"AN INTERNATIONAL ENVIRONMENTAL CRIMINAL COURT TO PROTECT THE HEALTH OF MANKIND AND ECOSYSTEMS"

[CHARTER FOR THE RECOGNITION OF INTENTIONAL ENVIRONMENTAL DISASTERS AS CRIMES AGAINST HUMANITY]

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PREAMBLE

Problems deriving from the alteration of nature's resources have threatened human health throughout history[1]. Over the centuries the relation between individuals and nature has been one of *mutual aggression***,** where nature's response to man's intentional aggression [2] was to poison the environment.

Pollutants are in fact, becoming increasingly damaging, drastically alterating environmental resources.

In such a context, some products, as in the case of Sevin, which publicly claimed to be harmless pesticides, were the cause of environmental disasters and human tragedies like Bhopal, leaving over half a million wounded and/or contaminated victims and thousands of deaths [3] .

(*) For the content of the single footnotes see the end of the Charter and the three attachments:

- E.U legislation and acts asserting the need of dissuasive, proportionate effective sanctions (attachment I)
- COUNCIL FRAMEWORK DECISION 2005/667/JHA of 12 July 2005 to strengthen the criminal-law framework for the enforcement of the law against ship-sourcepollution (attachment II)
- I.A.E.S International Charter on the study and protection of ecosystems (Venice 23,24,25 October 2003; attachment III)

For some time now, scientists have become conscious of the gravity of the situation and thus began studying, in-depth, the health of the Planet. Data points to the need to seek an adequate response to the "**environmental problem**"**.**

Among the many studies, one worthy of mention is NASA's satellite space observation. The data, analysed in San Francisco, in February 2001, by over 3000 scientists, addressed environmental issues to propose feasible solutions.

On that occasion, an environmental disaster map was presented, a first of its kind "Atlas of Populations and the Environment".

The Atlas, compiled by monitoring, issued an alarming truth: that individuals, in the years beween 1600 and 2000, were responsible for environmental disasters, seriously threating the health of Planet Earth and altering over half of its resources**.**

Yet such a reality seems to be in marked contrast with the so-called sustainable development policy, regarded as a universally valid principle and "formalized" internationally almost thirty years ago[4].

- recognizing the twenty years spanning from 1972-1992 as the period of greastest relevance in which public awareness was heightened to regard "the environmental problem" no longer as "**a local problem**" (at a municipal, regional or national level), but as "**a planetary problem**"[5];
- considering the development of thirst for *juridic-scientific* knowledge to preventive and repressive measures within a system of Justice that prescribes effective, proportionate and dissuasive punishments[6];
- considering that the UN has promoted cultural initiatives (see Conferences, starting with Stockholm, up to the *Rio Conference*, in 1992, and subsequent Acts) and regulations (Plans of Action, approval of the Rome Statute);
- noting also that the EU has adopted the same orientation in pursuing cultural objectives (see the conferences and debates promoted) and legislative documents (Plans of Action, Single European Act, Maastricht, Amsterdam and Nice Treaties, and the European Constitution);
- noting also that political, institutional and cultural events as well as experts aligned themselves to an "International Jurisdiction" policy, aimed at finding answers and effective solutions to environmental issues, by taking"important legal steps"[7] ;

- condemning human rights violations and systematic aggressions to the environment, the EU responded by taking "noteworthy institutional steps towards legality" and upholding significant legal measures;
- adopting norms to guarantee ***effective justice***, through ***"proportionate, effective and dissuasive[7] sanctions"***;

- ensuring a "***severe response"*** to the environmental crimes set out by the Council Framework-Decision[9] to strengthen the criminal-law framework for the enforcement of the law against ship-sourcepollution Environmental Protection, which adopt criminal law mechanisms and E.U rules (see Legislation in ***attachment II***);
- upholding severe sanctions, already affirmed in different law cases, when addressing environmental issues (see E.U. Directives in ***attachment I***)
- reaffirming the development of an ample debate on International Environmental Protection[10] linked to the important questions of defining the juridical qualification and the boundaries of competence of the so-called **Crimes Against Humanity**[11];
- asks a simple question:

"Whether, and in what terms, great environmental disasters which destroyed eco-systems and /or human lives can fall under the category of Crimes Against Humanity?";

NOW THEREFORE

- stating Art. 7 of the Rome Statute: "…crime against humanity means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, ***with knowledge of the attack;*** *k)* Other inhumane acts of a similar character intentionally ***causing great suffering, or serious injury to body or to mental or physical health"*** [12.]
- Subsequently, the quality and limits of the extension related both to the material and systematic element of the aggressive conduct (referred to territorial and/or temporal extension), will need to be specified;
- emphasising that, of late, crimes against humanity have come to be conceived in a broader sense, no longer necessarily associated to armed conflicts (see *Rio Charter in 1992 and*

Johannesburg Conference in 2002)[13] , an idea that is also supported by both the jurisdiction relating to important cases (see Trail case) [14] and the principles of International Law (customary law, *repetitio actuum , opinio iuris*…)[15] ;

- welcoming the interpretation of the jurisprudence mentioned above, no doubts remains with regard to international and E.U rules (Conventions and Treaties, European Constitution) ;
- considering all the above, two question come to mind: what kind of international protection can be developed in environmental policies? and can an International Criminal Court for the Environment[16] be established?
- That said, what seemed utopia yesterday could indeed become a reality.

THEREBY

- requests the realization of an international criminal jurisdiction for the Environment as foreseen by the Rome Statute, according to Art 121, 122, 123, through the application of a revision procedure;
- proposes, through the amendments above-mentioned, the insertion of new forms of crime into the International Criminal Court Statute. Where at last, an Intentional Environmental Disaster can be viewed as a Crime Against Humanity[17], and therefore apply trans-boundary codified measures to protect ecosystems;
- Reaffirms Art. 7 of the Rome Statute stating that crime against humanity involves a **widespread or systematic attack directed against any civilian population, with knowledge of the attack**[18];
- reaffirms the confines and range of the terms "**attacks and widespread** ", in particular referring to the material element of the aggressive conduct, which involves both the

- "territorial" element -between two or more states- and the "temporal" element -that includes the harmful effects to the environment and/or the health of individuals. Noting that, as stated
- in Art. 7, crimes against humanity, has acquired a broader meaning and is no longer necessarily associated to armed conflicts[19];
- seeks, through the establishment of the International Environmental Criminal Court as a permanent UN body, to prosecute environmental crimes and claim damages-reparations[20];
- recognizes that this idea is not novel among experts in the field[21] as shown by the Johannesburg Conference, in 2002. On that occasion, a hundred and twenty "*green judges*" coming from different parts of the world met to discuss the establishment of a High Court, appointed to prosecute eco-crimes and to sanction eco-criminals[22];
- upholds the Court extending its power to investigate "eco-crimes", adopt preventive measures in case of a crisis, and when needed, develop legislation where no existing rules are applicaple [23];

THE INTERNATIONAL ACADEMY OF ENVIRONMENTAL SCIENCES UPHOLDS THE PRINCIPLES AND THE VALUES STATED IN THE "CHARTER FOR THE STUDY AND PROTECTION OF ECOSYSTEMS" AS AN INTEGRAL PART OF THE ACT EMBODYING THE PRINCIPILES STATED THEREIN

"CHARTER FOR AN INTERNATIONAL ENVIRONMENTAL CRIMINAL COURT TO PROTECT THE HEALTH OF MANKIND AND ECOSYSTEMS"

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the Nations, signatories of the International Criminal Court

ARE INVITED TO UPHOLD

as each State considers best, a political-institutional awareness raising campaign, launched autonomously and/or jointly, aimed at diffusing the amendment(s) of the Statute to recognize Intentional Environmental Disasters as Crimes Against Humanity

MEMBER STATES

ARE INVITED

to press for a conference that pursues the aims stated herein, as set down by the Rome Statute of the International Criminal Court**:**

THE EUROPEN COMMISSION AND PARLIAMENT

ARE INVITED

to support and promote the "CHARTER" in all its institutional initiatves

AND

International Organizations For Environmental Protection, European and non- European Regions, the Municipalities that are signatories of urban *sustainable development*, European and non-European universities, professional associations (of Judges, Lawyers, Doctors, Chemists, Physicists etc), the International press and media are invited to uphold, in the best suited form, the following "CHARTER"

FORWARDS

the **"CHARTER"** to the UN Secretary - General

Venice **.....**

Signed by:

I.A E.S. President

I.A.E.S Founding Members and Scientific Committee.

European Justice and Environment Commissioners

Nobel Peace Prize Winners

President of the C.S.M (Italian High Council of Judges) and other European Councils

Represententives of Professional Associations (Judges, Lawyers, Doctors, Chemists, Physicists, etc.)

Italian, European and non-European politicians

European and non-European University Academics

Scholars and intellectuals

General pubblic

FOOTNOTES:

1 See Antonino Abrami, *Storia, scienza e diritto comunitario dell'ambiente* (Cedam, 2001), pp. 68 ff.

2 While mining has always been one of the primary causes of the alteration of the soil's geological equilibrium, modern technology and chemistry can significantly alter Nature, and destroy cultures, human lives, and our very identity. While naïve methods of environmental control were widespread in the past – as in China, ancient Rome and Medieval Europe, where plagues were fought through magical or religious rites, or in Nepal, where insects were informed that by damaging the crops they would incur in legal punishments –information on chemical products today might not be so naïve, but it is certainly fraudulent.
What is most intriguing is that the Middle Ages – commonly viewed as a dark period in European history – were characterised by an ambivalent approach to natural resources, with the discovery of new ways of exploiting the soil and subsoil on the one hand, and vibrant examples of rational approaches to such resources on the other. While rulers at the time showed little or no awareness for a *sustainable development policy*, health (i.e. the working conditions of the miners) and nature were both considered instrumental resources towards work and production. One example of this is the letter written in 1408 from the mines of Schladming, in which judge Lienhart Eckelzain, who had been appointed forest superintendent, set down the Customary Rules concerning better working hours for miners; or the need to restore and make use of natural environmental resources, such as some Regulations (see the so-called "Family-Fires", i.e. village groups whose official constitution dates back to 1235) which sought to safeguard the environment by implementing a preventive environmental policy aimed at:
- protecting the woodland through rigorous norms for the prevention of fires, (as with the so-called *laudi cadorini*);
- setting down a Detailed Legislation on the exploitation of the woods and the use and transport of timber, and a regulation of the exploitation of the woodland
- safeguarding the exploitation of woodland through the above-mentioned Detailed Legislation, by sub-dividing woodland into units named "Vizze", aimed at specialised produce (wood for the stove, the aqueducts, the protection of the inhabitants from landslides etc.);
- safeguarding private economic wealth within the community, in such a way as to allow communal wealth to meet the needs both of individuals and the public.
Lastly, it should be noted that the Middle Ages gave proof of a greater consciousness in applying stricter punishments than today for environmental crimes.

3. See Dominique Lapierre and Javier Moro's detailed description of the Bhopal tragedy (*Mezzanotte e cinque a Bhopal* [Mondadori, 2001]), on the dramatic consequences of *unsustainable development*.

4. On the need to analyse environmental change through an **interdisciplinary approach**, and on the relation between environmental change and ***sustainable development***, see *Beni culturali dell'alto adriatico* (Mezzani, 2004) (cod. Aaven 551121, co-financed by the EU), pp. 59-60 notes 1, 2 and 3.
It is worth noting here that the need for an interdisciplinary approach in the study of environmental problems was stressed by biologist Renè Dubos, (in WARD B. –DUBOS R., *Una sola terra,* Italian translation by G. Barbè Borsisio and E. Capriolo, Mondadori, Milan, 1972), who pointed to the need to address the issue in '**specific physical, climatic and cultural contexts'.**
The **issue of *sustainability*** was officially developed in 1987 with the so-called **Brundtland Report**.
The expression '***sustainable development***', embodied in the well-known, albeit misused slogan to 'think globally and act locally', accompanied what is perhaps the most important political and cultural event of the twentieth century in terms of the protection of natural resources: the 1992 Rio Conference.
To be consistent from a scientific point of view, one should also mention J.R. Hichs, another researcher who had previously developed theories close to the idea of ***sustainable development*** (which Hichs defined as "**the largest quantity of resources a given community can make use of in a given period of time without affecting the original availability of such resources"**).
It should also be noted that although the issue of *sustainable development* formally arose with the so-called **Brundtland Report**, if not previously with the **Club of Rome** (see note below), since the late 1980s Supra-Communitarian Administrative Bodies (see note below) had been publishing recommendations to promote a radical change in the way nations conceived economic growth, poverty and environmental protection. There is no doubt, then, that the codification of the principle of *sustainable development* was developed not only within the European Community, but world-wide, and under the jurisdiction of the United Nations, in June 1992, with Agenda XXI, during the Rio Summit, and later continued, in June 1996, during the City Summit (Habitat II) at Istanbul.

While these can be seen as key dates and events on a world scale, in the case of Europe one ought to refer to the period from 1973 onwards, which was marked by Programmes of Action, and the period from 1994 to 2000, when conferences where organised. The 'season' – so to speak – opened in Europe when, in May 1994, the European Commission (DG XI) signed the *Aalborg Charter*, which was followed by the *Mediterranean Conference on Local Agenda 21,* in Rome, in November 1995. At the *Lisbon European Conference*, in October 1996, four regional conferences were planned: Turku (September 1998), Sophia (November 1998), Seville (January 1999), and Ajax (June 1999), with the *Third Pan-European Hannover Conference* (February 2000) in mind. Other kinds of meetings which influenced environmental politicies of the late twentieth, early twenty-first century, were also set up by local and regional organisations.

5 See the following international charters:

- Geneva Convention, 1958;
- Convention on the Rights of the Sea of Montego Bay 1982;
- Chicago Convention 1944, which assigned individual States the airspace above their territory (where airspace is to be understood as all the space within which travel by air is possible, up to the point where "air travel becomes orbital", i.e. up to the so-called Karman line, situated 81-84 km above the surface, and above which non-atmospheric space – regarded as ***res communes omnium*** – begins);
- Convention on the international responsibility for damage caused by space objects, 1972;
- Convention on the registration of objects launched into extra-atmospheric space, 1975;
- Moscow Convention 1963, on the exploitation of space, signed at Moscow, London and Washington in 1968, and the agreement on the moon and other space objects signed in New York in 1979.

Other rules worthy of mentioned: the Helsinki Rules on the Uses of the Waters of International Rivers. This constituted "the first attempt to introduce a set of regulations for the protection of international waters, dating back to 1966, when the International Law Association adopted a non-binding provision, the Helsinki Rules on the Uses of the Waters of International Rivers, according to which only States possessed the right to make '**reasonable and equitable' use . . . of water resources common to all, while legally obliged to prevent even reversible increases in the current level of pollution, as a situation of this kind might cause damage to the territory and resources of neighbouring States or of States with access to the polluted resources. In case of omission or violation of these rules, the State would be held accountable, and negotiations would have to be made to reach an agreement**. The Helsinki Rules are mentioned here, because beside their merely cultural character – for they have no power to enforce action – they are twenty years ahead in dealing with environmental issues which later arose worldwide, and which are addressed in a different section of the present work (Stockholm and Rio de Janeiro Conference, etc); they thus constitute a highly influential antecedent, not unlike the Club of Rome . . . With the Club of Rome, an international cultural group composed of various members of the scientific, economic and industrial communities, which met in 1968 for the first time, at the Accademia dei Lincei of the Farnesina at Rome, an interesting cultural debate was launched: a shared concern for the worsening of problems connected to the rapid increase of the population and the progressive depletion of world resources. This group no doubt played a central role in the evolution of scientific thought on the environment; one of its chief merits was that of encouraging the Massachusetts Institute of Technology to develop a study on trends and interactions of various factors which affect society as a whole. This research became an integral part of a broader study on the precariousness of humanity, which the Club of Rome developed to inform the general public about the possibilities of a sustainable future, and to define the 'physical limits and constraints affecting the reproduction of the human specie and its material activities on our planet' (*I Limiti dello Sviluppo*, ed. scientifiche e tecniche Mondadori, p. 19). Besides, the MIT report, which in certain ways anticipates themes which later became the object of international scrutiny (see Agenda XXI), it constitutes one of the best examples of information: 'its spread was sudden, as suggested by its many English editions, in the US and Great Britain, soon followed by editions in Dutch, French and Japanese' (see preface to the Report by Aurelio Peccei, p. 11), as well as an Italian edition, first printed in 1972, and followed by numerous reprints. The preface of the Italian edition states that 'almost 200,000 copies have already been sold', along with 'translations in other ten languages', and thousands of copies sent to governments, public administrations, international organisations, trade unions, universities, youth organisations, scientific and intellectual communities, religious organisations and media.

The Conference of Stockholm sprang from such cultural context. It included the participation of 113 countries, and yielded about 20,000 pages of preparatory documents and 800 pages of transcripts, followed by the ratification of an introduction consisting of 7 passages containing 26 norms concerning natural resources worldwide. These norms were conceived as international principles addressed to citizens and communities, companies and institutions at all levels." (Translated from *Storia, Scienze e diritto comunitario dell'ambiente*, pp. 63-64, note 39).

6. The considerations raised above certainly prove useful once the following principles are taken into account:

- the POLLUTER PAYS PRINCIPLE, a guiding principle of the EU system, a source of inspiration for many directives and regulations etc, according to which the polluter is required to make reparation to the community;
- the PREVENTION PRINCIPLE (see V.I.A. and action programmes): the need and duty to employ any measures to prevent environmental damage;
- the CORRECTION PRINCIPLE: the cause and source of pollution ought to be removed immediately;
- the PREVENTION PRINCIPLE introduced by the Treaty of Maastricht, according to which all individuals who conduct potentially polluting activities are required to seek ways of preventing environmental alteration.

7 See http://www.entilocalipace.it/strumenti02.asp?codice=78 , the words of A.Papisca and M. Mascia, who emphasise how "**significant legal elements**" emerged starting " in the last decade of the past century . . . as significant legal elements and cooperation developed amid the jumbled reality of an international system that was undergoing a confused transition."
The two researchers have pointed out that today various elements can be found "of a world order that is different from the one espoused by the war-mongering oligarchy. What we have in mind here is the development of a High Commission of the United Nations for human rights, B.B. Ghali's "Agenda for Peace" , the International Criminal Court, the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, 1999 (known as Human Rights Defenders Charter), the EU Charter of Fundamental Rights, the 'Millennium Forum' of civil society which met at the UN in 2000, and of course the bi-annual sessions of the UN People's Assembly . The very same decade was marked by the United Nations World Conferences –attended, from Rio onwards, by many NGOs –by the Social Forum, by the philosophy of 'human development' conceived in the UNDP Annual Report, by the coalitions of civil groups promoting the idea of a world Contract of water, and of the formal inclusion of extreme poverty among the list of crimes against humanity. Beside, the same years were marked by Pope John Paul II's incessant denunciation of war as an 'adventure with no return', which he continued to voice despite the evident concern of certain curial offices which sought to distance themselves from what they perceived as an encouragement of anti-American sentiments." (see the web address above).

8. It is worth noting that in the Middle Ages a unique juridical system existed in Tyrol, implemented by judges from the REGION and by judges from the CITY: the former addressed the so-called **Crimes Of "High Justice"** (servere crimes such as homicide, robbery, rape, burglary, high treason, forgery, heresy and arson, punished either with the mutilation of the body or with a death penalty); the latter addressed crimes of "**Low Justice**" (lesser crimes such as simple theft, or those described as acts of licentiousness and misdeeds, punished with imprisonment, corporal punishments, pillory, forced labour or fines in cases related to property, debts, or breach of contract);

9 See the COUNCIL FRAMEWORK DECISION 2005/667/JHA of 12 July 2005 to strengthen the criminal-law framework for the enforcement of the law against ship-sourcepollution

10 See Attachment III, the International Charter for the Study and Protection of Ecosystems, Venice, 23-25 October 2003.

11. It should be noted that the environmental issue is closely linked to the protection of individual rights. According to scholar Paolo Maddalena, if human rights have now become social rights (in the sense that social rights belong to an individual, not only as a human being, but also as a member of a community, since the individual is a fraction of the community of citizens) the complete development of a human being can be attained only through the community. Maddalena concludes that "the right to the environment is certainly both a social and an individual right because it belongs to an individual, as human being has the right to life that belongs to an individual since it is a good shared by all."

12. The text suggests that crimes against humanity might even be seen as a systematic and widespread attack against a civil population even outside an armed conflict.

13. The Rio Charter asserts two basic principles:

1. (principle 25) "**peace, development and the protection of the environment are interconnected and indissolubly linked";**
2. (principle 27) "States and peoples **ought to cooperate actively and in solidarity to implement the principles outlined in the present charter and in international law, to work towards *sustainable development*".**

14. The referral herein pertains to the 1941 **Trail Smelter Arbitration** (published in American Journal of International Law, 1941, p. 716), on the Trail foundery case. In the arbitration case between Canada and the US, the Court condems

Canada, as the foundery, situated in its territory, had damaged American crops and polluted the air. The sentence rested on international law which rules that "no State has the right to use or allow the use of its territory in any harmful way."

15. International Customary Law is represented by the constant and uniform behaviour of States, that is to say: by the repetition of a specific kind of conduct, which implies its binding character. International Customary Law is regulated by two elements:

- DIUTURNITAS (i.e. custom)
- OPINIO JURIS AC NECESSITATIS (i.e. belief in a juridical necessity)

The term *customary* refers to an actual course of action, i.e. to juridical resolutions both internal (such as judges' sentences, ordinary or regional laws and the rules established by any internal public institution) and pertaining to international legislation (such as treaties, international resolutions, State Claims, or diplomatic correspondence). The customary must be qualified:

- Subjectively, it has to derive from subjects of the international system (usually States)
- Objectively, its characterists must be:
    1. UNIFORMITY (or non-contradiction) to guarantee that political motivations of States do not take on prominence to justify their own actions, but only the conduct they consider as truly juridic
    2. UNIVERSALITY, assures that the norm is established by a significant and representative number of States
    3. CONTINUITY, implies persistence extended over time of the conducts of the majority of States.

Opinio juris, on the contrary, implies that the conduct adopted was motivated by their juridical or social necessity.

16.The function of the Environmental Criminal Court would be to prosecute individuals rather than States. In this it differs from the International Court of Justice. The ultimate aim of the court being the application of an international humanitarian law, impartial to the defendant's country of origin, in order to extend environmental justice universally, while at the same time guaranteeing the observance of the fundamental principles of criminal law: individual accountability, the principle of non-retroactivity, and a defendant's right to a fair trial.

17. The transboundary nature of pollution implies a reformulation of International Law, referring to the rights of citizens of the **Ecosystem Earth**. In juridical terms, this would first lead to the development of international rights of the environment, and then to the formulation of a Communitarian Environmental Law. In conclusion: these rights primarily refer to the information *anyone* can claim to obtain over resources and/or ecosystems, both marine and terrestrial. This right to information can be exercised without the need to prove one's direct economic interst in the matter, therefore outside any "proprietary paradigm".

18. The article continues: "**other inhumane acts of a similar kind intentionally aimed at causing great suffering or serious damage to physical integrity, or to physical or mental health.**"

19. See also notes 22, 8 and 9 (COUNCIL FRAMEWORK DECISION 2005/667/JHA of 12 July 2005 to strengthen the criminal-law framework for the enforcement of the law against ship-sourcepollution)

20. This obligation was already formulated by the Stockholm Conference of 1972, which holds States accountable for environmental damage and provides compensation for the victims of environmental crimes, a reparation that is implicitly recognized **Polluter Pays Principle**.

21. On the international debate, see the note that follows. With reference to international normative acts, the intervention by the Sub-Commission on the Promotion and Protection of Human Rights of the Senate, established on 2 August 2001, is worthy of mention. The manual offers extensive documentation of over 1300 pages of international acts regarding human rights. As cited in the text, the topic is constantly evolving owing to historical changes and technological progress. A close reading of the 30 Articles of the Universal Declaration of Human Rights clearly suggests that its detailed implementation would suffice to secure the rights of individuals and peoples but, in the course of the years, it has frequently been disregarded, and not only by the so-called Third World countries. On international normatives on "Human Rights" see the above-cited "Manual on Human Rights" that includes Treaties, Conventions, Declarations, Statutes, Protocols translated into Italian, with latest update in 2004. The two-volume publication compiled by the Sub-Commission also includes a CD-Rom, (2006). In the section "Declaration of Principles", the Manual, includes such documents, as the Tehran Proclamation of May 1968 and the Vienna Declaration of 1993 (inspired by the Universal Declaration), we find the "**Declaration on the Responsibility of Present Generations Towards Future Generations**", adopted in Paris on 12 November 1997. The responsibilities it outlined include: the preservation of life on Earth, protection of the environment, of biodiversity, of cultural heritage and human genomes, peace and non-discrimination. The aims of the Manual are to provide a clear and comprehensive picture of international Human Rights norms. The first volume, dedicated to the UN, is subdivided into two sections – Human Rights and Humanitarian Law whereas the second offers information on Human Rights law applicable to in different areas of the continent. In particular, therein contained are the statutes and conventions of the Council of Europe, the EU, the Organization of American States, the Organization of African Unity, the Arab League and the Asia Human Rights Charter.

22. One should stress the need here – which is being gradually addressed by the UNEP – to provide funding for the environmental court by means of donations by the member States (chiefly Holland and the US at present), and to sentence those responsible for such crimes to the payment of fines, rather than by issuing criminal sanctions of different nature.

23.The establishment of an Independent Court within the UN, and the acknowledgment of the right to action even in the case of individuals or associations would offer the advantage of assuring a broad legal protection in the international field. Restrictions would be allowed in the action of corporate bodies only to limit the excessive spread of lesser court cases.