

# Make Ecocide a Crime in International Law NOW

From rainforest  
to cattle ranch  
in Brazil 1988  
Photo:  
Mauri Rautkari,

Mikko Pyhälä, Ambassador Emeritus  
Social Forum of Finland, 3rd September, 2023  
Revised 13th October, 2023



# **Events that have been described by media as crimes of ecocide**

- **Russia is believed to have blown up the Kahovka dam in the Dniepr river in Ukraine on 6th June, 2023**
- **Unidentified operator blew up the Nord Stream gas pipelines in the Baltic Sea on 26th September, 2022**
- **Destruction of marine environments by bottom trawling and industrial fisheries**
- **Enormous oil spills in oceans**
- **Chemical accidents and weapons**

# Illegal gold mining in Venezuela destroys savana and forest south of the Orinoco river

**Minas Gran Sabana**

©BrewerCarias

Photo: SOSOrinoco



# Ecocide

- **Biologist Arthur Galston introduced the concept in 1970 (based on bombing in Vietnam and Laos with Agent Orange)**
- **Olof Palme, Prime Minister of Sweden at the Stockholm environmental conference 1972**
- **Prof. Richard Falk (Univ of Princeton) 1973 draft proposal for an international law on ecocide as a crime to the UN International Law Commission, not discussed nor agreed upon**
- **2017 Stop Ecocide Foundation established**
- **2023 European Parliament proposed to include ecocide in the revised EU directive on Environmental Crime**



Photo: Grid Arendal, establishment of palm oil plantation in Indonesia

# Environmental lawyer Polly Higgins proposed in 2010 crime of ecocide to the UN International Law Commission

Photo: Stop Ecocide International



# End Ecocide on Earth 2012

**International  
grassroots  
movement asks the  
European  
Parliament to  
recognise ecocide  
as a crime**

**Ecocide should be  
included in the Rome  
Charter of the  
International Criminal  
Court**



# Stop Ecocide Foundation 2017

## Co-Founders

**Polly Higgins, Great Britain**  
1968-2019



**Jojo Mehta, Great Britain**  
Current Executive Director



# Stop Ecocide arrived in Finland 2020

<https://ecocidelawfinland.org/>

**Over 5000 visits, over 12 000 clicks  
2020-2023**

1. In August 2020 activists Raila Knuuttila and Mikko Husman co-founded Ecocide Law Finland together with Stop Ecocide International to serve the purpose of having a campaign team in Finland. The launching event with Jojo Mehta was held in a webinar in November 2020.
2. Marko Ulvila (Siemenpuu Foundation) proposed in September 2020 to collect signatures for an appeal to the Government of Finland to support making ecocide a crime in international law.

- <https://ecocidelawfinland.org/katsovetoomus/>
- Appeal delivered to Prime Minister Sanna Marin on 7th of December, 2020, with some 150 signatures of former Cabinet members of different political parties, academicians, artists, religious leaders, scientists.
- *Helsingin Sanomat* published on 5th December 2020 an opinion article signed by Raila Knuuttila, prof. Janne Kotiaho and Mikko Pyhälä.
- Publicity 2021-2023 in printed and social media, radio



# Video message by Foreign Minister Pekka Haavisto to the official side event of COP of ICC on 11th December 2020

**INVITATION**

# ECOCIDE

AS AN INTERNATIONAL CRIME

KEY CONSIDERATIONS

**Friday 11th December 2020**  
12.00pm The Hague / 6.00am New York

19th ASP of the International Criminal Court  
The Hague/New York, 14th-23rd Dec 2020  
Official side event (VIRTUAL)

At last year's ASP in The Hague, small island States Parties to the ICC Vanuatu and Maldives addressed the need for ecocide to be seriously considered by the ICC. Support has been expressed at state level by France and Belgium, with parliamentarians in a growing number of countries now discussing this legal route to sanctioning the worst excesses of environmental damage. The event will cover key legal, historical and political considerations as well as examining the broader implications of this approach to protecting Earth's crucial life-support systems.

There will be time for Q&A

**PLEASE REGISTER FOR THIS WEBINAR**

Kindly hosted by the Republic of Vanuatu in association with the Stop Ecocide Foundation and Institute for Environmental Security



**SPEAKERS:**



Professor Philippe Sands QC  
Keele University  
International Criminal Justice Institute



Kate Mackintosh  
Executive Director  
Ecocide Institute  
UCL Law School  
of Law



Marie Toussaint  
Co-Founder  
Stop Ecocide Foundation



Tuuloma Neroni Slade  
President  
Stop Ecocide Foundation



**MODERATOR:**  
Andrew Harding  
Executive Director  
Stop Ecocide Foundation



Photo:  
Foreign  
Ministry

**"I look forward to the report of the group of experts established by the Stop Ecocide Foundation [for the definition of ecocide in the Rome Charter of the ICC]... not as retroactive, with a strong preventive effect."**

<https://www.youtube.com/watch?v=KaEFq5djkaA>

# Former President of Finland Tarja Halonen became Supporter of the Stop Ecocide campaign in 2021



Photo: Office of President Halonen

**On 31st May, 2022,  
President Halonen gave a  
speech at a civil society Pre  
Stockholm+50 Conference  
event on ecocide streamed  
to a huge audience in the  
whole world: "...the new  
international law on  
ecocide would seem to be a  
solid proposal to get under  
control serious  
destruction..."**

## Former Deputy Prime Minister of Finland Pertti Salolainen joined the Supporters of Stop Ecocide in 2022

**Salolainen is also Founder and Honorary President of WWF Finland:**

**“I am shocked by the destruction of nature I see around me and shown by the media. We are a very large number of people who want to stop that. Ecocide must become a crime in international law..”**

**Photo: Pertti Salolainen**



# Political parties

## Parliament of Finland 2022

- Initiative for Action by Mai Kivelä, MP (Left) on 3rd of June 2022 proposes that the Government of Finland give support in the ICC, signed also by some MPs of the Greens and Social Democrats
- The Party Program of the Left Alliance adopted on 12th June, 2022, supports criminalization in the ICC.
- The Party Program of the Greens 2022: make ecocide a crime in an international agreement.
- - Photo: Left Alliance



Mai Kivelä

# Environment and Climate Minister of Finland for ecocide law

**“The destruction of nature is no longer a local or national problem. Ecosystems do not acknowledge borders, and nature has no nationality. That is why ecocide should be an international crime.” – Maria Ohisalo in a webinar hosted by the Government of Vanuatu and Stop Ecocide International on 2nd March 2023**



**Photo:  
Ministry of  
the  
Environment**

# The European Parliament supports inclusion of ecocide as a crime in the EU Environmental Criminal Law



Photo  
Stop  
Ecocide  
International

- European Parliament decided on 29th March 2023 to support inclusion of ecocide in the EU Directive on Environmental Crime.
- Sirpa Pietikäinen was the Opinion Rapporteur of the Committee on Environment, Public Health and Food Safety (ENVI) with regard to the new EU Environment Law.



Photo:  
Sirpa  
Pietikäinen

**“We demand adding ecocide in national and EU legislation as well as promoting it globally”**

# **Youth Alliance of Finland hopes that Governments of Finland and other Nordic countries would give support**

**At the Stockholm+50 Climate Conference in 2022 the Nordic youth expressed their wish that the Nordic Council of Ministers would discuss criminalization of ecocide.**

**Paula Lehtomäki, Secretary General of the Council, promised that there will be such discussion.**

**The matter is on the agenda of the Council, but no decision has been reached.**



**Photo: Nordic Council of Ministers**

# PROTECT THE PLANET

The international independent panel of experts



Dep.chair

Co-chair

Co-chair

# The legal definition



# The definition proposed by the panel in June 2021

ecocide

*“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.*

# Note about the panel

- **The panel of experts was established by the Stop Ecocide Foundation in 2020**
- **The panel was proposed by Members of the Parliament of Sweden (parties in the government)**
- **Co-chair Philippe Sands QC, expert on environmental and human rights law, especially the Nuremberg Tribunal of 1948**
- **Other Co-chair is Dior Fall Sow (Senegal)**

Photo: Stop Ecocide International



# Note about the definition

- Not retroactive
- If too comprehensive, might not be accepted by governments
- If too mild, would not have teeth
- All ecological spheres of the Earth are targeted
- Expressions and concepts are taken from existing international law
- The definition does not list typical crimes, indictments are confirmed and handled by a panel of three Judges of the ICC
- Significant preventive impact also in the business world
- Inhibits unfair and destructive competition
- Possibility to foresee consequences of one's own actions
- *The Financial Times*: projects potentially harmful to the environment could face difficulties in getting financing, guarantees, insurances and permits

# Making ecocide a crime received international support

- **Governments: Vanuatu, The Maldives, Belgium, Samoa, Bangladesh, Bolivia, Kenya, Liechtenstein**
- **European Parliament** statements 2021, 2023
- **Council of bishops of Sweden** supported in September 2021
- Encouragement to governments to discuss ecocide by **Executive Vicepresident of the European Commission Frans Timmermans** 2021
- **International Corporate Governance Network** support for ecocide law 2021, 2022
- **Pope Francis** supported criminalization in XI 2019, 2022
- **President Macron of France** supported the international aspiration June 2020
- **Ortodox Ecumenical Patriarch Bartholomew** international law to consider ecocide October 2021
- **UNSG Antonio Guterres** wished for criminalization 3rd July 2021
- **Inger Andersen, Executive Director of UNEP** 5th June 2022 word ecocide will eventually get into UN vocabulary
- **International Parliamentary Union** support for criminalization

# Patriarch Bartholomew receives letter from Jojo Mehta in Finland on 11th September, 2023



L: Pertti Salolainen  
R: Mikko Pyhälä  
Photo: Pertti Salolainen

”On enshrining the Care of Creation in international criminal law”

# The way forward

**Conference of the States Parties to ICC December 2023 in The Hague conversation to continue at least informally**

**To be debated if half of the States Members (62) support it. Approval when 2/3 of them support (82). Small island states have an important share of the votes.**

**Civil society / Global Major Groups opinion increasing weight – UN Youth Task Force, also Avaaz, SumOfUs/Eko, Parliamentary Union of the Council of Europe**

**Targets circular economy, carbon binding farming, ban on polluting plastics, driving down fossile energy**

- **A separate agreement on ecocide would not work out because consensus would not be agreeable to USA, Russia, China, Saudi Arabia, Iran, Israel**
- **Can the Nordic Countries agree?**
- **Brasilian president Lula da Silva has difficulties in fulfilling his good promises.**
- **Can China's promise of carbon neutrality have impact on China's imports from Brazil?**

# ECOCIDE ALLIANCE

**Collaborative forum for  
Members of  
parliament:  
international  
parliamentary alliance  
for the recognition of  
ecocide as a crime**

- Coordination:
- Marie Toussaint MEP  
France
- **Sirpa Pietikäinen, MEP**  
Finland
- **Simon Holmström, MP**  
Åland Islands

- **Eufemia Cullamat, The Philippines**
- **Rebecca Le Moine, Sweden**
- **Larissa Waters, Australia**
- **Caroline Lucas, UK**
- **Rodrigo Agostinho, Brazil**
- **Ines Sabanes, Spain**
- **Lindsey Schromen-Wawrin, USA**
- **Samuel Cogolati, Belgium**
- **Lammert Van Raan, The Netherlands**
- **Raphaël Mahaim, Switzerland**
- **Eleonora Evi, Italy**
- **Elizabeth May, Canada**

# **Ecocide Law Alliance**

## **Business leaders for international ecocide law**

- **Established in Sweden in June 2022. Member companies guarantee that their projects do not engage in ecocide crime.**
- **Nina Macpherson is Chair of Ecocide Law Alliance Foundation**
- **Collaborates with Principles for Responsible Investment, Exponential Roadmap Initiative etc.**
- **One of the founders of Ecocide Law Alliance foundation is Claes Dahlbäck, former CEO and Chairman of Swedish industrial nexus Investor AB, and former board member of international investment bank Goldman Sachs**



# Artists for Ecocide Law 2022

- **Coordinator 2021-2022**  
*Raila Mar* (doctoral researcher in Arctic and Art Raila Knuuttila)
- **Members are artists from several countries, from Finland also from Sibelius Academy.**
- **Ecocide Law Finland, and Artists for Ecocide Law, maintain websites, Facebook and Instagram accounts and have a varying number of volunteers.**



Photo: Raila Mar

<https://www.stopecocide.earth/artists-for-ecocide-law>

Photo: Unsplash

**Thanks for your attention !**

**Mikko Pyhälä, Chair of the Governing Council of  
the Pekka Kuusi Ecofoundation;  
Member of Stop Ecocide International Advisory  
Board**