

How ecocide law would support responsible investments

Responsible investors ensure that that they invest in companies committed to sustainable development: companies pledged to respect nature and human rights.

Currently, such investments are operating under unfair disadvantage: the lack of international hard law to support sustainable business models creates a non-level playing field, where sustainable companies are compelled to compete with companies that act without care. For investors and businesses looking for investment, this creates unnecessarily difficult conditions.

A proposal that is gaining momentum is to make ecocide – the mass damage and destruction of ecosystems – an international crime, so that those most responsible could be held accountable before the International Criminal Court, (the ICC), in the Hague. The objective is not primarily to punish perpetrators, but to pre-empt destructive activities by providing a forceful legal incentive to act responsibly. The proposed new crime would help close the door on irresponsible activities, thereby protecting nature and human rights, benefiting responsible actors and investments, and boosting all other ESG actions.

In June 2021, an independent panel of experts in international law proposed a definition of Ecocide. The definition reads: “unlawful or wanton acts committed with knowledge that there is a substantial likelihood of severe and widespread or long-term damage to the environment being caused by those acts”. The definition is based on concepts and definitions already in use in international criminal law and can therefore be adopted as it stands.

A first step is to endorse the [Statement on Ecocide law](#). Additional steps can be to encourage others, such as other investors and companies you invest in, to add their support.