebuilding. This framework is based largely on the UN's 2009 "Report of the Secretary-General on Peacebuilding in the Immediate Aftermath of Conflict" and its 2010 update, as well as other prominent frameworks, including those proposed by the Organisation for Economic

Co-operation and Development and the United States Institute of Peace.¹¹

Managing Natural Resources

Historically, natural resources have not been an explicit consideration in peacebuilding activities. Increasingly, though, natural resources are recognized as crucial to establishing a lasting settlement, as they can both unite and divide post-conflict societies. Effective use of natural resources is key to achieving most peacebuilding objectives. Livelihood revitalization is perhaps the peacebuilding activity that is most heavily rooted in natural resource use, yet macroeconomic development, energy, resettlement, reconciliation, governance, and rule of law also have strong natural resource dimensions.

The natural resources that are relevant to post-conflict peacebuilding fall into four broad categories: extractive natural resources (such as oil, gas, gold, and



diamonds), land, water, and renewable resources other than land and water (such as timber, fisheries, and agriculture).

The value of extractive resources can be substantial, creating crucial opportunities to collect government revenues while a country rebuilds — but also creating governance and security risks. For example, oil dominates Sudan's exports: when northern and southern Sudan concluded their comprehensive peace agreement in 2005,¹² oil constituted 83 percent of the value of the country's exports, and five years later it had risen to more than 95 percent.¹³ The fragile peace between Sudan and South Sudan is already threatened over disputes between the two countries in late 2011 and early 2012 over how to share oil revenues.¹⁴ In Angola, whose conflict ended in 2002, oil and gas represented 96.4 percent of exports in 2005 and 97.9 percent the following year, with diamonds accounting for 3.0 and 1.7 percent of exports in those two years — all other exports totaled less than 0.5 percent of the total value.¹⁵ As such, extractive resources can be central to rebuilding the post-war economy by providing employment opportunities and generating tax revenues to finance the government. At the same time, if high-value minerals are located in only some parts of a country, tensions can arise over whether and how to share the resource revenues with the producing region.¹⁶ Moreover, the lootability of some minerals, such as coltan and alluvial diamonds, may make them both difficult to regulate and susceptible to illegal exploitation. In such instances, extractive resources present security threats that need to be addressed, typically through securing the resources or the routes through which they are transported.

Land is essential to the revitalization of livelihoods, the return of refugees and displaced persons, and the reintegration of former combatants.¹⁷ Many post-conflict countries are heavily agrarian — for example, approximately 66 percent of the labor force in both Nepal and Sierra Leone is agricultural, as is 68 percent in Uganda¹⁸ — and effective use of land is a key part of the national economy. Land can also be important to economic development, for example through concessions for agricultural plantations, as seen in Sierra Leone, Mozambique, Mindanao (Philippines), Colombia, and elsewhere.¹⁹ These large-scale land acquisitions, however, often create conflicts with local communities who commonly hold land under customary tenure, leading to accusations of land grabbing and localized conflict. And in the post-conflict period, the challenge of addressing hundreds of thousands of competing claims to land — as occurred in Cambodia, Bosnia, and other countries — can overwhelm a fragile government.²¹ Access to basic services, such as water and sanitation, is one of the top priorities for

post-conflict populations and offers opportunities for both quick peace dividends and long-term benefits.²² For example, after the 2003 Iraq war, between 54 and 59 percent of the populace placed water and other basic services as their highest priority.²³ Too often, post-conflict agrarian reforms focus on land and fail to address water reforms necessary to provide the irrigation that is required to make the land productive. Given the tendency of water to flow between users, sustainable water management provides a frequent means for cooperation and dialogue that can support post-conflict reconciliation and confidence building.

Other renewable resources such as timber, other forest products, crops, livestock, and fisheries are important for livelihoods, including for former combatants, and they can be a backbone of the national economy (for example, cacao in Côte d'Ivoire and timber in Liberia).²⁴ Biofuel plantations are a growing source of revenue for many post-conflict countries, and biomass provides household energy and construction needs. Orchards, farmland, and forests may have been damaged during conflict, and restoration of the resources may be a priority for post-conflict livelihoods, economic recovery, and emergency employment.²⁵ Efforts to combat corruption and improve governance often focus on procedures and institutions for granting concessions for minerals, forests, and other natural resources, as well as for managing the revenues.²⁶ In addition to raw natural resources, which are often exported as commodities, post-conflict countries are increasingly exploring ways to improve value, for example through the development of in-country processing and manufacturing industries.²⁷ By increasing value throughout the chain, such efforts can generate jobs, diversify livelihoods, and grow and diversify the national economy.

Renewable resources can also be sources of tensions, with conflicts arising over livestock in the Karimong cluster (Uganda and Kenya) and grazing rights in Afghanistan.²⁸ Timber, bananas, charcoal, fisheries, coca, poppies, and other renewable resources have financed conflict in many countries, including Liberia, Somalia, Afghanistan, and Cambodia, creating security challenges that threaten long-term peace.²⁹ Illicit agricultural crops, including opium poppies in Afghanistan, and coca in Peru and Colombia, present particular governance and security challenges in post-conflict countries, and efforts to promote alternative livelihoods can be problematic if the other crops do not provide the same economic opportunities.³⁰

Peacebuilding entails varying objectives, programs, actors, and conceptual and operational frameworks. Despite the complexity of the peacebuilding process, our analysis of experiences in managing natural resources after conflict in more than 60 conflict-affect-

ed countries and territories yields four broad lessons.³¹ First, it is impossible to successfully build long-term peace without effectively integrating natural resources into peacebuilding programs. Second, not all natural resources are equal: different resources are important for different objectives, and certain high-profile resources can be important to many peacebuilding activities. Third, effectively managing resources in post-conflict countries requires an understanding of international and regional demand, as well as other transnational pressures placed on the resources by criminal networks and other actors. It also means that coordinated international approaches are often necessary to effectively manage natural resources for security, basic services, macroeconomic development, livelihood, and governance objectives. Fourth, context is crucial: there is no one-size-fits-all approach to managing natural resources to support post-conflict peacebuilding. However, there are many common building blocks and tools that can be adapted, and utilized in ways that are tailored to the specific context.

Progress to Date

Given the lack of a coherent legal framework governing peacebuilding, we examine the intersection between international environmental law and post-conflict resolution. (Other bodies of international law are also relevant, but this article focuses on international environmental law.) Focus is placed on provisions of international environmental law that affect natural resource management.³² While not developed to account for peacebuilding, international environmental law plays a variety of roles in post-conflict countries.

There are a number of incentives for post-conflict states to become party to Multilateral Environmental Agreements, even in the face of the numerous other priorities.³³ The first reason is to establish or regain international legitimacy. New states (such as Timor-Leste) are trying to establish themselves in the international community of nations, and joining MEAs is one way of doing that. States that had been in conflict or ostracized for many years (such as Afghanistan and Iraq) use MEAs as an opportunity for reengaging with the international community. Where there is broad membership in an MEA, there can be strong pressure on a state to not be one of the few non-parties. A second and related reason is international cooperation. Some post-conflict countries start to reengage with neighboring states through dialogue and cooperation around water (Afghanistan/Iran; Jordan/Israel) and protected areas (Peru/Ecuador; Democratic Republic of the Congo/Rwanda/Uganda). Becoming party to an MEA can mobilize scarce financial and

technical resources that are only available to parties. Accessing grants from the Global Environment Facility frequently requires a country to be party to the relevant MEA. Moreover, bilateral agencies may make funding available to a country if it joins a particular agreement. MEA secretariats often provide technical assistance, build capacity, support networking and exchange, and facilitate technology transfer to promote implementation. Moreover, failure to participate in an MEA can have implications for international trade (e.g., under the Montreal Protocol governing ozone-depleting substances).

In addition, there are the customary reasons that countries generally participate in MEAs — and not just post-conflict countries. These include protecting public health, improving governance (including support of domestic environmental law), and providing long-term economic benefits. Moreover, international environmental law and institutions can help to remediate and restore natural resources that have been degraded during conflict.

The substantial body of norms, standards, procedures, and institutions developed under international environmental law can provide a foundation for various peacebuilding efforts. The 2009 Environmental Policy for UN Field Missions states that UN-sponsored environmental treaties, norms, and standards “will provide practical information for the mission to establish minimum standards to achieve its environmental objectives.”³⁴ The United Nations Compensation Commission, established to process claims against Iraq arising from its invasion and occupation of Kuwait in the Gulf War — including substantial claims for depletion of natural resources and environmental damage — relied on modalities and standards developed under peacetime international and domestic environmental law.³⁵

After Rio+20

Rio+20 could be a once-in-a-decade opportunity to capture post-conflict peacebuilding and natural resource lessons to date, to make policy statements, and to shape the future political agenda. It could affirm the important links between natural resources and post-conflict peacebuilding and be an opportunity to move toward a legal landscape that gives practitioners a comprehensive framework that allows for flexible, context-specific decisionmaking.

Rio+20 could be all these, but it has yet to live up to its potential. The first draft of the Rio+20 outcome document — “The Future We Want” — failed to mention peacebuilding.³⁶ What might be the reasons for its exclusion from the document? What does it mean for the future of peacebuilding and post-con-

flict natural resource management?

The 1972 UN Conference on the Human Environment, held in Stockholm, occurred in the midst of the Vietnam War, which was characterized by Agent Orange, weather modification, carpet bombing, and other horrors. Wars of independence were ongoing, and the UN had started engaging in peacekeeping operations. The world was in the midst of a nuclear arms race. While the U.S. government was successful at keeping wartime defoliation and related concerns off the agenda,³⁷ the Stockholm Declaration broadly affirmed that “states have . . . the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other states or of areas beyond the limits of national jurisdiction”³⁸ and called for the “elimination and complete destruction” of “nuclear weapons and all other means of mass destruction.”³⁹ The failure of the Stockholm Conference to squarely address the protection of the environment during armed conflict was not significant, as negotiations in other forums led to the adoption of the 1976 Environmental Modification Convention,⁴⁰ and the 1977 Additional Protocols I and II to the Geneva Conventions of 1949.⁴¹

The 1992 UN Conference on Environment and Development in Rio de Janeiro followed both the end of the Cold War and another high-profile conflict characterized by environmental devastation, the 1990–91 Gulf War. The Gulf War led to calls for a Fifth Geneva Convention to more clearly protect the environment during armed conflict, and for a Green Cross that could provide environmental relief in an analogous manner to the humanitarian assistance provided by the Red Cross and Crescent.⁴² The end of the Cold War resulted in expectations of peace dividends, as military funding could be reallocated to humanitarian and environmental causes. Principle 21 from the Stockholm Declaration was elevated to Principle 2 in the Rio Declaration, highlighting both the importance of sovereignty, and the limitations of sovereignty reiterating the injunction that states have the responsibility not to damage the environment of other states.⁴³ The end of the Cold War and the prosecution of the Gulf War also contributed to three principles of the 1992 Rio Declaration⁴⁴:

- Principle 24 states 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.

- Principle 25 affirms that peace, development, and environmental protection are interdependent and indivisible.

- Principle 26 says that states shall resolve all their environmental disputes peacefully and by appropriate means in accordance with the Charter of the United Nations.⁴⁵

And Principle 25 is particularly relevant, as it explicitly linked peace, development, and environmental protection at the same time that peacebuilding was starting to take root.

In the 20 years since the original Rio Summit, public discourse around natural resources, conflict, and peace has continued to evolve. In the 40 years from 1948 to 1988, the Security Council authorized 13 peacekeeping missions; since the end of the Cold War, the Security Council has authorized 53 missions (including 20 new operations from 1989 to 1994).⁴⁶ Global Witness and other activist organizations have brought conflict resources into the public consciousness. Public concern about buying “blood diamonds” from Sierra Leone, Liberia, and elsewhere led to the establishment of the Kimberley Process, with the active involvement of the diamond industry.⁴⁷ Efforts to fight conflict timber in Liberia and Cambodia led to the development of the European Union’s Forest Law Enforcement, Governance, and Trade Initiative.⁴⁸ The 2010 Dodd-Frank Wall Street Reform and Consumer Protection Act included provisions on corporate due diligence to stem the flow of conflict minerals.⁴⁹

Climate change has been increasingly viewed as a threat to national security and international peace.⁵⁰ With growing awareness of the public and decision-makers about climate change and other environmental threats, humanitarian and security organizations are increasingly seeing environmental considerations as important to their effectiveness.⁵¹ And while there is growing concern about so-called water wars, there is also growing awareness regarding the opportunities for cooperation around water and the peacebuilding opportunities.⁵²

The past decade saw an increased institutional focus on peacebuilding. In 2005, the Security Council established the UN Peacebuilding Commission, which has worked with post-conflict countries to develop and implement peacebuilding strategies and foster learning within the UN system regarding effective approaches to peacebuilding.⁵³ UNEP conducted more than 20 post-conflict environmental assessments.⁵⁴ Between 2009 and 2011, the UN and the World Bank produced four high-profile publications on post-conflict peacebuilding, often highlighting the role of natural resources in the process.⁵⁵

The Future We Want

To develop the Zero Draft of the Rio+20 outcome document — “The Future We Want” — the Pre-

paratory Committee requested input from member states, UN organizations, and stakeholders. Of a total of 677 submissions, 11 mentioned post-conflict situations and three mentioned peacebuilding.⁵⁶ Notwithstanding the generally recognized importance of peacebuilding and the role of natural resources, the Zero Draft contained not a single reference to “peacebuilding,” “peace,” “war,” “conflict,” or “fragile states.”

The omission in the Zero Draft may be for historical and political reasons. To date, security has been the exclusive domain of the Security Council, and other UN bodies (such as UNEP, the Food and Agriculture Organization, the UN Development Program, and UN-HABITAT) have had the responsibility for various environmental issues. Where issues bridge security and environmental objectives, the delineation can be both complicated and sensitive. The Security Council has only twice placed on its agenda the issue of climate change. The most recent was in July 2011, but climate change was discussed only under the condition that no action points would result from the discussion and that climate change would not become a regular issue for the Security Council.⁵⁷ Since post-conflict peacebuilding is clearly tied to security, the complete omission of conflict, peace, and peacebuilding in the Zero Draft has prompted some criticism from member states and civil society.⁵⁸

The division between security and environment is an artificial one, as the practice of post-conflict peacebuilding proves. Numerous UN agencies are engaged in aspects of post-conflict peacebuilding from reintegration of former combatants (e.g., UNDP) to livelihoods and economic development (e.g., FAO, UN-HABITAT, and UNEP). At the same time, the Security Council is becoming so involved in creating the foundation for long-term peace that it has been referred to as an “economic peacekeeper.”⁵⁹

One strong reason for including conflict and peacebuilding issues in the Rio+20 discussions is the cost of conflict and post-conflict peacebuilding to sustainable development. The World Bank noted in its 2011 “World Development Report”: “Poverty reduction in countries affected by major violence is on average nearly a percentage point slower per year than in countries not affected by violence.”⁶⁰ This can be seen when looking at the success rate of reaching the Millennium Development Goals: “No low-income, fragile state has achieved a single MDG, and few are expected to meet targets by 2015.”⁶¹

At a minimum, Rio+20 should broadly acknowledge the connections between sustainable development, conflict, and the environment. It should also note the importance of peacebuilding for sustainable development, and the critical role that natural resources often play in peacebuilding. Whether this

will happen depends in large part on UN politics, but regardless, peacebuilding will continue to develop, with growing recognition given to the role of natural resources.

•

This article is adapted from Bruch, C., M. Boulicault, S. Talati, and D. Jensen, 2012, “International Law, Natural Resources and Post-conflict Peacebuilding: From Rio to Rio+20 and Beyond.” Review of European Community & International Environmental Law, 21: 44–62. Available at: <http://onlinelibrary.wiley.com/doi/10.1111/j.1467-9388.2012.00746.x>abstract.

The authors gratefully acknowledge Gwen Brown and Eva Richardson for their research assistance, and Michael Bothe, Carsten Stahn, and Carroll Muffett for their thoughtful comments. All errors and perspectives are those of the authors alone.

Notes

1. Rio Declaration on Environment and Development (Rio de Janeiro, 14 June 1992).
2. United Nations Framework Convention on Climate Change (New York, 9 May 1992).
3. Convention on Biological Diversity (Rio de Janeiro, 5 June 1992).
4. Report of the United Nations Conference on Environment and Development (Volume I), Agenda 21 (A/CONF.151/26/Rev.1, 14 June 1992), available at <www.un.org/esa/dsd/agenda21/index.shtml>.
5. United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa (Paris, 17 June 1994).
6. An Agenda for Peace: Preventative Diplomacy, Peacemaking and Peace-keeping, Report of the Secretary-General Pursuant to the Statement Adopted by the Summit Meeting of the Security Council on 31 January 1992 (A/47/277 - S/24111, 17 June 1992, available at <www.un.org/Docs/SG/agpeace.html>.
7. On the rate of relapse, see P. Collier and A. Hoeffler, “On the Incidence of Civil War in Africa.” 46:1 Journal of Conflict Resolution (2002), 13-28; B. Walter, “Does Conflict Beget Conflict? Explaining Recurring Civil War.” 41:3 Journal of Peace Research (2004), 371; P. Collier, A. Hoeffler, and M. Söderbom, “Post-Conflict Risks.” Working Paper CSAE WPS/2006-12 (Centre for the Study of African Economics, University of Oxford, 2006), available at <www.csae.ox.ac.uk/workingpapers/pdfs/2006-12text.pdf>; A. Suhrke and I. Samset, “What’s in a Figure?” Estimating Recurrence of Civil War. 14:2 International Peacekeeping (2007), 195.
8. This article draws upon a series of books on post-conflict peacebuilding and natural resource management, including: P. Lujala and S.A. Rustad (eds.), High-Value Natural Resources and Post-Conflict Peacebuilding (Earthscan, 2012); J. Unruh and R.C. Williams (eds.), Land and Post-Conflict Peacebuilding (Earthscan, 2012); E. Weinthal, J. Troell, and M. Nakayama (eds.), Water and Post-Conflict Peacebuilding (Earthscan, 2012); H. Young and L. Goldman (eds.), Livelihoods, Natural Resources, and Post-Conflict Peacebuilding (Earthscan, 2012); D. Jensen and S. Loneran (eds.), Assessing and Restoring Natural Resources in Post-Conflict Peacebuilding (Earthscan, 2012); C. Bruch,

- C. Muffett, and S.S. Nichols (eds.), *Governance, Natural Resources, and Post-Conflict Peacebuilding* (Earthscan, 2012); C. Bruch et al., *Post-Conflict Peacebuilding and Natural Resources: The Promise and The Peril* (Cambridge University Press, 2012). As of the writing this article, the first book in the series – *High-Value Natural Resources and Post-Conflict Peacebuilding* – has been published; all other books are forthcoming in 2012, so references to chapters in those books do not include page numbers.
9. When the U.S. Institute of Peace and the U.S. Army Peacekeeping and Stability Operations Institute developed their *Guiding Principles for Stabilization and Reconstruction*, they surveyed hundreds of documents produced by military, diplomatic, and development bodies of national governments, international organizations, and nongovernmental organizations. See U.S. Institute of Peace and the U.S. Army Peacekeeping and Stability Operations Institute, *Guiding Principles for Stabilization and Reconstruction* (United States Institute of Peace Press, 2009).
 10. These areas largely reflect the approaches taken by other key policy statements on peacebuilding, including Report of the Secretary-General on Peacebuilding in the Immediate Aftermath of Conflict (A/63/881-S/2009/304, 11 June 2009); United Nations Secretary-General, 'Policy Committee, Conceptual Basis for Peacebuilding for the UN System (May 2007); World Bank, *World Development Report 2011: Conflict, Security and Development* (World Bank, 2011), available at <http://wdr2011.worldbank.org/sites/default/files/pdfs/WDR2011_Full_Text.pdf>; United Nations, *Civilian Capacity in the Aftermath of Conflict: Independent Report of the Senior Advisory Group* (2011), available at <www.civcapreview.org/LinkClick.aspx?fileticket=K5tZZE99vzs%3d&tabid=3188&language=en-US>.
 11. See Report of the Secretary-General, n. 10 above; Report of the Secretary-General on Peacebuilding in the Immediate Aftermath of Conflict (A/64/866-S/2010/386, 16 July 2010); World Bank, n. 10 above; Organisation for Economic Co-operation and Development, *Principles for Good International Engagement in Fragile States and Situations* (OECD, 2007), available at <www.oecd.org/dataoecd/61/45/38368714.pdf>; U.S. Institute of Peace and the U.S. Army Peacekeeping and Stability Operations Institute, n. 9 above.
 12. The Comprehensive Peace Agreement between the Government of the Republic of the Sudan and the Sudan People's Liberation Movement/Sudan People's Liberation Army (Naivasha, 9 January 2005).
 13. International Trade Center (ITC), *Exporters: Trade Statistics* (undated), available at <www.intracen.org/exporters/Stat_export_country_product/>.
 14. A. Natsios, "Sudan's Oil Crisis is Only Bashir's First Problem." *Foreign Affairs* (1 February 2012), available at <www.foreignaffairs.com/articles/137065/andrew-s-natsios/sudans-oil-crisis-is-only-bashirs-first-problem>.
 15. See ITC, n. 13 above.
 16. A. Wennmann, "Sharing Natural Resource Wealth during War-to-Peace Transitions," in P. Lujala and S.A. Rustad (eds.), n. 8 above, 225; P. Collier and A. Hoeffler, "High-Value Natural Resources, Development, and Conflict: Channels of Causation," in P. Lujala and S.A. Rustad (eds.), n. 8 above, 297.
 17. See generally J. Unruh and R.C. Williams (eds.), n. 8 above.
 18. International Labour Organization (ILO), *LABORSTA Database* (undated), available at <<http://laborsta.ilo.org>>.
 19. See, e.g., W. Anseeuw et al., *Land Rights and the Rush for Land: Findings of the Global Commercial Pressures on Land Project* (The International Land Coalition, 2011), available at <www.niza.nl/documenten/Niza%20rapporten/ilc_gsr_report_eng.pdf>.
 20. J. Unruh and R.C. Williams, "Land: A Foundation for Peacebuilding," in J. Unruh and R.C. Williams (eds.), n. 8 above.
 21. J. Unruh and R.C. Williams, "Land: A Foundation for Peacebuilding," in J. Unruh and R.C. Williams (eds.), n. 8 above.
 22. See E. Weinthal, J. Troell, and M. Nakayama (eds.), n. 8 above.
 23. D. Mosher et al., *Green Warriors: Army Environmental Considerations for Contingency Operations from Planning through Post-Conflict* (RAND Corporation, 2008), available at <www.rand.org/pubs/monographs/2008/RAND_MG632.pdf>.
 24. See L. Goldman and H. Young, "Managing Natural Resources for Livelihoods in Post-Conflict Societies: Lessons Learned," in H. Young and L. Goldman (eds.), n. 8 above; S.L. Altman, S.S. Nichols, and J.T. Woods, "Leveraging High-Value Natural Resources to Restore the Rule of Law: The Role of the Liberia Forest Initiative in Liberia." *Transition to Stability*, in P. Lujala and S.A. Rustad (eds.), n. 8 above, 337.
 25. D. Jensen and S. Lonergan, "Can Peacebuilding Succeed without Environmental Remediation and Natural Resource Restoration?" in D. Jensen and S. Lonergan (eds.), n. 8 above, at 3.
 26. K.W.J. Rochow, "Sartor Resartus: Liberian Concession Reviews and the Prospects for Effective Internationalized Solution," in C. Bruch, C. Muffett, and S.S. Nichols (eds.), n. 8 above.
 27. L. Jaramillo Castro and A. Stork, "Linking to Peace: Using BioTrade for Biodiversity Conservation and Peacebuilding in Colombia," in H. Young and L. Goldman (eds.), n. 8 above; S. Bolwig et al., "Integrating Poverty, Gender and Environmental Concerns into Value Chain Analysis: A Conceptual Framework and Lessons for Action Research," DIIS Working Paper No. 2008/16 (Danish Institute for International Studies, 2008) at 44-47; P. Gibbon, "Global Commodity Chains and Economic Upgrading in Less Developed Countries," DIIS/CDR Working Paper No. 00.2 (Centre for Development Research, 2000), at 16-17.
 28. J. Lind, "Manufacturing Peace in 'No Man's Land.' Livestock and Access to Resources in the Karimojong Cluster of Kenya and Uganda," in H. Young and L. Goldman (eds.), n. 8 above; Alden Wily, "Resolving Natural Resource Conflicts to Help Prevent War: A Case from Afghanistan," in H. Young and L. Goldman (eds.), n. 8 above.
 29. C. Webersik and A. Crawford, "Commerce in the Chaos: Charcoal, Bananas, Fisheries, and Conflict in Somalia," in H. Young and L. Goldman (eds.), n. 8 above; D.M. Catarious, Jr. and A. Russell, "Counter narcotics Efforts and Afghan Poppy Farmers: Finding the Right Approach," in P. Lujala and S.A. Rustad (eds.), n. 8 above; B. Ratner, "Building Resilience in Rural Livelihood Systems as an Investment in Conflict Prevention," in H. Young and L. Goldman (eds.), n. 8 above; Altman, Nichols, and Woods, n. 24 above, at 339-341.
 30. See D.M. Catarious, Jr. and A. Russell, n. 29 above, at 480-481.
 31. These four broad lessons are drawn from the seven books listed in n. 8 above.
 32. International environmental law is but one area of international law that that has been directly or indirectly relevant to post-conflict peacebuilding and natural resource manage-

- ment. Other areas include peace agreements, UN Security Council resolutions, international law governing sovereignty, jus ad bellum, international humanitarian law, international human rights law, and international criminal law.
33. UNEP, *Multilateral Environmental Agreements: A Handbook for Afghan Officials* (UNEP, 2007), 13-15, available at http://postconflict.unep.ch/publications/afg_tech/theme_02/afg_mea_handbook.pdf; A. Crawford and J. Bernstein, *MEAs, Conservation and Conflict: A Case Study of Virunga National Park, DRC* (International Institute for Sustainable Development, October 2008), available at www.iisd.org/pdf/2008/meas_cons_conf_virunga.pdf.
 34. UN Department of Peacekeeping Operations and UN Department of Field Support, *Environmental Policy for UN Field Missions* (30 June 2009), para. 10; see also paras. 9 and 11.
 35. See generally P.H. Sand and C. Payne (eds.), *Environmental Liability: Gulf War Reparations and the UN Compensation Commission* (Oxford University Press, 2011).
 36. United Nations, "The Future We Want" (Draft outcome document for the United Nations Conference on Sustainable Development, 10 January 2012), available at www.uncsd2012.org/rio20/content/documents/370The%20Future%20We%20Want%2010Jan%20clean.pdf.
 37. R. Falk, "The Inadequacy of the Existing Legal Approach to Environmental Protection in Wartime," in J.E. Austin and C.E. Bruch (eds.), *Environmental Consequences of War: Legal, Economic, and Scientific Perspectives* (Cambridge University Press, 2000), 137, at 146.
 38. Declaration of the United Nations Conference on the Human Environment (A/CONF.48/14/Rev.1, 16 June 1972) (Stockholm Declaration), Principle 21.
 39. *Ibid.*, Principle 26. The Stockholm Declaration has one reference to peace, buried in the sixth paragraph of the preamble.
 40. Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques (New York, 10 December 1976).
 41. Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Additional Protocol I) (Geneva, 8 June 1977); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Additional Protocol II) (Geneva, 8 June 1977).
 42. H.-P. Gasser, "For Better Protection of the Natural Environment in Armed Conflict: A Proposal for Action," 89:3 *American Journal of International Law* (1995), 637; Green Cross International, *History* (undated), available at www.gci.ch/who-we-are/history.
 43. Rio Declaration on Environment and Development, found in Report of the UN Conference on Environment and Development (A/CONF.151/26/Rev.1 (Vol. I), 14 June 1992), Annex.
 44. *Ibid.*
 45. One of the grievances underlying the conflict between Iraq and Kuwait was a dispute over oil, as Iraq accused Kuwait of slant-drilling. L. Freedman and E. Karsh, *The Gulf Conflict 1990-1991: Diplomacy and War in the New World Order* (Princeton University Press, 1995), at 109.
 46. UN List of Peacekeeping Operations 1948-2011, available at www.un.org/en/peacekeeping/documents/operation-slist.pdf.
 47. J.A. Grant, "The Kimberley Process at Ten: Reflections on a Decade of Efforts to End the Trade in Conflict Diamonds," in P. Lujala and S.A. Rustad (eds.), n. 8 above, at 159.; A. Bone, "The Kimberley Process Certification Scheme: The Primary Safeguard for the Diamond Industry," in P. Lujala and S.A. Rustad (eds.), n. 8 above, at 189.
 48. D. Brack, "Excluding Illegal Timber and Improving Forest Governance: The European Union.' Forest Law Enforcement, Governance, and Trade Initiative," in P. Lujala and S.A. Rustad (eds.), n. 8 above, at 211.
 49. Pub. L. 111-203, Sec. 1502.
 50. CNA Corporation, *National Security and the Threat of Climate Change* (CNA Corporation, April 2007), available at www.cna.org/reports/climate; "Security Council Holds First-Ever Debate on Impact of Climate Change on Peace, Security, Hearing over 50 Speakers" (April 2007), available at www.un.org/News/Press/docs/2007/sc9000.doc.htm; "Security Council, in Statement, Says 'Contextual Information' Possible Security Implications of Climate Change Important When Climate Impacts Drive Conflict" (July 2011), available at www.un.org/News/Press/docs/2011/sc10332.doc.htm.
 51. J. Jarvie, "Natural Resource Management and Post-Conflict Settings: Programmatic Evolution in a Humanitarian and Development Agency," in C. Bruch, C. Muffett, and S.S. Nichols (eds.), n. 8 above; A. Waleij et al., "Environmental Stewardship in Peace Operations: The Role of the Military," in C. Bruch, C. Muffett, and S.S. Nichols (eds.), n. 8 above.
 52. S. Yoffe, A.T. Wolf, and M. Giordano, "Conflict and Cooperation over International Freshwater Resources: Indicators of Basins at Risk," 39:5 *Journal of the American Water Resources Association* (2003), 1109.
 53. M. Lehtonen, "Peacebuilding through Natural Resource Management: The UN Peacebuilding Commission.' First Five Years," in C. Bruch, C. Muffett, and S.S. Nichols (eds.), n. 8 above.
 54. K. Conca and J. Wallace, "Environment and Peacebuilding in War-Torn Societies: Lessons from the UN Environment Programme.' Experience with Post-Conflict Assessment," in D. Jensen and S. Lonergan (eds.), n. 8 above.
 55. Report of the Secretary-General, n. 10 above; Report of the Secretary-General, n. 11 above; World Bank, n. 10 above; UNEP, n. 36 above.
 56. Rio+20 United Nations Conference on Sustainable Development, *Compilation Document*, available at www.uncsd2012.org/rio20/index.php?menu=115.
 57. See www.worldpoliticsreview.com/articles/9569/unsc-climate-change-session-masks-members-intransigence.
 58. See, e.g., H. McFann, "What about Armed Conflict?" Outreach (2012), available at www.stakeholderforum.org/sf/outreach/index.php/outreach2012zerodraft2/608-outreach2012zero2item6.
 59. K. Boon, "Coining a New Jurisdiction: The Security Council as Economic Peacekeeper," 41 *Vanderbilt Journal of Transnational Law* (2008), 991, at 1017.
 60. See World Bank, n. 10 above, at 60.
 61. *Ibid.*, at 63.