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Press Release 21/09/11

CAN ECOCIDE BE CONSIDERED A CRIME AGAINST PEACE?

Mock Trial, UK Supreme Court, Parliament Square, London SW1

30 September 2011 9.00am - 5.00pm

Shown live on SKY <http://news.sky.com/home/supreme-court>

In April 2010, British barrister Polly Higgins proposed to the UN that Ecocide, the environmental equivalent of Genocide, becomes the 5th International Crime Against Peace alongside Genocide, Crimes Against Humanity, Crimes of Aggression and War Crimes.

On September 30th 2011, the UK Supreme Court in London will be the venue for a mock Ecocide Trial. Simon Hamilton, Chairman of The Hamilton Group, organisers of the event, says: "It is essential that we do a forensic examination of the implications of this proposed law to see how it would work in practice. What better place than the UK Supreme Court to hold this Trial with two of this country's leading barristers."

It is argued that this proposed new Law against Ecocide is fundamental in addressing humanitarian and environmental issues on a global scale. Implementation of the Law has the potential to change inter-governmental policy and action on climate change, by providing the necessary legal framework to help halt the over - exploitation of natural resources and to pre-empt the energy crunch.

Michael Mansfield QC, the prosecuting barrister, and Nigel Lickley QC, the defence barrister together with supporting legal teams, will lead the case for and against the CEOs of two fictional major corporations. Before the case is heard, legal argument will be put as to whether Ecocide and the Earth's Right to Life should be applied to the charge against the two defendants. Being considered are any two of the following Ecocides:

Deforestation of the Amazon
Arctic drilling
Fracking for shale gas in Nigeria
Major oil spill in the Gulf of Mexico

Bauxite mining of Niyamgiri mountain, India
Unconventional tar sands extraction, Canada
Deep sea mining of the Central and Eastern
Manus Basin

The mock trial will examine how the crime of Ecocide could protect the Earth's Right to Life and will be tried as though the proposed crime of Ecocide has been adopted by the UN.

What will happen is not pre-scripted; it is ultimately for the jury to determine whether the crime of Ecocide is made out and whether the Earth's Right to Life is breached.

For further information, invitations to the Trial and press conference, interviews with participants, expert witnesses and well-known experts contact:

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The Ecocide Trial
The Supreme Court of the United Kingdom
Parliament Square, London SW1P 3BD
30 September 2011

Trial Timeline

08.00	Doors open to Sponsors and invited guests
08.30	Doors open to public
09.00	Trial begins. Preliminary argument of whether crime of Ecocide applies under EU law and/or any other argument that may be available
09.00	Defence argues against Ecocide
09.25	Prosecution responds
09.40	Judge rules with reasons
09.50	Move to arraignment
10.00	<i>Charges put to the Defendants who plead Not Guilty</i>
10.10	Jury is sworn in
10.15	Prosecution opens the case against the Defendants
11.00	Prosecution calls his witnesses
11.40	Prosecution closes his case against the Defendants
12.00 – 13.00	<i>adjourn for lunch</i>
13.00	Defence half-time submission; issue - size, duration, impact test - conjunctive or not
13.30	Defence calls his defendants and witnesses to give evidence Prosecution cross-examines
14.50	Prosecution gives closing speech
15.05	Defence gives closing speech
15.20	Judge sums up the case for and against
15.50	<i>Court rises for jury to retire to decide whether to convict or acquit</i>
16.00	Reception hosted by Worldwise Investor
17.00	Jury gives verdict
17.10	<i>Press Conference</i>
18.00	END

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Polly Higgins: A barrister and international environmental lawyer who has proposed Ecocide as the law to protect the Earth's Right to Life to the United Nations. Her book, *Eradicating Ecocide, Laws and Governance to Prevent the Destruction of our Planet*, sets out the law of Ecocide and she is campaigning for Ecocide to be made the 5th Crime Against Peace. www.eradicatingecocide.com www.pollyhiggins.com

The Earth's Right To Life is currently being considered by the UN under a Universal Declaration of Earth Rights. Just as the Human Right to Life is enshrined in the Universal Declaration of Human Rights and the crime of Genocide, so the Earth's Right to Life will be enshrined in the Universal Declaration of Earth Rights and the crime of Ecocide.

The definition of Ecocide submitted by Polly Higgins to the United Nations is:

"the extensive damage, destruction to or loss of ecosystems of a given territory, whether by human agency or by other causes, to such an extent that peaceful enjoyment by the inhabitants of that territory has been severely diminished."

"Once upon a time people did grievous harm to the environment without fully understanding the consequences of their actions. That defence is no longer available, and that sure knowledge we now have entails equally sure moral obligations. In this context, the idea of establishing the crime of Ecocide is both timely and compelling."

Sir Jonathon Porritt – Founder, Forum for the Future

"There is healthy business, then there is greed and sheer madness. A law against Ecocide will help companies avoid slipping from the former into the latter".

Charles Perry, Co-Founder, SecondNature LLP and former Director, BP Green Energy

The Hamilton Group: The Hamilton Group, which is organising the Mock Trial, is a not-for-profit organisation encouraging businesses, organisations and communities to bring responsibility for the Earth to the forefront of their decision-making.

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The Supreme Court: The Supreme Court of the United Kingdom in London has been hired as a venue for the Ecocide Trial. This in no way implies endorsement by the Supreme Court of the opinions raised in the trial or the verdict reached by the trial jury.

THE ECOCIDE TRIAL SPONSORS



A special thanks to **Geraldine Sharpe-Newton** for our communications strategy

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