

“THE NEED FOR THE CREATION OF SPECIALIZED COURTS FOR ENVIRONMENTAL CRIMES IN HONDURAS AND THEIR LINK TO INTELLECTUAL PROPERTY

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SYNOPSIS:

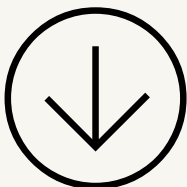
The environment is in itself a protected legal asset and, in recent times, it is known that environmental crimes have become widespread throughout the national territory. Pyromania, as an action that violates the ecosystem, flora and fauna, has become one of the main consequences of environmental pollution.

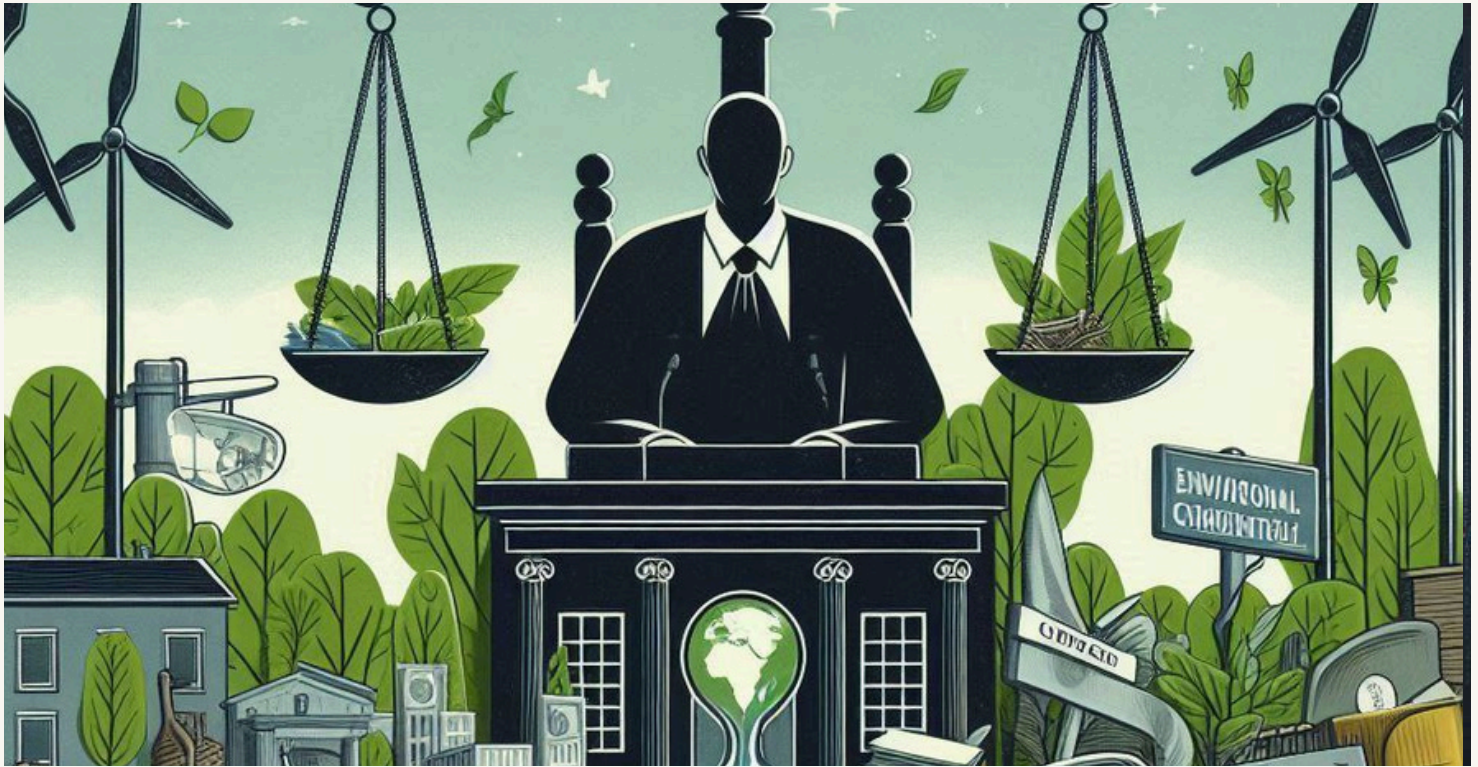
The waste of toxic waste to the land in protected areas is another of the consequences for which the State must intervene as a controlling entity of the scourge of environmental contamination. It is known that there are agencies such as the Special Environmental Prosecutor's Office, the Environmental Complaints Unit of the Secretariat of Natural Resources and Environment (SERA) or the Environmental Management Units of each municipality. However, the existence of these agencies is not enough.

In addition to all this state apparatus, there is a need for jurisdictional bodies to ensure compliance with environmental regulations.



In the broad spectrum of current environmental legislation, it is extremely important for the judicial system to create courts specialized in these crimes, with personnel trained to deal with them in depth.





The work must be carried out in coordination with the practice regulations of the Environmental Prosecutor's Office and the jurisdictional bodies, joining efforts to be able to exercise justice in its broadest sense. The reality of the environmental situation in Honduras, where companies have a great interest, also shows the lack of investigation that has existed on common crimes in recent years.

The General Directorate of Intellectual Property of Honduras, in the interest of building social and judicial justice, through the population, can create the long-term investigative channel, through the creation of industrial designs and patents, with the ability to be technical instruments of criminal investigation for the capture of intellectual and material authors in environmental crimes. That is, by means of drones with 360-degree peripheral vision capacity in the forests of protected areas, innovating in technical equipment specialized in the detection of environmental pollutants in regions where the disposal of toxic waste is prohibited, such as: large-scale detectors, advanced toxicology scanners, among others.

There should be joint efforts between the General Directorate of Intellectual Property, the Environmental Prosecutor's Office, the National Police, and the Attorney General's Office, all together, to strengthen the investigation against those who violate and damage the goods and interests of the Honduran environment.

For this reason, strategies for the arrest and capture of individuals and legal entities are transcendental for the delivery of judicial and social justice. Judges, in their vocation of interpretation and enforcement of environmental norms, must be experts and thoroughly knowledgeable of national and international environmental legislation.

Thus, it is essential that prosecutors, judges, attorneys and lawyers specialize in environmental law and know both their role as parties and their role as authorities in safeguarding the environment.