Professor Margaretha Wewerinke-Singh, University of Amsterdam
Speech on the occasion of a diplomatic reception at the Radisson, Brussels:
"Advancing Ecocide Recognition: A Diplomatic Initiative for OACPS and COP30"
Thursday 13 March 2025

Your Excellencies, distinguished ambassadors, esteemed colleagues, ladies and gentlemen,

It is an honour to address you today at this important gathering. I extend my sincere gratitude to the Republic of Vanuatu and the Democratic Republic of the Congo for hosting this reception, and to all OACPS representatives present for engaging in this discussion.

We gather here in response to an escalating reality of environmental destruction—destruction that is not incidental, but deliberate, reckless, and avoidable. The impacts are felt deeply across Africa, the Caribbean, and the Pacific, but also beyond, with grave consequences for human rights, peace, and development. Yet, despite the catastrophic scale of environmental harm, those responsible tend to act with impunity. This gap in international law needs addressing.

Last year, the International Court of Justice (ICJ) held its hearings in response to a historic request for an Advisory Opinion on climate change, initiated by Vanuatu and backed from the earliest stages by the OACPS. The legal questions before the ICJ are unprecedented: What are states' obligations to prevent harm to the climate system? What are the legal consequences for states that have breached these obligations and in doing so, wrecked the climate system? What reparations do these states owe to those injured? These are not just legal questions—they are existential questions for millions around the world, including in OACPS member states.

Crucially, in its submissions to the ICJ, the OACPS made a novel argument: for historical polluter states, criminalising ecocide is not merely an option—it is a legal obligation arising from their own breaches of international law. Under the duty to ensure non-repetition, a well-established principle in the law of state responsibility, states that have contributed disproportionately to the destruction of the climate system must take far-reaching steps to prevent further harm. Recognising ecocide as

a crime is one such step, serving as both a deterrent and a mechanism of accountability for conduct that has already inflicted irreparable damage on vulnerable regions.

The Advisory Opinion is expected to confirm that states have legally binding obligations to prevent further harm to the climate system and to ensure that those affected by environmental destruction receive justice. But clarity about legal obligations alone is not enough. The ICJ proceedings underscore the need for accountability mechanisms that complement state responsibility with individual criminal accountability. Nationally, but also under international law. This is where the recognition of ecocide as an international crime becomes essential.

The crime of ecocide, as proposed for inclusion in the Rome Statute of the International Criminal Court, would close a glaring gap in international criminal law. While the ICJ Advisory Opinion will clarify what states must do under existing legal frameworks, ecocide law would ensure that individuals—whether corporate executives, government officials, or others in positions of power—are held personally accountable for acts that cause widespread, severe, and long-term damage to the environment. These initiatives are not separate, but complementary. The ICJ process sets the normative foundation, while ecocide law provides the enforcement mechanism.

This is why the discussion we are having today is so important. The OACPS, as a collective of states deeply affected by environmental harm, has a unique role in shaping the trajectory of international law in this area. By engaging in the ecocide recognition initiative, OACPS states can reinforce the principles underpinning the ICJ Advisory Opinion, ensuring that legal accountability extends beyond states to individuals who orchestrate large-scale environmental destruction.

A critical dimension of this discussion is the role of corporations. Many of the most severe environmental harms in OACPS regions—whether large-scale deforestation, pollution of marine ecosystems, or the destruction of biodiversity—are driven by transnational corporations headquartered in wealthier states. By ensuring that corporate executives can be held criminally liable for ecocide, we create a legal framework that prevents those in positions of power from treating OACPS regions as

sacrifice zones for profit. This is not merely about deterrence; it is about justice for the communities whose livelihoods, cultures, and futures are being erased by environmental destruction.

Each region of the OACPS has a critical stake in this discussion. In Africa, vast forests and natural ecosystems are under increasing threat from illegal resource extraction and environmental degradation, undermining sustainable development efforts. In the Caribbean, rising sea levels, coral reef loss, and intensifying storms are stark reminders of what is at stake when environmental destruction goes unchecked. In the Pacific, entire nations are facing existential threats from climate change, with communities already being displaced by rising seas and environmental devastation. The consequences of inaction are not abstract; they are real, immediate, and deeply unjust.

As Jojo Mehta just outlined, momentum for ecocide recognition is growing. Since the proposal by Vanuatu, Fiji, and Samoa to amend the Rome Statute, we have seen increasing diplomatic engagement, with the DRC taking a leading role in Africa. The European Union has taken significant steps in recognising environmental destruction within its legal framework, and several individual states have begun drafting domestic ecocide laws. These developments point to a historic shift in international law—one that OACPS states are well-positioned to help shape.

This may prove to be a decisive moment. Just as the ICJ proceedings are poised to shape the legal landscape of climate responsibility, the recognition of ecocide has the potential to transform how we define and enforce environmental justice at the international level. These legal advancements, together, can reinforce the core principle that those who inflict irreversible harm on the environment must be held to account, and that those who are injured are entitled to reparations.

For the OACPS and its membership it is timely to engage with this issue in-depth, to explore how criminalizing ecocide internationally can serve the interests of your states and peoples, and to help ensure that the growing diplomatic movement towards ecocide recognition delivers actual environmental and climate justice.

Thank you.