

CLIMATE-INDUCED CONFLICTS: THE UN'S LEGAL OBLIGATION TO PREVENT RESOURCE WARS UNDER CHAPTER VII

AUTHOR – RAMAN PANWAR* & DR. RAMAKANT TRIPATHI**

* STUDENT AT LAW COLLEGE DEHRADUN, UTTARANCHAL UNIVERSITY, DEHRADUN, UTTARAKHAND, INDIA

** LAW COLLEGE DEHRADUN, UTTARANCHAL UNIVERSITY, DEHRADUN, UTTARAKHAND, INDIA

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Abstract

This research provides an analysis of the legal obligations placed upon the UN, especially under Chapter VII of the UN Charter, to wrestle with and avert conflicts spawned by climate changes occasioned by resource scarcity. Climate change being the aggravating factor, it is more and more becoming a threat multiplier among existing vulnerabilities resulting in violent confrontations over the shrinking resources of water, arable lands, and mother food. Based on interdisciplinary evidence, including case studies on Darfur, Syria, and the Lake Chad Basin, the study provides strong empirical and legal foundations by way of an interdisciplinary approach to interpret climate-driven instability as a genuine “threat to the peace” under Article 39. Considering the evolutions in Security Council practice, academic and legal literature, and recent advisory proceedings before the International Court of Justice and the International Tribunal for the Law of the Sea, the study advances the idea that environmental degradation is within Security Council discretion for preventive intervention. Even if sorrows and political opposition arise from some states, the Charter language could be flexibly used to lay down binding enforcement measures like sanctions and peacekeeping missions against a climate-sensitive conflict. It concludes that adapting existing legal formulations to contemporary ecological realities is a matter of legal necessity and political expediency and suggests the next steps toward operationalizing climate-security nexus within the UN legal framework. This, in turn, would increase institutional responsibility to take action before escalating environmental stressors transform into armed conflicts.

Keywords: Climate-induced conflict, Resource wars, UN Charter Chapter VII, Article 39, Climate security, Environmental degradation, International peace, security

INTRODUCTION

This research delves into the legal obligations of the UN, particularly under Chapter VII of the UN Charter, to confront and forestall conflicts engendered by climate changes brought about by resource scarcity. With climate change in place as the aggravating factor, it acts increasingly as the “threat multiplier”, exacerbating existing vulnerabilities and igniting violent confrontations over dwindling resources of water, arable lands, and food.

Based on interdisciplinary evidence, including three case studies on Darfur, Syria, and the Lake Chad Basin, the study provides a strong empirical and legal basis for interpreting climate-driven instability as a bona fide “threat to the peace” under Article 39. The study weighs the developments in Security Council practice, academic and legal scholarship, and recent advisory proceedings before the International Court of Justice and the International Tribunal for the Law of the Sea to argue that environmental degradation falls within Security

Council discretion for preventive intervention. That notwithstanding political opposition from some states, the flexibility of the Charter language can be harnessed to impose binding enforcement measures, including sanctions and peacekeeping operations, against a climate-sensitive conflict. The study concludes that the adaptation of existing legal frameworks to contemporary ecological realities is a matter of legal necessity and political expediency, for which it proposes action points for operationalizing climate-security fusion within the legal framework of the UN. This would, in turn, strengthen the institutional responsibility to act, prior to the escalation of environmental stressors into armed conflicts.¹³⁴

Because climate change leads to threats of violence and security at the international level need to arise, the issue has to be looked at within the framework of restricting peace. The environmental catastrophe that existed as a distant thing in time and space has become the present emergency, growing by the minute with social, economic, and political ramifications. With global warming, disruption of natural systems causes conflicts over shrinking water supply, arable land, or forage. These pressures threaten to become the sources of tension and sometimes further, the causes of armed conflicts, especially in areas where governance is weak, poverty is widespread, and social tension is high. In this backdrop, international law, especially the Charter of the United Nations, becomes ever more relevant. In particular, “Chapter VII of the United Nations Charter” gives the Security Council powers to take enforcement measures in order to maintain or restore international peace and security. When environmental degradation leads to violent competition, the legal and moral responsibilities of the UN to act become undeniable. This study explores the emergent imperative for the UN to address and respond to climate-induced resource conflicts with binding legal action

under “Chapter VII of the UN Charter”, whence the doctrine of collective security is being harnessed in a changing global climate order.

Definition of Climate Change and Its Effects on Resources

Since climate change works beyond borders, jurisdictions, and traditional legal frameworks, it means shifting temperatures, rising sea levels, altered rainfall patterns, and increased frequencies of disasters. These come to be the degradation and reduction of water, fertile lands, and food crops. In fragile environments, especially in the Global South, the changes further increased socio-economic vulnerabilities and added to the stresses on already-vulnerable communities. Therefore, disputes over water bodies, fertile farming lands, and grazing lands increase with climate change. Countries sharing trans-boundary rivers or grazing corridors increasingly contest access rights, sometimes to the verge of militarization. Thus, the complex interaction between environmental stress and geopolitical instability positions climate change both as a threat multiplier and as an instigator of new kinds of conflict. Now, in this respect, the UN, mandated to guard the peace, is suddenly faced with the pressing question of how to adapt its tools-of-the-trade, so to speak, traditional concepts and tools of international law, to the emerging, non-conventional threats, in particular threats emanating from ecological degradation and human-induced climate disruptions.¹³⁵

DEFINITION OF CLIMATE-INDUCED CONFLICTS

Climate change concerns long-term shifts in temperature and weather patterns, the main contributor being the release of greenhouse gases by human activities. Formerly, a prominent school of thought held that these changes equate to the average climate variability. However, it is now accepted by scientists that such a rate of change is due to human activity. As mentioned in Chapter 3 of

¹³⁴ Explainer: How is the climate crisis impacting conflict and peace, available at: <https://www.c-r.org/news-and-insight/explainer-how-climate-crisis-impacting-conflict-and-peace> (last visited on April 11, 2025).

¹³⁵ Conflict and Climate, available at: <https://unfccc.int/news/conflict-and-climate> (last visited on April 11, 2025).

the “IPCC Sixth Assessment Report (2023)”, climate change has impacted the ecosystems and human systems in a way that is observed and measured: glacial retreat, desertification, ocean acidification, and biodiversity loss. These changes in the environment reduce resource availability and reliability. Water scarcity, for example, no longer restricts itself to arid regions but increasingly finds its way into regions that were once considered water-abundant, thanks to the distractions of rainfall cycles. Meanwhile, sea-level rise, on the one hand, threatens coastal agricultural lands with salinity, and on the other, droughts threaten them with the destruction of crops and livestock. In response, communities get displaced to competing over limited supplies. These resource-related grievances can turn into localized conflicts or cross-border wars. While the scientific evidence has firmly established the link, the international legal order has yet to make the critical adjustments to absorb these climate triggers into traditional descriptions of threats to peace and security. Therefore, the evolving situation requires a much-needed legal response through enforcement mechanisms of the UN on the basis of “Chapter VII”.¹³⁶

Explanation of Resource Wars

Climate-induced conflicts refer to those violent or peaceful confrontations whose evolutions remain directly or indirectly influenced through the consequences of climate change. Those conflicts may also be triggered when environmental changes caused by climate change impede access to basic resources. In weak political systems, 40 tension can aggravate aspects of social cohesion, such as ethnic or sectarian treatments, and lead different communities to confrontation. Sometimes, these conflicts may not appear to be climate-based; however, their real triggers often lie in ecological stress. Climate change has always been implicated in migration, competition for natural resources, and

economic marginalization, all factors that induce conflict. The slow-onset impacts of climate change are, in fact, gradually undermining livelihoods across many locations, especially those dependent on the natural resource-based economies. For instance, less rainfall in semi-arid regions can lead to the encroachment of nomadic groups onto already settled territories, thereby generating conflicts. These forms of violence showcase the environmental origin of conflict. The challenge, therefore, lies in legally defining such situations within the traditional framework of international peace and security, an arena which has predominantly looked into kinetic violence rather than structural or environmental violence. Recognizing climate-induced conditions as a legitimate cause of conflict shifts the global legal response under existing international law, including under “Chapter VII of the UN Charter”.

Link Between Climate Change and Conflict

Resource wars refer to conflicts stemming from the regulation, access, and distribution of basic natural resources like water, land, forests, minerals, or food. These wars may be fought between state actors or non-state armed groups and occasional local communities. The very nature of these conflicts varies with the type of resources being contested and the mechanisms by which these latter are institutionally governed for distribution. So few cases of resource wars actually arise out of direct considerations related to scarcity, maldistribution, or sudden depletion. Thomas Homer-Dixon in an exemplary book titled “Environmental Scarcities and Violent Conflict” postulates how some form of competition can be aggravated by environmental degradation and might lead to violence where an institutional counter-response is weak or lacking. Scarcity of resources sets the conditions for grievance and mobilization, especially wherever groups perceive that access has been unfairly restricted or manipulated. This may stretch into militarized conflict in fragile states or politically

¹³⁶ Kara Anderson, “Does climate change make conflict more likely”, available at: <https://greenly.earth/en-gb/blog/ecology-news/does-climate-change-make-conflict-more-likely> (last visited on April 11, 2025).

marginalised areas. Water disputes are increasingly escalating across transboundary river basins such as the Nile or the Tigris-Euphrates. Likewise, grazing land and water points disputes provoke confrontations between pastoral and agricultural communities throughout the Sahel. These are but instances that testify to the structural relations between natural resources and conflict dynamics. While frequently contextualized within geopolitical or socio-economic spectrums, they can also be viewed from the lens of international law, especially whenever resource-based tensions reach a threshold threatening regional or international peace and security under “Article 39 of the UN Charter.”

OVERVIEW OF THE UN'S ROLE IN MAINTAINING PEACE AND SECURITY UNDER CHAPTER VII

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Brief History of Chapter VII

The United Nations was founded for the purpose of maintaining international peace and security. This objective is set forth in the Charter of the United Nations, which governs the powers and duties of the Security Council. To this end, “Chapter VII of the UN Charter” is the key operative chapter. It allows the Council to determine the existence of threats to peace, breaches of peace, and acts of aggression and to respond to them by measures ranging from economic sanctions and blockades to military action. These powers have traditionally been implemented in situations of war, invasion, or genocide. However, in view of the changing nature of threats to global peace, it is apt that the definition of a justifiable trigger for Chapter VII action undergoes reassessment. At present, cyber warfare, pandemics, and climate change constitute equal threats to peace. The Security Council's ever protracted interpretation has its origin in an enlightened view of peace and security as being diversified. So, for instance, if late climate change causes scarcity of resources and this scarcity, when escalating, gives rise to displacement, cross-border tensions, or humanitarian crisis, it could constitute an actual threat to peace under the arrangements of this article. The Committee on its soft under Chapter VII is a two-way street: it is as much about prevention as it is about resolution. The failure to engage climate-induced threats under Chapter VII will lead to further instability, thereby defeating the primary

purpose for which the UN was set up.¹³⁷

Evolution of Security Threats

Articles 39 to 51 of the Charter of the United Nations, often referred to as “Chapter VII” of the RI, were basically created to enable the Security Council to intervene in situations that pose threats to international peace. In the aftermath of WWII, member states recognized that there is a need for a single authority empowered to impose enforcement measures. The so-called shall therefore range from measures mentioned in Article 41 that do not involve any military operations, to military action under Article 42. Basically, it was conceived to provide a legal mechanism for adoption and enforcement of binding resolutions at the world level, as opposed to collective impotence witnessed during the League of Nations period. The chapter has thus witnessed invocation through the years in instances of civil wars and terrorism, and even when dealing with less armed threats, namely the apartheid and nuclear proliferation. That being said, the environmental dimension of conflict remains largely unexplored in this regard. With growing global consensus on the security implications of climate change, the time has come for a reinterpretation of Article 39 to become a sheer necessity. The original text places no limit on the term “threat to peace” by indicating that only acts of armed aggression shall be considered as such. Hence, the text itself provides legal flexibility to accommodate newer types of menace, such as those stemming from climate change, provided the Council stands ready to politically acknowledge their seriousness.

UNDERSTANDING CLIMATE-INDUCED CONFLICTS

The nature of global threats has undergone a great change ever since the Charter of the United Nations came into being. Terrorism, bigger and unbounded in scope, cybercrime, and climate change are some of the more

elusive security threats that the UN structures. Bearing in mind this change, the UN thus attempts to give recognition to these non-traditional threats of security in its interior arrangements. The policy brief thinks of climate change as a multi-dimensional threat that crosses over into economic, political, and social instability, and it urges the Security Council to be more inclusive in its definition of peace, so as to include the complexities involved in contemporary threats. Thus, as the effects of climate change become worse, the chances of conflicts, especially in vulnerable areas, also grow. Droughts causing shortages of food to sustain a population, floods rendering people homeless, and the complacent rise of temperature of a significant ecosystem, are not occurring in isolation as ecological processes. They are the antecedents for geopolitical instability. Considering these developments, the meaning of “threat to peace” under “Article 39 of the UN Charter” must henceforth consider these newer realities. Thus, granting legal recognition to climate-related threats as legitimate grounds to carry out Chapter VII actions will boost global governance and will also confer legitimacy on the UN’s efforts towards keeping peace amid this all-too-real instability.¹³⁸

Definition and Examples of Resource Wars

While climate change is not the direct cause of a conflict, it obnoxiously serves as a catalyst in worsening societal vulnerabilities. It puts heavy strains on the environment and destabilizes sociopolitical issues under some instances in which a conflict may escalate into violence. The international community recognizes climate change as a threat multiplier that exacerbates existing tensions surrounding resources, as stated in the “Statement by the President of the Security Council (S/PRST/2011/15, 20 July 2011)”. With decreasing productivity in agriculture or the drying up of freshwater sources owing to shifting climate patterns, the livelihoods

¹³⁷ The UN Security Council and Climate Change, available at: https://www.securitycouncilreport.org/atf/cf/%7B65BFCE9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/climate_security_2021.pdf (Visited on February 19, 2025).

¹³⁸ Eliana Cusato, “Of Violence and (In)visibility: The Securitisation of Climate Change in International Law”, 10 *LRIL* 214 (2022).

dependent on these systems collapse, which corresponds to economic decline, unemployment, and starvation, mostly in rural and marginal areas. This kind of frustration breeds social unrest. Areas hitherto considered safe by host populations to displaced persons find that, in some cases, they are perceived as threats leading to xenophobia or localized violence. These developments are starting to affect regional security from the perspective of social-political implications upon climate-induced displacement. A linkage between climate change and conflict is still causing a paradigm shift in how peace and security are conceptualized under international law. Security can no longer be defined in terms of interstate war and armed aggression alone. Therefore, the present legal framework in the world, most especially under “Chapter VII of the UN Charter”, must now have mechanisms for the anticipation of and response to climate-induced risk that may culminate in threats to peace.

Historical Context

Resource wars encompass any range of armed engagements or violent confrontations between two groups struggling for the control of or access to natural resources considered vital for survival. They may or may not be declared wars, but typically unfold around rivers, oil fields, forestry, mineral zones, and agriculture. Resources have always stood at the core of the strategic calculus of both state and non-state actors. When the natural supplies are too scarce or access unequal due to climate change or economic mismanagement, violence might manifest, either with the intent to capture or defend resources. The finer points of the laws that acknowledge “resource wars”, even though they have not been formally codified in a statute, follow a more general and broader frame of interpretation with respect to conflict under Customary Law and the Charter of the United Nations, insofar as these hostilities threaten international peace. Such wars move beyond mere physical confrontations for sustenance and stand as failures of

governance, diplomacy, and the law. Their complicated nature consequently tends to make them an imponderable object for international intervention; yet their consequences often borne with the wind attract global attention, more so necessitating the development of a preventive legal framework upon “Chapter VII of the UN Charter.”¹³⁹

Contemporary Examples

The intersection of environmental degradation with violent conflict has gone from merely being speculative to ever more certainly being demonstrated outright through scientific, economic, and geopolitical analyses. Climate-related conflicts ensue when environmental pressures, precipitated or aggravated by climate change, create or intensify disputes over natural resources. These disputes may be intra-state or inter-state, generally arguing over access to water, fertile land, minerals, or food. The situation becomes particularly perilous when it intersects with socio-political vulnerabilities such as poverty, poor governance, and historic grievances. So, these are not merely climate-induced disruptions—they are intricate crises stoppage arising out of the destabilization of the very systems of life. Lawmakers and international institutions stand at the crux of creating enforceable mechanisms to respond to these changes. The United Nations Security Council is among the few institutions authorized to issue legally binding resolutions aimed at maintaining or restoring peace under “Chapter VII of the UN Charter.” Recognition of climate-induced conflicts as legitimate threats under this clause would greatly augment the world’s capacity to adequately address these issues and thereby redirect the legal framework towards preventing such tragedies from further occurring.¹⁴⁰

¹³⁹ Prema Vijaya McIntosh, *Climate Change as a ‘Threat to the Peace’: The Potential for Action by the United Nations Security Council* 211 (School of Law, Reading, 1st edn., 2024).

¹⁴⁰ United Nations Charter, Chapter VII: Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression, available at: <https://www.un.org/en/about-us/un-charter/chapter-7> (last visited on April 11, 2025).

How Climate Change Exacerbates Resource Scarcity

The contemporary examples of resource-driven conflicts remind us of the untiring role of environmental stresses in shaping twentieth-century global security dynamics. An exemplary case is the widescale armed conflict in the DRC over minerals such as coltan, tungsten, and gold. Militia groups and foreign firms have been hired to contest zones for mineral exploitation, with proceeds used to finance insurgencies while concurrently bringing instability to the area. Tensions increase among Nigeria, Niger, Chad, and Cameroon concerning the shrinking water body of Lake Chad Basin, aided by drought aggravated due to climate change. Armed groups have sought to exploit this to recruit disgruntled youth, who until recently depended mostly upon fishing and farming for their livelihood. The same thing appears to be happening in the Horn of Africa, where pastoralist communities are being pushed closer to violent confrontations for limited grazing areas. These cases stand as testimonies of environmental issues being central to the dynamics of conflict today. Since they are multi-dimensional, and mostly intertwined with economic interests, ethnic divides, and ecological degradation, bringing early intervention to bear from the international legal sphere would appear most appropriate. Yet, when arrests are limited per “Chapter VII of the UN Charter” unless these are recognized as threats to peace in the first instance, it greatly limits political will to bring in relevant interventions. Recognition would essentially empower the Security Council to initiate actions on the environmental triggers of conflicts, categorically through sanctions and peacekeeping mandates, without needing to wait for instances of gross violence.

Scientific Evidence

Contemporary resource-based conflicts serve as reminders of the perpetual dynamics in the global security arena through environmental stress during the twentieth century. A glaring

example would be the interminable armed conflict in the Democratic Republic of Congo over control of precious minerals such as coltan, tungsten, and gold. Militia groups and foreign entities have been fighting over zones for decades to mine them, and the proceeds have been used to finance insurgencies and to destabilize the region. In the Lake Chad Basin, rising tensions occur among Nigeria, Niger, Chad, and Cameroon over the shrinking of the water body aided by droughts aggravated by climate change. These groups, meanwhile, exploit the tensions to recruit disgruntled youth, mostly dependent on fishing and agriculture for their livelihoods. Also, the same trends are seen in the Horn of Africa, where the pastoralist communities are pushed into violent confrontations over shrinking grazing lands, thus testifying to how environmental problems remain central to conflict dynamics today. Given the multi-dimensional nature of such conflicts, usually involving economic interests, ethnic divisions, and ecological degradation, early intervention from the international legal arena appears most appropriate. However, the latter is then foreclosed, upon non-recognition of these instances as threats to peace under the ambit of Chapter VII of the UN Charter, thus paling the actual willingness of States to undertake the necessary interventions. Recognition would ordinarily open to the Security Council the road of addressing through a categorical package of sanctions and peacekeeping measures both grave environmental triggers of conflicts even before the outbreak of gross violence.¹⁴¹

Impact on Vulnerable Regions

Climate change does not simply set off a conflict out of nowhere. Instead, it adds insult to injury with tensions over natural resources occasioned by changing environmental conditions—the very essence of human survival. Higher temperatures melt glaciers with rising

¹⁴¹ Rigmor Argren, “The obligation to prevent environmental harm in relation to armed conflict”, available at: <https://international-review.icrc.org/articles/the-obligation-to-prevent-environmental-harm-in-relation-to-armed-conflict-924> (last visited on April 11, 2025).

sea levels as their ultimate means of interference into the habitable lands. This interference hampers ecosystems' capability to bear sustenance, rendering food less predictably available, turning fresh water so scarce, and in effect, more highly contested spots of land for human settling. This sort of change turns absolutely disastrous for a setting marred by poverty, rapid population growth, or political instability. By facilitating and multiplying other factors of risks, such as poor governance, ethnic fragmentation, and historic injustice, climate change heightens social pressures that culminate in episodes of migration, economic collapse, and occasionally outright violence. Although these consequences are conjoined in the scientific world and machinery, they are anathema concerning the binding legal regime for conflict prevention. The UN Security Council has, by virtue of "Chapter VII of the UN Charter", a legal basis to deem scarcity induced due to climate change as threats to peace and authorize remedial preventive action. This would be a great leap for international law insofar as establishing congruence between legal mandates and scientific truths as well as geopolitical realities.¹⁴²

THE UN'S LEGAL FRAMEWORK FOR PEACE AND SECURITY

Climate change and resource scarcity remain a highly contested issue within the world political arena, overtime. The "IPCC Special Report on Global Warming of 1.5°", especially Chapter 3, gives an outline of the disturbing scenarios occasioned by the increase in temperature such as drought, sea-level rise, desertification, among others. This leaves already challenged communities with even lesser resources like freshwater, land, and coastal infrastructure as meteorological hazards have already negatively impacted them. Crop yields will be strongly affected in parts of Africa and South

Asia, thereby undermining food security and rural displacement under moderate scenarios of warming. Low-lying island countries as well as deltaic areas are expected to go under, perhaps displacing millions from rising sea levels. The greater issue, though, is that migration owing to resource scarcity remains a humanitarian subject that simultaneously poses large threats to security and stability. More often than not, scientific projections have been right in keeping track of migration patterns and conflicts over resources, thus forming a common ground for preemptive legal statements. Whilst mitigation and adaptation are the issues covered by the international environmental instruments, peace and security remain outside of their jurisdiction. This gap can, therefore, be bridged by activating Articles 41 and 42 of Chapter VII of the UN Charter, whereby binding actions such as sanctions, embargoes, or peacekeeping operations could prevent entire regions from becoming destabilized on account of climate-induced scarcity.

Overview of the U.N. Charter, Particularly Chapter VII

The regions vulnerable to climate-induced scarcity happen to be those most severely affected: Sub-Saharan Africa, the Middle East, and Island Developing States. Climate variability in Sub-Saharan Africa has caused less rainfall and more desertification, thereby putting further strain on agriculture and pastoral systems. All this intensification of friction has made conflicts between farmers and herders more frequent and deadly. Water stresses in the Middle East, with rising temperatures on the rise, provide causes for greater tension over shared water bodies like the Euphrates and the Jordan River. Often these regions lack the institutional frameworks for fair resource sharing, making violent conflicts very eminent. These islands, namely the small island states, mainly in the Pacific and the Indian Ocean, confront this different but equally pressing concern. Roaring high sea levels could estrange populations from their house in these countries and threaten their

¹⁴² Agathe Sarfati, "Toward an Environmental and Climate-Sensitive Approach to Protection in UN Peacekeeping Operations", available at: <https://www.ipinst.org/wp-content/uploads/2022/10/Environmental-and-Climate-Sensitive-Approach-to-UN-Peacekeeping-Operations.pdf> (last visited on April 11, 2025).

territorial integrity and economic sovereignty, a setting that might give way to political instability and national security challenges. The regions usually do not have the political clout or financial willingness to cut their own way through this challenge, hence remaining patronage-dependent. The relevance of the Security Council under Article 39 of the UN Charter comes into its own here, as it empowers the international community to deem climate vulnerability not just as a development issue but a security imperative requiring urgent legal action.¹⁴³

Articles 39–51: Powers of the Security Council

There are few institutions that have the legal and political mandate to ensure the maintenance of international peace and security. The legal basis of such authority is derived from the Charter of the United Nations which is a legally binding treaty delineating the roles, powers, and responsibilities of its principal organs, most notably the Security Council. The current unmet with the ever growing number of conflicts caused by or aggravated through environmental degradation calls for setting a precedent and applying existing legal instruments. It is under Chapter VII of the Charter where the UN Security Council can decide upon binding action with respect to threats to international peace. The inter-state conflicts, instead of competition over or outright depletion of scarce natural resources such as water, land, and food, have, in fact, become major threats to peace and security in vulnerable areas. The Security Council must, in order to make a tangible difference, acknowledge that it does have the authority under Chapter VII to counter new threats emanating from environmental change, especially when such threats turn into violent activities or have significant transboundary consequences. This extension of interpretation requires no amendments to the Charter, only a

change in attitude toward how time-honored concepts of international law can be brought to bear on new realities in an ever-changing world.

Legal Basis for Intervention

The UN intervention in cases of climate-induced conflicts under “Chapter VII” draws its legal authority from the Charter’s generic and adaptable terminology. The powers of the Security Council are not confined to classic warfare– or aggression by one state against another, as it is. Rather, historically speaking, it has included scope to address matters of internal conflicts, mass atrocities, and threats from non-state actors. Hence, by analogy, one could also interpret climate change-induced violence as one such qualifying circumstance, especially when the transboundary effects are clearly felt or where state inaction arguably aggravates the insecurity. It is this very gap– and need-for-interpretation theory that gives way to the Charter’s flexibility and evolving nature of international security. Several legal actors and international law practitioners have recently been championing the view that, in their opinion, the Security Council can and must react to threats of an environmental nature that surface as security crises. In this reading, Article 39 refers not to the source of the threat but to its ability to disrupt peace and security. Climate-related droughts, floods, or resource competition may have their origin in the natural systems, but their downstream consequences of conflict, displacement, and lawlessness fall squarely within the Security Council’s purview. Such a reading of the law underlines the responsibility of the UN to act early and firmly in the face of an ever-greater threat of ecological crises.¹⁴⁴

The Concept of “Threat to the Peace” and Its Evolution

The general allowance for UN intervention in environmental clandestine conflicts under

¹⁴³ Radhika Kapoor, Dustin A. Lewis, “The Practice of the UN Security Council Pertaining to the Environment and Armed Conflict, 1945–2021”, available at: <https://international-review.icrc.org/articles/the-practice-of-the-un-security-council-pertaining-to-the-environment-924> (Visited on March 12, 2025).

¹⁴⁴ Climate Change Fuelling Resource-Based Conflicts in the Asia-Pacific, available at: <https://www.unclearn.org/wp-content/uploads/library/undp304.pdf> (Visited on March 7, 2025).

“Chapter VII” operates through the broad and adaptable wording of the Charter. The powers of the Security Council are not just limited to classical warfare or aggression by one state against another. Practically, the Council has widened its ambit to cover inter-continental armed conflicts, mass atrocities, and threats emanating from non-state actors. By this logic, then violence induced by climate change would also be a qualifying circumstance, especially where the effects are transboundary or where state inaction is exacerbating the insecurity. The Charter being so flexible and regarding the evolving nature of international security legitimizes such an interpretation. In fact, more and more legal scholars and practitioners in international law are beginning to view security-related environmental threats as within the purview of Security Council action. In this sense, the legal threshold under “Article 39” is not concerned with the source of the threat but rather its capacity to upset peace and security. It is true that climate-related droughts or floods or resource competition stem from natural systems, but the downstream consequences are conflict, displacement, and lawlessness—they articulate exceptionally well within the mandate of the Security Council. This legal view thus substantially supports the task of the United Nations to actively intervene in existential ecological issues before it is too late.¹⁴⁵

Traditional vs Non-Traditional Threats

From the creation of the United Nations, there has been something of a morphological evolution in the conception of the “threat to the peace” in international law. The term has traditionally been associated with more or less overt overseas wars and military aggression between states. Nonetheless, the Security Council has slowly but steadily expanded the conception to encompass such non-traditional threats as civil wars, genocide, terrorism, and possibly environmental degradation. The changing practice of the Security Council

attests to the shifting nature of world dangers. Legal definitions cannot remain rigid while the sources of instability diversify and increase. Whereas modern Chapter VII resolutions operate not on direct military confrontations, but rather address broader sorts of threats like systemic terrorism and state collapse for the past quarter-century—the evolution displays the capacity of legal categories to accommodate new realities without diminishing the essence of law. Thus, climate-related conflicts fall within this broad spectrum because of the credible and demonstrated threats cast against national and international security. Application of the “threat to peace” clause to environmental-related cases should not really be regarded as revolutionary; rather, it can be viewed in the wider context of Security Council jurisprudential evolution. This way, the Council will be able to retain its relevance and potency at a time when climate change has come into its own as a major factor contributing to both geopolitical instability.¹⁴⁶

Climate Change as a Security Threat

The change in the scope for the concept of “threat to the peace” through international law has seen a drastic transformation since the very founding of the United Nations. At one time, discourse circled mostly around interstate wars and military aggression. The Security Council slowly began to waive away from strict definitions of threats to peace: civil wars, genocide, terrorism, and possibly environmental degradation. The changing practice of the Security Council protects the very sensor that translates global risks: one must now accept that legal definitions cannot remain stagnant in a world where questions of destabilization have diversified and increased. Resolutions under Chapter VII have emerged in the last few decades to address not so much military confrontations but more systemic threats to security, such as systemic terrorism and collapse of the state. This evolution shows how

¹⁴⁵ Chase Doctor, *A Destabilized World: The Effects of Climate Change on Armed Conflict and International Humanitarian Law* 163 (Independent Study Project Collection, Vermont, 1st edn., 2022).

¹⁴⁶ Renewable Resources and Conflict, available at: https://www.un.org/en/land-natural-resources-conflict/pdfs/GN_Renew.pdf (Visited on March 22, 2025).

legal categories can evolve in response to new realities without undermining the very essence of law. Climate change-induced conflicts fall under this expanded classification because they constitute actual and concrete threats to the security of states and hence international security. Thus, it is no longer unusual to apply the “threat to peace” label to environmental cases, thereby paving the way for the Security Council to remain relevant and competent where climate change has become one of the greatest drivers of geopolitical instability.¹⁴⁷

U.N. Security Council’s Recognition of Climate Change as a Security Issue

Climate change as a security threat was once a subject discussed only within political circles or academic literature. The Secretary-General in the Report “Climate Change and Its Possible Security Implications” (A/64/350, 11 September 2009) describes, inter alia, the ways climate change undermines the stability of states through food security, water security, and movements of populations. Such situations already confront dire situations in the fragile states, as weak systems of governance are unable to build resilience to environmental shocks. Accordingly, ecological stress leads to the political collapse of the state, violent extremism, and regional instability. This chain of causality metamorphoses climate change from a long-term environmental issue into a clear and present threat to peace. It is clear that climate change exacerbates other risk factors by hastening conflict in areas where peace is already fragile. Here, the legal instruments offered by “Chapter VII of the UN Charter” become crucial. Waiting for large-scale violence to occur undermines the Charter’s spirit of prevention. Instead, by legally acknowledging the security consequences of climate change, the UN may impose sanctions, deploy peacekeeping forces, or even engage in military action prior to escalation of violence.

This preemptive angle would incorporate the environment within the peacekeeping mandate of the Security Council and would thereby add a legal framework into the broader international agenda for a sound and responsive global order.¹⁴⁸

Discussions and Statements

Security Council engagement with climate security began formally in 2007 and gathered further momentum in 2011, 2013, and 2021 through debates and presidential statements. The major milestone was the adoption of the “Statement by the President of the Security Council” (S/PRST/2011/15, 20 July 2011), in which the Council for the first time explicitly recognized that the impact of climate change may aggravate existing threats to international peace and security. Saying that it may be a threat to peace and security but not binding on itself, the Security Council acknowledged the potential of climate change to undermine state stability, to cause displacement of populations, and to increase competition for scarce resources—The first and essential turning points in the Council’s inclination to cast environmental degradation as being under its purview. In 2013, the Security Council considered the linkages between climate change and security in relation to the Sahel region, where prolonged drought and desertification had contributed to food insecurity and violent extremism. This was further established during the 2021 open debate as many member states expressed support for the inclusion of climate risk assessment in peacekeeping mandates. Such statements denote not merely political endorsement but also serve as interpretive approaches to extend the legal meaning that “Article 39” may cover. Repeated intervention by the Security Council affirms climate change is not peripheral to its mission but is increasingly at the heart of the growing concept of international peace.

¹⁴⁷ Climate induced conflicts: Sources of insecurity in Africa, available at: <https://amaniafrica-et.org/insights-on-the-psc-session-on-climate-induced-conflicts-sources-of-insecurity-in-africa/> (last visited on April 11, 2025).

¹⁴⁸ Understanding Human Rights and Climate Change, available at: <https://www.ohchr.org/sites/default/files/Documents/Issues/ClimateChange/COP21.pdf> (Visited on April 5, 2025).

Failed Attempts to Pass Resolutions

In spite of an increasing general consensus in the Security Council and multiple deliberations, attempts to establish a treaty on the issue of climate-related security risks have faced reluctant opposition. The greatest demonstration of this blocking came in December 2021, when the Security Council failed to adopt the so-called Draft Resolution on Climate-Related Security Risks (S/2021/1079, dated 13 December 2021). The resolution looked to make a binding mandate that the Security Council integrate assessments of climate risk in all operations conducted by it, particularly in conflict areas susceptible to environmental shocks. The draft resolution enjoyed the support of the majority of Council members, including the United Kingdom and a number of Small Island Developing States, yet found itself vetoed by India and Russia. India posited that climate change should retain its domain to technical bodies like the United Nations Framework Convention on Climate Change (UNFCCC), while Russia said its concerns pertained to the politicization of climate issues. These arguments reveal the very friction between environmental governance and global security frameworks. The failure of this resolution itself points further to the legal impotence of the Council, which remains at the mercy of the vested interests of permanent members. The introduction of the resolution and serious debate around it testify to the existence of a legal and diplomatic will toward formalizing climate change within the realm of Chapter VII action. The veto never set aside the *raison d'être* of the resolution; instead, it only delayed the ultimate necessity of further adapting international peacekeeping and conflict prevention to climate risk, both legally and on the ground.¹⁴⁹

¹⁴⁹ Stanford-led study investigates how much climate change affects the risk of armed conflict, available at: <https://news.stanford.edu/stories/2019/06/climate-change-cause-armed-conflict> (last visited on April 11, 2025).

LINKING CLIMATE CHANGE TO SECURITY THREATS

Despite the growing political consensus and repeated debates, attempts have run into stiff opposition to adopt a legally binding resolution. Perhaps the most notorious failure of the Council was in December 2021, when it failed to adopt a draft resolution called “Draft Resolution on Climate-Related Security Risks” (S/2021/1079, 13 December 2021). The resolution would have forced the inclusion of climate risk assessments into all Security Council activities, especially in conflict-prone areas susceptible to environmental shocks. The draft was supported by most Council members, including the United Kingdom and several small island developing States, but it was vetoed by India and Russia. India argued that technical agencies such as the United Nations Framework Convention on Climate Change (UNFCCC) should take care of climate change, whereas Russia claimed that the issue had been politicized. These contrary views are indicative of the persisting tensions between environmental governance and global security frameworks. That resolution’s failure unfortunately showed how the Council’s legal response has been limited by the conflicting political interests of the permanent members of the Council. The introduction and serious debate around the draft showed, however, that there is a hunger in certain quarters for the formal treatment of climate change as a matter for Chapter VII action. The veto did not undercut the rationale for the resolution; rather, it merely delayed an inevitable thrust to integrate climate risks within the legal and operational paradigm of international peacekeeping and conflict prevention.

U.N. Resolutions and Reports on Climate Change and Security¹⁵⁰

Until recently, the subject of peace and security was a rather traditional one composed of border disputes, interstate invasions, and the

¹⁵⁰ Climate, peace and security: what we need to know, available at: <https://www.un.org/en/peaceandsecurity/climate-peace-and-security-what-we-need-know> (last visited on April 11, 2025).

like into conventional manifestations of an “Article 39” conflict. Yet a new dynamic in the maintenance of international security is underway. Terrorism, cybercrime, and climate change have taught countries that there need not be armies or weapons to inflict terrible consequences. For example, in response to acts of terrorism that, although perpetrated by non-state actors, were considered threats to international peace and security, the Security Council adopted Resolution 1373 (S/RES/1373, 28 September 2001) after the 11th of September attacks, marking an important turning point in the Council’s interpretative method. This means from now on, the concept of threats to peace can and has changed. Environmental degradation is considered another such unconventional threat. It crosses borders and destabilizes economies and politics—thereby exacerbates social tension. Article 39 is met when these issues cause violence or large-scale displacements. This Article’s legal recognition would in no way dilute the Charter; instead, it would give the Charter a chance to realize its promise of worldwide peace through prompt and adaptive enforcement measures.¹⁵¹

General Assembly Resolutions

The linkage of climate change and security, endorsed by the various UN resolutions and reports, thereby laying the groundwork for the integration of environmental elements into the international peace and security regime. These documents serve as acknowledgments by the international community on the multifaceted effect of climate change, including the creation or fomenting of conflict. Thus, being non-binding in nature, they serve as very useful interpretative instruments in international law to aid in the reformulation of the definition of threats to international peace in Article 39 of the UN Charter. They also play a signalling role in indicating to the world that climate matters are intended by the international community to be treated as more than just matters of the environment. More particularly, these

documents sustain an extended meaning of peace and security, sensitive to long-term structural threats. These instruments would facilitate Security Council interventions, under Chapter VII, in situations where climate change may aggravate ongoing tensions or cause the emergence of entirely new conflict dynamics.¹⁵²

Secretary-general’s Reports

Numerous United Nations General Assembly resolutions have been adopted reconfirming the link between climate change and resource scarcity and the outbreak of conflict, with water security bearing the greatest emphasis. One such landmark resolution is “Resolution 75/280” (A/RES/75/280, 23 December 2020), drawing attention to the urgent need for just and sustainable water resources management with specific emphasis on transboundary waters. It recognizes the need for clean water not only for the purposes of development or health considerations but also for political stability and peace. It also warns that water scarcity, arising out of or accentuated by climate change, may prompt interstate conflict and internal disturbances. As such, this acknowledgment by the General Assembly remains a watershed in building a reciprocal relationship between environmental phenomena and the legal conception of international peace and security.

CONCLUSION

Climate-induced conflict is a paradigmatic shift in how the international community must understand, interpret, and respond to threats to global peace and security. It challenges traditional legal frameworks, which have tended to be framed around conventional warfare and state-centric threats, by giving ecological degradation and environmental stress a disruption-as-a-core-conflict role. Natural disasters have become more frequent, weather patterns change in the long term, and water scarcity, agricultural productivity, and sea-level rise are just some environmental developments:

¹⁵² Climate-induced migration & conflict, available at: <https://www.visionofhumanity.org/climate-change-induced-migration-conflict/> (last visited on April 11, 2025).

each of these alone feeds and catalyzes existing social, political, and economic grievances. The fierce competition for scarce resources or the resulting mass displacements blur ever more the interface between social environment pressure and armed conflicts. In response to this changing global reality, therefore, the legal infrastructure of the United Nations—the enforcement framework set forth in “Chapter VII of the UN Charter”—must likewise adjust. The Charter, by virtue of “Article 39”, provides scope to characterize a “threat to the peace” as per the Security Council’s own determination, thus vesting that organ with the discretion but might to respond thereto. Any political tensions arising from climate, found to engender destabilization, would fulfill the threshold of such threats and thus activate the legal regime permitting preventive, diplomatic, or coercive measures.

The strategic and normative evolution of Security Council practice reflected in parliamentary debate, peacekeeping mandates, and jurisprudential developments emanating from global judicial bodies witnesses an increasing recognition of climate change’s security dimensions. Advisory proceedings before the International Court of Justice and the International Tribunal for the Law of the Sea are redrawing the contours of state responsibility in respect of damage to the environment, whereas the Security Council resolutions such as “Resolution 2643” show an incremental knife edge between climate risk and peacekeeping mandates. These developments show the growing willingness within the international regime to stitch the age-old separation between environmental governance and international security together. However, political resistance, definitional murkiness, and institutional inertia keep affixing a brake on the operationalization of “Chapter VII” in climate-related conflicts. The further states with considerable geopolitical clout stand divided on whether climate change should even fall within the ambit of the Security Council. Opportunities for anticipatory civilian

action thus get missed repeatedly, even though continents are teeming with early warnings and empirical data supporting the need for such action. This impasse, in turn, exposes a disconnect between legal potential and political will—a void that must be addressed for the UN to act as a preventive mechanism for resource wars, exacerbated by climate degradation.¹⁵³

Reflecting on the strategic and normative evolution of Security Council practice—the actual debates, peacekeeping mandates, and emerging global jurisprudence—climate change is increasingly appreciated as a security concern. Environmental adversities resulting from state actions are being delineated and redefined through advisory proceedings before the International Court of Justice and the International Tribunal for the Law of the Sea, whereas Security Council Resolution 2643 points to an incremental transformation of the concept of climate risk into peacekeeping. These developments hint at a slowly opening acceptance in the international system to bridging the lingering separation between environmental governance and international security. However, political inhibition, definitional indeterminacy, and institutional inertia have delayed the formal invocation of “Chapter VII” in climate-related conflict. Influential states continue to obstruct a consensus as to whether climate change stands within the ambit of the Security Council. By consequence, opportunities for anticipatory action are missed most of the time, even though the early warning systems, as well as empirical data, argue in favor of such intervention. This stagnation brings to light the legal-political dichotomy that calls for urgent closure if the UN is to shoulder its mandate of preventing resource wars exacerbated by climate degradation.

The obligation of the UN under “Chapter VII” to prevent climate-induced conflicts is not speculative; it is actually a logical extension of

¹⁵³ International Legal Protection of Human Rights in Armed Conflict, available at: https://www.ohchr.org/sites/default/files/Documents/Publications/HR_in_armed_conflict.pdf (Visited on February 25, 2025).

the founding mission of the United Nations as well as the flexible and evolving interpretation of its Charter. Peace cannot be secured in a vacuum devoid of ecological sustainability, nor can legal doctrines remain static in the face of transformative global threats. Once environmental threats are counted legally among threats to peace and security, this is not a mere academic issue but rather a matter of immediate concern calling for the reshaping of legal reasoning from the perspective of present challenges and future threats of conflict brought about by climate change. From the standpoint of doctrinal legal analysis, this redefinition immediately links itself to other more general principles of international law, such as the duty to prevent foreseeable harm, the promise of collective security, and the obligation upon international institutions to act in face of new global challenges. These principles demand that legal mechanisms, including those under “Articles 41 and 42” of the Charter, be interpreted dynamically to encompass the risks posed by environmental breakdown. The legitimacy of this approach is reinforced equally by doctrinal scholarship and the real-life experiences of vulnerable communities facing climate-driven conflicts in multiple regions.

