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The UN Security Council in conflict: how does the protection of the environment related to armed conflict fit into its structural and inequal dynamics?

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Recent conflicts have emphasized the multidirectional linkages between the environment and conflicts and therefore peace and security. As the organ responsible for international peace and security issues, the UN Security Council has the mandate to tackle the environment-conflicts nexus. Although it has delivered several resolutions on a case-by-case basis, the UN Security Council has never included environmental protection through a thematic resolution. Such a resolution is crucial due to the current ecological crisis while the binding nature and implementation capacities of the Council would tangibly improve the current political and legal framework protecting the environment. Yet, obstacles resulting from the Council’s mandate, functioning and structure prevent the adoption of a thematic resolution. This essay will attempt to explain these deadlocks and put into light the structural limits of the UN Security Council in terms of agenda-setting and policymaking.

Keywords: UN Security Council, Environment, Armed conflicts, United Nations, Military, Protection

Introduction
The number of conflict-related deaths reached a 28-year high in 2022 (Peace Research Institute Oslo, 2023). While civilians bear the brunt of conflicts, the environment is another victim, as demonstrated by the Ukrainian conflict (Gavin & Melkozerova, 2023). Yet, usually characterized as a silent victim, the recent politicization and mediatization of environmental degradation caused by armed conflicts highlights a possible avenue for raising awareness and improving environmental protection.

The relationship between the environment and conflicts is multidirectional. The environment can be a factor in conflicts due to the rarity or abundance of natural resources (Swain & Öjendal, 2018). According to the UN, 40% of internal conflicts between 1950 and 2010 were caused by natural resources (UNEP, 2009) and 35 have been financed by them since 1990 (Bruch et al., 2019). Yet, these numbers must be considered within a broader socio-political context triggering conflicts. The environment is a strategic tool mobilized during conflicts (Pagney, 2008), as the knowledge of topography (landscapes, weather conditions), destruction (Hupy, 2008) or modification of the environment can all help win wars. The environment is a victim of armed conflict given technological modernization. These increasing damages can be direct (i.e., due to fighting) or indirect (i.e., trainings, tests, consumptions…), and concern the period before, during, and after a conflict. In response to these damages, a legal framework based on international humanitarian law (IHL) and criminal law was established (Bothe, 2023; ICRC, 2023). Finally, the environment can be a peace tool (Conca, 2015), allowing belligerents to cooperate on a technical and scientific level to overcome distrust and generalize political cooperation (UNEP, 2015). Environmental peacebuilding is a critical tool for preventive and post-conflict diplomacy, as internal conflicts over natural resources are more likely to reoccur. Thus, protection of the environment related to armed conflict (PERAC) nexus is a vast and complex issue. It corresponds to the conflict cycle (prevention, management, peacebuilding) and therefore fits into the dialogues and issues tackled by the UN Security Council (UNSC).
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The UNSC is responsible for addressing international security issues (art. 24, UN Charter) through multiple tools, such as mediation, sanctions or the use of armed forces (Chap. VI/VII). The UNSC can intervene in specific contexts or create new norms through thematic resolutions. Its intervention scope is relatively unlimited, as the definition of threat to international peace and security remains blurred (Brugère, 2019; Paige, 2019), and its qualification a discretionary and political process. Thus, the most critical issue at the UNSC is to identify threats and the tools to restore peace (Ambrosetti, 2013). The evolution of security challenges and threats (Millet, 2003; Rothschild, 1995) has influenced UNSC practice and threat perception (Paige, 2019; Romita & Sthoege, 2022), with a UNSC declaration in 1992 stating that “the non- military sources of instability in the economic, social, humanitarian and ecological fields have become threats to peace and security” (S/23500).

In accordance with its mandate, the UNSC, as other international organizations (Maertens & Louis, 2021; Conca, 2015), incorporated the environment in its debates, priorities, and actions to respond to the environmental crisis. Thus, between 1989 and 2016, 19% of its resolutions contained references to the environment, compared to 2.6% between 1946 and 1989 (Aldinger, et al., 2018). The material scope of the UNSC’s practice regarding PERAC is quite broad:

- The protection, management and exploitation of natural resources;
- The conduct related to biological and chemical weapons;
- Adverse environment-related phenomena (climate and ecological changes, natural disasters) and associated effects on States security or stability;
- Impacts of armed conflicts on the environment;
- Impacts of the activities of UN entities on the environment;
- The inclusion of environmental issues in wider policies or approaches;
- Environmentally friendly practices on disposal or waste management;
- Liability in connection with causing environmental damage (Kapoor & Dustin, 2023)

Yet, while these resolutions highlight the UNSC’s recognition of PERAC’s multidimensional linkages, it remains attached to a case-by-case dynamic, focusing on Africa (either specific or regional scope) and the Middle East. Moreover, “none of the sixty-six matters of which the Security Council is seized as of early July 2023, including its various thematic agenda items, pertain expressly to the environment” (Aldinger, et al., 2018, p. 1648). Thus, the UNSC has not developed a thematic and normative approach to PERAC so far. The only attempts to discuss a thematic negotiation on PERAC at the UNSC occurred during the Arria debates in November 2018 and December 2019, which examined the UNSC’s role on this matter. Several points must be highlighted. Both debates shed light on the overall environmental security nexus. Several States questioned IHL’s efficiency, contesting the lack of application or the ambiguity of the protection framework. They tried determining a possible axis of progression, through several options such as improving its insertion within peacekeeping missions, gaining a more comprehensive understanding of the nexus – nomination of a special rapporteur, more frequent UN Secretary General’s reports – or developing new mechanisms. These debates help to foster a more serious awareness within the political realm, as it has often been restricted to technical levels.

At the international level, PERAC discussions received more attention, whether within environmental forums (UN Environment Assembly, COP27, 2023 Bonn Climate Conference), judiciary institutions (International Criminal Court, International Court of Justice; UNEP, 2016), or the UN General Assembly through the principles adopted in December 2022. These principles are particularly important and innovative (CEOBS, 2022) as they extend the current...
understanding and legal protection of PERAC, whether its temporality (before - during – after a conflict), the conflicts (international or non-international), and the actors targeted (companies, indigenous…) while adding new international body law (i.e., human rights, environmental law) to the conversation. Moreover, while not binding, these principles emphasize the growing political consensus on PERAC and represent a solid political and legal tool on which a UNSC resolution could rely. Most of all, it also shows the possible and existing pathways to further PERAC’s development if the UNSC remains blocked. Furthermore, the Ukrainian conflict elevates PERAC to the level of high politics by its inclusion in the Ukrainian peace plan, presidential interventions (i.e., at COP27 and G20), or discussions on compensation and ecocide.

These overall dynamics, within and outside the UNSC, reveal the possibility and opportunity for a UNSC resolution on PERAC. Its international position and prestige would enable to institutionalize PERAC as a political priority, mainstreaming the recognition of conflicts’ environmental negative impacts as a threat to peace and security through different approaches mobilized by the UNSC (international, national, human, and ecological security). Moreover, the capacity of UNSC’s resolutions to be binding and universally applied would enable PERAC to possess an implementation vehicle while strengthening its normative and political framework. It must be noted that a growing coalition of UN member States shares a common understanding favorable to an increasing UNSC’s responsibility and role regarding environmental issues. It would fit into UNSC’s traditional mandate of responding to conventional threats (armed conflicts, terrorism) and international law violation, humanitarian and human security vision as well as preventive action. Moreover, it goes intrinsically with the growing threat of climate change (Hardt, et al., 2023), as one feeds the other. Adding a topic like PERAC benefits both the UNSC as a policymaking organ and its members. Indeed, in a time where the UNSC is criticized for its ineffectiveness, and its permanent members (P5) for instrumenting it for national interests, a thematic resolution on PERAC would impact positively the UNSC’s credibility. By reaffirming its capacity to safeguard a common good, it would strengthen its legitimacy and raison d’être, creating a virtuous circle between legitimacy and action capacities (Hurd, 2007; Scott & Ku, 2018). Thus, such a resolution responds to both environmental and security aspects as well as the criticism of the UNSC regarding its credibility and legitimacy.

Yet, some actors - China and Russia - opposed the integration of PERAC at the UNSC as a thematic resolution, whether for PERAC (2018-2019 Arria debates) or climate security in December 2021. As of 2023, no further debates were held on PERAC topic. The absence of resolution suggests offsets between the increasing recognition of PERAC, the need to respond to the global environmental crisis through closer cooperation of and within the UNSC, with the opposing States’ interests and inaction. In fine, this essay will attempt to utilize the absence of a UNSC’s thematic resolution on PERAC as a case study to explore the deadlocks in its agenda-setting process and functioning, its structural limitations, as well as the power relationship among member States. It will question the political will of the UNSC, both as the lead organization on international security issues, and from a state perspective based on their share of international power.

The UN Security Council’s limited approach to environmental protection

As the organ responsible for international security issues, the UNSC could have expanded its approach to include the environment-conflict nexus in its mandate. Yet, analyses show that the UNSC has developed a limited approach to environment issues, as the latter was not originally included within its prerogatives and is often understood and instrumentalized via traditional
security issues’ lenses. Moreover, the UNSC’s effectiveness on PERAC must be questioned.

The difficult integration of PERAC within a security organ: The environment has never been a priority for the UNSC, whose initial goal was to rebuild peace mechanisms, and to regulate and resolve conflicts. Indeed, there is no mention of the environment within the Charter (Nevitt, 2021), justifying a lack of routinization as a peace and security issue. Thus, environmental issues are mostly associated with international law and development debates, excluding them from the UNSC’s spectrum of action (Conca, 2015). As emphasized by the Chinese or Russian’s refusal during both Arria debates and for a thematic climate security resolution, this de-securitization of the environment is still present. This lack of routine has led to a vicious circle in which the less a subject is addressed, the harder debates become, thereby increasing the risk of rejection by members, especially the P5 (Monteleone, 2015). Therefore, today, the environment is not a political priority for the UNSC.

This lack of routinization also led to a narrowing of the environment concept which benefited from already routinized security issues, notably the hard security ones. The UNSC is a selective security institution (Roberts & Zaum, 2008), as it has been mainly operating and mobilizing on high-politics issues (conflicts, weapons of mass destruction, terrorism) or already institutionalized non-conventional issues (civilian protection, agenda Women and Peace). Moreover, it mostly addresses specific situations (71% of public meetings in 2022, 15% for Ukraine) rather than general and thematic issues. This resulted in two negative effects regarding the environment. First, political attention was directed towards the human consequences of security issues (i.e., sexual violence, child soldiers, humanitarian access), which has pushed ecological security understanding to the margins. Second, the multiplication of these threats entails the scaling up of military responses and expenditures. 2022 represents a paradigmatic example, with at its heart the Ukrainian conflict. Indeed, it monopolized international discussions, focusing on diverse security debates (food, energy and civilian security, geopolitical alliances; see UNSC debate on the Kakhovka dam’s destruction in Ukraine, 2023, S/PV.9340), while military expenditures increased globally, reaching 2 240 billion dollars, the highest level ever recorded, with Russia, China, and the US accounting for 56% (Tian, 2023).

While the environment can be a part of these security debates, it is often done by politicizing and instrumentalizing environmental issues. Indeed, the mobilization of the environment enables the UNSC to legitimize its action and protective role, as it aims at defending a common heritage (the environment) from a common enemy (a state, armed group, and/or terrorist group). Nevertheless, it was the identity of transgressive actors rather than the environmental degradation that sparked action, replacing the environment within the ideological confrontation with the damaging actor (Peters, 2014).

The limited effectiveness of the UNSC’s tools. UNSC resolutions frequently include tools for implementation, notably sanctions or peacekeeping operations. However, these tools are criticized for their inefficiency. The UNSC has used natural resource sanction mechanisms to reduce armed groups or governments’ financial flows and capacity to perpetuate and finance conflicts (i.e., UNITA, RUF, Al-Qaeda, ISIS, DRC, Libya, Somalia, etc.). It primarily targets hydrocarbon exports, minerals, forests, and biodiversity (Aldinger, et al., 2018). Several factors limit the efficiency of sanctions. Armed groups or terrorists have multiple streams of revenue, limiting the impact of cutting natural resource financial flows. Moreover, an offset exists between the P5, as China, Russia, and occasionally the US are opposed to sanctions. Thus, they frequently result from tradeoffs, leading to ambiguous and unambitious regimes without guidelines. Finally, sanctions are hardly applied as some states lack the capacity to
transpose and implement them nationally (Boulden & Charron, 2010). Integrating environmental aspects within peacekeeping mission mandates (Scartozzi, 2022; Waleij, 2016) takes two directions. The first aims at reducing footprints, as they account for 80% of the UN Secretariat’s total GHG emissions (UNEP, 2021), contrasting with the local population footprint (Scartozzi, 2022). It also gives the mission an operational advantage by increasing its efficiency and popularity among local populations (UNEP, 2021; Brown, 2021; Waleij, 2016). The second one consists of the substantial environmental protection via the respect of IHL environmental obligations, possibly linked with sanctions mechanisms (Caparini, 2022). Peacekeeping missions are quite criticized when it comes to environmental issues. They often deal with PERAC by reducing their footprint rather than by providing substantial protection, as the environment is not a political priority (Clark & Jorgenson, 2012) and harder to protect (Touzot-Fadel, 2020) compared to civilians or cultural heritage (Leloup, 2021). Thus, the environment is often operationally sacrificed to reduce operation costs (Maertens, 2016), while remaining theoretically within the mandates. Yet, without budget, environmental experts are underrepresented within missions (Williams, 2020) and have difficulties finding their place in the command hierarchy (Ravier, 2016). Thus, PERAC often relies on troops’ personal investments, including the chief of command (Maertens, 2018; Sarfati, 2022). Moreover, peacekeeping missions are sometimes responsible for environmental damages, including through trafficking, as in Sierra Leone (Waleij, 2016). However, the UN cannot sanction the perpetrators because it is a matter of state sovereignty. In the context of troop reductions, it would be difficult to ask for more from the UN without upsetting the contributing state. Finally, there is a decoupling effect between “what the Security Council wants, what the UN system plans, and what peace operations do” (Waleij, 2016, p. 509). The greening of peacekeeping operations remains a communication operation, responding to external political pressures rather than a genuine internal motivation. The information selected by the field for feedback is scrupulously chosen by New York. It creates a vicious circle: by failing to inform New York and the states of their inability to solve environmental problems for fear of jeopardizing their image and credibility, the missions are unable to obtain additional funds, allowing them to reduce their impact or protect the environment.

The debate format is also important in understanding the UNSC’s ineffectiveness. Indeed, various options exist for modifying tactics and discourses. For PERAC, two Arria debates were organized. They are informal reunions where experts brief member states and often serve as a springboard for building momentum for future resolutions (Pay & Postolski, 2022). This allows for the addition of new topics to the Council’s agenda without going through formal mechanisms that can be slowed or blocked by opposition from another state (Romita & Stoeger, 2022). Yet, as non-binding debates, they enable only limited progress as they are considered today as side-events (Pay & Postolski, 2022), during which States “rehearse known facts and set policy positions rather than engage in genuine discussions aimed at solving specific problems” (Van Bohemen, 2020, p. 100).

Yet, as non-binding debates, they enable only limited progress, as they are considered today as side events (Pay & Postolski, 2022), during which states “rehearse known facts and set policy positions rather than engage in genuine discussions aimed at solving specific problems” (Van Bohemen, 2020, p. 100). This criticism can be applied to PERAC’s debates, as they addressed superficially the stakes without agreeing on potential solutions. Moreover, it should be noted that the two biggest military powers (the US and China) only attended one of the two meetings separately (China in 2018, the US in 2019). Finally, the absence of follow-up debates since 2019 questions their legacy.
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Thus, considered as an organ, the UNSC has proposed a limited approach to PERAC, whether because its environmental focus is either vague or absent due to its security mandate while the effectiveness of the tools mobilized for PERAC, either for implementation or discussions, did not allow for a tangible and consistent contribution to environmental protection.

Yet, UNSC outcomes are frequently determined by the balance of power and the behavior of its members, depending on their position on the international power scale. With 15 member states, the UNSC is not a homogeneous actor. The absence of a thematic resolution on PERAC requires a deeper analysis of states’ motivations, interests, and ranks within the UNSC. Three categories of states can be identified: the more powerful a state is, the less likely it is to support a PERAC thematic resolution. Thus, while small powers (meaning the non-permanent members and Kuwait) take the initiative, the P5 are less favorable, acting as either mediators for middle powers (United Kingdom, France) or even as opponents for more powerful states (China, Russia).

Will without power: a favorable coalition with limited means

Within the UNSC, two groups of countries formed an informal coalition advocating for PERAC’s improvement. Kuwait has expressed strong interests in PERAC as the debate's initiator and representative of the non-permanent members’ (E10) growing influence. France and the United Kingdom (UK) have also given positive signals during these debates. These stances also extend these states' traditional behavior in the UNSC. Yet, despite their will to integrate PERAC within the UNSC, their structural limitations, as E10 or ex-global powers, negatively influence their capacity to weigh and push their agenda.

Kuwait: a E10 at the initiative for including PERAC at the UN Security Council. E10 have a two-year mandate to sit, distributed on a geographical basis. Often considered “tourists” (Scott & Ku, 2018, p. 210) given their lower capacities of influence and initiative, E10 remain an important adjustment variable as their vote is needed for adopting a resolution both procedurally (ten votes required) and from a representative legitimacy aspect (Farrall, 2020). Yet, they have increasingly taken the lead on thematic resolutions (Allen & Yuen, 2022; Thorhallsson, 2012; Thorhallsson & Vidal, 2023), following two trends: criticism of the P5’s hegemony which does not reflect the current global distribution of power (Pay & Postolski, 2022) and their construction as a unified and influential actor (Gowan, 2019). E10 can gain negotiating leverage as a coalition by increasing the cost of vetoing their proposals (Monteleone, 2015; Thorhallsson & Vidal, 2023) while limiting structural weaknesses such as limited diplomatic and financial capacities (Brosig, 2023) or institutional memories (Allen & Yuen, 2022).

The E10 have increasingly been linked to penholding, sometimes in collaboration with the P5 (Gregory, 2023; Loiselle, 2020), or for new items on the agenda, such as climate change. Indeed, these issues are less disputed and prized by the P5, as they generally affect their interests less directly and are considered secondary issues (Brosig, 2023). Thus, the E10 will anticipate a favorable outcome (Allen & Yuen, 2022), are less dependent on the P5’s interests. Moreover, given their limited resources to address the multiplication, diversification, and technicization of UNSC’s issues, the E10 must specialize and provide expertise in a specific theme, a sort of "niche diplomacy" (Gifkins, 2021), intersecting with their political will to leave a legacy. Finally, the E10 are often concerned by the issue being defended, whether for their national interest or as regional representatives, giving them real arguments of authority, credibility, and legitimacy (Gifkins, 2021; Souaré, 2023). However, E10 activism depends on political will and should not be overgeneralized (Albaret & Placidi, 2016). This activism can
be observed on PERAC, following Kuwait’s leadership.

During its 2018–2019 UNSC mandate, Kuwait has been proactive, notably on issues related to the Arab region and armed conflicts (co-penholder on resolutions 2401–2449 for humanitarian access in Syria, resolution 2474 for civilian protection and missing persons, resolution 2417 on starvation). Kuwait also organized several Arria debates, including those related to PERAC, in 2018 and 2019, to which it paid special attention.

During both debates, Kuwait was represented by its permanent representative, Mr. Mansour Al-Otaibi, a "world-class diplomat" (Batra, 2022). The repetition of debates and the high-level diplomatic representative, demonstrate the importance of PERAC to them. During the debates, Kuwait took the lead, emphasizing its experience with environmental damage caused by the Gulf War, conferring legitimacy to advocate for the inclusion of the environment-conflict nexus within the UNSC, and criticizing the legal protection implementation gap (Kuwait, 2018). Kuwait also advocated for increased UN responsibility, stating that they "strongly believe that the Council can play an important role" (Kuwait, 2018) in addressing PERAC and that "today's meeting on the subject is a testament to our commitment to keeping this conversation going within the Council" (Kuwait, 2019). Ultimately, their commitment to PERAC continued even after its mandate, via the celebration of PERAC international day (6th November), an issue remaining "a core concern for Kuwait’s political leadership" (Kuwait News Agency, 2022). Thus, Kuwait’s commitment on PERAC symbolizes the new E10’s proactive role in the UNSC.

France and the UK: the most progressive P5 regarding PERAC. The UK and France were the most supportive of incorporating PERAC into the UNSC among the P5. Because of their similar characteristics, they frequently have the same voting positions (Tard & Zaum, 2016). Indeed, they share the same international stance as former world powers that have evolved into "middle" powers. Moreover, they share a similar worldview based on a liberal agenda and are frequently the most favorable of the P5 to the threat concept's extension (Paige, 2019). Finally, both are very active in the UNSC, initiating processes and resolutions.

This activism applies to environmental issues, with France and the UK being the most dynamic of the P5 to integrate them into the Council’s prerogatives. Both contributed significantly to the UNSC's recognition of the environmental-security nexus (Scott & Ku, 2018; Estève & Harrington, 2023) and developed a positive approach to PERAC during the Arria debates. Firstly, they shared the need to improve the understanding of environmental conflict cycles, including prevention as the environment is a threat multiplier, notably in already fragile contexts. They also addressed potential solutions, as the sustainable management of natural resources and ecosystems (UK, 2019), or knowledge enhancement through additional UN Secretary General reports or UNEP anticipatory evaluation (France, 2018; 2019). Secondly, PERAC requires improving IHL application (UK, 2019; France, 2019), rather than creating new obligations as well as fighting environmental crimes’ impunity (France, 2019) and continuing the process of greening peacekeeping forces. The latter will improve mission efficiency and legitimacy (France, 2018) while remaining within the existing mandate of mediation and reconciliation (UK, 2019). Thirdly, they recognized the connections between the environment, peace, and sustainable development, advocating for its development as a peacebuilding and mediation tool (France, 2018; UK, 2019). Fourthly, both states called for more political investment from the UNSC, with France arguing that PERAC is an issue “too often relegated to the background” (France, 2018), underscoring the offset between environment protection during peace and war, while the UK stated that environmental degradation caused by conflicts constitutes a threat to peace and international security (UK,
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2018). Both states proposed solutions, such as improved collaboration and cooperation through information and data sharing (France, 2019) or UN agency coordination (UK, 2019). As summarized by France, PERAC "requires the total investment of all, because reconstruction and the restoration of lasting peace depend on it" (France, 2019). Thus, in addition to the E10, France and the UK supported the inclusion of PERAC within the UNSC. Yet, despite their efforts, their commitments have not been rewarded by a resolution.

The coalition’s structural limitations While these states have a majority within the UNSC (12 of 15 UNSC members), their limited political capacity resulting from structural processes prevents them from influencing and obtaining positive results. Several obstacles can be identified to explain Kuwait’s ineffectiveness. The first impediment is located within Kuwait itself. While actively involved in the Arria debates process, Kuwait, unlike other impacted countries, has never attempted to influence and engage in other processes discussing PERAC (UN Environment Assembly, International Law Commission). Instead, Kuwait contented itself with communication operations during PERAC international day, such as retweeting the same message. It is possible to assume that Kuwait's participation in the Arria debates was intended to leave a legacy for PERAC and position Kuwait as an international leader on this issue. The inability to convert this opportunity into a resolution or even an institutionalized topic led to a loss of enthusiasm from Kuwait, as there is a low likelihood of investing political capital and time in an issue that will fail (Allen & Yuen, 2022). It also left PERAC without a leader capable of uniting other states into a coalition and providing a clear direction for this process. Moreover, the inability to extend discussions despite having a favorable coalition emphasizes the UNSC's unequal structural power distribution. The Arria debates were organized only by the E10 members, while France and the UK’s supportive position can be explained by their declining power within the Council.

Indeed, once the debates were over, neither France nor the UK took the lead within the UNSC, raising questions regarding their political motivation to support them. In fact, their position appears to be more of a aesthetic, opportunistic commitment, with the aim of remaining a credible and key players on environmental issues, notably for the E10. Indeed, these debates are taking place at a time when their importance and power has diminished, both internationally and in the Council. Their share in UNSC penholding is declining (Helou, 2019), they are less active on highly complex or technical issues and are perceived as less prestigious actors on the international stage given Brexit (Gifkins, et al., 2019), Germany’s challenge to France’s seat (Vincze, 2019), or the declining military power of both UK and France. Given these elements, it seems that they are “residual powers” (Helou, 2019, p. 4), remaining in the limelight given their political heritage but without the capacity to act as autonomous players (Deudney & Maull, 2011). They must engage more carefully than they used to, as they are members of the P5 with the “most difficulty in justifying their continued status” (Hill, 2016, p. 403). Relating to ERAC, as Arria debates were not binding, they could develop a positive approach to meet E10 expectations to legitimize their role as responsible for international peace and security maintenance. Yet, their relative inaction after the debates results from their international stance, as they can no longer exert pressure to push this issue without risking being marginalized by the other P5 as credible actors.

Even if the PERAC coalition far exceeds the number of states opposed, their structural limitations compared to the most influent P5 states explain the absence of discussions/or resolution.
Powers without will: the lack of political will from permanent members

The P5 are the most important actors within the UNSC due to structural advantages. Yet, when they are opposed to a thematic issue such as on PERAC, the possibility of adopting a resolution is low.

The P5: indispensable actors to vote a resolution in the Council

The UNSC’s current distribution of powers stems from its origins at the end of the Second World War. Following the failure of the League of Nations' response to World War II, the UNSC was envisioned as a global alliance securing a peaceful world. While the idea of great powers regulating international affairs is not recent, the UNSC stands out for its capacity to police the world by imposing binding decisions using implementation tools. To ensure the stability of postwar order and as a contribution to their "responsibility to maintain international peace and security” (art. 24, UN Charter), the Charter grants the allied victors privileges as UNSC members. Indeed, China, France, Russia, the US, and the UK all benefit from being “permanent members” (art. 23, UN Charter) and have veto power (art. 27-3). The veto power was an essential part of the UN initial negotiations, as “the great powers made it clear that their participation in the UN was contingent on them being accorded the veto over all but procedural matters” (Security Council Report, 2015, p. 3).

These elements are particularly important when addressing the UNSC's asymmetry of power. While their status implies that they are "global policemen” (Bosco, 2009, p. 14), they frequently use institutional power, such as the veto, to their advantage, such as when their national interests are at stake or "to uphold a tenet of their foreign policy” (Security Council Report, 2015, p. 3). Additionally, their permanent presence enables them to routinize their presence and practices, and so, develop an institutional memory (Scott & Ku, 2018), making them more effective than the E10s. They also have the monopoly of 2/3 of the penholding in 2022 (Gregory, 2023), indicating that priorities are integrated within this penholding dimension. Indeed, penholders “more or less determine the game” (Lynch, 2014), as they lead the entire process (debates and writing resolution). Because "much of the decision-making, particularly on contentious issues, occurs between permanent members with limited capacity for input from elected members” (Brosig, 2023, p. 13), the issues addressed by the UNSC are frequently those benefiting the P5. Thus, everything that falls outside the P5's scope of interests is then not considered a priority and not effectively tackled by the UNSC. In addition to their institutional power, the P5 are also the most dominant powers outside the UNSC, accounting for 25% of the world population, 51% of the world GDP, 60% of military expenditures (SIPRI, 2023) and are major contributors to the UN budget (45% of the regular budget and 57% of the budget for peacekeeping operations in 2020). Therefore, other countries are constrained and subjugated by alliances external to the UNSC (Brosig, 2023; Kalilou, 2023), forcing them to adopt the role of followers (Thorhallsson, 2012).

Due to this material and institutional superiority (Gifkins, 2021), UNSC's decisions still depend on the P5’s will, either by monopolizing agenda setting through penholding (Pay & Postolski, 2022) or discouraging other actors from investing political capital (Allen & Yuen, 2022) through formal and informal veto. This prompted critics to argue that the P5's ability to unilaterally obstruct U.N. resolutions rendered the UN obsolete and irrelevant, justifying reforming it.

The opposition of 5P within and outside the Council to improve PERAC

The lack of political will from the P5 on PERAC is outlined by their absence of interest in co-hosting the Arria debate alongside the E10 and more generally handling the environment’s penholding. Not only
are they inactive, but the P5 have also shown strong reluctance during PERAC debates, whether inside or outside the Council.

While France and the UK supported the improvement of PERAC during Arria debates, they also demonstrated strong opposition outside the UNSC, notably when it came to binding discussions. The UK was particularly reluctant to integrate ecocide as a proper article within the Rome Statute, which was finally included in the article 8 on war crimes. France has been particularly cautious about this provision and is one of the persistent objectors regarding nuclear weapons. Furthermore, they oppose any additional restrictions on depleted-uranium weapons, arguing that no scientific studies have proven the long-term environmental effects (Mission permanente de la France, 2016) and consistently vote against any resolutions on this matter (i.e., UN General Assembly resolution A/RES/77/49, 2022). Finally, France and the UK were among the most unfavorable States during the International Law Commission process on PERAC, even since the beginning (see France, Assemblée Générale des Nations Unies, 2013), opposing on several points (Assemblée générale des Nations Unies, 17 January 2022), notably adding legal constraints. For both countries, certain principles do not reflect international customary law, and if the recommendations can be interpreted as rules de lege ferenda, the states’ practices and opinio juris do not attest to the existence of a developing custom. Besides, they develop a narrow vision of the principles to reduce their obligations, whether regarding the definition of the environment, the scope of law (human rights, environmental law), the differentiation between international and non-international conflict, or the responsibility in case of environmental damage, as the military necessity and humanity principles are above environmental ones (distinction, proportionality, precaution).

China and Russia have shown strong reluctance regarding PERAC. Their opposition fits into their conservative approach to the concept of threat, refusing to include the environment-security nexus within the UNSC as a thematic resolution. During the Arria debates, Russia said the current political and legal framework is sufficient and that PERAC is not a priority compared to civilian protection (Russia, 2018; 2019). They consider the UNSC to not be a relevant forum, as any environmental securitization or politicization can be "counterproductive," leading to a “dead end” (Russia, 2019). For them, environmental debates are legal and development issues (China, 2018), implying that the UNSC lacks the mandate, expertise, or legitimacy of other UN organs. Finally, UNSC’s actions such as the greening peacekeeping process are heavily criticized as being “a lot of language” (Russia, 2019). While both countries are usually opposed, China and Russia do differ in terms of position intensity. Indeed, China is less involved, intervening briefly only in 2018 while acknowledging this nexus in specific cases at the UNSC. China also did not intervene during the whole ILC process. On the contrary, Russia was more active in limiting the ILC principles’ scope and systematically denying the environment-security nexus. Russia is one of the few states opposing inclusion in the ILC work program (Assemblée générale, 2013) and proposes a very restrictive vision of PERAC during ILC debates (Assemblée générale, January 17, 2022), resuming the position expressed during the Arria debates. Above all, it indicates that Russia is prepared to bear the diplomatic “frame of loss” (Chen & Yin, 2020, p.788) of being the sole opponent and “loud dissenter (Snetkov & Lauvergne, 2014), as its international status relies on the systematization of political conflict rather than conciliation (Trenin, 2016). Chinese positions are pragmatic and ambiguous, as they place a high value on its statute (Paige, 2019), credibility, and legitimacy (Rühlig, 2022) and must find a more consensual stance accordingly. This explains the less critical Chinese’s reactions compared to Russia’s frontal position of systematic opposition.
to PERAC emphasizes a paradox: allegedly "responsible" for maintaining peace and security, the P5 are also the main culprits behind the climate and environmental crises, including militaries’ responsibility (Nevitt, 2021) Indeed, the military is one of the most polluting sectors globally, accounting for 6% of GHG global emissions (Ambrose, 2021), while being exempted from emissions reduction treaties (i.e., Kyoto, Paris Agreement) due to US lobbying (Scientists for Global Responsibility & CEOBS., 2020).

This lobbying can be explained by the Pentagon being the world’s 55th largest CO2 emitter if it were a country (Crawford, 2019). This carbon footprint may worsen in the coming years as military spending increases, incompatible with environmental protection expenditures (Barnett, 2001): any money invested in the military represents money unavailable to fund environmental protection. Thus, in 2016, climate finance accounted for 0.2% of military spending in the US, 3% in the UK and 7% in France (Scientists for Global Responsibility & CEOBS., 2020). These figures show both the offsets and the incompatibility of environmental and military financing and efforts. Moreover, the Ukrainian conflict’s carbon footprint must also be highlighted as belligerents emitted, for the conflict alone, 120 million tons of CO2 between February 2022 and 2023, slightly less than Ukraine's total emissions in 2021 and as much as Belgium over this period (Ecoaction, 2023). However, this figure needs to be revised upwards, as it only considers Russian and Ukrainian activities and does not include the revitalization of military activities.

In addition to their carbon footprints, armies often damage the environment during conflicts. Russia is a symptomatic example of the profound disregard for the environment (CEOBS, 2020), as during the Ukrainian conflict where the environment is both a victim and a weapon. The Ukrainian government has listed over 2,200 environmental crimes committed by Russia (Fair Planet, 2022) with an estimated cost in March 2023 of 51 billion euros (Stein & Birnbaum, 2023). These crimes include the mobilization of methods and means forbidden by IHL (Harvard Law Today, 2022) or attacks against several IHL-protected assets (1,000 cases in 2022, including nuclear power plants and hydraulic dams, Ecodozor, 2022). Therefore, the conflict has destroyed 30% of Ukraine's protected land and contaminated 30% of it (Reuters, June 30, 2023) while heavily disrupting national and international environmental governance (Bhushan, 2022) as environmental investments were redirected to the war efforts (Pereira et al., 2022).

Despite their negative environmental impacts, armies remain an important political and material variable for any state, especially those relying on military power to affirm their superiority, such as Russia. Indeed, PERAC appears to be opposite of Russian interests, whether it is on the economic (competitiveness of military enterprises necessary for economic growth, presentation of climate change as an opportunity), political (importance of sovereignty, military prestige, Ukrainian conflict) or military (constraint to operational engagement, denial in the field, environmental destruction "habit") scene. Thus, Russian’s opposition is likely to persist, as the introduction of the environment could reduce its military power and therefore influence at the international and national level (Stepanov, 2023). In other words, PERAC breaks the “business as usual” by interfering with military affairs which are often considered as sovereign issue.

Furthermore, the 2010 decade intensified the political confrontation between P5, notably the P2 (Russia, China) and the P3 (US, UK, France). At the heart of this opposition is the P2’s rapprochement and proposition of an alternative to liberal governance (Balmond, 2016; Lubina, 2017; Miller & Hardy-Chartrand, 2019), leading them to confront rather than follow...
Western rules (de Tinguy, 2022). This order is designed around a sovereigntist and conservative vision (Lewis, 2022) and based on the shared desire to (re)mobilize their natural statute of power (Bermann, 2021; Huvé, 2015).

Within the UNSC, this alliance is materialized by similar vote patterns (95% between 2009-2022, Machaffie, 2022), regarding their opposition to Western resolutions (Monteleone, 2015) and a reluctance to acknowledge new threats to peace and security (Paige, 2019). The two sides have escalated their diplomatic spats on numerous issues (COVID-19, trade war, Ukraine, Uighurs, etc.), undermining the UNSC’s effectiveness. Indeed, negotiating has become harder, with several setbacks on previous agreements making States less willing to add new topics to the agenda (Security Council report, 2019; 2023). Moreover, the number of resolutions adopted decreased and fewer were unanimously approved (Nations Unies, 2023). It has become a platform for states to accuse each other of failure and inefficiency (UNSC debate, CS/15140, 2022). While the US indicated the necessity "to do more, […] to hold to account those who seek to undermine the objectives of the Charter", China stated that "the UN must remain at the heart of multilateralism and international rules must be formulated by all, rather than unilaterally imposed on the international community by a few", and Russia argued that "confidence in the international community and the UN is being eroded by the policies of certain Western states, which make up the rules to suit them, and want to maintain a colonialist and imperialist unipolar world without change".

The environment is the principal victim of this confrontation, as negotiations and progress are hampered by this context, as stated by China’s Foreign Minister in 2021: “if that 'oasis' [the environment]is surrounded by desert, it will also become desertified sooner or later” (Buckley, Friedman, 2021). Although COP27 (White House, 2022) and John Kerry’s (US special envoy for climate issues) visits to China enabled a return to environmental collaboration, it shows that the environment remains a political tool, dependent on a global context, and mobilized by the major powers to satisfy their national interests, which reveals how low of a priority environmental protection really is to them (Day, et al., 2023).

These tensions were strengthened by the Ukrainian conflict. Indeed, the conflict has led to a closer alignment of Sino-Russian positions and interests through the reaffirmation of their "strategic partnership" following the joint declaration of February 4th 2023 and radicalization of their positions (Chappedelaine, 2022). This partnership makes official a shared vision of a “new international order”, based on and governed by sovereignty. Thus, China initially backed Russia in the Ukrainian conflict, on political, diplomatic, rhetorical, and economic grounds. Yet, this engagement remains fragile, as it essentially depends on interests, as recalled by a Chinese delegate: “China understands the difficult situation for Russia but cannot ignore its own situation” (Ivshina, 2023). Thus, Chinese’s political support rapidly decreased due to the possible backlash of such an alliance on its prestige, in a context of Chinese political and economic crisis (Ivshina, 2023).

Still, the Ukrainian conflict has aggravated the political deadlock, including at the UNSC, where Russia is considered an illegitimate member and a “clear and immediate threat” (United States Department of State, 2022) while a Sino-American confrontation is rising (The White House, 2022). Indeed, given its intentions to reshape the international order, as well as its economic, diplomatic, and military assets, China is viewed by the US as its sole competitor. This rising of tensions might lead to a new arms race between China and the US (United States Department of State, 2022). All these tensions have repercussions on the UNSC’s efficiency. Indeed, the Ukrainian conflict has monopolized UNSC debates, leading to extreme politicization of
environmental issues. The debate over the destruction of the Kakhovka dam exemplifies this, as both camps (Russia, Brazil, and China vs. other UNSC members) accuse each other of causing the damages (Security Council, 2023). Furthermore, negotiations on existing and new issues have become more difficult, with fewer resolutions adopted in 2022 than in previous years, with notable opposition on North Korea or Palestine, the end of MINUSMA’s mandate, or the politicization of environmental and climate-related discussions.

Conclusion
This essay aimed to analyze the UNSC’s structural limitations influencing its agenda-setting and policymaking processes by examining the deadlocks preventing the UNSC from adopting a thematic resolution on PERAC.

A two-step approach was needed to unravel the paradox between the need and the absence of a thematic resolution. To start with, the article demonstrates that the UNSC’s mandate was not designed to address environmental issues, negatively influencing its current practice. Indeed, PERAC is not a political priority for the UNSC, which instead prioritizes or instrumentalizes traditional issues over environmental issues. Finally, approaching the UNSC from a State perspective gives the opportunity to observe behaviors on PERAC, variations of which include international position and power. Indeed, the more powerful a state is, the more reluctant it will be to adopt a PERAC resolution, as it will be the entity most affected by it. Given their capacity to veto any draft proposal, the Russian and Chinese refusals show that the agenda depends on the P5’s will. Yet, regardless of their positioning, all States’ behaviors on PERAC follow typical opportunistic dynamics to improve their international position: The E10 (Kuwait) to be better integrated and recognized, struggling P5 states (the UK, France) to maintain their responsibility as UNSC members, great powers (China, Russia) instrumentalize PERAC within a confrontational framework between liberal and non-liberal alliances. At the current state, this essay emphasizes that adopting a thematic resolution on PERAC appears unlikely due to the UNSC’s structural and institutional limits. Moreover, recent conflict trends, either political (i.e., US and China) or armed conflicts (i.e., Israel-Palestine, Ukraine-Russia, etc.), could limit PERAC’s window of opportunity within the UNSC.

Yet, several pathways exist to improve the understanding, likelihood, and visibility of PERAC within the UNSC. In 2024, the UNSC will have two engaged countries on PERAC (Slovenia and Switzerland), which could lead to new waves of discussions following Kuwait’s experience.

Second, Antonio Guterres’ New Agenda for Peace lays out a clear path forward for the UNSC. Indeed, he encourages the P5 to "work together despite their differences to meet their responsibilities" and "maintain [its] credibility," while emphasizing the importance of reforming the UNSC's practices (i.e., peace operations, sanctions) and membership, or democratizing its working methods (United Nations, 2023). Moreover, Guterres’ support for prioritizing climate security and mainstreaming it into peace operations and specific resolutions provides a common framework and understanding of the relationships between peace and ecology. While focusing on climate change, it can be mobilized for a thematic PERAC resolution. Finally, to circumvent current deadlocks, a case-by-case and data-based approach might be more pragmatic as a first step, which can, in the long term, institutionalize PERAC within the UNSC and give credibility to a thematic one. Finally, an anthropocentric and human security approach to PERAC might help in gaining political consensus.

Alternatives do exist to bypass UNSC’s deadlocks and improve PERAC. The New Agenda offers some pathways to improve cooperation between multilateral bodies. Therefore, the dynamics arising from the UN Environment Assembly or within COPs can create momentum.
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within the international community and pave the way for more engagement on PERAC. Precedents exist where UNSC’s deadlocks were overcome by either the UN General Assembly’s (UNGA) resolutions or civil society movements that can help PERAC be institutionalized and pressure the UNSC to act. Regarding UNGA, its influence on environmental issues (Bliznetskaya & Vasilenko, 2018; Maertens, 2018) and the principles adopted in December 2022 emphasize the key role it has played in promoting PERAC at the international level. UNGA has legal and practical grounds to act on security issues and adopt a binding resolution when the UNSC is blocked (Barber, 2022; Egger, et al., 2020). Therefore, in the context of a revitalized UNGA and with the support of Antonio Guterres (United Nations, July 2023), UNGA could mobilize these precedents to further its engagements on PERAC. Finally, as demonstrated by the Land Mine Treaty, civil society movements can effectively pressure States to improve PERAC. Several initiatives have already emerged from the expanding research and practice communities and push for more commitments from States on PERAC (i.e., International Conference on Environmental Peacebuilding, “Open Ended Working Groups on a science-policy panel on the sound management of chemicals and waste and to prevent pollution”, COP28 side events).

Yet, any PERAC progress will require shifting priorities. As highlighted by the New Agenda for Peace, a comprehensive and collaborative approach should be prioritized over securitized responses (United Nations, July 2023) and national-focused interests. This shift calls for mitigating political conflicts and questions the relevance of global militarization and the militaries’ role. More importantly, it raises the question of the relevance of the UNSC’s current form when it cannot assume its function.
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