



## **Agricultural Pesticides and Highly Vulnerable Aquatic Ecosystems: Recognising the Crime of Ecocide to Give Rights to the Voiceless Ocean**

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### **Abstract**

Pesticides adopted in agriculture are irreversibly damaging aquatic ecosystems and creating 'dead zones' within bodies of water where almost nothing can survive. Roughly half the agricultural pesticides escape from fields where they are applied, finding their way into soil, air, water, and rainfall so as to pollute the overall ecosystem. This becomes even more concerning when the threatened aquatic ecosystem is the world's largest coral reef system: The Great Barrier Reef, where marine scientists found excessive levels of several pesticides\*. Violations of environmental law obligations or weak enforcement of precautionary measures are more pronounced in the ocean, where zone boundaries are permeable and the high seas are beyond national jurisdictions. Protective criminal law, or ecocide law, complements the development of an ocean rights framework, where the ocean and its ecosystems are considered legal subjects. Just as the fundamental human right to life is safeguarded by criminal laws against murder, rights of nature and ecocide laws are mutually supportive. As such, recognising ecocide internationally would establish a crucial framework to safeguard ocean wildlife and marine ecosystems from severe damage caused by human activities. Against this background, this paper explores whether the crime of ecocide can be applied to the case of pesticides used in agriculture to enhance the sustainable development of the agriculture industry. It also discusses whether its inclusion in the Rome Statute alongside crimes against humanity would support a shift from an anthropocentric to a more ecocentric approach to the environment to promote strategic positive changes.

\*Jon Brodiea and Matt Landosb, 'Pesticides in Queensland and Great Barrier Reef waterways - potential impacts on aquatic ecosystems and the failure of national management' (2019) 230(15) Estuarine Coastal and Shelf Science 1.



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