




ACTIVATING A LAW TO PROTECT THE EARTH



"ecocide" means unlawful or wanton acts committed with knowledge that there is a substantial likelihood of severe and either widespread or long-term damage to the environment being caused by those acts.

Calling on all IUCN voting members to support making ecocide an international crime.

VOTE FOR OUR NEW & URGENT MOTION THIS WEEK



"The moment is right: the world is waking up to this simple, achievable route to protecting the future of life on earth."

Jojo Mehta,
Co-Founder & Executive Director,
Stop Ecocide International

New & Urgent Motion: Support for establishing an international crime of ecocide

PREAMBLE

NOTING the IPCC report AR6 Climate Change 2021: The Physical Science Basis on the alarming extent of climate crisis impacts already manifest around the world, including 'tipping points' already passed, and its stark warning of likely outcomes if global redressive action is not accelerated;

FURTHER NOTING the IPBES/IPCC Biodiversity and Climate Change workshop report (June 2021) on the importance of addressing the crises of biodiversity and climate change together;

AWARE that mass damage and destruction of the natural living world or 'ecocide' continues to take place with impunity, with consequences seriously exacerbating these joint crises and thereby threatening the 'peace, security and well-being of the world';

RECOGNISING such destruction, therefore, as being 'of serious concern to the international community as a whole';

CONCERNED that the Rome Statute of the International Criminal Court, which explicitly addresses crimes of such serious concern which pose such threats, still does not address environmental damage and destruction outside the context of armed conflict, despite consideration of this during the drafting of the Statute in the 1990s;

RECALLING the recent calls from climate-vulnerable states Vanuatu and the Maldives upon ICC member states to consider amending the Rome Statute to include ecocide (December 2019), as well as support from Belgium for discussion of ecocide in upcoming ICC meetings (December 2020);

WELCOMING the new legal definition of ecocide launched by an independent panel of experts in June 2021: “ecocide” means unlawful or wanton acts committed with knowledge that there is a substantial likelihood of severe and either widespread or long-term damage to the environment being caused by those acts;

NOTING that goodwill and ambition have proved inadequate in realising the aims of the Paris Agreement and the UN Sustainable Development Goals;

RECOGNISING the power of criminal law to affect cultural and moral norms as well as to deter damaging behaviour; and

AWARE that the next IUCN World Congress will not take place for another 4 years;

MOTION

**The World Conservation Congress 2020,
at its session in Marseille France, 3-11 September 2021:**

1. ENCOURAGES, in accordance with obligations arising from IUCN Resolutions WCC-2016-Res-076-EN Improving the means to fight environmental crime (sections 1,3, 4a and 4d) and WCC-2020-Res-038-EN Treating organized crime having an impact on the environment as a serious crime (section c) IUCN state members which are Parties to the Rome Statute of the International Criminal Court to support the establishment of a new international crime of ecocide by means of an amendment to that Statute;

2. RECOMMENDS IUCN state members which are Parties to the Rome Statute to make use of the recently launched legal definition of ecocide as a potential 5th international crime to develop discussion of such an amendment jointly with other sovereign States;

3. INVITES IUCN state members which are not yet parties to the Rome Statute to sign and ratify the Statute with a view to supporting such an amendment to sit alongside the 4 existing international crimes;

4. AGREES to communicate this Resolution by email and in hard copy to the Ministers of Foreign Affairs of all national governments within 1 month of the passing of this motion; and

5. REQUESTS the IUCN president and IUCN Members and Commissions to support the establishment of a new international crime of ecocide by making reference to this Resolution in all relevant contexts.

EXPLANATORY MEMORANDUM

Mass damage and destruction of the environment or 'ecocide' has been committed relentlessly over decades in pursuit of economic development and is a root cause of the global climate and ecological crisis. For the most part, no one is held responsible. By making ecocide an international crime, we create individual criminal responsibility for key decision makers as an enforceable deterrent from practices threatening the 'peace, security and well-being of the world'.

By adding the crime of ecocide to the Rome Statute of the International Criminal Court (ICC), a coherent law can be created across borders. This provides protection for the Earth's most vital and precious ecosystems while supporting the systemic changes required to transition to a safe operating pace for humanity, acting as a guardrail and guidance system for the better attainment of Paris Agreement targets and UN Sustainable Development Goals. There are currently 123 States Parties to the Rome Statute; over 50 are IUCN Member States. States Parties hold equal voting power to make ecocide an international crime.

Interest in criminalising ecocide is already a matter of public record at parliamentary and/or government level in the following countries via motions, resolutions, parliamentary questions, petitions, white papers or full proposals of law: Bangladesh, Brazil, Bolivia, Belgium, Chile, Finland, France, Luxembourg, the Maldives, Netherlands, Scotland, Spain, Sweden, the UK and Vanuatu; also at the European Parliament, the Nordic Council and the Inter-Parliamentary Union.

In November 2020, an independent panel of top international criminal and environmental lawyers from around the world was convened by the Stop Ecocide Foundation to draft a definition of ecocide crime which could be proposed at the ICC to sit alongside genocide, war crimes, crimes against humanity and the crime of aggression.

In June 2021 the panel reached the following consensus definition: "ecocide" means unlawful or wanton acts committed with knowledge that there is a substantial likelihood of severe and either widespread or long-term damage to the environment being caused by those acts.

This language builds strongly on legal precedent with reference in particular to ENMOD and the Geneva Convention as well as the existing Rome Statute crimes, striking a balance between the protection of ecosystems and integration with and enhancement of existing laws, both national and international. In the context of newly published reports (IPBES/IPCC workshop report, June 2021 and IPCC AR6 report, August 2021), this definition offers, for the first time, a clear, credible basis on which governments can work together to put in place genuinely enforceable protection for nature and future generations of all species, including our own.

There is an unprecedented opportunity and urgency to pursue this now, with the UNFCCC COP26 imminent, and a rising awareness of the seriousness of our global predicament. It is of the utmost importance to take decisive action in the next few years to address the global climate and ecological crisis. Ecocide law is a simple, strategic intervention that can create positive impact at scale, accelerating the transition to a sustainable society functioning in harmony with nature.

It's time to transform our relationship with nature from one of harm to one of harmony

Our core work is activating and developing global cross-sector support for an international crime of ecocide. We collaborate with diplomats, politicians, lawyers, corporate leaders, NGOs, indigenous and faith groups, influencers, academic experts, grassroots campaigns and individuals to this end.

Our work sits at the intersection of legal developments, political traction and public narrative, and is thus uniquely positioned both to support and to amplify the global conversation.

The route we advocate is that of amending the Rome Statute of the International Criminal Court (ICC), the only global mechanism which directly accesses the existing criminal justice systems of its 123 member states.

Member states which ratify the crime must include it in their own domestic law, creating a uniform rule across jurisdictions. In this way Earth's most precious ecosystems can be protected and allowed to recover.

SUPPORT FOR THIS LAW IS GROWING, THE WORLD IS WAKING UP



"This is a fifth category of crimes against peace, which should be recognised as such by the international community."

Pope Francis
Bishop of Rome and
head of the Catholic Church



"[EU leaders and heads of state must] advocate to make ecocide an international crime at the International Criminal Court."

Greta Thunberg
Environmental Activist



"highly desirable" to include ecocide as a crime at the International Criminal Court

Antonio Guterres
UN Secretary General

HELP US MAKE ECOCIDE AN INTERNATIONAL CRIME

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