

# Foreword

## Special Issue on Starvation in International Law

*Antonio Coco,\* Jérôme de Hemptinne\*\* and Brian Lander\*\*\**

Hunger and food insecurity caused or tolerated by mankind are among the evils of our time. Armed conflicts, in particular, are a fertile terrain for man-made hunger — be it due to a precise strategy, to distressful carelessness or to belligerents contritely shrugging their shoulders to the physiological consequences of war. Several provisions of international law address the issue of conflict-related food insecurity — in particular with respect to the prohibition of starvation — but, despite the fundamental values they protect, their scope of application and interpretation remains at times debated.

For this reason, the World Food Programme and the Oxford Institute for Ethics, Law and Armed Conflict at the Blavatnik School of Government (University of Oxford) convened a workshop — held in April 2019 at St Peter’s College, Oxford — to analyse and discuss the international legal framework related to starvation and, more in general, conflict-related food insecurity. In this endeavour, as organizers, we felt that legal analysis alone would not have been enough to capture and describe accurately such complex phenomena. Thus, academics and practitioners from various fields were brought together to exchange their views on the several facets of starvation, to explore its relationship with the broader concepts of hunger and food insecurity, and to identify challenges in the implementation of the relevant international legal provisions. The present special issue of the *Journal of International Criminal Justice* collects contributions from the participants to the workshop. Authors received feedback on their contributions both during the workshop and the subsequent process of peer review.

The special issue opens with an article authored by Brian Lander and Rebecca Richards, setting the current scene about man-made food insecurity and international responses to it. Bridget Conley and Alex de Waal follow with an insightful analysis of the various historical uses of starvation. After these two context-setting contributions, the special issue tackles existing international law on starvation from two different perspectives: Simone Hutter presents a study of the interplay between tactics of starvation and the right to food in international human rights law; whilst Dapo Akande and Emanuela-Chiara Gillard peruse the relevant rules of international humanitarian law, with special attention to the conduct of hostilities and to the provision of humanitarian assistance. At this point, three articles deal with the perspective of obtaining criminal accountability for the starvation of civilians in armed conflict: Manuel Ventura examines the possible legal avenues for capturing starvation in a criminal charge; Federica d’Alessandra and Matthew Gillett focus specifically on the war crime of starvation in non-international armed conflicts, and assess the recent proposal to amend the ICC Statute in this respect; Wayne Jordash, Catriona Murdoch and Joe Holmes survey the prospects and challenges for successful prosecutions related to crimes of starvation. Future

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\* Antonio Coco is Research Fellow, Oxford Institute for Ethics, Law and Armed Conflicts, Blavatnik School of Government, University of Oxford; as of January 2020, Lecturer in Law, University of Essex [antonio.coco@essex.ac.uk]

\*\* Jérôme de Hemptinne works at the Université catholique de Louvain and is associated with the Geneva Academy of International Law and Human Rights; member of the Editorial Committee of the *Journal*. [jdehemptinne@hotmail.com]

\*\*\* Brian Lander is Deputy Director of the UN World Food Programme Office in Geneva. [brian.lander@wfp.org] The views expressed in this Epilogue are those held by the authors and do not reflect in any way upon the institutions with which they are associated.

prospects are also the theme of Salvatore Zappalà's article, analysing the significance of Security Council resolution 2417 (2018), the first one to explicitly and generally label conflict-induced food insecurity as a threat to international peace and security. Finally, the special issue features an interview with Jane Ferguson, a journalist who has been reporting from several war-torn areas where episodes of starvation have occurred, offering a much-needed reality-check. We personally conclude this collection with an epilogue gathering up the main threads from the various contributions.

We very much hope that the work presented in this issue of the *Journal* will play a part in shaping future responses to starvation and conflict-related food insecurity, in a way which ultimately benefits all the victims of war and inequality.