

A close-up portrait of a young child with dark hair and traditional face paint. The child is wearing a colorful beaded necklace and a patterned strap. The background is a blurred natural setting.

# Ecocide Law and the Rights of The Child

EXECUTIVE SUMMARY



# HOW CRIMINALISING ECOCIDE WILL PROTECT CHILDREN'S RIGHTS

Children are among the groups most **acutely affected** by the human rights impacts of the climate and ecological **crisis**, with nearly half the world's children—estimated to be **1 billion**—living in countries at extremely **high risk**. This is despite children being the least responsible for the policies and practices that have brought the world to the brink of environmental breakdown.

As a result of its far-reaching effects, the **climate crisis** is violating many children's rights, as laid out in the 1989 **UN Convention** on the Rights of the Child. While 196 countries have signed up to the Convention, the majority are failing in their obligation to protect and uphold a child's fundamental rights.

The growing movement to make **ecocide** an internationally recognised crime will play a key role in protecting the rights of children and future generations.



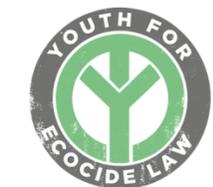
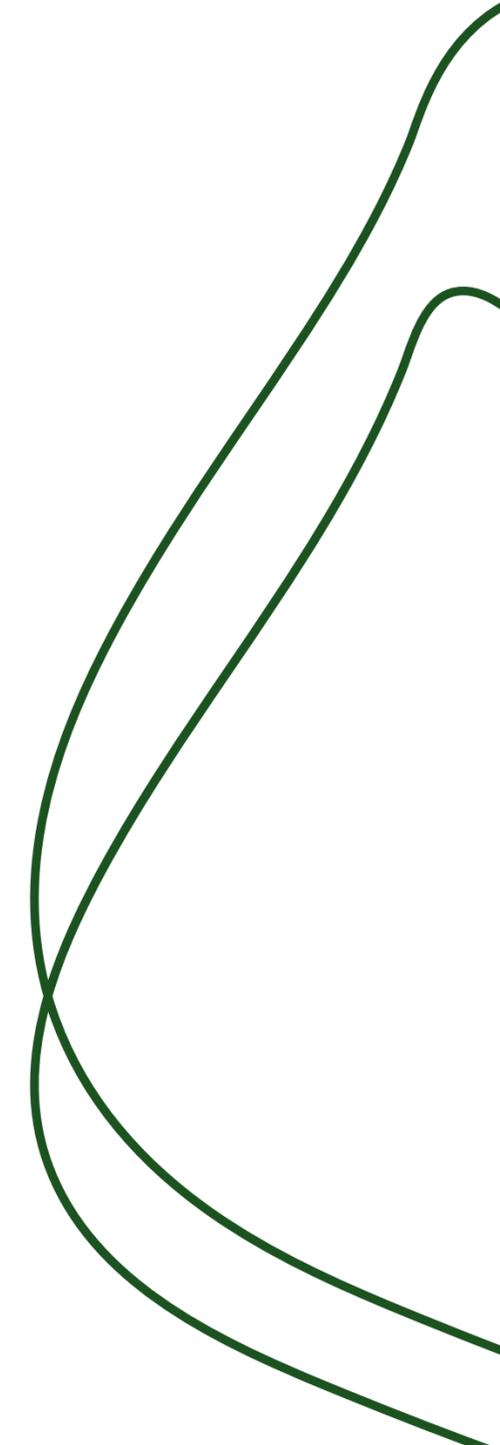
# THE PUSH FOR INTERNATIONAL RECOGNITION OF ECOCIDE

**Ecocide** refers to the sustained, severe, and widespread destruction of the environment, which can include, but is not restricted to - major oil spills, deforestation, deep sea mining, and long-term water and land contamination.

**Ten countries** already criminalise ecocide—among them France, Vietnam, Ecuador, and Ukraine—and ecocide bills have been proposed or are progressing in the European Union, Brazil, Scotland, the Netherlands, Belgium, Mexico, Italy and Spain (Catalunya). However, there is currently no international legal mechanism to protect people from the most severe harms to nature, which are often far-reaching in impact and transcend domestic legislatures.

To address this, **Stop Ecocide International** is working with state and civil society actors from around the world to amend the Rome Statute of the International Criminal Court (**ICC**) and formally establish ecocide as a crime alongside the other four crimes against peace - genocide, war crimes, crimes against humanity and the crime of aggression.

If ecocide is codified as the **Rome Statute**'s fifth crime, the ICC will have powers to investigate and prosecute perpetrators of the most severe cases of environmental destruction.



# THE IMPACT OF THE CLIMATE CRISIS ON CHILDREN

## As UNICEF outlined in 2021:

- 2 billion children are highly exposed to air pollution.
- 920 million children are highly exposed to water scarcity.
- 820 million children are highly exposed to heatwaves.
- 600 million children are highly exposed to vector-borne diseases, like dengue and malaria.
- 330 million children are exposed to riverine flooding.

**Collectively**, these events significantly harm a child's health, wellbeing and ability to receive an education. Without **urgent** action to address the climate crisis, the number of children affected by the most adverse weather events will only **increase**.



# ECOCIDE: A CRITICAL NEW TOOL TO UPHOLD CHILDREN'S RIGHTS

The **1989 Convention** is underpinned by four articles that form the 'General Principles' central to realising all the rights of the child. The **criminalisation** of ecocide at the international level would align with each of these principles.

Convention Principle <sup>1</sup>	The role of an international ecocide law
<p><b>Non-discrimination (Article 2)</b> The Convention applies to every child without discrimination, whatever their ethnicity, sex, religion, language, abilities, or any other status, whatever they think or say, whatever their family background.</p>	<p>Adding ecocide to the Rome Statute would ensure equal protection for all children in geographies where the ICC has jurisdiction and mitigate the harms to those most acutely impacted by the ecological and climate crisis.</p>
<p><b>Best interest of the child (Article 3)</b> The best interests of the child must be a top priority in all decisions and actions that affect children.</p>	<p>An ecocide law would ensure that officials, whether private or public, would have to consider the long-term ecological consequences of policies or regulations they enact and align them with international law, thus furthering the interests of the child as it relates to their protection and wellbeing.</p>
<p><b>Right to life, survival, and development (Article 6)</b> Every child has the right to life. Governments must do all they can to ensure that children survive and develop to their full potential.</p>	<p>Through acting as a legal deterrent to sustained and widespread acts of ecological harm, an ecocide law would foster environmental safeguarding that in turn contributes to the survival and healthy development of children.</p>
<p><b>Right to be heard (Article 12)</b> Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously. This right applies at all times, for example during immigration proceedings, housing decisions or the child's day-to-day home life.</p>	<p>As children are one of the groups most impacted by the climate crisis, an ecocide law would provide an avenue for them to be heard in proceedings that aim to protect the environment and prosecute perpetrators of ecological destruction.</p>

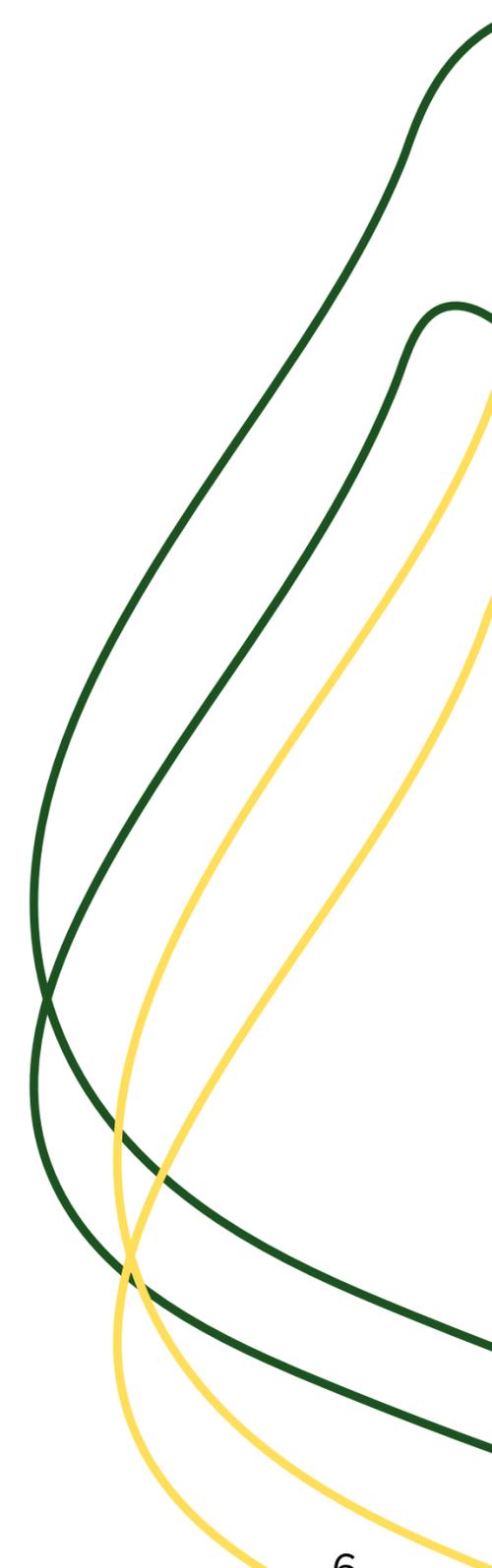
<sup>1</sup> [https://www.unicef.org.uk/wp-content/uploads/2019/10/UNCRC\\_summary-1\\_1.pdf](https://www.unicef.org.uk/wp-content/uploads/2019/10/UNCRC_summary-1_1.pdf)



# ECOCIDE: A CRITICAL NEW TOOL TO UPHOLD CHILDREN'S RIGHTS

## Key recommendations

- 1 Ratifying states of the United Nations Convention on the Rights of the Child should follow the example of Norway, Finland, Iceland, and Sweden by enshrining all protections outlined in the treaty in domestic legislation.
- 2 States Parties to the **Rome Statute** of the International Criminal Court must urgently support efforts to secure ecocide as the fifth international crime against peace in an effort to protect the climate, environment and uphold children's rights.
- 3 All non-governmental and government organisations should respect and promote children's right to be heard and amplify the voices of those calling for urgent solutions to the environmental and climate crisis.
- 4 Children's rights organisations should proactively and publicly support the call to make ecocide an internationally recognised crime.





Leaders often say that children are resilient. But you cannot be resilient to starvation. You cannot be resilient to a suffocating earth. You cannot be resilient to extinction.

Children have a right to life, and they require urgent long-term solutions to protect this right. Global leaders must go beyond empty promises and non-binding pledges; they must legislate against ecocide for children and all future generations.

***Vanessa Nakate / Climate Activist and UNICEF Goodwill Ambassador***

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Read the full Youth For Ecocide Law report, *Ecocide Law and the Rights of the Child*, [here](#).

