

Protecting human rights and nature through international law



*To achieve a **Nature-Positive World** by 2030, international law is necessary.*

**Human rights and environment are interrelated:
human wellbeing depends on healthy natural systems.**

But the law that protects human rights is inadequate to protect our environment and inadequate to protect human rights.

- An international crime of ecocide sends a message that massive unsustainable harm to the environment is one of the greatest global challenges to the survival and wellbeing of present and future generations.
- An international crime of ecocide protects people and planet in ways that current international law does not:
 - International human rights law is binding only on states
 - BUT with a crime of ecocide, top decision makers, from all spheres, can be held personally accountable.

Ecocide law should be seen as a tool to protect human rights.

- Approaching the crime of ecocide through a human rights lens reveals the human stories of the impacts of climate change and environmental destruction, and has the best chance of generating awareness, accountability, and protection for all.



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Human rights due diligence standards can help actors understand how to avoid ecocide charges, and make the crime an effective and enforceable deterrent.

Background/overview

The proposed new international crime of ecocide describes the most serious acts of environmental destruction. An independent panel of experts in international law has produced a definition of ecocide for inclusion in the Statute of the International Criminal Court, alongside genocide, crimes against humanity, war crimes and the crime of aggression. As an international crime, ecocide could be prosecuted anywhere, and would not be dependent on national law or domestic political will. In addition, as environmental damage can have cross-border and even global impacts, it makes sense to address it on the international level. International crimes are acts with such severe consequences that they are of concern to humanity as a whole. The number of decision makers that take such decisions is small, but the harm caused is large. Making ecocide a crime would enable the legal system to hold these few top decision makers personally accountable. This can stop harm before it happens.

The expert panel proposed definition of ecocide

1. For the purpose of this statute, “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.

2. For the purpose of paragraph 1:

- a. **“Wanton”** means with reckless disregard for damage which would be clearly excessive in relation to the social and economic benefits anticipated;
- b. **“Severe”** means damage which involves very serious adverse changes, disruption or harm to any element of the environment, including grave impacts on human life or natural, cultural or economic resources;
- c. **“Widespread”** means damage which extends beyond a limited geographic area, crosses state boundaries, or is suffered by an entire ecosystem or species or a large number of human beings;
- d. **“Long-term”** means damage which is irreversible or which cannot be redressed through natural recovery within a reasonable period of time;
- e. **“Environment”** means the earth, its biosphere, cryosphere, lithosphere, hydrosphere and atmosphere, as well as outer space.

