

• STOP ECOCIDE FOUNDATION •

Statement to the 20th Assembly of States Parties to the Rome Statute of the International Criminal Court

December 2021

Ladies and Gentlemen, Your Excellencies, Distinguished Delegates, we would like to begin by acknowledging the dedicated work of all those involved in the review and reforms taking place here at the Court. We trust and believe the Court will emerge stronger from this important internal process.

Looking outward, the Court's remit is to deal with the crimes which most "threaten the peace, security and well-being of the world".

Our global community faces twin threats at this time, threats that call for urgent action. They are the interlinked threats of climate change and biodiversity loss, at levels so serious that the recent IPCC report described changes already being set in motion - such as continued sea level rise - which are irreversible even over many centuries. The report also noted that the internationally agreed threshold of global heating (of 1.5 degrees above pre-industrial levels) was perilously close. But these are not naturally occurring threats or changes. They share a key root cause in the mass damage and destruction of ecosystems, now increasingly being named for the crime it is: the crime of **ecocide**.

Two years ago at the 18th session of this Assembly, two of the most climate-vulnerable countries in the world, Vanuatu and the Maldives, had the courage to call for serious consideration of including this crime under the Rome Statute. And at last year's ASP, Belgium concurred, declaring: *"it would be useful to examine the possibility of introducing crimes known as 'ecocide' into the Rome Statute system"*.

In direct response to growing diplomatic and political interest, our Foundation last year convened an Independent Expert Panel of 12 renowned international criminal and environmental lawyers from around the world. Their remit was to draft a clear and robust legal definition of ecocide as a 5th international crime.

The Expert Panel reached consensus in June of this year. The resulting text is concise, balanced, and strongly based on precedent. It may, we trust, serve as a useful draft for member states of this Assembly to consider. The core text is this: ***"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.***

The text has been well received in the political world. Parliamentary or government-level discussion of criminalising ecocide is now on public record in at least 17 of the ICC's member states. Just last week, the Belgian parliament passed a resolution by an overwhelming majority calling on its government to propose recognition of ecocide here at the ICC.

There is broad and significant civil society support for recognising this crime internationally. From the Global Citizens Assembly to faith leaders Pope Francis and Patriarch Bartholomew; from the indigenous Alliance of Mother Nature's Guardians to the youth movement Fridays For Future, it is an explicit demand. A recent statement from the International Corporate Governance Network, an investor-led group of firms managing over \$59 trillion in global assets, specifically called on governments to "collaborate internationally to criminalise ecocide".

We respectfully suggest to the Assembly that it is time to address the criminal threat to the future of human civilization in all seriousness. Ladies and gentlemen, your excellencies, distinguished delegates, we invite you to support the call of a world under threat and to stand in solidarity with future generations, and with each other. We invite you to amend the Rome Statute to include a crime of ecocide.

Thank you.



Jojo Mehta
Chair of the Board

