

R5new Criminalise Ecocide!

Proposers:

Agenda item: 4. Resolutions

Motion text

1 The exploitation of natural resources is the base of the current economic and
2 productive model. This exploitation is not based on satisfying people's needs,
3 but on the accumulation of wealth and power for very few at all costs.
4 Therefore, it carries with it the destruction of ecosystems and the natural
5 relations among wildlife and the context where all living beings thrive and
6 grow. We must put an end to this exploitation of Earth. Climate activists and
7 scientists have been warning about the great dangers of this exploitation and
8 its connection to social, gender, and racial injustice across all societies.
9 Moreover, in October 2021, the United Nations Human Rights Council recognised
10 for the first time that having a clean, healthy, and sustainable environment is
11 a human right, adding to the decades-long effort in international law to make
12 the right to a healthy environment a human right – including the conclusion of
13 the UN Special Rapporteur on Human Rights in 2019 that “human rights norms apply
14 to the full spectrum of environmental issues”; and the determination of the
15 United Nations Human Rights Committee, which decides on violations of the
16 International Convention on Civil and Political Rights, in 2020 that access to a
17 clean and healthy environment falls under the right to life.

18 During the last months, we could celebrate the success of environmental
19 litigations against the actions of public and private institutions. For example,
20 a French administrative court recognised that the French State could be held
21 responsible for failing to meet its commitments to mitigate climate change; and
22 the Dutch court ruled that the petrochemical giant Shell must cut its emissions
23 and be in line with the Paris Agreement. We welcome these wins and look forward
24 to more advances in this field. At the same time, we regret the fact that
25 sanctions depend solely on the environmental laws at the national level. Crimes
26 against nature know no borders, and therefore sanctions should also be
27 prosecuted at the international level. Moreover, big polluters and corporations,
28 following their neocolonial and imperialist agenda, harm the environment and
29 natural resources of the Global South, taking advantage of the invisibilisation
30 and systemic disregard of indigenous communities and their demands.

31 In this context, we consider that ecocide, following the definition of Polly
32 Higgins as “1. Acts or omissions committed in times of peace or conflict by any

33 senior person within the course of State, corporate or any other entity's
34 activity which cause, contribute to, or may be expected to cause or contribute
35 to serious ecological, climate or cultural loss or damage to or destruction of
36 ecosystem(s) of a given territory(ies), such that peaceful enjoyment by the
37 inhabitants has been or will be severely diminished. 2. To establish
38 seriousness, impact(s) must be widespread, long-term or severe.", should be
39 included in the Rome Statute of the International Criminal Court (hereinafter
40 simply Rome Statute). The sanctions imposed so far have been insufficient, and
41 in most cases, the big corporations already include in their budgets paying
42 fines for their environmental crimes. In the current context of climate
43 emergency, we cannot accept mass destruction in exchange for money. Our rights
44 are not for sale. The emissions, deforestation, and pollution of air and water
45 will not stop as long as profit is put before people. In order to protect
46 people, we need more legal tools. Criminalising ecocide would make it possible
47 to prosecute those who do the most damage to the environment. Its power lies in
48 the fact that it would make big polluters reconsider their actions, as they
49 would be put in the same box as war criminals, and that is not good for
50 business.

51 With this resolution, the Federation of Young European Greens:

- 52 • Denounces the exploitation or destruction of the environment performed by
53 public and private institutions, and state and private actors, especially
54 those of the Global North in the Global South through practices of
55 (neo)colonialism and (neo)imperialism, and urges the corresponding
56 institutions and actors to initiate processes for historical compensation.

- 57 • Urges the European Union to call on its Member States to implement
58 national legal frameworks that align national and multinational companies
59 in their territory to the EU Climate Law.

- 60 • Calls on all European states that have ratified the Rome Statute to
61 propose and push for the adoption and ratification of the correspondent
62 amendment to add the crime of ecocide in its list of crimes based on the
63 draft law proposed by Polly Higgins, wherein the jurisdiction of the ICC
64 for ecocide is explicitly expanded to include corporations.