

Angola, Famine as a Weapon

N.B. As per the disclaimer ^[1], neither the ICRC nor the authors can be identified with the opinions expressed in the Cases and Documents. Some cases even come to solutions that clearly violate IHL. They are nevertheless worthy of discussion, if only to raise a challenge to display more humanity in armed conflicts. **Similarly, in some of the texts used in the case studies, the facts may not always be proven;** nevertheless, they have been selected because they highlight interesting IHL issues and are thus published for didactic purposes.

[Source: AYAD Christophe, “L’arme de la famine en Angola”, in *Libération*, Paris, 28 June 2002. Original in French, unofficial translation.]

The weapon of famine in Angola Three million Angolans need aid and 600,000 are at risk

By the beginning of June, the mortality rate in Chiteta camp was 2.3 deaths per day for a population of 10,000. The “emergency threshold” is one death per day per 10,000. The fighting may have stopped, but the war continues. Angolans are dying by the thousand every day. It is not “merely” a famine that is decimating the Angolan population – the war continues. The World Food Programme has estimated that three million Angolans are in

need of aid; and 600,000 of them are at immediate risk of falling short, according to an estimate by *Médecins sans frontières* (MSF). But this is not the result of the two years of severe drought that has plagued southern Africa as a whole. The Angolan government has been using famine as its preferred weapon in its long final assault on the rebels of Jonas Savimbi's UNITA movement.

Scorched earth

Determined to cut UNITA's supply lines, the Angolan armed forces have had no compunction about razing entire villages and forcing the inhabitants to gather in closely guarded "camps". This scorched earth policy has been aimed at preventing UNITA from recruiting men and generally exploiting the population. Forced to leave their gutted homes and wrenched from their land, these peasant farmers faced autumn and then the winter with help from no one. In Bunjei, south of Huambo – Savimbi's former stronghold – up to 14,000 people have been assembled in the immediate vicinity of the military camp. The camp itself is protected by mines and supplied with food and beer. But just next door the displaced are dying like flies: 15 deaths per day, the majority due to malnutrition. A measles epidemic is decimating the weakest. The mortality and severe malnutrition rates are close to those recorded in Southern Sudan during the terrible famine in 1998, with a quarter of the children weighing less than 70% of normal. In Chipindo, 4,000 out of a total population of 18,000 have died since last September.

It was not until Savimbi was killed in combat on 22 February and the peace agreement was signed on 4 April that the army finally relaxed its stranglehold on the camp. The bravest set out on foot for the north, where they had heard that Western NGOs were distributing food. That was when *Médecins sans frontières* began to see "refugees from the interior" arrive on the point of collapse.

According to their accounts, the homes of over 90% of them had been burnt down. After

several refusals, the French NGO was finally allowed to conduct an exploratory mission, in the course of which it “discovered” the Bunjei camp.

The weakest of the children are now being cared for in Bunjei, where the camp’s population has increased to 20,000 and the mortality rate has stabilized. But there are scores of other Bunjeis along an imaginary line drawn from Lobito to Luena, running west to east following the line of the 2001-2002 government offensive. These territories are known as “grey areas”. Since total war resumed in 1998, 80% of Angola’s territory has been closed to any form of humanitarian aid, access being prohibited by both the government and the UNITA rebels. There doubtless remain as yet undiscovered pockets of famine, far from the main roads, which are the only negotiable routes owing to the 12 million mines planted throughout the country – one per inhabitant. [...]

Discussion

1. a. Can starvation be considered a weapon? Is it “merely” an inevitable consequence of war? How can a famine resulting from climate conditions be distinguished from one intentionally induced by a party to a conflict? If such a party “organizes” the starvation of a population, does it thereby commit a war crime? A crime against humanity? What about in a non-international armed conflict? Is it conceivable that starvation used as a method of warfare could be outlawed in international armed conflicts but not in internal conflicts? (P I, Art. 54 ^[2]; P II, Art. 14 ^[3]; ICC Statute, Art. 8(2)(b)(xxv) ^[4])

b. Even if starvation as a method of warfare cannot be made an offence, are actions resulting in famine a violation of IHL? Is it a war crime to “raze entire villages,” to force people to assemble in camps, to burn down houses? Is it a crime against humanity? Under what conditions? And in the context of a non-international armed conflict? (P I, Art. 52 ^[5]; ICC Statute, Art. 8(2)(a)(iv) ^[4], (b)(ii) ^[4] and (xiii) ^[4] and (e)(xii) ^[4])

2. Can a party to a conflict deny humanitarian organizations access to victims of war, in particular those suffering the effects of famine, without violating IHL? If so, under what conditions? Can it deny the ICRC access to the victims? Can it deny other humanitarian organizations access? What about in a non-international armed conflict? (GC IV, Arts 23 ^[6], 55 ^[7] and 59 ^[8]-63 ^[9]; P I, Arts 69 ^[10]-70 ^[11] and 81 ^[12]; P II, Art. 18(2) ^[13])

3. Is the use of anti-personnel mines prohibited by IHL? Even in a non-international armed conflict? [See Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices as amended on 3 May 1996 (Protocol II to the 1980 Convention) ^[14], and Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction ^[15]]

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