

OPEN PEER REVIEW

The Environment: The Most Critical Global Issue, the Role of the International Court of Justice (ICJ) and States in Advancing International Environmental Law

Hojat. Naghdi¹ , Mohamad Hosein. Ramazani Ghavam Abadi^{2*} , Mostafa. Amiri³ 

¹ PhD Student, Department of Law, Kish International Branch, Islamic Azad University, Kish Island, Iran

² Associate Professor, Department of International Law, Shahid Beheshti University, Tehran, Iran

³ Assistant Professor, Department of Law, Shiraz Branch, Islamic Azad University, Shiraz, Iran

* Corresponding author email address: ramazanighavam@yahoo.com

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EDITOR:

Fatimah Sahdan 

Faculty of Social and Political Sciences (FISIP) Diponegoro University, Yogyakarta, Indonesia.

Email: fatimahsahdan@rocketmail.com


REVIEWER 1:

Muhammad Abdul Rahman 

Department of Humanities, Rajaratnam School of International Studies, Nanyang Technological University, Singapore.

Email: muhammadrahman@ntu.edu.sg

REVIEWER 2:

Zeynep Karal 

Department of Computer and Instructional Technologies Education, Trabzon University, Trabzon, Türkiye.

Email: zeynepkaral@trabzon.edu.tr

1. Round 1

1.1. Reviewer 1

Reviewer:

The problem statement in the introduction mentions the increase in global temperatures and its effects. It would be beneficial to provide more concrete examples or statistical data to reinforce the statement in the second paragraph: "Humanity is dependent on the Earth; however, across the world a toxic combination of pollution..." Consider including the latest IPCC or World Bank reports on climate vulnerability.

In the ICJ section, cases such as Pulp Mills on the River Uruguay (Argentina v. Uruguay) are mentioned, but the implications of the ICJ's rulings in these cases could be analyzed more deeply. How have these rulings influenced state behavior or the development of international environmental law? Provide analysis rather than just listing cases.

In the paragraph discussing "The ICJ's ruling on nuclear weapons," the transition from war laws to environmental laws seems weak. Try linking these two domains of law through principles like the precautionary principle or state responsibility.

While the article discusses the international obligations of states, it lacks a strong discussion on how international law is translated into domestic law. In the section starting with "States by enacting and enforcing domestic laws..." provide examples of domestic legal frameworks influenced by ICJ judgments or international law.

The discussion on the ICJ's role (paragraph: "The ICJ plays a crucial role in the development of international environmental law...") would benefit from a more critical analysis. How effective has the ICJ been in enforcing its decisions? Consider adding recent criticisms or debates from the literature.

Authors revised the manuscript and uploaded the document.

1.2. Reviewer 2

Reviewer:

In the "Definition of the Environment" section, the article cites the 1967 European Economic Community Council. However, more contemporary sources or legal definitions (e.g., Rio Declaration, 1992) would add depth to this section.

In the section "The International Court of Justice and States" (first mention), the discussion of the ICJ's role seems abrupt. Consider providing a transition that connects the importance of legal frameworks with environmental law to ensure a smoother flow.

In the third paragraph, "The misuse of land accounts for 11% of carbon dioxide emissions..." this claim lacks a specific reference. Ensure all data points are supported by recent references. Moreover, the sentence, "The findings suggest that states also have significant obligations..." would benefit from citations to international case law.

The section on "International Environmental Law" needs further elaboration. The article only briefly touches on key treaties such as the Kyoto Protocol and Paris Agreement. Adding more recent developments and regional treaties (e.g., African or Latin American treaties) would strengthen this review.

The conclusion would benefit from more specific recommendations or calls to action, especially in the sentence "Without a doubt, the ICJ is neither a legislative body..." Instead of reiterating the ICJ's limitations, suggest specific ways to strengthen its role in environmental law.

The article does not mention recent international environmental legal developments like the Escazú Agreement (Latin America). Adding this would provide a more current view of global environmental law.

The section on "International Environmental Law" feels too brief considering the importance of the topic. It should be expanded to provide more in-depth information on key international agreements and their implementation.

The role of non-state actors (e.g., NGOs, corporations) in international environmental law is notably absent. This should be addressed, particularly in the section "The Role of States in Advancing Environmental Law."

The environmental impact data presented lacks supporting quantitative evidence. For example, the statement "The misuse of land accounts for 11% of carbon dioxide emissions..." would benefit from a source citation, and trends over time could be presented using data from reputable organizations.

Although the precautionary principle is mentioned in passing, it deserves more attention. Consider elaborating on its relevance and application in international environmental law (e.g., referencing the Rio Declaration, Principle 15).

Authors revised the manuscript and uploaded the document.

2. Revised

Editor's decision: Accepted.

Editor in Chief's decision: Accepted.