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Monsanto Tribunal shows need for global legal jurisdiction on environmental crime

Opinion of Monstanto Tribunal

The International Monsanto Tribunal has today delivered its legal opinion, stating that Monsanto should be considered accountable for violations of human rights and for environmental crimes. While the Tribunal has no legal authority, the judges used the Rome Statute as a benchmark for assessing whether Monsanto could be considered to have criminal liability.

Bart Staes, who attended the evidence sessions last year, comments:

“We welcome this legal opinion, which makes clear that Monsanto should be considered criminally responsible for human rights violations and environmental crimes. For far too long, Monsanto has been able to act with impunity, causing massive destruction to our environment and severely damaging the livelyhoods and health of many people around the world.

"This opinion will have no immediate legal consequences – although it will contribute to the progressive development of international law. It will hopefully provide legal tools to all those – victims, lawyers, judges, civil servants, NGOs and others – who, in various corners of the world, want to take legal action to make Monsanto accountable for the respect of human rights, environmental protection, scientific integrity and democratic processes.

"The red line in this opinion is that it highlights the clear need for international legal jurisdiction on environmental crimes. Just as the world came together to respond to genocide and crimes against humanity by creating the International Criminal Court, we now need an international legal framework to respond to serious crimes against the environment. Following the Paris climate agreement, there is clear international consensus of the importance of protecting our environment. But for these commitments to be met, there is a need for a global legal authority. Significantly, the Prosecutor of the International Criminal Court (ICC) decided on 15 September 2016 to include environmental concerns within its scope of investigation.

"The Tribunal has aimed to contribute to the progressive development of international human rights law by proposing new legal avenues for corporate accountability and new legal concepts such as the international crime of ecocide, understood as causing serious damage or destroying the environment.

"Lastly, it is quite clear that this opinion of the tribunal emphasises once again that the European Commission cannot responsibly allow the merger of Monsanto and Bayer to proceed. This merger will most likely be notified to the EC by the end of this month."

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