

COUR PÉNALE INTERNATIONALE
LE BUREAU
DU PROCUREUR



INTERNATIONAL CRIMINAL COURT
THE OFFICE OF
THE PROSECUTOR

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Statement: 16 February 2024

The Office of the Prosecutor launches public consultation on a new policy initiative to advance accountability for environmental crimes under the Rome Statute



ICC Prosecutor Karim A.A. Khan KC addressed an international conference on the environment in Paris on February 7, 2024.

The Prosecutor of the International Criminal Court, Mr Karim A.A. Khan KC, is pleased to announce a new policy initiative to advance accountability for environmental crimes under the Rome Statute.

The Office is commencing today a process that will culminate in a comprehensive policy paper on Environmental Crimes, aiming to ensure that the Office takes a systematic approach to dealing with crimes within the Court's jurisdiction committed by means of, or that result in, environmental damage.

This new policy initiative will help promote accountability, transparency, and predictability in the Office's work in this crucial area. The policy paper on environmental crimes will be developed on the basis of the Rome Statute and other regulatory instruments of the Court, as well as on applicable environmental treaties, rules of customary international law, and the jurisprudence of other international and national courts.

Through this announcement, the Prosecutor invites comments early in the development of this policy initiative, calling for input on, *inter alia*, what specific crimes within the Court's jurisdiction should be included in the policy paper; how to understand and apply the applicable modes of participation in those crimes; best practices for investigating and prosecuting crimes that can be committed by means of or that result in environmental damage; and how to consider environmental crimes when putting into practice the principle of complementarity and engaging in international cooperation.

In highlighting the importance of the new policy and stakeholder consultation, Prosecutor Khan stated: "Damage to the environment poses an existential threat to all life on the planet. For that reason, I am firmly committed to ensuring that my Office systematically addresses environmental crimes in all stages of its work, from preliminary examinations to prosecutions. This latest policy initiative is another commitment to this necessary objective."

Professor Kevin Jon Heller, Special Adviser to the Prosecutor on War Crimes, will be assisting the Prosecutor and the Office in developing this policy. In this first round of external consultations, the Office welcomes and encourages comments on the substance of the policy paper prior to the first draft being produced.

Following the development of a draft policy paper on the basis of this initial input, there will be a second round of public consultations on the draft itself. As part of that second major consultation phase, the Office will also host a number of roundtable discussions to address key pillars of the emerging policy with relevant counterparts from civil society, national authorities, affected communities and the private sector.

The Prosecutor is of the view that external consultations on its policies and working methods are essential for producing the most comprehensive and effective policies.

Comments should be sent to OTP.Policies@icc-cpi.int by 23:59 CET on 16 March 2024. The subject line should read "Comment on OTP Environmental Crimes Policy." All comments received by the deadline will be carefully considered in the internal review and drafting process.

The Office is grateful for the interest and support of the Rome Statute community for its activities and initiatives.

Source: Office of the Prosecutor | Contact: OTPNewsDesk@icc-cpi.int