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Climate-Related Crimes: Conceptualizing Ecocide in International and Domestic Criminal Law

Dr. Faiz Bakhsh

Assistant Professor of Law
University Gillani Law College
Bahauddin Zakariya University Multan
faizmalik@bzu.edu.pk

Dr. Sanaullah Abbasi

University of Karachi
sanaullahabbasi_psp@yahoo.com

Muhammad Ramzan Mallah

PHD Scholar
Department of Criminology, University of Sindh, Jamshoro
mallahmr2011@gmail.com

Dr. Waheed Ahmed Abbasi
(Corresponding Author)

Associate Professor
Department of Criminology, University of Sindh, Jamshoro
w.abbasi@usindh.edu.pk

Abstract

Climate-based crimes are becoming one of the most critical challenges that are threatening human survival and world security. Although the scope of environmental law has conventionally been regulation and compliance, the magnitude of the ecological destruction that climatic changes have brought about has led to the emergence of the concept of ecocide as a possible international crime. The paper will discuss the conceptual basis, law evolution and domestic measures of ecocide, in the context of international and national criminal law. It explores the new controversies of including ecocide in the Rome Statute of the International Criminal Court (ICC), as well as domestic legal advances in places like France, Ukraine, and the European Union. Moreover, it considers the place of ecocide in enhancing environmental human rights, especially the right to a healthy environment. The analysis ends by suggesting reforms in codification and enforcement, and critically analyzes the problems of sovereignty, enforcement and definitional sharpness.

Keywords: *Ecocide; Climate Change; International Criminal Law; Environmental Crimes; Human Rights; Rome Statute; Pakistan*

Introduction

Climate change is one of the gravest issues related to law, politics, and ethics in the twenty first century. Increasing global temperatures, loss of biodiversity, desertification, extreme weather conditions are becoming a real threat not just to the ecosystems but also the very existence of human societies. These effects have led researchers and policy makers to question the adequacy of current systems of international and domestic law in coping with the disastrous impact of environmental degradation. The weakness of traditional environmental regulation and civil liability regimes has sparked calls to reinforce the accountability regimes such as the establishment of ecocide as an international crime.

Ecocide, which is sometimes labeled as mass destruction of the environment is not new. It started coming up in the 1970s to counter the ecological devastation during the Vietnam War, especially regarding the prevalence of the use of Agent Orange. Since, the concept has been resurfaced in the international legal discourse, in most cases concerning the discussions of the Rome Statute of the International Criminal Court (ICC). Proponents believe that ecocide must be added to genocide, crimes against humanity, war crimes, and aggression as the fifth international crime, as the deliberate or careless destruction of ecosystems on which human livelihoods rely is so serious (Gray, 2017).

New developments have put a new urgency on this debate. In 2021, the Stop Ecocide Foundation convened the now-called Independent Expert Panel on the Legal Definition of Ecocide, which offered a draft definition of ecocide: unlawful or wanton acts that may be committed with the awareness that severe damage to the environment may occur as a result of such acts, and that that damage may be substantial and either widespread or long-lasting (Panel, 2021). This definition aims to strike the right balance between legal accuracy and ecological integrity, but it is still controversial both in the academic and political communities.

In domestic level, a number of nations have achieved a lot. In 2021, France made a diluted version of ecocide a crime in its Penal Code (although never enforced in practice), whereas Ukraine and Vietnam have had ecocide as a crime since the Cold War period (Cusato & Jones, 2024a). Ecocide has also received recognition as a legal category with the European Union going in the direction of codifying environmental crimes. Nevertheless, issues of implementation, ambiguity in definitions and political opposition are still significant impediments to the full implementation of ecocide at the international and national levels.

In the case of Pakistan, a nation that is highly susceptible to climate-related catastrophes like floods, droughts and glacial melt, it is of particular importance. The constitutional right to life and dignity guaranteed to the citizens of Pakistan by the Articles 9 and 14 of the constitution as derived by the judicial system has been applied to the right to environmental services (Barritt & Sediti, 2019). But in spite of such progressive judgments like *Leghari v. The domestic legal system* does not clearly provide a framework to deal with the crimes related to climate change, as the Federation of Pakistan (2015) identified climate change as one of its governance failures. The inclusion of ecocide as a crime in the laws of the country would enhance responsibility and offer

a deterrent to the practices that are harmful to the environment by the state and corporate entities.

This paper discusses the conceptual, international and domestic aspect of ecocide, and the key issues in the context of how climate-related crimes can be incorporated into the systems of criminal law. It holds that although ecocide can provide a strong legal and moral answer to environmental destruction, its implementation must be weighed with a special attention to the international norms and national socio-legal realities.

2: Conceptual Foundations of Ecocide

The concept of the ecocide can be traced to the legal and the moral discussions that sprung up during the second half of the twentieth century. Contrary to the conventional environmental law, which is essentially regulatory in character and aimed at adherence to the statutory norms, ecocide appeals to the terms of crime, responsibility, and the sense of justice. It implies that some of the acts of environmental destruction are so harsh that they ought to be condemned and punished in the same aspect as committing crimes like genocide or atrocities against humanity. The theoretical principles of ecocide are therefore based on three primary pillars, the historical development, theoretical foundation, and normative discussions of anthropocentrism versus eco centrism.

Historical Emergence

Ecocide was a term that was more popularized in the 1970s following the Vietnam War. Massive use of chemical defoliants such as Agent Orange led to massive and prolonged destruction of the environment. The term was coined by the then Prime Minister of Sweden, Olof Palme, in his opening speech at the 1972 United Nations Conference on the Human Environment in Stockholm when he referred to such destruction as an outrage sometimes called ecocide (Waldheim et al., 1972). The concept was furthered by legal scholars like Richard Falk who formulated the concept into a normative structure and suggested that ecocide be included as a crime that could be prosecuted through international law (Falk, 1973). Though these initial efforts failed, the push highlighted a need to understand that mass environmental destruction could never be sufficiently solved by civil liability or domestic regulation.

Theoretical Underpinnings

In principle, the concept of ecocide challenges the established belief that environmental destruction is a secondary violation associated with regulation; it redefines ecological destruction as a direct violation of the collective moral principles, which requires the most serious sanctions of the international society. This notion is based on the trend in the history of international criminal jurisprudence, in which such crimes like genocide and crimes against humanity were codified not merely on the basis of treaty breaches but due to the fact that they represented fundamental attacks on the collective conscience of humanity (Ciampi et al., 2024). The conceptual ground of ecocide is based on a dialectic of 2 opposite notions. The anthropocentric perspective anticipates the damage to humanity- livelihoods, cultural heritage and its survival as the main justification of criminalization and argues that ecocide, by causing displacement, famine, health disasters and economic breakdown, is a damnable offence. On the other hand, the ecocentric approach recognizes the inherent value of nature, which is not

dependent on human interests, and ecocide as a crime against nature itself, which realizes that all life systems are interconnected (Porfido, 2023). The latter orientation has become widely popular among environmental philosophers and some legal theorists, but it is a point of controversy within the legal tradition since it undermines the conventional anthropocentric conceptions of criminal law.

Normative Debates

The ecocide normative discussions bring out a conflict between moral imperatives and legal pragmatism. Advocates believe that it should be criminalized to address a normative gap in international law: war crimes and crimes against humanity protect human populations, but there is no similar category of crime to protect ecosystems against careless or deliberate destruction (Johnson, 2021). Critics warn, though, that the loose nature of the definitions of terms like severe, widespread and long-term may create selective enforcement and politicization, in particular when it is used against powerful states or corporations.

The 2021 proposal of the Independent Expert Panel was an effort to overcome this tension by embracing a knowledge-based standard: ecocide would be accomplished whereby unlawful or wanton acts are carried out with the understanding that there will be a high probability of serious and either extensive or enduring harm to the environment (Killeen & Short, 2023a). The definition attempts to balance moral urgency with legal accuracy by adding a mens rea component, namely that the offender knows they have a substantial likelihood of committing the offense, thus bringing ecocide into line with the other principles that are brought to bear for prosecution by the international criminal court.

Ecocide as Distinct from Environmental Crime

The other conceptual dimension that is salient is the issue of the difference between ecocide and common environmental crime. Although the pollution, illegal logging, poaching and the like offences are already punishable by domestic legal systems, ecocide is very different in terms of scope, motives, and severity. It is not a small, technical infraction but something of this large scale, which threatens the existence of whole ecosystems and communities (Cusato & Jones, 2024b). This difference is the basis of the suggestion to make ecocide a crime on an international scale and, therefore, scaled up to the level of the international criminal court (ICC).

Towards a Collective Value Framework

Finally, the idea of ecocide is rooted in the cognitive concept of ecological integrity as a shared value which is vital to human life and ecologic equilibrium of the planet. Law would not only criminalize ecocide, but criminalizing ecocide would also indicate a paradigm shift in the way societies appreciate the environment- in that it would move towards a resource to be exploited to a heritage that should be cherished and shared by all. According to Sands, codifying ecocide would reflect the increasing realization that environmental protection is essential to human protection (Branch & Minkova, 2023a).

3: International Legal Developments

The history of the development of the ecocide concept in the context of international law both indicates the constraints of the current framework and the increasing recognition of environmental protection as an international issue. Although various treaties, conventions and

soft-law instruments have historically tackled the issue of environmental harm, they have tended to be non-enforceable, and do not subject individual criminal responsibility. In comparison, the international criminal law system represented by the International Criminal Court (ICC) offers ways to bring people, including politicians and corporate managers, to justice over committing atrocious damages. As a result, the question of whether ecocide is to be made an international crime of major scale, alongside genocide, crimes against humanity, war crimes, and aggression is also debated nowadays.

Ecocide in the Rome Statute Debates

In the 1998 negotiations on Rome Statute, draft versions of the instrument reflected on the possibility of adding an ecocide (or similar environmental crime) to the list. In the end, Article 8(2) (b) (iv) made environmental harm a criminal offense but only in the context of armed conflict, and the clause forbade the intentional attack with the knowledge that this attack would result in massive, prolonged, and irreversible harm to the natural environment that would obviously be excessive in relation to the tangible and immediate overall military benefit that would be expected (Gordon, 2023). This limited measure omitted peacetime devastation, and set extremely high standards of intent, limiting its extent.

The omission of wider ecocide initiatives was politically compromising. States preferred the sovereignty and economic growth to the environmental responsibility as they feared that the criminalization will only stand in the path of the industrial and military policies (Tsilonis, 2024). Consequently, the Rome Statute created a major loophole: the destruction of the environment on a global scale without the armed conflict was not under the jurisdiction of the Court.

Renewed Momentum for Recognition

The last ten years have seen renewed interest in including ecocide in the Rome Statute. In 2021, the Independent Expert Panel on the Legal Definition of Ecocide was formed by the Stop Ecocide Foundation, which is supported by legal academics and civil society organizations. Its definition, which is captured in the following words: unlawful or wanton acts done with the actual knowledge that there is a substantial probability of severe and either widespread or long-lasting damage (Killeen & Short, 2023b) has been welcomed as a moderate suggestion in line with the principles of foreseeability and proportionality that are inherent in the international criminal law. Momentum has also increased on state level. Both Vanuatu and the Maldives, small island states which face an existential threat due to climate change, are formally calling on the ICC Assembly of States Parties to acknowledge ecocide (Farran, 2023). The European Parliament has also approved the concept of ecocide as an international crime, which is an indication of a change in political language in the Global North.

Challenges of Incorporation

Although there is an increase in advocacy, there are still major challenges. First, the issue of definitional vagueness is an essential issue. Words like severe, widespread and long-term are all inherently subjective and beg the question of legal certainty. According to critics, imprecise definitions run the risk of arbitrary implementation, especially targeting politically weaker states, and protecting strong states and corporations (Cusato & Jones, 2024c).

Second, there is the politics of sovereignty, which is a daunting challenge. Most states are worried that allowing the ICC to have jurisdiction over the ecocide would subject their industrial and energy policies to foreign criticism. This is of particular concern to the fossil-fuel-producing countries and fast-industrializing economies.

Third, there are also institutional constraints of the ICC. The Court already has been criticized due to its limited jurisdiction, enforcement problems and politicization. Introducing ecocide will only strain an already stressed institution (Schabas & Schabas, 2023).

Alternative International Mechanisms

Scholars have proposed alternative models along with ICC reforms. Among the proposals is the creation of a specialized International Environmental Court that will have an ecocide and other transboundary harms jurisdiction. Others support the use of a hybrid system that will incorporate international criminal law with civil liability and restorative justice systems, thus ensuring widespread responsibility and not over rely relying on punitive systems (Bosio, 2023).

The discussion also overlaps with the international environmental agreements that are in force, including the Paris Agreement or the Convention on Biological Diversity. Although these treaties emphasize cooperation, compliance, and national obligations, the non-punitive constructions of these treaties indicate the necessity of a criminal-law complement to ecological destruction, as willful and reckless (Arifin et al., 2024a).

The international legal evolution of ecocide is an expression of a tension that is shifting between the political necessity of state sovereignty and economic benefits against the moral duty of conservation of the planet. Although the ICC is a natural institutional home, there are definitional, political and institutional barriers to incorporation into the Rome Statute. However, the increasing pressure of the civil society, small island states and European actors implies that ecocide is slowly drawing out of the margins into the mainstream international legal discussion.

4: Domestic Legal Approaches

Although ecocide has not yet been formally acknowledged by international criminal law, domestic legal systems can also offer valuable clues on how environmental destruction can be conceptualized as a criminal act. Some states have constituted ecocide wholly or partly, and some have used larger environmental protection laws, which criminalize extreme ecological damage. These national strategies show how much and how little can be done to integrate ecocide into the national jurisdiction.

France: Symbolic but Limited Codification

Crime of ecocide France In 2021, the crime of ecocide became part of the Penal Code of France under the Climate and Resilience Law. Article L.231 -3 recognizes ecocide as the gravest kind of contamination that leads to severe, enduring, and significant harm to health, plants, animals, or air, soil, or water quality (Rodriguez, 2022). However, the provision was criticized by French scholars and environmental organizations as being watered down against the previous proposals. The latter version limited ecocide to aggravated ecological crimes instead of elevating it to either a crime of universal jurisdiction, like genocide or crimes against humanity (Arifin et al., 2024b). Irrespective of these criticisms, the fact that the move by France is the first domestic

Western-European effort to criminalize ecocide is important, and thus, the issue of legal recognition is strengthened.

Eastern Europe: Ukraine and Russia

Interestingly, there are provisions on ecocide in some states in Eastern Europe since the Cold War. Article 441 of the Criminal Code of Ukraine refers to ecocide as a mass destruction of plants or animals, polluting the atmosphere or water resources, and any other activities that can lead to an ecological disaster (Anisimova et al., 2023). Article 358 of the Russian Criminal Code keeps such language as well. Even though these provisions indicate the timelessness of the concept, they have been minimally enforced. The truth is that ecocide is still very symbolic in such jurisdictions, and is usually used as a rhetorical tool and not a tool of prosecution (Duiunova et al., 2024).

Asia: Vietnam's Early Recognition

The legal form of ecocide was included in the criminal code of Vietnam in 1990, and it was the response to the ecological destruction of the Vietnam War (Nguyen, 2022). Its provision criminalizes the acts that lead to massive destruction of the environment such as deforestation, pollution, and destruction of natural resources. Nevertheless, following Ukraine and Russia, there are few prosecutions, which speaks of the difference between the codification and implementation.

European Union: Towards Regional Harmonization

The European Union has become an important player in further development of environmental criminal law. The updated Directive on Environmental Crime (2021) broadened the range of punishable environmental crimes and imposed heavier fines on the cases of substantial environmental damages (Gorgenyi, 2022). The inclusion of ecocide as a crime specifically in EU law has been debated too by the European Parliament. Although the EU is not implementing an ecocide provision on a legal basis, its trend indicates that regional harmonization may establish significant precedent to the member states and even others.

Pakistan: Environmental Rights without Criminalization

In Pakistan the statutory law does not acknowledge the concept of ecocide. Instrumental regulation of environmental governance is mainly governed by policies like Pakistan environmental Protection Act (1997) and provincial laws under the Eighteenth Amendment to the Constitution. These laws focus on administrative control, pollution and environmental tribunals instead of criminal responsibility. Nevertheless, the judiciary has made a forward step of interpreting Articles 9 and 14 of the Constitution right to life and dignity to reflect on environmental protection. In *Asghar Leghari v. The Lahore High Court of Federation of Pakistan* (2015) determined that the government did not take any action against climate change, which was a violation of basic rights (Mahaseth & Goyal, 2021). However, the legal framework in Pakistan still depends on regulation and civil solutions instead of the criminal law in combating environmental destruction. Introducing ecocide into the Penal Code would possibly enhance accountability to both state negligence and corporate misconduct, but might need protection against abuse since the country has a politicized justice system.

Assessment

The domestic responses to ecocide display a range of policies: symbolic codification (France), Cold-War-era policies with minimal enforcement (Ukraine, Russia, Vietnam), or even more widespread environmental criminalization, but not necessarily mentioning ecocide (EU and Pakistan). These differences demonstrate the difficulties in achieving normative aspirations and political achievability. They also emphasize the significance of enforcement mechanisms: that is, codification is incomplete without the capacity of institutions, judicial independence and political will.

5: Climate-Related Crimes vs. Traditional Environmental Crimes

The distinction between the ecocide-related crimes and the ecology-related crimes becomes a critical aspect of the evaluation of the ecocide normative seriousness. Classical environmental crimes such as illegal logging, industrial pollution or even wildlife trade, e.g., are typically integrated into domestic regulatory regimes that focus on compliance and the provision of penalties to discrete violations of statutory environmental standards. Although they have an undisputed local impact, they are often represented as an act of administrative or criminal law instead of transgression endangering international justice or human existence as a whole (Bhat, 2024). In sharp contrast, crimes that have been offended by climate, particularly those that are framed within the meaning of ecocide, work on a trans-national scale. They relate not only to the non-observation of the regulatory norms but to the intentional or irresponsible behavior further promoting climate deregulation, triggering mass displacement, and promoting irreversible ecological devastation (Sterio, 2024).

The peculiar feature of ecocide is its scale and purpose. In contrast with the usual scale of environmental crimes, which may be limited to specific types of contamination or even localized ecosystems, the effects of climate-related crimes, including massive deforestation as part of agribusiness or ongoing development of projects that emit fossil fuels despite the undeniable evidence of their climatic consequences, spread to the whole population and the whole system on the planet (Minkova, 2023). This ecocide is closer to crimes against humanity in which the moral outrage is not only based on the criminality of the insincerity but on the huge amount of destruction caused to communities and nature as a whole (Branch & Minkova, 2023b).

The second difference arises with regard to responsibility. Conventional environmental crimes usually deal with individual criminals or companies by imposing fines, penalties or partial criminal responsibility. Crimes related to climate, in turn, tend to involve such strong corporate and even state actors whose policy decisions consciously contribute to greenhouse-gas emissions and climate threats. This type of dynamic has serious accountability problems, with existing international environmental law frameworks like the Paris Agreement having little binding criminal enforcement features (Voigt, 2023). According to its proponents, ecocide might occupy this un-filled gap by establishing a legally enforceable framework, which makes corporate executives and political leaders personally liable to actions that cause severe and extensive climate-related damage (Moribe et al., 2023).

Furthermore, the crimes related to climate show the explicit nexus with human security. Climate crimes, in contrast to the traditional ones that might harm ecosystems, but with no immediate

existential effects, trigger forced migration, food insecurity, global epidemic health issues, and the loss of biodiversity (Dodman et al., 2022). The fact that floods, droughts, and sea level rise are forcing vulnerable people out of their places highlights the point that ecocide is not just a crime against the environment but it is also a crime against humanity. Therefore, considering ecocide as a separate crime type to traditional environmental crimes provides a way out of rethinking responsibility in relation to the climate crisis.

6: Human Rights and Ecocide

The ecocide debate is highly overlapping with the changing appreciation of environmental rights as fundamental human rights. The official recognition of the right to a healthy environment by the United Nations General Assembly in 2022 contributes to the increasing recognition of the fact that the violation of the fundamental right to life, health, food, and water is directly caused by environmental degradation (Damiirli et al., 2024). Since ecocide is the most serious type of environmental destruction, it thus concerns not only the ecological or the preservation of humans, but also their dignity and survival.

In its simplest form, ecocide is a challenge to the anthropocentrism bias historically dominating human-right law. Although the traditional frameworks put focus on harm of individuals or groups, ecocide broadens the scope to include harming the ecosystems whose destruction is bound to spill into human communities. According to scholars, the introduction of ecocide into the law is tied to such changes in legal frameworks as the introduction of the so-called third-generation rights of solidarity, including that to development and that to a sustainable environment (Heffron, 2022). These rights place the human race in a more general ecological framework and clarify shared commitments to future generations.

The case law already proves the possibility to expect to define climate-related harms as the violations of human rights. The *Urgenda Foundation v. The Dutch government* was challenged by the Netherlands decision (2019) to enhance its climate policy, basing its argument on the responsibility to safeguard the right to life under the European Convention on Human Rights (Wewerinke-Singh & McCoach, 2021). Likewise, *Leghari v. In Pakistan* (2015), the Lahore High Court acknowledged the inaction in climate change as a violation of such fundamental constitutional rights as the right to life and dignity (Frerichs, n.d.). Through these precedents, an expanding judicial readiness to interconnect state duties on climate change with enforceable human-rights safeguards can be identified, which serves to open space to the incorporation of ecocide as a crime that protects these rights.

Moreover, ecocide represents an ecocentric repositioning of human-rights discourse, which claims that environmental protection is not only auxiliary to the welfare of humans, but is the end in and of itself. Biodiversity destruction and environmental destruction are threats to the collective rights of the indigenous people and rural communities, along with other vulnerable communities that are unfairly burdened by global warming (Collins, 2021). This recognition makes ecocide part of the wider agendas of environmental justice, where the responsibility of such mass-scale environmental damage must face up to historical trends of marginalization and exploitation.

By placing ecocide within the context of the human-rights law, the advocates strengthen the normative ground of codifying the law. It is not only that this strategy brings environmental protection to the elevated status of international criminal law, but also complements the indivisibility and interdependence of human rights in the Anthropocene (Boyle & Redgwell, 2021).

7: Policy and Reform Proposals

The legal innovation and institutional reform that is required to recognize ecocide as an international and domestic crime is a combination of both. At the global level, the most notable suggestion is the proposal to modify the Rome Statute of the International Criminal Court with the addition of ecocide in the list of the five international crimes. In 2021, Stop Ecocide International commissioned an Independent Expert Panel, which provided these words as a draft definition of ecocide: unlawful or wanton acts with knowledge of a high probability of a severe and either widespread or long-term environmental harm (Robinson, 2022). Formalizing this definition would ensure that there is a legal foundation to convict individuals, especially those in corporate roles and state officials as criminals due to the decisions that they make with the full knowledge that they are creating climate-related havoc. However, this reform would need a lot of political goodwill among ICC member states who are still hesitant to broadly extend the jurisdiction of the Court in a manner that would bring powerful industry and energy players under scrutiny (de Oliveira Magalhaes da Silva Loureiro, 2023).

On the domestic level, ecocide may be included in the criminal laws of states either by constitutional protection of the rights of the environment or by statute. Recently, the French legislature has proposed an offence of ecocide to deal with severe environmental damage, though some critics argue that some of its constraints undermine its preventive effect (Van Vracem, n.d.). Similarly, Ukraine and Vietnam have criminalized ecocide at domestic law, but it is mostly not enforced (Minkova, 2024). In the case of a state like Pakistan, to make ecocide enforceable, it would be necessary to strike a balance between the offence and constitutional safeguards, the most significant of them being the right to life and dignity found in Articles 9 and 14 of its Constitution, and to correlate that provision with existing environmental laws. This would also require institutional reinforcement of environmental tribunals and increased independence of regulatory bodies (Zahid & Khan, 2024).

Corporate accountability should be taken care of by policy reforms. The presence of transnational corporations is an important source of climate-related harm because of their involvement in such behaviors as fossil-fuel extraction, deforestation, and industrial pollution. Legal innovations may include making parent companies responsible, in addition to subsidiaries in foreign countries, to act in ways that harm the environment, binding responsibilities to take environmental due diligence, and integrating ecocide into the scope of corporate criminal law (Sander, 2021). All these would seal the accountability gap that is being systematically abused with regulatory arbitrage and lax enforcement policies in the Global South.

Finally, ecocide legislation design must attempt to meet the balance between retributive justice and restorative justice. Although criminal liability provides checks and balances, restorative methods can provide capacity building by anticipating ecological healing, rehabilitation and

compensations to affected communities. The transitional justice mechanisms adopted in post-conflict societies are hybrid, and they offer valuable lessons that can be applied to incorporating both accountability and ecological repair into an ecocide framework (Chenier & Tremblay, 2025). Such a point of view recognizes that the eventual response to climate-related crimes should be considered through both punitive and rebuilding the trust in the long-term between states, corporations, and vulnerable communities.

8: Conclusion

The ecocide as an international and domestic crime conceptualization also embodies a radical alteration of legal theory, which considers environmental destruction to be a danger to ecosystems as well as human rights, global security, and intergenerational justice. Long-standing environmental offenses that are mainly limited to regulatory offences do not reflect the magnitude and severity of climate-related damages. Conversely, ecocide provides a solid legal and moral paradigm to deal with actions that have ecologically harmful components that are widespread or have long-term ecological impacts with disastrous consequences to the human race.

Ecocide is increasingly becoming a matter of momentum within the international legal domain, which is indicated by international court proceedings in the International Criminal Court, as well as the activities of the Independent Expert Panel. Nevertheless, issues of political will, definition and enforcement are daunting. France, Ukraine, and Vietnam have done domestic experiments demonstrating the potential of establishing ecocide in national penal codes as well as its failures. In the case of a nation like Pakistan, ecocide would have to be incorporated with a constitutional basis, institutional restructuring and protection against abuse in the context of informal justice. The fact that ecocide intersects with human rights also makes the argument of codification stronger. The affirmation of the right to a healthy environment by the United Nations, as well as jurisprudential case law like *Urgenda* and *Leghari*, confirm that the courts are engaged in realizing the environmental protection as a justiciable environmental responsibility of states. This makes ecocide a crime against nature and an indispensable protection of the most elementary rights and humanity.

The objective of policy reforms should be to close the accountability gap through the expansion of liability on corporate actors, the harmonization of domestic and international frameworks and the inclusion of restorative mechanisms to achieve ecological repair. Although criminalization of ecocide will not solve the climate crisis in itself, it will form a vital normative baseline that will elevate ecological destruction beyond a regulatory issue to the global justice issue.

Finally, ecocide is a concept that is not only possible but also needed. With environmental systems going towards tipping points, as climate change escalates, the danger of failing to act is that environmental destruction will become normal at a greater scale than ever before. Codification of ecocide into international and domestic law can see the global community reaffirm its shared duty of safeguarding the planet, respecting human rights and maintaining the circumstances in which life itself can survive.

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