

ECOCIDE LAW – A defining step towards environmental accountability

WHAT

‘Ecocide’ means causing severe, and widespread or long-term damage to the environment and it is destroying nature on which we all depend. It also undermines sustainable businesses.

Overwhelmingly, a small fraction of decision-makers are responsible.

Examples of ecocide occurring today:

- Large-scale destruction of forests
- Oil exploitation in the Niger Delta
- Canada's tar sands

There is currently no effective way to stop this.

HOW

By amending the Rome Statute, ecocide can become an international crime, prosecutable at the International Criminal Court in The Hague. Persons of superior responsibility could then be held personally liable. This would change corporate risk perception, **stopping many potentially ecocidal activities from occurring.**

Though not all countries are signatories to the Rome Statute, once the crime is in the Statute, any country subscribing to the principles of Universal Jurisdiction can prosecute non-nationals if a perpetrator sets foot in their territory.

To amend the Statute, two thirds of the States Parties to the Rome Statute need to support the amendment, and each state has an equal vote.

A legally robust definition of the proposed crime is being drafted right now..

A number of states have already raised the need for ecocide law. More are needed. **Companies can play a critical role** in encouraging governments.



ECOCIDE LAW ALLIANCE

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WHY

Adoption of an Ecocide Law in the Rome Statute corrects a flaw in our global economic and legal systems: the overarching law to protect people and planet is missing. When law is missing, only law can fill the gap.

Since businesses source and market all over the world, **law needs to be international**. In addition to protecting vital ecosystems, such legislation sets boundaries for how profit can be generated, levelling the playing field for business and contributing to **fair competition**.

By protecting carbon sinks in living nature, criminalising ecocide will also **reduce climate related risks**.

Those who act decisively, ensuring their business is **taking a lead for the future**, are likely to be more successful than those who lag behind.

Open support from business and other organisations is crucial, because there are powerful industries that have short-term profits to gain by continuing what they are doing. Their voices will be marginalized when responsible business leaders clearly voice the need to criminalize ecocide.

Standing up for ecocide law is an **ethical choice**. It shows a commitment to sustainable business that goes way beyond simply abiding by current regulations.

Making that ethical choice may also be a boost for your business, helping you **recruit the right talent**. Increasingly, those who can pick and choose are opting to work for organisations driven by a purpose beyond profit.

ACT

There are three things you can do as a business leader.

1. **Promote the need for ecocide law** with your contacts, engaging others to support it. What other leaders and networks do you know who should be informed? How might you galvanise your industry?
2. If necessary, **initiate a review** to ensure your organisation has sufficient Risk Management Measures in place and follows existing national and international laws. This is however business as usual for the vast majority of companies in the world.
3. **Review and showcase the green and sustainable practices in your industry** that will become more viable or even a global standard, with ecocide law in force. We are, in the Ecocide Law Alliance, very interested in these stories.

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