

# Biopolitics International Organisation

## Resolution for the Establishment of an International Court of the Environment

*To further this goal, B.I.O., with the invaluable assistance of Professor Alfred Rest, has prepared a formal statement for the urgent need to implement an International Court for the Environment:*

**Recognising** that there exists a global environmental crisis that threatens all the major ecosystems and life - bios - on our planet;

**Reiterating** that all States and all people shall co-operate in a spirit of global partnership in the essential task of eradicating poverty and in protecting the environment as an indispensable requirement for sustainable development for the benefit of present and future generations;

**Emphasising** that the international community has an obligation, as the guardians of global natural resources, to conserve, protect and restore these resources and to preserve all other species from further pollution, contamination and extinction;

**Reasserting** that the right to a healthy environment is a fundamental human right;

**Recalling**, inter alia, Principle 22 of the Stockholm Declaration and Principle 13 of the Rio Declaration according to which States shall develop further the international law regarding liability and compensation for the victims of pollution and other environmental damage caused by activities within their jurisdiction or control to areas beyond their jurisdiction;

**Reiterating** the indispensability of an International Court of the Environment to resolve transnational and international environmental disputes and to preserve and protect global ecosystems;

**Recalling** that such an institution could also contribute to the development and promotion of international environmental law; and

**Recognising** that such a court is intended to be complementary to a national and regional compliance, enforcement and judicial systems

it is resolved that:

1. There is an urgent need for the immediate establishment of an International Environmental Court with mandatory jurisdiction to resolve transnational and international disputes in environmental matters, and thereby to conserve and protect the global environment and all species from further degradation and extinction. This institution can also make an essential contribution to the further development and creation of international environmental law.
2. There is a fundamental human right to a healthy environment that can be protected through such a court. To implement such a right and to prevent any deleterious effects to the environment the harmed or potentially injured victim, as well as generally accepted and recognized environmental non-governmental organisations and interest groups, and legal

persons from industry and businesses as well, must have legal access to such a court, equitable to the access of States and International Organisations.

3. Until an International Court of the Environment is established, the Permanent Court of Arbitration (The Hague) should be the competent institution for the settlement of disputes by providing the flexible mechanisms of commissions for fact finding/inquiry, mediation, conciliation, and arbitration, according to its set rules of procedures.

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