

Faculti Summary

<https://faculti.net/siege-starvation-a-war-crime-of-societal-torture/>

This video discusses the increasing problem of starvation during armed conflicts, emphasizing that a substantial number of people have faced acute food insecurity due to war, influenced by deliberate actions of warring parties rather than merely as a consequence of fighting. The author highlights the inadequacies of traditional international law in addressing these issues, although legal tools now exist to seek accountability for starvation as a war tactic.

The author outlines key components of international humanitarian law (IHL) relevant to food insecurity, particularly during belligerent occupation, including obligations of the occupying power to provide essential supplies and to ensure humanitarian access. Notable legal frameworks include prohibitions against using starvation of civilians as a method of warfare, protections for objects essential for civilian survival, and the obligation not to withhold humanitarian aid arbitrarily.

This video further explores the definition of war crimes, specifically the starvation of civilians, which has been recognized since 1998. It discusses the complexities surrounding the interpretations of "intent" in legal frameworks, distinguishing between direct intent (purposefully causing starvation) and oblique intent (foreseeing starvation as a likely consequence of actions).

In addition, it emphasizes the moral implications of using starvation as a means of warfare, arguing that this tactic seeks to break the will of civilians by subjecting them to prolonged suffering and deprivation. The author calls for a deeper understanding of the interplay between legal, moral, and empirical aspects of starvation in conflict, urging scholars and legal practitioners to work together to address and prevent this humanitarian crisis more effectively.