

RESOLUTION ON STRENGTHENING THE RECOGNITION OF ECOCIDE AS AN INTERNATIONAL CRIME IN AFRICA

We, the participants at the Forum on the Participation of NGOs in the 85th Ordinary Session of the African Commission on Human and Peoples' Rights held in Banjul, The Gambia 17th– 19th October 2025 resolve as follows:

Recall the statement of the NGO Forum to the 75th Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) to recognize ECOCIDE as a crime against humanity and the resolution of the ACHPR recognizing ECOCIDE as a crime against humanity;

Recall the African Commission on Human and People's Rights (ACHPR) Resolution 491 on Climate Change and Forced Displacement in Africa;

Recognize that Africa is the most vulnerable continent to climate change impacts as it bears the brunt of environmental destruction despite having the least contribution to global warming and having the lowest emissions;

Acknowledge the African Union Agenda 2063, African Union Climate Change and Resilient Development Strategy and Action Plan (2022-2032) and the African Renewable Energy Initiative (AREI), African Ministerial Conference on the Environment (AMCEN) and the African Union Green Recovery Action Plan 2021-2027 on AU strategy and plans on climate change adaptation and mitigation;

Further acknowledge the leadership of African States at the twentieth session of AMCEN (Nairobi, July 2025), under the chairmanship of the Democratic Republic of the Congo and with the support of Burundi and the Republic of Congo, in identifying the consideration of ecocide law as a continental priority for 2025–2027;

Welcome the consensus definition of "ecocide" proposed by the Independent Expert Panel in June 2021, namely: *"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"*;

Commend The Government of Vanuatu, Fiji and Samoa for formally requesting for the amendment of the Rome Statute of the International Criminal Court to consider ECOCIDE acts that destroy the worlds ecosystems as an international crime and be listed under the jurisdiction of the International Criminal Court.

Noting with Appreciation the recent Advisory Opinions of the International Court of Justice (2025) clarifying States' obligations to reduce emissions and protect

ecosystems, and the Inter-American Court of Human Rights' affirmation of States' duty to prevent mass destruction of nature as *jus cogens*, a peremptory norm;

Further Note the International Union for Conservation of Nature's vote to adopt Motion 061 Recognizing the crime of Ecocide to protect nature;

In consideration of deliberations at the Special Interest Group on Safeguarding People and the Planet; Addressing Human Rights, Environmental Justice and Ecocide in Africa of the NGO Forum, We

Proposes the development of a harmonized African Commission framework on Environmental crime, and the establishment of a unified legislative framework for the criminalization of widespread or severe environmental harm, including acts comparable to 'Ecocide'; and encourages Member States to incorporate the crime of Ecocide, or its equivalent, into their domestic legislation in alignment with this framework;

Further propose an ACHPR working group on environmental crime and reparations in Africa;

Call on the African Commission on Human and Peoples' Rights (ACHPR) to recognize ECOCID as an international crime and urge State Parties to the Rome Statute of the International Criminal Court to support its amendment;

Further call on Member States to the African Commission on Human and Peoples' Rights (ACHPR) to consider strengthening national and regional legal frameworks addressing severe and widespread environmental harm, including, where appropriate, the incorporation of provisions addressing acts amounting to "ecocide";

Done in Banjul, The Gambia 19th October 2025