

# **Ensuring Accountability for Environmental Destruction: Balancing Ecocide Criminalization with ICC Jurisdiction**

## **A Round-Table Discussion With Dr. Haykel Ben Mahfoudh Tunisia's candidate to the ICC**

25 October 2023  
1.15 – 2:30 pm

In an increasingly interconnected world grappling with urgent environmental challenges, the concept of ecocide has emerged as a potential legal framework for addressing severe environmental harm.

Establishing ecocide as an International Crime aims to explore both the advantages and disadvantages of creating a distinct category of offenses within international law, while emphasizing the delicate balance between environmental protection and maintaining the ICC's jurisdiction.

Our central question is straightforward yet profound: How can we navigate the road ahead for international adjudication of ecocide while reconciling diverse global perspectives?

To comprehensively address this complex issue, this round-table discussion intends to delve into the multifaceted journey of establishing a robust system for the international adjudication of the 'crime of ecocide.'

Holding those responsible for significant environmental destruction accountable has the potential to raise global awareness, provide a legal framework, and prevent further harm to our planet. However, defining and proving ecocide can be intricate, enforcement may pose challenges, and unintended consequences for innovation and economic development must be considered. It requires specific attention to the scope of international criminal justice jurisdiction. Additionally, it is essential to explore how distinct regional dynamics may influence the advancement of international ecocide adjudication.

The discussion will navigate the intricacies, potential obstacles, and implications of integrating ecocide into international criminal law, considering various perspectives and approaches to ensure the preservation of the planet's ecosystems for future generations. It will offer insights from both global and regional viewpoints into the prospects of international ecocide adjudication.

Our primary aim is not to arrive at a definitive conclusion, but rather to foster an open and constructive dialogue. We seek to gain a deeper understanding of the complexities involved in criminalizing ecocide and its potential impact on climate action, all while balancing the imperatives of global environmental protection and the jurisdictional boundaries of international criminal law.

**Scope:**

1. How can ecocide be aligned with existing international crimes?
2. What advantages come with a broader definition of ecocide, and what challenges might arise regarding the ICC's jurisdiction?
3. What hurdles exist in holding individuals and corporations accountable for acts of ecocide?
4. How we can articulate the diverse global perspectives, particularly those originating from the Global South, while progressing towards international ecocide adjudication?