

Don't kill the bee!

Legal insights to combat the biodiversity crisis

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PANEL 3. Towards a species and ecologically just society

How International Humanitarian Law (over)looks Non-human Victims of Armed Conflict

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Animals played a significant role in wars throughout the ages: they were employed for transportation, combat operations, feeding soldiers, mailing messages, etc. Yet, they could not find space for protection under international humanitarian law (IHL), which appears to leave animals aside and forsaken, likely because the legal value of nonhuman animal beings has been subject to controversies among the international community.

While the anthropocentric nature of IHL primarily brings human victims into the focus of protection, animals can also be seen as collateral victims of the devastating consequences of war. Although IHL does not explicitly protect animals, sometimes safeguarding animal lives or health is tightly linked to human survival and in this way, it provides guarantees for animal protection as well.

Since Russia's invasion of Ukraine, multiple reports indicate that animals suffered in different occurrences: Companion animals were abandoned as owners flee the war in other countries, shelters for rescue animals ran out of food causing the death of thousands of stray animals, farm animals have been exterminated due to shutting down production in conflict zones, zoos in various cities were targeted during attacks living hundreds of captive animals killed or escaped and unaccounted for, civilians in the besieged city of Mariupol resorted to animal-hunting due to shortage of food and lastly, thousands of dolphins have died en masse in the Black Sea, putting the entire ecosystem now at risk.

The proposed research analyses the general phenomenon of animal victimhood in armed conflicts and how IHL addresses (if it addresses at all) the protection of animals. In doing so, a practical example from various wars and primarily from the ongoing Russia's war in Ukraine will be discussed to demonstrate deficiencies in the international legal framework applicable to the (ab)use of animals in armed conflicts.