



Comparative Assessment of Environment Diplomacy Discourse and International Criminal Laws in Prevention from Committing Environmental Crimes

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Abstract

Today, the ecological issues have been changed into a series of important discussed subjects that can be surveyed from different aspects such as sociological, geological, ecological, criminological, and criminal justice aspects. Surveying the aspects is an effort for global environmental criminology upon which it's accomplished the environmental transnational organized crimes studies. According to the studies, we can achieve that "Transnational Environmental Harm's a Crime" and it's clear the interest in surveying the criminology and the criminological look of the matter in the goals of governments compatible with the global environment. Of course, the subject shouldn't be surveyed abstractly; because there's a thin line on the border between law and lawless, especially, since the issue can be surveyed from a global perspective, and using the framework of global environment criminology is effective in understanding transnational crimes and environmental harms.

Natural resources and environmental rights have been influenced deeply due to the close relationships with science and technology and hence, understanding its issues involves the basic information in the environment. It has benefited from some innovations in environmental rights and therefore, in case of need it adjusts itself with new mechanisms and it's presented the supervision rules and regulations in the field of protecting natural resources and the environment in the form of technical orders and the form of a series of special standards.

There are numerous reasons for suitable protection from the environment to develop more International criminal laws. There aren't any compelling reasons for a distinct approach in International Criminal Laws to the environmental damages during the times of war and peace. However, environment diplomacy in the process can provide effective control tools to prevent environmental crimes through the treaty context, and from the other side, in consequence, it can also put the procedure of following and implementation during confrontation and prevention from environmental crimes as a watcher. Of course, it's vital to the International nature of issues and problems,



procedures, comparisons, and networks and they need to complete the work accomplished at local, regional, and national levels. It's necessary to extend the scope of action and insight into works to include global institutes, social processes, and global resistance and power channels, too.

It seems that it became clear the high importance of the research field concerning proposing the topic of fighting against environmental crimes in the beam of environment diplomacy. We should be careful that as much as efforts are made for the emergence of environmental treaties, environmental crimes are developed and updated. It should change the attitude and viewpoint of human society toward the biosphere life and be protected by the innate respect of the inhabited globe to defeat crimes by convergence and interactions at the International level.

Despite much advance in the field of International environmental laws and an increased understanding of fundamental values at risk, it has also been focused on the reaction to such disasters on non-criminal strategies. The threats from environmental dangers are advancing quickly and it seems that in the framework of advancing tools, it's possible to change the threats into opportunities and to prevent the flow of committing environmental crimes; however, there have been alternative strategies such as organizational reaction, Interpol in international level and or special regulations in national levels to control environmental crimes. But, besides strategies, it's also felt the necessity of being the approaches of which environment diplomacy can be impressive as an effective tool. The structured tool can be effective in coordinating government interactions in making decisions about fighting against environmental crimes. Of course, we can consider the situation and territory of the environment and how to support it in the light of International criminal law documents especially, The Rome Statute; however, the international support of the environment to prevent committing crimes against it, especially using the criminal tools requires the global consensus in interactions and creating environmental diplomacy in the global arena.

In the context of discussion and as the most central topic, it was considered the discourse of environment diplomacy. The discourse is one of the most important tools for supporting and protecting the Earth's environment and biological life which obliges the governments to implement the treaties. In fact, from one side the tool monitors the process and procedure of formation and implementation of the treaties, and from the other side, it arranges the environmental international interactions. It goes ahead in the way of achieving comprehensive development of peacemaking and its final purpose is sustainable peace. In this regard, governments must consider improving cooperation and participation at national, regional, and international levels and also, learning awareness of environmental crimes problem and admitting the common responsibility.

Anyway, according to defects of the current international criminal laws of the adaption of the Rome constitution for protecting from environment, it's clear the advantages of ecocide are new crimes. During recent decades, the contemporary international criminal law system hasn't been able enough to protect the environment. While the framework article 8 of the Rome constitution specifies such strict obligations that can hardly be achieved, the other regulations related to war and peacetime of the



Rome constitution either include an element that seems unrealistic or too anthropocentric to commit environmental crimes.

The question raised here is, "What is the structure of practical tools for preventing and curbing environmental crimes?" The assumed hypothesis of the authors in the article is that while pointing out the importance of the position of environmental crimes and the dimensions of its prevention, they explain the role of environmental diplomacy as a tool to prevent the commission of environmental crimes.

Keywords: environmental crimes, international and national approach, prevention opportunities, environment diplomacy, sustainable development.

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