

Draft Framework for the Criminalization of Warmongering under International Law

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DRAFT — April 2025

Abstract

This draft proposes the legal recognition of *warmongering* as a distinct international crime. As part of a broader vision to advance peace, sustainability, and ethical governance, the framework seeks to establish accountability for those who incite, profit from, or orchestrate wars in violation of international norms. It complements emerging global initiatives, such as the Universal Declaration of Peace Rights and the Organic Revolution of 2030.

1 1. Definition of Warmongering

Warmongering shall be defined as:

The deliberate promotion, advocacy, or incitement of war, armed conflict, or aggressive military actions—whether through speech, media, policy, arms sales, disinformation, or economic coercion—for political, ideological, economic, or personal gain—when such actions demonstrably increase the risk of armed conflict or undermine peaceful international relations.

2 2. Legal Categories and Degrees

First-Degree Warmongering (Strategic)

- Initiating or planning an aggressive war in violation of the UN Charter.
- Fabricating or disseminating false intelligence to justify military action.
- High-level conspiracy to provoke war by state or corporate actors.

Second-Degree Warmongering (Tactical/Incitement)

- Public incitement of war through propaganda or disinformation.
- Sponsorship or promotion of unjustified military intervention.
- Transfer or sale of weapons to regimes engaged in aggression.

Third-Degree Warmongering (Negligent Complicity)

- Profiting from unjust wars through passive investments or supply chains.
- Negligent oversight of corporate or governmental practices contributing to armed conflict.

3 3. Jurisdiction and Enforcement

- Cases shall be prosecuted by the International Criminal Court (ICC) or a proposed International Tribunal for Peace and Disarmament (ITPD).
- Jurisdiction shall be universal and include referrals by UN bodies or civil society coalitions.
- All individuals and legal entities, including corporations and states, may be held liable.

4 4. Defenses and Exemptions

- Whistleblowers exposing real threats or advocating legitimate self-defense shall be exempt.
- Actions compliant with Article 51 of the UN Charter (right to self-defense) are not criminalized.

5 5. Penalties

Criminal

- Imprisonment up to life for first-degree offenses.

Economic

- Confiscation of war profits.
- Mandatory reparations to affected populations.

Reparative Justice

- Investment in peacebuilding, trauma recovery, and disarmament.

Corporate Penalties

- Revocation of operational licenses.
- Forced divestment and international sanctions.

6 6. Integration into Peace Governance

This proposal aligns with efforts to establish a *Universal Declaration of Peace Rights* and should be adopted alongside environmental and social justice frameworks, including:

- The Universal Declaration of Organic Rights
- The Organic Revolution of 2030
- The Green Treaty Initiative

Closing Note

This draft is offered as a starting point for international collaboration among states, civil society, and peace advocates. It reflects a commitment to ending the war economy and building a peaceful, organic, and sustainable future for all.