

Amendments to draft resolution On the crime of Ecocide



№	Party	Line	Action	Current Text	Proposed Amendment	Proposal to CAS
1	Bündnis 90/ Die Grünen	1	replace	On an international recognition of the crime of ecocide:	Tackle environmental destruction:	compromise proposed: Tackle environmental destruction! For a binding international environmental law architecture
2	Bündnis 90/ Die Grünen	25	replace	that global warming must be limited to 1,5°C.	agreed to holding the increase in the global average temperature to well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels, recognising that this would significantly reduce the risks and impacts of climate change.	to accept

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3	Vihreät - De Gröna	30-36	delete	According to environmental scientists Johan Rockström (Stockholm Resilience Centre) and Will Steffen (Australian National University), these are two among four “planetary boundaries” that have already been exceeded. These “planetary		
4	Strana zelených (Czech Greens)	30-36	replace	boundaries” involve nine thresholds on core environmental issues (greenhouse gas amount in atmosphere, biodiversity, but also ocean acidification, land use for crop, consumption of freshwater...) beyond which human existence would be threatened. For these scientists, four of them had been crossed in January 2015 because of human activity since the industrial era.	These present two out of nine “planetary boundaries”, or nine thresholds on core environmental issues, beyond which human existence would be threatened. The concept has been introduced by a group of international scientists, led by Johan Rockström (Stockholm Resilience Centre) and Will Steffen (Australian National University), and comprises climate change, ocean acidification, ozone depletion, phosphorus and nitrogen cycles, biodiversity loss, land-system change, aerosol loading, freshwater consumption and chemical pollution [1]. According to these scientists, four of the planetary boundaries had been crossed in January 2015 because of human activity since the industrial era.	to accept
5	Bündnis 90/ Die Grünen	40	replace	states fail to implement national environmental laws	states fail to implement and enforce national and international environmental laws	to accept

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6	Vihreät - De Gröna	48-54	delete	5. Throughout the world, initiatives that present systemic solutions to the degradation of the natural environment through an adaptation of public and criminal international law are multiplying. Whatever the approaches (Land Law, Rights of Nature, Rights of Future Generations, Human Right to a Healthy Environment, Crime of Ecocide), all are part of an innovative socio-eco-systematic perspective, according to which, human beings are an integral part of nature. This emergence and convergence of initiatives is the expression of a historical movement in favor of adapting international standards in the face of major environmental degradation.		
7	Bündnis 90/ Die Grünen	51	delete	<i>Crime of Ecocide</i>		<i>compromise proposed to replace with : "destructions of the environment internationally described as Crime of Ecocide"</i>
8	Die Grünen	66	replace	<i>Natura 2000</i>	<i>the Habitat Directive</i>	<i>withdrawn in favour of a new compromise attached</i>

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9	Bündnis 90/ Die Grünen	67-70	replace	<i>However, we still have to fight for the recognition of nature as a subject of crime, for the generalisation of environmental crimes within the EU and for establishing that ecocides should be added within the gravest crimes as understood by the Rome Statute.</i>	<i>However, we still have to strengthen the recognition of a healthy nature being the basis of our own existence and therefore needs stronger protection within a binding international environmental law architecture.</i>	<i>compromise proposed to replace with: "The European Union has created a solid base for an ambitious environmental law. However, there is still a need to reinforce these rules considering the environmental emergency and the threat that some current governments represent to the international efforts made to protect the environment and fight against climate change. Nature needs a stronger protection within a binding environmental law architecture."</i>
10	Bündnis 90/ Die Grünen	75	replace	<i>the crime of ecocide</i>	<i>the destruction of the environment</i>	<i>withdrawn in favour of a new compromise attached</i>
11	Bündnis 90/ Die Grünen	79-85	replace	<i>In the short run, we support the demand by various movements of civil society to recognise the crime of ecocide as a crime that can be prosecuted before the International Criminal Court (ICC). For this, serious cases of environmental destruction, the health damage they cause, and the threat to the safety of the planet they represent must be recognised as crimes. Recognising the crime of ecocide in peacetime would make it possible to try the perpetrators of the most serious environmental crimes and thus engage the responsibility of the leaders of transnational corporations, heads of state or directors of partner organisations</i>	<i>In the short run, we support the aim of the ICC to assess existing offences, such as crimes against humanity, in a broader context. We welcome that the ICC sends a clear warning and declares to give particular consideration to prosecuting Rome statute crimes that are committed by means of, or that result in, inter alia, the destruction of the environment, the illegal exploitation of natural resources or the illegal dispossession of land.</i>	<i>withdrawn in favour of a new compromise attached</i>

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12	Bündnis 90/ Die Grünen	87-89	replace	Demand that the EU strengthens its law against environmental crimes, recognizing the environment as a subject and victim of crimes, and punishes the crime of ecocide. In order to do so, the EU will create a specialized Court for health and environment.	Demand that EU and its Members strengthens their law enforcement against environmental crimes and destruction. In order to do so, the EU should create a specialized Court for the environment.	withdrawn in favour of a new compromise attached
13	GroenLinks	88-89	delete	In order to do so, the EU will create a specialized Court for health and environment.		falls due to proposed compromise attached

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14	Groen	88-89	replace	In orderto do so, the EU will create a specialized Court for health and environment.	As a first stepping stone towards more stringent ecocide legislation, the Greens should seek to amend the existing directive on the protection of the environment through criminal law by removing the element of intent in article 3 when extending liability to people 'with a leading position within the legal person.' The fact that conduct should be 'unlawful and committed intentionally or with at least serious negligence' considerably weakens the directive and its interpretation with a view of criminalizing ecocide in the EU. The Greens should also seek to expand the directive to ecosystems, rather than air, soil, water, animals, plants, waste, dangerous substances and habitats within protected sites individually.	
15	Bündnis 90/ Die Grünen	90/ 91	delete	<i>The EU should ask for the recognition of ecocide within the ICC through an amendment to 92 the Rome Statute</i>		<i>withdrawn in favour of a new compromise attached</i>

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16	GroenLinks	94-103	replace	<i>In the longer run (for a next European Greens Meeting), we commit to work on a unification of all international environmental treaties (on oceans, coasts, forests, mountains, etc.) in a one single text under the normative framework of “planetary boundaries”. This text will be proposed by the European Union to the United Nations as a basis for the creation of an International Environmental Court (IEC) in</i>	<i>commit ourselves to work on a normative framework of “planetary boundaries”. This should lead to a proposal to the United Nations for the creation of an International Environmental Court (IEC) in charge of the most serious violations of international environmental law.</i>	<i>falls due to proposed compromise attached</i>
17	Bündnis 90/Die Grünen	94-103	replace	<i>charge of the most serious violations of international environmental law. So as to avoid ICC drawbacks including lack of cooperation by various states, the IEC will depend directly on the UN and thus will be universal; its legal orders will be mandatory and will prevail on national jurisdictions. The IEC and its founding statute will be the core of a binding international environmental law architecture designed to punish and, most of all, to prevent further destruction of nature.</i>	<i>In the longer run (for a next European Greens Meeting), we commit to work on our vision on a unification of international environmental treaties in a binding normative framework of “planetary boundaries”. We will foster this vision within the European Union and the United Nations as a basis for the creation of an International Environmental Court (IEC) in charge of the most serious violations of international environmental law. The IEC should depend directly on the UN and thus would be universal; its legal orders would be mandatory and shall prevail on national jurisdictions. The IEC and its founding statute should be the core of a binding international environmental law</i>	<i>incorporated in the compromise attached</i>

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18	Groen	97-103	delete	This text will be proposed by the European Union to the United Nations as a basis for the creation of an International Environmental Court (IEC) in charge of the most serious violations of international environmental law. So as to avoid ICC drawbacks including lack of cooperation by various states, the IEC will depend directly on the UN and thus will be universal; its legal orders will be mandatory and will prevail on national jurisdictions. The IEC and its founding statute will be the core of a binding international environmental law architecture designed to punish and, most of all, to prevent further destruction of nature.		

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19	Strana zelených (Czech Greens)	104	to add reference		[1] Rockström, J., W. Steffen, K. Noone, Å. Persson, F. S. Chapin, III, E. Lambin, T. M. Lenton, M. Scheffer, C. Folke, H. Schellnhuber, B. Nykvist, C.A. De Wit, T. Hughes, S. van der Leeuw, H. Rodhe, S. Sörlin, P. K. Snyder, R. Costanza, U. Svedin, M. Falkenmark, L. Karlberg, R. W. Corell, V. J. Fabry, J. Hansen, B. Walker, D. Liverman, K. Richardson, P. Crutzen, and J. Foley. 2009. Planetary boundaries: exploring the safe operating space for humanity. Ecology and Society 14(2): 32	to accept