

The Role of Iranian Criminal Laws in Development of Tourism

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Abstract

The main purpose of this paper is to analyze and explain the environmental protection and sustainable development of tourism destinations in Iran's penal code. The main question of the present article is how has environmental protection and sustainable development of tourism destinations been considered in Iranian criminal law? To answer this main question, the loan we are trying to analyze is that environmental protection and sustainable development of tourism purposes require the protection of criminal law. The methodology of this research is to investigate the legal texts and the opinions of jurists and jurisprudents regarding the subject in terms of the subject and the objectives and the method of collecting information in a descriptive-analytical way. Accordingly, the collection of information in the form of a library and reference to databases and Internet searches of articles with a scientific degree of validity and updating will be. The data gathering tool is a snippet and database. The method of analysis in this paper will be qualitative and argumentative in this way, we examine the variables of the subject and describe and analyze the collected data in a systematic way.

Keywords: Environment, Conservation, Criminal Law, Sustainable Development, Tourism Purposes.

Introduction

The environment is a common human capital for the present and future generations for this reason, every effort is made to protect it in fact stepping on the path of preserving the human race however busy in everyday life sometimes people pay less attention to the precious legacy of their lives than they have been borrowed from and even they deliberately destroy it for this reason legislator adopts laws to protect and protect the environment and it provides penalties for those who ignore this ancestral and godly heritage(Ghasemi, 2005). In the rights of different countries, there are various rules for monitoring the environment to provide legal support leverage to support this environment that's the rules usually the three categories of preventive laws are classified as safeguards and safeguards. As for the first category in Iran, many of the strategic principles of the constitution have guaranteed this which have been examined under the title of two topics entitled environmental and sustainable development these two principles themselves in the field of implementation, they face major challenges, although there are many principles of the constitution as well as many of the common laws stipulating these rights in Iranian society and for the second category or rules of protection, they generally include both criminal and tax support groups. That criminal protections in our society due to the lack of an independent penal institution for environmental protection and also the obsolescence of existing laws and the lack of anticipation of criminal liability for legal entities as the main environmental pollutants, we are challenged and the tax strategy itself is one of the most important environmental protection levers does not work in Iran and in the third category, we examine the guaranteed rules and major areas of environmental law have been criticized in the context of these laws and while reviewing this solution, there are decent solutions, however, in this respect, it can

be said that the government that the rules for ensuring safe water do not meet the needs of today's Iranian society and there must be reforms and we also face serious challenges in terms of ensuring safe air, Regarding noise pollution, the guaranteed rules of this area do not meet today's need, on the important issue of waste management also despite the adoption of the Waste Management Act we have major problems in the area of implementation, also in the field of environmental enforcement agencies in Iran, while reviewing the rules governing the supreme council of environmental protection, EPA and other stakeholders, their performance has been criticized and the breadth of these organizations, not only is it not about protecting the environment, many problems have also occurred that should be done by amending the laws of all the above organizations into a single entity called the ministry of the environment (Dabiri, 1996).

The environment has a variety of features and dimensions and the first thing to do is to relate to different sciences and fields such as sociology, biology, medicine, psychology, geography, chemistry, economics, and so on. That way various sciences in the realm of their own issues have evaluated and evaluated the enviable environment; As such, separate and specific tendencies have emerged like environmental engineering, environmental chemistry, environmental economics and environmental rights. Law is one of the knowledge that has a long history among humans and human societies (Miller, 1998). Man with this knowledge establishes rules and regulations for a healthy society with security, peace and comfort so that it can be shaded by laws and regulations spend as much of his life and life as he can and to take his life, his property, his width, and so on Keep safe from many losses and injuries. Given that the environment and its protection is a subject that is fundamentally and fundamentally related to these goals, it should therefore be included in the umbrella of law and order and thereby try to prevent as much damage as possible to this common heritage of mankind. And if such damages occur, the culprit should be held responsible and, depending on the case, it is obliged to compensate for the losses incurred and in some cases to be punished (Vernier, 1994). If the destruction of the environment and its various actions is considered to be a crime and is considered to be a

criminal response to the offense, it should be brought to the knowledge of the offender, including criminal law; In other words, if you are going to talk about something called "environmental crime" or "environmental crime" and to appear alongside other titles; Inevitably, steps must be taken towards criminal law and in this area it is necessary to provide a definition of criminal offenses against the environment. And its various dimensions and the expression of its features, conditions, and constituent elements.

Private equity rights who It is one of the main branches of criminal law and examine the constituent elements of each of the crimes individually and determining the criminal penalties or safeguards for each of them; has drawn a different classification for various crimes and it has included crimes within these classifications. As an example, and in one classification, the crimes are divided into:

- 1) Crimes against persons
- 2) Crimes against property
- 3) Crimes against public interest and national security
- 4) Crimes against chastity and morality
- 5) Crimes against family and family duties. In the classifications made, the title of crimes against the environment is omitted along with the other titles, environmental crime within its classifications and subdivisions is not enough and the extent and scope of these offenses, on the one hand, and their significant importance, as well as the specific conditions and characteristics of these offenses. And the kind of work that makes such crimes happen on the other hand, it would indicate that environmental offenses should be classified as independent. And this independence should be taken into account by the legislator and explicitly included in the legal texts (criminal laws) (Lazrz, 2003).

Given that environmental protection and sustainable development of tourism purposes is a public task, it needs to mobilize all the different institutions and sectors of the country. The main question of this paper is that are environmental Protection and sustainable development of tourism purposes intended in Iranian Penal Code? The method of this research is descriptive - analytical according to the subject, purpose and method of data collection. And through the examination of legal

texts and the views of jurists and jurists on the subject. Accordingly, data collection will be done in a library and referenced to databases and internet searches of valid and up-to-date articles. The data collection tool is a database and database.

Research Methodology

The methodology of this research is to investigate the legal texts and the opinions of jurists and jurisprudents regarding the subject in terms of the subject and the objectives and the method of collecting information in a descriptive-analytical way. Accordingly, the collection of information in the form of a library and reference to databases and Internet searches of articles with a scientific degree of validity and updating will be. The data gathering tool is a snippet and database. The method of analysis in this paper will be qualitative and argumentative in this way, we examine the variables of the subject and describe and analyze the collected data in a systematic way.

Theoretical Framework

Public criminal law or public criminal law is a branch of criminal law which studies the common and common rules of crime and punishment. Definition of crime and punishment, the conditions for the commission of the crime and its elements, their kinds of punishment and desirability, the etiology of criminal phenomena and criminality philosophy of criminals as well as examining the principles adopted in criminal law and the history of this science are common criminal law issues (Marty, 2013). Public criminal law and proprietary criminal law are two branches of criminal law science in defining the tendency of the Roman law school. In the Anglo-Saxon and Kamenella schools, there is no such derivation in criminal law. However, most of the accepted principles of universal criminal law are universal and their definition of the phenomena they study is usually not fundamentally different from the definitions in the Commons. Part of the rules of public criminal law are set out in the basic provisions of the Islamic Penal Code of Iran (Articles 1 to 2). In general, criminal law discusses the general rules and principles governing all crimes and punishments and the specific criminal law of each crime is specifically analyzed. In public criminal law, three main topics of crime, offender and punishment are discussed (Haji Zavareh,

2014). Environment is a combination of different knowledge in science which includes a set of biological and environmental factors in the form of environmental and non-biological (physical, chemical) affecting the life of a person or species and it is affected by it. Today, this definition is often related to man and his activities and the environment can be a set of natural elements on Earth, such as air, water, the atmosphere, rocks, plants, etc. That surrounds human beings. The difference between the environment and nature is that the definition of nature includes a set of natural, biological and non-biological factors which are exclusively intended, whereas the term environmental is described in terms of the interactions between human and nature and from a human perspective (Mashhadi, 2013). Sustainable development is a concept that has emerged from the negative environmental and social consequences of unilateral economic development approaches since the industrial revolution and the change in human attitudes toward growth. This concept is trying to with a new look at development, it will not repeat the mistakes of human past and bring about a comprehensive and balanced development. Sustainable development is a process that a favorable future is envisioned for human societies that in those conditions of life and the use of resources, without compromising the integrity, beauty and stability of vital systems, it meets human needs. Sustainable development offers solutions to the structural, social and economic mortality patterns of development to prevent issues such as the depletion of natural resources, the destruction of biological systems, pollution, climate change, unnecessary population growth, injustice, and the diminishing quality of life of present and future human beings (Kiss et al., 2013).

Sustainable development is a process that is consistent with present and future needs in the use of resources, directing investments, directing technology development and institutional change. Sustainable development, which has been emphasized since the 1980s, is an aspect of human development that relates to the environment and future generations. The goal of human development is to cultivate human potential. Sustainable development as a process while it requires improvement and progress, It provides the basis for improving the

situation and removing the social and cultural shortcomings of advanced societies and should be the engine of balanced, proportionate and harmonious economic, social and cultural development for all societies, especially developing countries. Sustainable development seeks to address the following five basic needs: integrating conservation and development, meeting basic human biological needs, achieving social justice, autonomy and cultural diversity, and maintaining ecological unity. Sustainable development is the process of gaining sustainability in any activity that requires resources and its rapid and seamless replacement. Sustainable development, along with economic growth and human development in a developed society or economy, seeks to achieve sustainable development beyond economic development (Kushki, 2009).

Tourism is generally regarded as a leisure trip. Although in recent years it has included any travel to leave a person through their work or life environment. A tourist is called a tourist or tourist. The word tourist came from when middle-class people started traveling. This has been possible since people became more financially able and lived longer. Most tourists are more interested in the climate, culture or nature of their destination. The rich have always traveled to distant areas, of course not by accident, but ultimately by a specific purpose. For example, to see famous buildings and artwork, learn new languages and taste different foods. Organized tourism is a very important industry worldwide today. In the past, tourists were also told that originally, an Arabic word was derived from the act of touring. World tourism organization by all definitions of tourism that had been submitted before year 2 in year 2 he published a definitive definition: activities of a person or persons who travel to a place other than their normal place of residence and stay for at least one night and up to one year and their purpose is to spend their leisure time. Of course, it does not include goals such as employment and monetization. Accordingly, those included in this definition are also called tourists (Abdollahi et al., 2009).

Balanced definitions of sustainable development all illustrate the undeniable role and importance of industry in sustainable

development. First of all because industry and industrial development are themselves the first source of environmental problems and second, the industry sector with the integration of economics and technology they provide effective solutions for achieving sustainability. Industry is involved in four aspects discussed in the framework (economic, social, environmental and institutional) and many of the indicators of sustainable development are referred to as the "industrial factor". In addition to the role that industry plays in job creation, followed by rising incomes and reducing or eliminating poverty also promotes social development that is the most important factor in modernizing countries. Characteristics of sustainable economic growth are the attention to the issues at hand. Understanding the role of industry as an integral component of growing processes is also a necessity for sustainability. From an economic-environmental point of view, it is obvious that in order to achieve sustainable development, the main emphasis, in addition to economic factors integration of aspects such as justice, human environment, foresight and foresight must also apply. The set of top environmental indicators are:

1. Green house gas emissions from fossil fuels in millions of tons per year
2. Average percentage annual population growth rate
3. Number of active nuclear reactors
4. Energy consumption for one million dollars of GDP. In addition, it should be noted, we will need complete and comprehensive information to determine species depletion rates and desertification rates accurately (Abdullahi, 2006).

Impacts of tourism on the environment

Tourism at the present moment has been one of the tools of sustainable development and it's increasing in scope and growing through out the world. Tourism is in fact derived from a curious nature and a human searcher. Most countries today, considering their economic and social development, view the tourism industry as an essential necessity. In incorporating this category in to the household basket requires increasing awareness of sustainability and limitations of excessive use of resources and energy, attitudes of the community towards the environment and its relation to tourism. With the ever

expanding transportation industry, there is less point in the globe that always remained intact and did not observe human footprints (Shilton, 2009). Undoubtedly, tourism activities in ecotourism areas have direct or indirect tangible environmental consequences. A comprehensive and thorough analysis of these implications can help to plan for the sustainability of the tourism industry and the preservation of the climate. On the other hand, the world economy is inextricably linked to the peripheral environment and this communication must be implemented in a way that equally meets the needs of the current generation and future generations in the field of environmental development and conservation. Tourism industry, although contributing to employment and sustainable economic development, has devastating environmental and social impacts, especially in developing countries. Some of which are ground water contamination pollution - waste impact of native and local cultures ethical issues on deforestation and ...environmental protection has been acknowledged and emphasized not only as an integral part of sustainable development but also as one of the fundamental values of today's and future generations' needs. Tangible examples such as inappropriate use of energy or inappropriate energies, population growth, abnormal patterns of production and consumption, increased environmental pollution, unnecessary exploitation and destruction of basic resources (water and forest resources), poverty, etc. They are mainly human environmental problems and, in the meantime, environmental protection is important alongside sustainable development (Rohamy, 2013).

However, the relationship between tourism and the environment seems complicated but this relationship involves many activities that can have adverse environmental impacts. Many of these effects are associated with the creation of public infrastructure such as roads and airports and various facilities such as resorts, hotels, restaurants, shops, etc. Negative impacts of tourism development can destroy environmental resources; but the tourism industry, with its various partnerships in environmental protection, has the potential to have a positive impact on the environment. This is a way to raise awareness of environmental values and it can serve as a tool for protecting the

financial resources of natural resources and increasing economic importance. The industry has the potential to increase environmental protection and raise awareness of environmental issues. Because tourism puts people in closer contact with nature and the environment. This exposure can in turn raise awareness of environmental values and promote environmentally conscious behavior and activities to protect it. The tourism industry can play a key role in creating environmental information and raising awareness among tourists about the environmental consequences of their activities. Environmental impacts In fact, physical, chemical, biological, social and economic changes to the environment result from various activities. Changes affecting water, soil, vegetation, and wildlife. Land degradation, waste accumulation, water pollution, noise pollution, destruction of coastal landscapes and many more can be negative consequences of tourism development. Unfortunately, we always find that Iranian nature in the country leaves hundreds of kg of plastic containers, food waste and fires in the forests. Plastic that destroys the lives of hundreds of animals. However, in the past few years, we have seen tourists and travelers being given garbage bags in many provinces, especially in Nowruz, and even in some provinces they have been given free tourist cards by filling and delivering them. Pollution and damage to the environment with the waste of Nowruz passengers have become a recurring debate. Domestic tourism incurs enormous costs on the environment and, unfortunately, nature itself pays the cost of this tour. The World Tourism Organization is expected to meet new tourist destinations in the coming years, according to the World Tourism Organization. For the past decade or so, many developing countries have made many efforts to introduce themselves as emerging and attractive destinations for travelers; while these countries are struggling to create space in the highly competitive global tourism market, this market has so far served most high-income and developed countries (Dabiry and Kiyani, 2007).

The impact of tourism on the environment is an age-old issue that has led to difficult disputes. One of the accepted reactions by many is that unplanned and mismanaged tourism development can cause irreparable damage to different parts of the environment. Of course,

some believe that the tourism industry has far less environmental impacts than other major industries; but the fact is that the story is not that simple; a sudden explosion in the tourism industry over a short period of time in an area with limited environmental range that lacks an efficient management system it will affect all ecosystems. Water, soil and air pollution, scarcity of water and food, threat to wildlife, damage to pristine landscapes, and unnecessary land use change are just some of the visible environmental impacts of tourism without proper planning and management (Khaleghi, 2013).

The potential devastating effects of the tourism industry can be addressed from a variety of perspectives. Due to the post-sanctions conditions, the tourism industry in Iran needs some immediate attention. First, the sensitive ecosystems of protected areas in Iran, such as national parks, are most at risk of developing tourism. Most of these areas are managed through traditional management systems; So tourism is not considered an unpredictable and somewhat accepted activity; So these areas suffer from a lack of expected basic infrastructure; Access and convenience infrastructure and security infrastructure to prepare them for the arrival of more travelers and tourists. Secondly, the uncontrolled growth of domestic tourism over the natural areas of Iran has caused many problems. The most prominent examples are air, water and soil pollution, deforestation, land use change and cultural change in the local communities that bring in the mass of indigenous tourists to the coastal areas of the Caspian Sea. The arrival of foreign tourists, in combination with previously failed infrastructures, is putting even more pressure on these ecosystems to survive. An ecosystem that protects the environment and the health of indigenous people if properly planned and implemented, it can be a tool for reducing the environmental problems that tourism poses; but in Iran, ecotourism and other types of environmentally friendly tourism are just "words on paper". Some Iranian tour operators say they promote more environmentally friendly tours but the general form of these types of activities and their efficiency is not significant compared to the size and variety of natural attractions in Iran (Habibzadeh et al., 2000).

Compared to the benefits and positive effects of the above mentioned tourism development. It may have a negative impact on the natural environment within and around tourist settlements. In some studies the following environmental problems have been identified in and around tourism areas. Compaction and accumulation of waste and scrap, cutting down trees and removing vegetation, contaminating water resources and soil erosion. Here, these problems are first addressed as environmental pressures. In 1977-88, the Organization for Economic Cooperation and development provided a research framework for studying the environmental pressures of tourism. Within the framework of the push-action group - the changes that lead to the continuous rebuilding of the environment and waste products from tourism activities and demographic works - are identified according to the nature of the associated pressures and environmental response (Taghizadeh Ansari, 1994). Tourism can endanger the natural environment, alter it, and have many negative effects on it. Visitors to nature produce waste and pollution. Contaminants such as water pollution, air pollution, solid waste and visual and audio pollution. Natural attractions can be compromised by improper or overuse. Constructing services for tourists can change the natural landscape. For example: Visual contamination can occur through the installation of billboards. As tourism develops, demand for land increases. Especially for major and primarily areas, such as coastal lands, special landscapes and mountains. Without forethought, natural landscapes and open spaces may be destroyed. Destruction or damage to plant or animal species can occur by collecting favorable plants and animals for sale, maintenance or kicking. Tourists or the businesses they serve most often destroy plants, animals, rocks, fossils, corals, and artifacts in one area. Uncontrolled or excessive views by visitors can degrade the quality of natural landscapes, places and monuments. Where water is scarce, tourists can waste the available storage. Travelers can also unintentionally introduce non-native species, which can increase the animal and plant trade. The constant flow of visitors to wildlife can disrupt wildlife by affecting pets' lives and disrupting their reproductive cycles and changing their natural behaviors. Some of the other negative environmental impacts of tourism include:

Destruction of the natural environment due to the construction of hotels and airports in areas of natural cover, contamination of the natural environment and possibly the introduction of contagious diseases into the country (Ghasemi, 2014).

Environmental Protection and Sustainable Development of Tourism Purposes in Iranian Penal Code

Environmental ethics relates to the ethical relationship between humankind and its surrounding nature. Our Iranian-Islamic culture has strong recommendations on the need to pay attention to nature. At the global level, more attention has been paid to the protection of the environment after the industrial revolution, following human awareness of the effects of technology, industry, economic development and population growth on the environment. Everyone warned of the black future that seeks to destroy the environment around us. Two silent spring books and a pop-up bomb were widely sought after in the 1990s, following widespread attention to environmental issues. It has to be said that environmental ethics is present and future. Because, in addition to today, it also concerns tomorrow's generations. This is what the Article 5 of the Constitution of the Islamic Republic of Iran emphasizes. It stipulates: in the Islamic Republic, protecting the environment where today's and subsequent generations must have a growing social life is considered a public duty. Therefore, economic activities and other activities that do not entail environmental pollution or irreparable destruction are prohibited (Qawam, 1995). In the field of environmental ethics, the ethical statements in environmental protection are expressed by an awakened conscience who is bound by them. What is said in this area is good and bad, but since there is no tangible external guarantee for them, cannot be a full-fledged supporter of nature. This is where the rights come from. Law on Environmental Protection begins to establish pros and cons, and foresees institutions to monitor the implementation of these duties and rights. And on the other hand, by anticipating the deterrent mechanisms that are often punitive, it seeks to ensure its full implementation. As such, many ethical statements should and should not be taken and worn by the law and play a more serious role in protecting the human ecosystem (Riochi, 2006).

In our country's laws, environmental offenses can be classified into seven groups:

1. Environmental offenses related to destruction or damage to the environment
2. Environmental offenses related to water pollution
3. Environmental offenses related to noise pollution
4. Environmental offenses related to air pollution
5. Environmental offenses related to soil pollution
6. Environmental offenses related to the exploitation of chemical resources or radiation work without safeguards
7. Environmental offenses related to waste disposal (Habibi, 1997).

The number of garbage collected in Tehran is at least four times higher than in European countries. This is done twice a week in some European countries and in some other countries three times a week, but in Tehran, waste is collected at least twice a day, imposing heavy costs on the city. The correction of this process certainly depends on the culture and more attention of the people to their rights (Qawam, 1994). Year five plan for organizing legal and administrative measures to deal with offenders distributing, disposing, transporting and disposing of unauthorized and inappropriate waste in public spaces and city passages was adopted. Based on this plan:

- 1) Drivers who throw garbage in the city will be fined up to 4, 000 USD.
- 2) The fine for the discharge of waste in unauthorized places was set at 5 million USD.
- 3) The year fines for garbage drivers increased to 6, 000 tomans (Bahrain and Mobarghaee, 1997). The legislator in Article 5 of the Islamic Penal Code has defined the punishment of waste dumping as a crime. This Article provides: any action known as a threat to public health, such as ... poisoning in the rivers, garbage on the streets and unauthorized slaughter of animals ... is prohibited and the offenders may be sentenced to up to one year in prison if they are not subject to more severe penalties under specific laws. According to the new Traffic Offenses Investigation Act, which began in two stages (May and January) in the country, throwing objects and waste into traffic offenses is considered a violation and the offending driver must be

commensurate with the type of violations of 1, 2 and 4, 000. To pay a fine. Police say the driver's inability to control the vehicle due to sudden exposure to objects and debris in the passageways is one of the causes of traffic accidents. Some of these objects are caused by coercive and natural events such as avalanches, landslides, floods and earthquakes, but others due to the neglect of other drivers (Nazari Tavakoli, 2011).

In accordance with the provisions of Article 5 of the Islamic Penal Code, waste disposal in passages is an inevitable crime, and even in most cases other persons, whether real or legal, suffer the crime; So declaring a crime is not just within the competence of the ministry of health and medical education and the EPA, rather, it may be announced and complained of by other parties. The amount of fines for dumping objects and waste on streets, highways and roads is as a driving violation:

1. According to paragraph 2 of the fine for driving, throwing or throwing waste, garbage, objects and mouth water from a vehicle on the roads of major cities and intercity roads, there are fines of thousands of rials.

2. Paragraph 2 of the Traffic Offenses Schedule is set at a fine of 4, 000 riyals for spilling or dropping oil, gasoline, gasoline or other polluting and damaging liquids in major cities and interstate highways.

3. According to the clause 2, dumping of garbage, building materials, sewage and any obstruction on the way of passing vehicles on their roads and their prisons is subject to a fine of 3, 000 Rials.

4. Carrying out of garbage, rubbish and building materials and the like without protection and cover is subject to a fine of Rials 1, 000 and if the expert examines and determines their impact on the occurrence of a traffic accident, the perpetrator shall be brought to justice. Will (Najafi Obrandabadi, 2011).

The passage of the Islamic City Council and the new Traffic Crimes Act did not address pedestrians, who, like drivers, are citizens. Some passersby mean that the slogan "Our city, our home" doesn't mean the least to them and instead of bothering to keep the garbage they produced to get to the nearest trash bin, they prefer to get rid of it by

pouring it into the water's atmosphere, the trees, and the sidewalk, without worrying about being questioned. It is in the shadow of this legal vacuum that some law-abiding citizens simply fail to enforce their citizenship duties and rights. Criminalization and the determination and enforcement of criminal executions are essential tools of criminal policy to achieve their goals. On this basis, the substantive laws of the Iranian penal system can be cited as follows in the two areas of criminality due to the environment and the guarantees of enforcement of its violations. In the Iranian penal system, in order to serve the purposes of criminal policy against environmental crimes, numerous criminal offenses have been committed over the years. While this amount of criminality implies a legitimate concern for criminal protection of the environment, reflection on these rules implies in some cases, the qualitative principle of the laws and its effective criminalization, which guarantees the effectiveness of criminal law enforcement, has not been observed, which can be cited as an important case of Nabi (2013, cited above).

The constitutional principle of crime and punishment, as one of the most fundamental principles of criminal law, requires policymakers in the criminal field the familiarity of criminal law officers with their rights and duties, acts that are considered criminal and punishable in a clear and transparent manner, in a coherent set of rules, formulated and made available to the public. So when it comes to regulating the criminal policy of a legal body, attempts to criminalize and punish based on overall policy goals and usually a single spirit is ruled by the scattering of laws due to the fragmentation of policies, programs, and lack of coordination. In a way that successive laws, extravagant criminality, and criminal inflation will not have the effect of crippling the criminals' rights. And not just ordinary citizens, but sometimes even law enforcement and law enforcement officials in recognizing the abolition and abolition of the laws of Abraham and Zanni (2010).

Redistributive law is a reflection of the scattering and confusion of criminality, in the form of a massive 4-page set of environmental laws by the Environmental Protection agency, a witness to this claim. However, all these important issues and issues can be regulated and approved; Therefore, in order to adopt an effective criminal policy in

pursuit of the objectives of the principle of the lawfulness of the offenses and the punishment and quality of the law, Criminals must be in the terms of clear and transparent terms and in the form of a coherent set of rules that are governed by a single spirit and order. In countries such as Australia and Canada, this procedure has been applied and all environmental and non-criminal environmental regulations are listed under the Comprehensive Environmental Protection Act (Gorgy Fard, 2012).

Reflecting on Iran's environmental criminal regulations, it can be seen that some of the offenses committed have resulted in the infliction of harm as a result. And, given the largely irreversible impact of environmental offenses, criminal intervention has already taken place in terms of absolute crime status, as well as the prediction of "widespread and preventive crime, " in the sense of preventing crime. In this regard, criminal interference with the access and use of polluting raw materials in factories, criminalization of non-compliance with environmental monitoring regulations in factories, workshops or construction in riverside areas may be subject to sanctions. The legislator needs to pay more attention to them. One of the components of evaluating an effective criminal policy is ensuring proper and proper execution of the material, and correct and accurate enforcement of it in violation of the laws and regulations. To this end, one of the most important goals of criminal policy, namely crime prevention, whether to prevent a crime that is considered to be a crime by the offender and to prevent it from being a criminal offense (2005).

One of the clear ideas in the field of environmental performance guarantees is the lack of performance guarantees; explain that there are different theories in explaining the reasons for the behaviors of environmental pollutants, especially legal entities, as the most important and major perpetrators of these actions. And one of the prominent theories in this feature is the "economic approach." The economic approach, on the basis that the offender derives by measuring and calculating the profits from the commission of the offense and the damage resulting from the enforcement of the guarantees of execution and the punishment, the intention to commit the offense or withhold it, It stipulates that, if conventionally and in

the light of the circumstances of the punishment and the certainty of the punishment and the power and resoluteness of the authorities in the prosecution and punishment of the offenders, the costs of committing the crime are greater than the profits of the crime. The crime will be discarded; while it has been mentioned for profit and loss or for the benefit of crime resulting from its possible punishment, it would be punishable for failure to carry out preventive action. Given that most environmental offenses are pre-designed by informed legal entities with a plan designed to measure the profit and loss of crime, considering the economic approach adopted by the legislator can lead to effective preventive measures through the adoption of appropriate measures and measures to guarantee the preventive performance of the new enforcement (Faghfour Maghrebi, 2010).

While assessing Iran's existing regulations in the field of the environment, It seems that despite the environmental penalties imposed, Taking into account the other theoretical factors behind the benefits of environmental offenses, the likelihood of these offenses being discovered, and the role of punishments in harming the good and reputable reputation of perpetrators and environmental polluters, It can play an effective role in deterring punishment and fulfilling the preventive functions of criminal policy, so it does not have sufficient performance guarantees to meet these goals. Most environmental regulations, which largely consist of small sums of cash as a punishment for most of their old and long life, lack proper sanctions and penalties. And in order to adopt a genuine criminal policy, it is necessary for the legislator to disagree and amend them. However, in accordance with Article (1) of the Law on the Partial Regulation of the Financial Regulations of the Government, the Government may, at any time, revise the question at any time in its discretion. In practice, however, this requirement is not mandatory for the government. And the powers of the government to apply this article have been extensive, and inflation is one of the criteria for regulating cash penalties, The changes made to the cash flow statement were not sufficient and, therefore, in line with the effective and effective penal policy for ensuring that penal sanctions were implemented effectively, Taking into account the realities of society and the cooperation of

economic experts and technologists, reform of existing regulations should be undertaken (Fahimi, 2008).

Article (1) of the Islamic Penal Code also provides for the compensation of a default penalty in all laws: "all the amounts set forth in this Act and other laws, including the cash penalty, shall be adjusted by the Central Bank every three years at the rate proposed by the Central Bank, subject to the recommendation of the Minister of Justice and the approval of the Cabinet, where appropriate. Coming in. "To a large extent, this article may be useful, but it is the work of regulatory regulation in environmental law itself. It seems that one of the useful measures that can be taken to eliminate the weakness of the effect of cash fluctuations on currency fluctuations is to apply a relative cash penalty instead of a fixed cash component. In other words, instead of fixing fixed amounts (eg, ten million to one hundred million rials) as cash in the rules, one can determine the ratios in the rules (eg, two or more times the consequences of the crime or the amount of the crime). It provided the judiciary with a critique of the effects of crime (Fahimi & Mashhadi, 2014). In general, environmental crimes are divided into two groups according to their nature: (A) The offenses against the environment, including human beings, include all plant and animal organisms in accordance with the Law on the Protection and Improvement of the environment, including the duties of the environmental protection agency, the Prevention and Prevention of any Pollution and any destructive measures that destroy the balance and fits the environment. All matters related to wildlife and aquatic life of inland waters, and under Article 6, paragraph 2, of the same Law on the destruction of Forests and Rangelands are among the things that disturb the balance of the environment and are therefore criminal.

(B) Offenses related to the inanimate elements of the environment, such as: Weather, soil, noise and chemical pollution. Article 50 (f) of the Constitution of the Islamic Republic of Iran: In the Islamic Republic, the protection of the environment shall be considered a public duty for the present and future generations to have a growing social life. Therefore, economic activities are prohibited unless it is contaminated by environmental pollution or its irreparable destruction

(Fahimi and Arabzadeh, 2011). Article 40 (40) of the Constitution of the Islamic Republic of Iran: No one shall be subjected to the exercise of his or her rights by harming others or infringing upon the public interest. Environment in the Fifth development Plan Law: A look at the five-year plan rules shows that the status of environmental protection has been upgraded from one note in the first plan to a full chapter called environmental protection, land preparation and regional balance in the Fourth Development Plan Act. In the first development plan, the environmental sector was set in the form of quality objectives and lacked any quantitative objectives. The second development plan was developed in a different context than the first development plan and with new international perspectives on environmental issues. The Fifth Plan Act provides for the development of technical legal provisions tailored to environmental crises with little or no purpose, and is relatively more comprehensive than previous plans. Environmental offenses in Islamic Penal Code 92: The Iranian legislator in Article 286 of the Islamic Penal Code 92 envisages more stringent enforcement of environmental pollution and provides that: Everyone is widely distributing toxic, microbial and dangerous substances in such a way as to cause serious disturbance to public order in the country, insecurity or major damage to the physical integrity of individuals or public and private property, the corruptor is widely regarded and condemned to death (Abedi Sarvestani et al., 2007).

Ta'zir 75: Results of recent years of investigations indicate that most cases have been filed by environmental protection agencies against industrial and industrial units that contaminate the environment in a manner that is consistent with Article 688 of the Code. .

The material element of the crime: Acting against public health and contaminating the environment is a serious offense, with the perpetrator subject only to the Ministry of Health and Medical Education and the Environmental Protection Agency.

The offenses referred to in Article 688 may be committed by natural or legal persons or by private and public persons.

For example, if the municipality, as a trustee, collects and disposes of municipal waste, any negligence or negligence in the matter that

results in the waste not being collected will be subject to the provision of this article.

Destruction of forests, Trees, and farms as environmental Crime: Legislator has declared deforestation, forests and rangelands a prohibitive and prohibited crime and prohibits the cutting of tree species throughout the country (Rajabi Bagherabad, 2014).

The criminal policy of Islam in dealing with environmental crimes Islamic legislator in the Code of Criminal Procedure of non-governmental organizations whose statute is to protect the environment and natural resources, cultural heritage and public health, has been named as the perpetrator of the crime. Of course, these organizations can take part in all stages of litigation and the judiciary can object. In fact, the said authorities cannot file a complaint against the complainant and file a request for prosecution. Rather, they can enter the proceedings as a third party, not as a victim (Haghshenas & Zakeri, 2008).

1. Preventive education and environmental protection culture

Today, environmental education is not only a necessity but also a pressing need.

This has been followed by the increasing expansion of urban civilizations.

The deep and widespread relationship of human beings with the environment today has brought about many issues.

That his continued existence in this habitable sphere is only possible if these issues are to a considerable degree exploited.

2. Non-criminal prevention approach to environmental offenses

- Prioritize the issue of nature and the environment for continuity of follow-up

- Timely and timely information and prevention of environmental disasters

- Establishing a framework for promoting Islamic environmental ethics

- Educating families on the use and protection of God-given nature

3. Importance of the Islamic State's duties towards the environment

- Establishment of environmental laws based on divine principles and regulations.

- Enforce the law against the corruptors of the earth and the destructive of theology in order to secure public goods.
- Addressing environmental issues and strong environmental ethics in Islamic education and environmental culture based on heavenly teachings
- Utilizing decent people in the environmental administrative pyramid who are capable of dealing with corruptors.
- Take advantage of new environmental practices compatible with the Islamic system (Haghshenas & Zakeri, 2008).

Intentional juvenile delinquency using a set of rules that include constitutional law, separation laws, and criminal justice rules, judicial criminal policy using judicial tools that the judicial authority can use at its discretion, such as an alternative prison sentence or semi-freedom system, etc. And corporate criminal policy using the support and participation of popular leverage (in addition to the use of legal and judicial tools) they strive to achieve the goals of a favorable criminal policy. Executive criminal policy can be described as executive measures in criminal policy. These are both oppressive and non-criminal preventive measures that have been thought out in a criminal policy system (Jahed, 2013). Protecting the environment is one of the needs of today's society for greater environmental protection and respect for public rights. And environmental degradation is caused by social inequalities and the delusional use of nature and one of the causes of human rights abuses. The law plays an important role in the regulation of social relations as the most important social and cultural tool; Because the discussion of ordering environmental issues in the form of rules is mandatory. At this point, the criminal law has a special feature: As with the binding and guaranteed aspect, it is more efficient. In this regard, responding to environmental threats and environmental offenses requires a comprehensive, effective and coherent policy approach, as well as strong culture building. The criminalization and deterrence of criminal law and the guarantee of criminal enforcement far outweigh civil rights-based rights. And this is by identifying environmental acts as environmental offenses, therefore, it can be considered an appropriate step in the direction of environmental criminal policy by the

formulation of domestic and international rules and regulations and the establishment of dedicated judicial bodies dealing with environmental issues. Environmental education is a process in which human beings are made aware of the relationship between natural systems and the relationship between themselves and their environment. And it gains its knowledge, skill, ability, interest, and motivation to always consider the right conditions in everyday decision-making and everyday living, along with the harmonious development of individuals, groups and society at large (Taghizadeh Ansari, 1995). A brief look at the verses of the Qur'an gives the reader a beautiful picture of the significance of this divine book, signifying the importance of the subject of the environment. In the Qur'an, the word "earth" is used five times, the word "soma", the word "mama", and the word "jebel" five times. One of the models that will play an important role in the prevention of environmental crimes in the light of Quranic teachings is the three-stage prevention model. This model consists of three phases of primary, secondary and tertiary prevention, Regardless of the level of progress one has made. Although in the Holy Quran man is known as the Ashraf of creatures, this does not mean that he has any affirmation against nature because God has assumed the value of the environment as human beings. As in verse 1, Surat considers the birds of prey and other animals on earth as human beings:

Is derived from the medical model that Medical interventions take place, given the three stages of the disease. This model first entered the field of preventive criminology for the first time in the year (Najafi Obrandabadi, 2012: 508). The problem deals with it at every step. Initial prevention is still a problem and there are no indications or causes of it, but there is a possibility and potential for it to emerge as a potential threat. At this stage, preventive measures are taken in general and in order to eliminate or reduce the likelihood of a problem occurring. These measures are aimed at maintaining and enhancing the status quo to prevent the emergence of an undesirable situation. For this reason, all efforts are made to improve living conditions and to change the conditions and conditions of the criminally physical and social environment (Najafi Obrandabadi, 2012: 508). These types of

prevention, including economic, cultural, political, educational, urban management and urban planning and, in general, social organizing. At this stage, individual and social living conditions are designed in such a way as to achieve an ideal and desirable state of affairs based on the system of values governing society and the resulting goals, in such a way that all factors, conditions, contexts and opportunities are provided for personal and social growth and excellence (Ghasemi, 2011). The Qur'anic teachings regarding first prevention have both individual and social dimensions and relate to the development of individual personality and the design of social structure (in such a way as to provide for individual and social health). In other words, the Qur'anic teachings on the primary prevention of environmental offenses present different mechanisms in two dimensions: individual-oriented and community-based. In the first dimension, the focus is on the preemptive beliefs and moral teachings of humans. In the mechanism of preventive beliefs, we can exemplify the teachings of believing in God and the belief in the existence of environmentalists and the belief in the benefits of nature to man. On the other hand, the ethical teachings emphasize the role of self-control in the prevention of environmental offenses; but in the second dimension, there is a broader view of the position and hence economic and social doctrines. That in the light of economic teachings should not be wasted and corrupted in the land and should always be pursued and in the light of their social teachings, they must adhere to the prohibition of discrimination and the equal enjoyment of God-given benefits.

Discussion and Conclusion

Nowadays, the close relationship between tourism and the environment and the importance of environmental planning and sustainable development planning has increased attention to these approaches. The Manila Declaration, as the most comprehensive declaration in line with the aims of modern tourism, has also emphasized the importance of natural and cultural resources in tourism as well as the need to use and protect them for the local community and tourism. Following on from the Manila Declaration, a joint statement of the World Tourism Organization and the World Environment Program, which pursues inter-institutional coordination

and cooperation in the field of tourism and the environment, It has stated that: The protection, promotion and enhancement of the various elements and components of the human environment are essential to the balanced development of tourism. Accordingly, rational and rational management of tourism will result in the physical protection and development of the environment and human-historical monuments and thus improve the quality of life. The importance of national and regional tourism planning as a technique for conservation and sustainable development has also been emphasized in the 1983 joint workshop of the United Nations Environment Program and the World Tourism Organization. The Hague Declaration of 1989, which is a statement between the Majlis and the alliance between the Majlis and the World Tourism Organization, mentions the effective link between tourism and the environment. In its broadest sense, the environment encompasses all the natural and cultural realms surrounding human beings. The natural environment encompasses everything that exists in nature and includes climate, climate, land, soil and landforms, water resources, vegetation, animal life and natural eco-systems. The manmade environment also includes physical forms of manmade, including various types of buildings, infrastructure, as well as historical and ancient sites. In a comprehensive analysis of the environmental impacts of tourism, socio-cultural and economic factors related to the environment are taken into account; because in fact it is difficult and undesirable to separate the physical and socio-economic elements, however, due to the ease of organization and management, these factors are often evaluated separately. There is a very close relationship between tourism and the environment in three forms:

1. Some forms of physical environment are attractions for tourists.
2. Tourism facilities and infrastructure were part of the built environment.
3. Tourism development and tourist use of an area creates environmental impacts. The environmental impacts of tourism are mainly due to the fact that activities are developed in sensitive and fragile environments, such as small islands, beaches, mountainous areas, highlands, next to historical and ancient sites, because these

places form important resources and tourist attractions. An unwritten rule is so commonplace that when it comes to the effects of an activity on the environment, the negative aspects of its impact are shown to be bold and effective. It seems that there is no positive effect of doing the activity in the environment. The same is true to a great extent about the impacts of tourism on the natural environment in various studies, the author trying to avoid monotony. And in different ways take into account both the positive and negative effects of tourism activities on the environment and provide appropriate solutions. If tourism planning is done correctly, it will have various positive effects on the environment. Tourism is able to focus on the most important environmental issues and is the initiator of projects that protect and protect the environment. The relationship between tourists, host communities, tourist attractions and the environment is a complex and interconnected one; and each element must continue to coexist with others by developing mutually beneficial and positive relationships. Tourism can be very effective in justifying attention to conservation areas as well as developing parks and conservation areas and attracting tourists. Without a tourism approach, these areas may be expanded for other purposes or even the region and its natural heritage may decline. In some coastal areas, due to the importance of beaches in attracting tourists, protection of coastal and marine areas, especially coral beaches, has been a priority. Some coastal areas have also suffered irreparable damage due to improper use of corals. Tourism promotes and supports the preservation of historical and monuments (tourist attractions) and can cause various damages to these valuable monuments and cultural heritage of the region. Today, in most countries that strive to develop tourism, important and important measures have been taken to preserve cultural and historical monuments. In these areas, historical and archaeological sites are known as tourist attractions, in contrast, tourism strives to preserve these attractions as their tourism resources. In South and Southeast Asia, such as Sri Lanka, which is not economically high, Monuments and monuments are offered to tourists as tourist attractions, and their benefits (such as entrances) are directly spent on preservation and research on these monuments.

Tourism can also be helpful in providing the necessary incentives to clean the environment from air pollution, water pollution, noise pollution and other environmental pollution as well as the proper design of buildings, signs of instruction and better maintenance of buildings. In the Mediterranean region, for example, special attention is paid to the Mediterranean marine pollutants, since the Mediterranean is a major recreational attraction in the area and, therefore, strives to protect it from any pollution. Tourism plays an important role in creating the beauty of the environment and promoting urban and rural environments by creating the right facilities and equipment and designing beautiful landscapes. The development of various infrastructures such as water, electricity, roads, sewage and garbage disposal and telecommunications, in addition to economic benefits, provides various environmental benefits to the tourism area, the development of these infrastructures will reduce pollution and related issues and improve environmental quality. Through tourism, water resources management is also being pursued, as tourism development increases the demand for water supplies, which will require proper water resources management. In areas where residents gain little benefit from their surroundings, with the development of tourism and the observation of tourists 'interest in their natural environment, residents' desire to conserve these resources and create a successful economy through awareness of their environment increases. Whenever a conscious and coherent society calls for tourism development at a destination, the development process will occur more quickly and easily and will have fewer negative effects.

B) the negative effects of the presence of tourists on the environment It is mainly the damage that tourists inflict on various environmental elements that is an important source of tourism, Such as the destruction of wildlife habitats, the destruction of natural landscapes (caused by the over-provision of residential and catering facilities in beautiful coastal areas and rivers or natural landscapes), the destruction of ancient monuments (theft or sabotage of buildings that do not have protection), air pollution, Transfer of water to rivers and seas to underground areas (due to congestion of visitors in one area and lack of sewage disposal and waste disposal facilities). Attractions

are the core of tourism development activities. Any change that results in the degradation of the quality of the natural environment in the natural attractions of tourism will reduce the desirability of space for tourists and visitors, and the number of visitors to the natural attractions will gradually decline. Therefore, it is important to pay attention to the positive and negative effects of tourism on the environment and its management. Unlike economic impact studies, which emphasize more positive impacts, Environmental impact assessment has often emphasized the negative aspects of these impacts. But there are also some positive effects that can be summarized as follows:

1. Improving the environmental and ecological quality of the destination
 2. The importance of the local community to natural resources and the conservation of natural resources and parks
 3. Creating new patterns of energy supply by nature
 4. Drawing public attention to endangered plant and animal species
 5. Promote awareness and awareness of ecological systems and increase environmental awareness
 6. Improve waste and waste management
 7. Increasing aesthetic tendencies
 8. Improving the environment and natural landscapes
 9. Development of Green Tourism in Travel Agencies
- The implementation of these solutions will enable the continuation of tourism activities in the environment in order to continue the cycle of tourism, environment and local resident with fewer complications.

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