

# **Shadows of Strife: The role of Environmental Law in Safeguarding People and the Environment in Times of Conflict**

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## **ABSTRACT**

### **Criminalising Ecocide: escaping the seductive allure of law**

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Calls to criminalise 'ecocide' are increasingly prevalent across the world of environmental NGOs and across the climate protest movement. The claims that accompany those calls tend to be hugely optimistic and often factually misleading. And yet a criminal law of ecocide retains its seductive allure. This paper begins with a discussion of the concept of seductive allure from scientific research - the idea that adding scientific-sounding language or explanations from technical fields—can make information seem more credible and valid, even if that information is flawed or meaningless. The paper argues, with reference to the current proposal to introduce an offence of ecocide into international criminal law, that few, if any of the claims accompanying those proposals are credible or valid. It then moves beyond this discussion of the proposed law reform's seductive allure to analyse the likely effect of the proposed reforms if they were to be ever applied. This analysis will use a case study of the plastic and chemical industries in Tarragona as a point of engagement and will explore the contradictions of applying criminal law in this context. The paper will close by proposing some more useful and practical applications of criminal law that are yet to enter the debate on 'ecocide.'