

## **Abstract: International Criminal Law as an Instrument of Environmental Protection**

The aim of this thesis is to explore the potential of the international criminal law as an instrument for solving global environmental problems, which would enable better implementation of international environmental legal norms. The first chapter provides an outline of core ideas and concepts, which originate from the understanding of the international criminal law as an *ultima ratio* instrument for safeguarding the international security and the health of humankind, i.e. the identical values that have been seriously threatened by the global environmental crisis at the beginning of the 21<sup>st</sup> century. The second chapter elaborates on the international environmental protection in times of peace, with emphasis on the non-existence of effective responsibility mechanisms, which would oblige states and private entities to adhere to general international environmental norms. For the most severe cases of failure to adhere to said norms, the future use of the international criminal law is being proposed. The third chapter comments on the international protection of the environment at times of war and armed conflicts, which is, contrary to times of peace, at least partly embedded in the existing norms of the international criminal law; however not even these norms are aiming at direct protection of the environment. The fourth chapter focuses on the case study of the Civil war in Sierra Leone, which demonstrates particular problems arising out of the non-existence of environmental norms in the field of the international criminal law and thus impede achieving global justice. The civil war was specific for its strong environmental aspects (the natural resources in the form of diamonds and tropic timber were used to fund and prolong the armed conflict), however the Special Court for Sierra Leone did not pay much attention to these environmental facets and adjudicated the whole case only in the anthropocentric manner. The fifth chapter brings recommendations for the future, which would strengthen the role of the international criminal law in the field of environmental protection. The central theme is the amendment of the Rome statute of the International Criminal Court with regard to formulating a new criminal offence regarding severe damage to the environment. Furthermore, alternative conceptions of achieving global and environmental justice that have been representing a critical voice towards strengthening the role of the international criminal law are also briefly described. The sixth chapter summarizes the findings of the whole thesis and calls for more thorough protection of the global environment.