



# International Monsanto Tribunal In The Hague - October 2016

**International Monsanto Tribunal Names Panel of Distinguished  
International Judges  
Two Eminent International Lawyers Also Agree to Serve on the  
Tribunal**

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**THE HAGUE, Netherlands**—The organizers of the [International Monsanto Tribunal](#) today announced the installation of three international judges who will co-chair the citizens' tribunal, scheduled for October 15-16 in The Hague, Netherlands. The three judges are: Ms. Dior Fall Sow, Senegal, a former advocate general at the International Criminal Tribunal for Rwanda; Ms. Francoise Tulkens, Belgium, a former vice-president at the European Court of Human Rights; and Mr. Upendra Baxi, India, former president of the Indian Society of International Law.

The Tribunal organizers also announced two of the lawyers who will participate in the Tribunal. Dr. Jackson Nyamuya Maogoto, UK, will prepare the case against Monsanto on the question of whether Monsanto is complicit in war crimes as defined in Article 8(2) of the International Criminal Court.

Maogoto said, *“The potential for businesses to be perpetrators of international crimes was legally recognized by the Nuremberg Tribunal which held private German industrialists criminally liable for their support of the German war effort. This important Nuremberg legacy has quietly been subsumed over decades by the military-industry complex. It is time that the complicity and liability of corporations is reactivated. The International Monsanto Tribunal will serve to resurrect the Nuremberg legacy, ‘remind’ and re-energize the international law framework— business actors can be involved in international crimes.”*

Dr Gwynn MacCarrick will serve as *amicus curiae* (or friend of the Tribunal) on the issue of ecocide. She is a lawyer and legal academic who will prepare the legal submissions in relation to the question of whether the past and present activities of Monsanto constitute a crime of ecocide, understood as causing serious damage or destroying the environment, so as to significantly and durably alter the global commons or ecosystem services upon which certain human groups rely.

MacCarrick said, *“The work of the International Monsanto Tribunal will undoubtedly contribute to the progressive development of international law, by*

*clarifying the content of the human rights responsibilities of companies, and by informing the international debate as to whether international criminal law should evolve to include the crime of ecocide."*

### **Background on the judges**

**Dior Fall Sow, Senegal**, is a consultant to the International Criminal Court, a former Advocate General at the International Criminal Tribunal for Rwanda, and founding member and honorary chairwoman of the Senegalese Lawyers Association (AJS). The first woman appointed public prosecutor in Senegal, Sow also has served as officer and knight of the Order National du Mérite (Senegal). She has participated in many conferences and seminars around the topics of human rights, peace and security, humanitarian international law, and international criminal justice in many countries, including Switzerland, Belgium, Austria, Italy and the U.S. She is also the author of many research papers on legal issues. Past posts also include: national director of Juvenile Correctional Education and Social Welfare; director in charge of legal affairs in SONATEL; advocate general in the office of the Prosecutor for the ICTR; and main advocate general for the ICTR Appellate Division.

**Françoise Tulkens, Belgium**, has a Doctorate in Law, a Master's degree in Criminology and a higher education teaching certificate (agrégation de l'enseignement supérieur) in Law. She was a Professor at the University of Louvain (Belgium) and has taught, in Belgium and abroad, as a visiting professor at the Universities of Geneva, Leuven, Ottawa, Paris I, Rennes, Strasbourg and Louisiana State University, in the fields of general criminal law, comparative and European criminal law, juvenile justice and human rights protection systems. From November 1998 to September 2012, she was a Judge in the European Court of Human Rights, serving as section president from January 2007 and as vice-president of the court, from February 2011. She has been an associate member of the Belgian Royal Academy since 2011. From 2011 to 2015 she chaired the Board of Governors of the King Baudouin Foundation. In September 2012, she was appointed to the United Nations Human Rights Advisory Panel for Kosovo. Since June 2013 she is a member of the Scientific Committee of the European Union Fundamental Rights' Agency (FRA), of which she is currently the vice-chair. Tulkens is the author of many publications in the areas of human rights and criminal law and also co-author of reference books. She holds honorary doctorates from the Universities of Geneva, Limoges, Ottawa, Ghent, Liège and Brighton.

**Upendra Baxi, India**, is a legal scholar, and professor of law in development at the University of Warwick, United Kingdom. He has been the vice chancellor of University of Delhi and of the University of South Gujarat, Surat, India. He taught law at Faculty of Law, University of Delhi, where he also served as dean and vice chancellor. He has taught various courses at Universities of Sydney, Duke University, the American University, the New York University Law School Global Law Program, and the University of Toronto. He has also served as the honorary director (research) at the Indian Law Institute and the president of the Indian Society of International Law. Baxi's areas of special expertise in teaching and research include comparative constitutionalism, social theory of human rights, human rights responsibilities in corporate governance and business conduct, and materiality of globalization. In 2011, Baxi was awarded the Padma Shri, the fourth highest civilian award in India, by the Government of India. He

is the author of many scholarly articles, including "The Struggle for Human Rights", Rethinking Human Rights. Edited by S Kothari and H Sethi. Bombay: Tripathy, 1989.

### **Background on lawyers**

**Dr. Gwynn MacCarrick, Australia**, was former legal officer at the Office of the Prosecutor at the International Criminal Tribunal for the former Yugoslavia and former defense counsel for a militia commander charged with 23 counts of crimes against humanity before the United Nations Special Panel for Serious Crimes in Dili, East Timor.

**Jackson Nyamuya Maogoto, UK** is a senior lecturer in international Law at the University of Manchester (UK). His international law interests encompass the fields of international criminal law, international humanitarian and human rights law, use of force and peacekeeping and private military corporations in the execution of war. Jackson's professional affiliations include: Australian Institute of International Affairs, Australian Lawyers for Human Rights, American Society of International Law, Australia & New Zealand Society of International Law, Newcastle Law Society, International Law Association, International Institute of Space Law, International Society for Military Law & the Law of War, Law Reform Association (Australia), Royal Institute of International Affairs and The Nuclear Age Foundation. He is the author of seven books, two dozen book chapters and more than three dozen refereed articles in general and specialist Australian, American, European and African journals. He has participated and delivered numerous conference papers in domestic, regional and international fora.

**Background on the International Monsanto Tribunal**, read [here](#) and [here](#). The Monsanto Tribunal is an international civil society initiative to hold Monsanto accountable for human rights violations, for crimes against humanity, and for ecocide. Eminent judges will hear testimonies from victims, and deliver an advisory opinion following procedures of the International Court of Justice. A parallel People's Assembly provides the opportunity for social movements to rally and plan for the future we want. The Tribunal and People's Assembly will take place between 14 and 16 October 2016 in The Hague, Netherlands.

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