R5 A1: Criminalise Ecocide!

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Motion text

Delete from line 8 to 10:

its connection to social, gender, and racial injustice across all societies. Moreover, in October 2021, the United Nations Human Rights Council ~~(HRC)~~ recognised for the first time that having a clean, healthy, and sustainable

From line 25 to 28:

In this context, we consider that ~~Ecocide, defined~~ecocide, following the definition of Polly Higgins as ~~"widespread and/or long-term mass~~"1. Acts or omissions committed in times of peace or conflict by any senior person within the course of State, corporate or any other entity's activity which cause, contribute to, or may be expected to cause or contribute to serious ecological, climate or cultural loss or damage ~~and~~to or destruction of ~~ecosystems"~~ ecosystem(s) of a given territory(ies), such that peaceful enjoyment by the inhabitants has been or will be severely diminished. 2. To establish seriousness, impact(s) must be widespread, long-term or severe.", should be included in the Rome Statute of the International Criminal Court ~~(ICC)~~(hereinafter simply Rome Statute). The sanctions imposed so far have been insufficient, and in most cases, the big corporations already include

From line 39 to 42:

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

From line 46 to 49:

- Calls on all European states that ~~ratified the Rome Statute of the International Criminal Court (ICC) to propose the correspondent amendments to include Ecocide in its list of crimes and, once changes are made, to ratify the new text.~~ have ratified the Rome Statute to propose and push for the adoption and

ratification of the correspondent amendment to add the crime of ecocide in its list of crimes based on the draft law proposed by Polly Higgins, wherein the juridisction of the ICC for ecocide is explicitly expanded to include corporations.

Reason

The amendment:

1. Changes the definition of ecocide to a legal definition as proposed by Polly Higgins in her book *Eradicating Ecocide: Exposing the Corporate and Political Practices Destroying the Planet and Proposing the Laws Needed to Eradicate Ecocide*, as well as her draft law submission to the United Nations International Law Commission in 2010.
2. Further specifies operative clause 3 regarding the adoption of the crime of ecocide in the Rome Statute as well as the expansion of the jurisdiction of the ICC for the crime of ecocide over corporations.
3. Reframes focus of operative clause 1 to the Global North.

Why:

1. Seeing that this is largely a legal resolution, it is important that we pursue a sufficiently clear legal definition of ecocide that would expand the jurisdiction of the ICC over corporations and corporate activity and thus create a duty of care for the State, individuals and corporations. The definition proposed by Polly Higgins does so.
2. It's important to stress the expansion of the jurisdiction of the ICC, which currently only has jurisdiction over individuals and States, as this was one of the key aspects of a crime of ecocide. The draft law proposed by Polly Higgins is explicitly mentioned to provide a framework for such an amendment. The procedure was also further specified for clarity to include the adoption then ratification of such an amendment.
3. Another key aspect of a crime of ecocide was to amplify the responsibility of the Global North, as the ICC can be argued to be a tool of Western imperialism reinforcing the repression of the Global South, particularly Africa, in its continued persecution of politically and developmentally weak states yet inaction to hold larger global powers accountable. Alongside the expansion of jurisdiction over corporations, it's important to emphasise the destruction caused *by* the Global North in the Global South. (Furthermore, the original text seemed to imply emphasis of public and private institutions in the Global South).
    1. Destruction was added as actions of (neo)colonialism and (neo)imperialism did/do not always constitute exploitation of the environment.

2. State and private actors was included to further emphasise responsibility of individuals and corporations.