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**Press Release – 04/10/11**

**Law of Ecocide Proved Valid at London's Supreme Court:  
Two CEOs Found Guilty on Two Counts.**

**Supporters Call for Ecocide to be on the Agenda of Earth Summit 2012**

Two CEO's were found Guilty on two indictments of Ecocide at Canada's Athabasca Tar Sands when the law of Ecocide was tried and tested, for the first time, in a Mock Trial at the UK Supreme Court on September 30th.

Michael Mansfield QC appearing for the Prosecution said, "Companies cannot be given a licence to spill and kill provided they clear it up. The most pressing issue for any government in the world today, is the attack on our planet."

Mr. Mansfield is among those supporting the proposal for the UN to make Ecocide an international crime. Supporters include the former Environment Minister, the Rt. Hon. Michael Meacher MP, who attended the day long Trial, Dame Jane Goodall, Sir Jonathon Porritt former Chair of the UK Sustainable Development Commission, The World Future Council and numerous other international non-governmental organisations and activists.

Simon Hamilton, Chairman of The Hamilton Group, said "Ecocide should be on the Agenda at the Earth Summit in Rio in June 2012. The mock Trial proved that the crime of Ecocide is valid. The ethical and moral case for the banning of ecocides must now be at the forefront of decision-makers in Government and business throughout the World. We proved on Friday, at the Supreme Court, that there is international interest in the passage of such a law and the Hamilton Group will continue to ensure that the implications are as widely debated and understood as possible."

It took just 50 minutes for the jury to return with two unanimous guilty convictions of ecocide against the CEO's Global Petroleum Company and Glamis Group. Both were convicted on charges of ecocide relating to oil extraction at the Athabasca Tar Sands in Canada, while the boss of Global Petroleum was acquitted of charges relating to the Gulf oil spill.

**Huw Spanner, Foreman of the Jury**, said: "We reached unanimous verdicts on the two tar sands cases very quickly. It seemed to us beyond doubt that the two CEOs had willfully caused to be created large areas of water that were extremely hostile to life, and would probably remain so long after their companies had left the area. With regard to the oil spill in the Gulf of Mexico, we all agreed that the CEO of Global Petroleum was very guilty of something very serious - but was it ecocide? We had only half an hour to consider this question and, on the evidence presented to us, nine of us were sufficiently unsure to acquit him.

"We found the whole experience fascinating. Although the 'trial' was very condensed, and the time we had to deliberate very short, we tried to approach our task like a proper jury."

Vandana Shiva, the renowned Indian physicist, environmentalist and Member of the World Future Council, said: "The Ecocide trial is a very important step in waking us up to the violence which is the foundation of the current economy. We need another model that is non-violent, a model which makes peace with the earth.

"Ecocide must stop. The ideal of limitless growth is leading to limitless violations of the rights of the Earth and of the rights of nature. This is ecocide. We need to stop the destruction of the very basis of life on Earth and of human survival."



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### EDITORS NOTES:

Photos of the Trial taken by Habie Schwarz can be found at:  
<http://www.flickr.com/photos/68171874@N07/sets/72157627676571749/>

Polly Higgins: A barrister and international environmental lawyer who has proposed Ecocide as the law to protect the Earth's Right to Life to the United Nations. Her book, *Eradicating Ecocide, Laws and Governance to Prevent the Destruction of our Planet*, sets out the law of Ecocide and she is campaigning for Ecocide to be made the 5th Crime Against Peace.  
[www.eradicatingecocide.com](http://www.eradicatingecocide.com) [www.pollyhiggins.com](http://www.pollyhiggins.com)

The Earth's Right To Life is currently being considered by the UN under a Universal Declaration of Earth Rights. Just as the Human Right to Life is enshrined in the Universal Declaration of Human Rights and the crime of Genocide, so the Earth's Right to Life will be enshrined in the Universal Declaration of Earth Rights and the crime of Ecocide.

The definition of Ecocide submitted by Polly Higgins to the United Nations is: "the extensive damage, destruction to or loss of ecosystems of a given territory, whether by human agency or by other causes, to such an extent that peaceful enjoyment by the inhabitants of that territory has been severely diminished."

### INDICTMENT DETAILS

#### Count 1

**Statement of Offence:** Ecocide contrary to section 1 (1) and section 2 of the Ecocide Act 2010.

**Particulars of Offence:** Between 22<sup>nd</sup> day of April and 31<sup>st</sup> day of August 2010 in his role as Chief Executive Officer, **Mr. Bannerman of Global Petroleum Company (GPC)** had authority over and responsibility for a semi-submersible Mobile Offshore Drilling Unit when an explosion on the platform caused an oil spill in excess of 250 million gallons of crude oil into the Gulf of Mexico sea resulting in extensive destruction, damage to or loss ecosystem(s) covering an area in excess of 200 square kilometres of ocean, to such an extent that the peaceful enjoyment by the inhabitants of the territory has been severely diminished thereby:-

1. causing injury to 2,086 birds;
2. causing the death of 2,303 birds
3. putting birds at risk of injury

contrary to section 1 (1) and section 2 of the Ecocide Act 2010.

**The Verdict:** Not Guilty.

#### Count 2

**Statement of Offence:** Ecocide contrary to section 1 (1) and section 2 of the Ecocide Act 2010.



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**Particulars of Offence:** Between 28<sup>th</sup> day of March and 6<sup>th</sup> day of September 2010 in his role as Chief Executive Officer, **Mr. Bannerman of Global Petroleum Company (GPC)**, had authority and responsibility of all GPC operations in the Tar Sands. As a consequence of extraction of oil from the Athabasca Tar Sands in Canada the creation of tailing ponds has led to extensive destruction, damage to or loss of ecosystem(s) to such an extent that the peaceful enjoyment by the inhabitants of that territory, and of the other territories, has been severely diminished thereby putting birds at risk of injury and death, contrary to section 1(1) and section 2 of the Ecocide Act 2010.

**The Verdict:** **Guilty – Unanimous.**

### **Count 3**

**Statement of Offence:** Ecocide contrary to section 1 (1) and section 2 of the Ecocide Act 2010.

**Particulars of Offence:** On 19<sup>th</sup> April 2011 in his role as Chief Executive Officer, **Mr Tench of Glamis Group**, had authority and responsibility of all Glamis Group operations in the Tar Sands. As a consequence of extraction of oil from the Athabasca Tar Sands in Canada the creation of tailing ponds has led to extensive destruction, damage to or loss of ecosystem(s) to such an extent that the peaceful enjoyment by the inhabitants of that territory, and of other territories, has been severely diminished thereby putting birds at risk of injury and causing 1,600 birds to die, contrary to sections 1(1) and section 2 of the Ecocide Act 2010.

**The Verdict:** **Guilty - Unanimous.**

### **PROSECUTION TEAM:**

- **Michael Mansfield QC**, Tooks Chambers
- **Steven Powles**, Doughty St Chambers
- **Jane Russell**, Tooks Chambers

### **DEFENCE TEAM:**

- **Christopher Parker QC**, 3PB Chambers
- **Adam Hiddleston**, 3PB Chambers
- **Noa Tu**

### **EXPERT WITNESSES:**

- **Dr Simon Boxall**, National Oceanography Centre, University of Southampton
- **Robin Perry**, Robin Perry & Associates, Oil Spill Environmental and Crisis Management Consultants
- **Peter Robinson**, Consultant Ornithologist

### **THE DEFENDANTS:**

- Mr Tench was played by **Robert Hider**



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- Mr Bannerman was played by **Nicholas Deal**

**THE JURY** was selected from volunteers who were vetted to ensure as far as possible, an impartial hearing.

**THE HAMILTON GROUP**, which devised and organised The Ecocide Trial is a non-for-profit organisation aiming to bring the issues of the Earth to the forefront of decision-making.

**Our Ethos:** *“We as individuals, organisations, communities and societies depend on and are an integral part of the natural capital that sustains us all. By ensuring that in all our actions we sustain, care for and balance the diverse needs of people and the biodiversity and ecology of the Earth, we will enable a happier, more just, equal, sustainable and integrated world.”*

For more information please contact:

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**THE SUPREME COURT OF THE UNITED KINGDOM** in London has been hired as a venue for The Ecocide Trial. This no way implies endorsement by The Supreme Court of the opinions raised in the Trial or the verdict reached by the Trial jury.

## THE ECOCIDE TRIAL SPONSORS



A special thanks to Geraldine Sharpe-Newton for our communications strategy.  
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