The Future of Environmental Crime

Ecocide: The Missing 5th Crime Against Peace

- Scientific agreement that humanity has exceeded at least three planetary boundaries.
- Ecocide, the extensive destruction of ecosystems; large scale land use change, pollution, open cast mining remains legal and profitable.
- No comprehensive international legal agreement to deal with environmental crime.
Make Ecocide the 5th Crime Against Peace:
The extensive damage to, destruction of or loss of ecosystem(s) of a given territory, whether by human agency or by other causes, to such an extent that peaceful enjoyment by the inhabitants of that territory has been or will be severely diminished
Crimes Against Peace
Which threaten the peace and security of mankind
Set out in Rome Statute

1) Crimes Against Humanity
2) War Crimes
3) Genocide
4) Crimes of Aggression

Well-being of all life
1) Crimes Against Humanity
2) War Crimes
3) Genocide
4) Crimes of Aggression
5) Ecocide

Well-being of all life
Ecocide is the Missing 5th Crime Against Peace

- 1970s – 1990s making ecocide the 5th Crime Against Peace was examined by the United Nations.
- When excluded in 1996 many countries objected.
- Ecocide essentially a crime during war time but not in peace time. (Article 8(2)(b) of the Rome Statute)
- Detailed research: The University of London’s Report Ecocide: The Missing 5th Crime Against Peace
damage & destruction

- war
- conflict
- resource depletion
- Ecocide
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Ecocide by other causes

Examples: Tsunamis, flooding, earthquake

How law works:
- Duty of care on states to provide assistance
- Charter of the UN Article 73:
  Members of the UN... recognise that the interests of the inhabitants are paramount, and accept as a sacred trust the obligation to promote to the utmost... the well-being of the inhabitants of these territories...
- Charter of the UN, Article 75:
  The UN shall establish ...an international trusteeship system for the administration and supervision of trust territories.
200 years ago

300 companies said:
1. necessity
2. public demand
3. economic collapse

Industry proposed:
- self-regulation
- limit numbers (cap)
- leave it to market forces
- tradeable permits
- improve conditions
Today
3000 companies say:
1. necessity
2. public demand
3. economic collapse

They propose:
- self-regulation
- limit numbers (cap)
- leave it to market forces
- tradeable permits
- improve conditions
Moral wrong = criminal wrong

Just because it is the norm to destroy the Earth does not mean that it is right
ECOCIDE

crime against humanity

crime against nature

crime against future generations

Missing 5\textsuperscript{th} Crime Against Peace

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