

# Environmental crimes: A threat to Sustainable Development Goals

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## Abstract

Environmental crime represents a significant challenge to global sustainability, threatening biodiversity and hindering the achievement of Sustainable Development Goals (SDGs). As natural resource scarcity escalates, organized crime syndicates increasingly exploit illegal markets for resources such as timber, minerals, and endangered species. These activities, often intertwined with other serious crimes like corruption and money laundering, degrade ecosystems, compromise human health, and destabilize fragile governments. While international conventions and national regulations aim to mitigate environmental crime, limited enforcement, regulatory inconsistencies, and inadequate resources undermine their effectiveness. This paper explores the complexities of environmental crime, emphasizing its transnational nature and its socioeconomic impacts on communities reliant on natural resources. It advocates for strengthened international cooperation, enhanced legal frameworks, and community-driven initiatives to counteract environmental crime. Additionally, it highlights the need for inclusive approaches to environmental governance to protect vulnerable populations and foster sustainable development. By addressing these issues, the global community can better safeguard ecosystems, promote biodiversity, and create pathways toward achieving the SDGs.

## INTRODUCTION

Environmental crime has arisen as a novel category of organised criminal activity, doing considerable ecological harm and imposing costs on future generations. Transnational criminal organisations shift their focus from more traditional illegal activities, such drug or human trafficking, to the trading of natural resources when their scarcity worsens. These criminal organisations extend their operations into lucrative areas such as tropical timber, rare animals, and raw minerals. The growing interrelation between environmental crime and other major offences indicates that conventional distinctions are inadequate for comprehending and addressing the rising complexity of organised crime. These criminal networks engage, transcend boundaries, infiltrate illegal marketplaces, penetrate vulnerable governments, and jeopardise global security.<sup>1</sup>

A prevailing issue that unifies the extensive and quickly expanding body of literature on environmental crime is the need to comprehend the essence of such crime to properly focus criminal law enforcement and governance systems on

addressing it. Firstly, it is evident that criminal actions have the potential to cause substantial damage to the environment. The consequences of these actions are the primary reason for the increasing global apprehension regarding environmental matters. Moreover, they serve as a crucial driving force behind the establishment of international and transnational laws pertaining to environmental crimes. Nevertheless, the scholarly focus on comprehending and quantifying the “objective” ecological consequences of illegal activities has inherent hazards and constraints.<sup>2</sup>

The current approach to understanding environmental crime may lead to a fragmented perception of environmental damage, which may not accurately reflect the extent and magnitude of harm caused. It prioritizes examining tangible evidence of damage over considering general ideas like harm to environmental principles or “environmental goods” that criminologists believe should be protected. This approach may also overlook the technical challenges of developing appropriate criminal legislation and enforcement systems, focusing solely on quantifiable or observable material damage. Instead, it is suggested to explore an alternative method for understanding environmental criminal activity, focusing on the capacity of current criminal laws and procedural mechanisms to address such damage.<sup>3</sup>

Environmental crime encompasses a range of activities that endanger biodiversity and hinder sustainable development. It includes activities such as illicit trafficking of wildlife, smuggling, unauthorized logging, improper waste disposal, and exploitation of resources. Furthermore, the commission of rigorous operations in the ocean and the widespread pollution of the ecosystem are also noteworthy instances of environmental crime.<sup>4</sup> These crimes are perpetrated at both the local and international levels. At the international

level, several governments enable environmental crime by implementing environmental regulations that are less strict than international environmental rules. Furthermore, the presence of weak institutions and inefficient legal systems allows for the widespread occurrence of this phenomenon. Additionally, there is a correlation between the prevalence of environmental crime and instances of bribery inside law enforcement authorities. The abundance of advocacies for criminal protection of the environment stems from the crucial role that environmental protection plays in ensuring sustainable development.<sup>5</sup> Moreover, it is important to note that these criminogenic settings restrict access to chances for the majority of impoverished individuals who rely on the environment for sustenance and other essential resources. Moreover, criminal protection not only guarantees a pristine living environment for the present generation but also provides a promising future for the succeeding generation. This is because adopting this approach will ensure the conservation of biodiversity and the long-term sustainability of important natural resources. Sustainable development is the term used to describe a high standard of living that promotes confidence and ensures the long-term existence of the human population.<sup>6</sup>

## Definition and Types of Environmental Crimes

The notion of environmental criminality is relatively new. However, this does not diminish the need of precise definitions and timely identification of environmental crimes for the successful implementation of environmental legislation and the maintenance of a healthy environment for mankind. Law intervenes only when human meddling in the natural environment escalates to a perilous degree, resulting in ecological imbalance, jeopardising all living organisms on Earth, and posing a significant harm to human health.<sup>7</sup>

2 Bergkamp, Lucas. “Liability and Environment: Private and Public Law Aspects of Civil Liability for Environmental Harm in an International Context.” *SSRN*, 2021.

3 Bodansky, Daniel, and Harro van Asselt. “The Art and Craft of International Environmental Law.” *HTML*, 2024.

4 Luttenberger, Axel, and Lidija Runko Luttenberger. “Challenges in regulating environmental crimes.” *In 7th International Maritime Science Conference*, 213-220. (2017).

5 Kashiwada, Shuichi. “Environmental Deterioration and Sustainable Development.” *ResearchGate* (2020).

6 Lynch, Michael J. “Green Criminology and Environmental Crime: Criminology That Matters in the Age of Global Ecological Collapse.” *Journal of White Collar and Corporate Crime*, (2020).

7 Roy, Sangeeta. “Environmental Crimes-An Analysis of Legal



According to Europol,<sup>8</sup> “Environmental crime covers the gamut of activities that breach environmental legislation and cause significant harm or risk to the environment, human health, or both.”<sup>9</sup>

These offences can include, but are not limited to the

- improper collection, transport, recovery, or disposal of waste;
- illegal operation of a plant in which a dangerous activity is carried out or in which dangerous substances or preparations are stored;
- killing, destruction, possession, or trade of protected wild animal or plant species;
- production, importation, exportation, marketing, or use of ozone-depleting substances.”

The criminal safeguarding of the environment can be perceived as an integrated aspect of the environmental management system. This concept is derived from the impact caused by committed crime towards the environment which requires certain actions to be taken for preventive measures by a responsible party. Discussing further, this topic involves whether the existing environmental quality is sufficient to support the continuity of life and the types of crime that lead to the destruction of environmental quality. It is an important step for the environmental management system to ensure that the effort made in preventing crime in damaging the environment is effective and can further improve the environmental quality. This is to ensure that the sustainable development concept, which prioritizes the balance between development and quality of life can be achieved.<sup>10</sup>

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Provisions with Reference to India.” *NUJS J. Regul. Stud.* 5 30 (2020).

8 “Environmental crime” available at: <https://www.europol.europa.eu/crime-areas/environmental-crime> (last visited on October 20, 2003).

9 Wyatt, Tanya, Daan van Uhm, and Angus Nurse. “Differentiating criminal networks in the illegal wildlife trade: organized, corporate and disorganized crime.” *Trends in Organized Crime* 23 350-366 (2020).

10 Pardede, M., et al. “Perspectives of Sustainable Development vs. Law Enforcement on Damage, Pollution, and Environmental Conservation Management in Indonesia.” *Journal of Water and Climate Change*, vol. 14, no.

Environmental criminals provide a serious danger to our existence, the Earth, and forthcoming generations. These crimes, including overfishing of endangered species, illicit logging, ivory trafficking, and hazardous waste dumping, are not confined by borders. These crimes frequently coincide with further offences such as passport fraud, corruption, money laundering, and homicide. Natural resources are limited and cannot be synthesised in a laboratory, necessitating immediate action against environmental crime.<sup>11</sup>

These worldwide environmental issues elicit international apprehension for the preservation of the ecosystem, safeguarding of the environment, and avoidance of environmental exploitation.<sup>12</sup> The increasing global awareness of the environment and its preservation has led to the creation of international environmental legislation. This legislation outlines fundamental concepts, regulations, and standards that govern the conduct of nations and intergovernmental entities in global and regional environmental safeguarding. These concepts have been converted into treaties and agreements to reduce environmental damage. Despite these laws and treaties, environmental offenses persist in all governments and geographical areas, highlighting the need for continued efforts to protect the environment.<sup>13</sup>

Environmental crimes, which involve environmental violations and damage, can be classified as private or public law activities. To justify the rising cost of prevention and achieve expected results, strict penalties should be accompanied by unidentified preventive measures. Compensation for harm is often private settlement, rather than criminal or administrative. The key is to mitigate the impact of excessive private settlements through statutory compensation procedures. Environmental

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10, 3770-3790 (2023).

11 “Environmental crime”, available at: <https://www.interpol.int/en/Crimes/Environmental-crime> (last visited on October 20, 2003).

12 “Environmental crime”, available at: <https://www.fbi.gov/investigate/environmental-crime> (last visited on October 20, 2003).

13 Masini, Nicola, and Rosa Lasaponara. “Satellite and Close-Range Analysis for the Surveillance and Knowledge Improvement of the Nasca Geoglyphs.” *Remote Sensing of Environment*, (2020).

crimes account for almost half of the total offenses and require increased penalties to justify prevention costs and enhance the deterrent impact on tort allocation. Incidental advantages from pollution avoidance should be allocated to funding task-forcing initiatives.<sup>14</sup>

## **Sustainable Development Goals**

The Sustainable Development Goals (SDGs) are an action-oriented agenda of 17 goals serving as the framework for development cooperation over the period 2015-2030. These goals have been established to meet many social needs, such as poverty, unfairness, climate change, depletion of natural resources, peace, and fairness. SDGs aim to establish an overall social-economic plan to coordinate sustainable development by the effective management of the world's resources in relation to the economy, society, and environment.<sup>15</sup>

In terms of formulation of targets, the SDGs are suggestively universal and are interrelated because development in one key area influences, positively or negatively the other sectors. For example, improving education (Goal 4: Improving the Quality for Education) part takes its role in the poverty alleviation process and gender equality attainment. These interlinkages put into practice the complex approach required in order to approach and address global issues.<sup>16</sup>

The targets of the 2030 Agenda include the principle of "Leave no one behind" (LNOB),<sup>17</sup> thus, focusing on the hardest-to-reach population. Such a focus makes it important to realize inclusive development in the provision of social, economic,

and physical capital in any community without discriminating on any form of regional or individual disparity.

Of the inherent goals, several relate to environmental concerns – the sustainable development goals. For example, Goal 13 (Climate Change) calls for scaling up and strengthening the actions needed to cope with it, Goal 14 (Life Below Water) and, Goal 15 (Life on Land) are about the sustainable use of the earth's water and land resources respectively. Each of these goals confirms that environmental sustainability is an important precondition for the sustainable development of societies and economies.<sup>18</sup>

To ensure the achievement of these goals, the SDGs encourage partnerships among governments, businesses, civil society, and international organizations (Goal 17: Partnerships for the Goals). This collaborative effort is important because the problems that the world deals with cannot be resolved independently and uniquely by one organization.

The envisaged status of the SDGs signifies a visionary Agenda for change aimed at realizing sustainable development where focused efforts in many sectors are required in a coordinated manner. Taken together with both the social, economic, and environmental aspects, the SDGs give a prescription for how to make a better world come 2030. To reach these goals such activities necessarily entail organizational commitment, sustained both in terms of time and resources, and innovative strategies of development.

## **Fighting crimes that affect the environment and impede sustainable development goals**

Climate change is increasing calamities and destructive events such as heat, droughts, and other related diseases. In nature and the loss of species essential to our survival where we are already struggling to produce food to feed the increasing global population. Pollution and waste which is causing the death of millions of people each year.

<sup>18</sup> Vagliasindi, Grazia Maria. "Targeting transnational environmental crime through a multifaceted approach: Towards an inclusive governance of serious threats to sustainable development." 195-214 (Routledge, 2018).

<sup>14</sup> McIntyre, Owen. "The Current State of Development of the No Significant Harm Principle: How Far Have We Come?" *International Environmental Agreements: Politics, Law, and Economics*, vol. 20, no. 4, 601-618, (2020).

<sup>15</sup> Peacock, Robert. "Crime and victimisation in the era of the United Nations Sustainable Development Goals." *In E3S Web of Conferences*, vol. 317, p. 01001. *EDP Sciences*, (2021).

<sup>16</sup> Gore, Meredith L., Patrick Braszak, James Brown, Phillip Cassey, Rosaleen Duffy, Judith Fisher, Jessica Graham et al. "Transnational environmental crime threatens sustainable development." *Nature Sustainability* 2, no. 9 784-786 (2019).

<sup>17</sup> "Leave No One Behind". <https://unsdg.un.org/2030-agenda/universal-values/leave-no-one-behind> (last visited on October 23, 2023).

It is important to note that environmental crime is not solely the cause of this issue. It is our whole system that is at fault. However, there is awareness that environmental crime is one of the causes. And, if continued, it shall further slow down our increasing tendency to control and come up with a solution to the crisis. The numbers are telling a wonderful story. Many countries declared in Glasgow that they will stop deforestation by the year 2030 which helps in achieving the goal of limiting the temperature to 1.5 degrees. However, converting and selling of timber through the black market which is contrary to the legal provisions constitutes between 15-30 percent of the total timber export business.<sup>19</sup>

Environmental crimes, particularly wildlife crime, threaten biodiversity and ecosystems (SDG 14 & SDG 15), hamper climate change mitigation SDG 13, impact the health sector SDG 3 and the rule of law (SDG 16) and further hinder progress towards the 2030 Agenda for Sustainable Development and the SDGs.<sup>20</sup> It is crucial to give priority to countering transnational organized crime and tackling the corruption that sustains it to help safeguard the well-being of people and the environment. All these efforts are critical in addressing the triple planetary crisis, which comprises climate change, loss of biodiversity, and pollution. By analyzing areas of inadequacy of domestic and international legal systems and improving cooperation between States in combating these crimes, States can transform the existing playing field for crimes that have an impact on the environment and provide generations with a clean environment and a diverse biological space.<sup>21</sup>

This has resulted in long and complex global supply chains with many countries being involved in many types of natural resources, including those that were sourced through legal and/or illegal means. For instance, the "United Nations Office on Drugs and Crime" data indicate that all the geographical regions of the world are involved in the IWT, and nearly all countries are

involved in supply chains manifested through source, transit, and destination countries. The "United Nations Convention against Transnational Organized Crime" (UNTOC) and the "United Nations Convention against Corruption" (UNCAC) provide comprehensive legal instruments for dealing with crimes that impact the environment and corruption related to it. Even though these conventions are not exclusively directed at addressing environmental crimes, they offer principles and structures that are essential in addressing these crimes. They give an organizational shape to international cooperation and utilize intricate techniques of law enforcement commonly employed in other forms of TOC, like methodical and investigative activities, including intelligence analysis undercover operations, and financial investigations. 'Partnerships for the goals' (SDG 17) are also relevant in this sector where joint operations of different institutions, especially during investigations, are crucial and require collaboration between different sectors.<sup>22</sup>

The sustainable development objectives obligate mankind to achieve certain aims, including the eradication of hunger and poverty. Global damages from illicit fishing amount to around USD 36.4 billion annually.<sup>23</sup> Numerous treaties govern hazardous chemicals, including electronic trash and prohibited refrigerant gases. Transnational criminal organisations and unethical corporations engage in the trafficking of prohibited substances and the illicit disposal of trash. Marginalised groups experience subsequent health difficulties. Conventions safeguard species and ecosystems; yet, uncommon endangered species continue to be harvested, sold, and exported.<sup>24</sup>

Such crimes harm the economy, society, and peace. Environmental crimes net criminals USD 91-259 billion yearly, robbing governments of tax

19 Mehra, Nasrin, Gholamreza Gholipour, and Erfan Babakhani. "Ecocide: a Crime against Sustainable Development." *Ankara Üniversitesi SBF Dergisi* 15 (2019).

20 White, Rob. "United Nations initiatives in preventing environmental crime." 253-274 (2021).

21 Elliott, Lorraine. "Transnational environmental crime and development." 233-244 (Routledge, 2022).

22 Swaak-Goldman, O. (2024, August 6). "Fighting crimes that affect the environment. Wildlife Justice Commission" available at: <https://wildlifejustice.org/fighting-crimes-that-affect-the-environment-to-achieve-sustainable-development-goals-and-safeguard-our-future/> (last visited on October 23, 2023).

23 Najicha, Fatma Ulfatun, Muhamad Mahrus Setia Wijaksana, and Nurita Wulandari. "The Optimization of Environmental Policy to Achieve Sustainable Development Goals." *JSDERI* 1, no. 2 98-107 (2023).

24 *ibid*

revenue. Environmental crimes exploit low-income populations to steal resources, denying them sustainable lives. From funding armed organisations to killing environmentalists, environmental crimes harm peace, security, and stability.<sup>25</sup>

The increasing prevalence of criminal activities and efforts to combat them are crucial for sustainable development. Stronger legal measures, both private and public, are needed to protect the environment. Individuals should be encouraged to develop a deeper understanding of environmental factors through targeted educational initiatives for both students and adults. This will help in achieving sustainable development goals and promoting environmental consciousness.<sup>26</sup>

The human right to a clean, healthy, and sustainable environment is a good start. State, international organisation, community, and individual commitments may preserve this right and assist Africa close its finance deficit. Reduced illicit finance flows might half the \$200 billion annual sustainable development funding deficit. The Paris Agreement, new global biodiversity accord, and other agreements may be fulfilled with our support. A suggested strategy addresses environmental crimes that harm humans and animals, exploit natural resources, and cause global environmental difficulties. This involves giving legal information, updating enforcement agencies, and publicising enforcement activities.<sup>27</sup>

## **International Legal Framework for Safeguarding against environmental crimes**

The protection against environmental crime internationally is provided by treaties, conventions,

25 “United Nations Environment Programme” *available at*: <https://www.unep.org/news-and-stories/speech/environmental-crime-and-sdgs> (last visited on October 23, 2003).

26 Johnson, Erik W., Jonathan Schwartz, and Ariel R. Inlow. “The Criminalization of Environmental Harm: A Study of the Most Serious Environmental Offenses Prosecuted by the US Federal Government,” 1985-2010.” *Environmental Sociology*, (2020).

27 van Uhm, Daan P., and Rick CC Nijman. “The convergence of environmental crime with other serious crimes: Subtypes within the environmental crime continuum.” *European Journal of Criminology* 19, no. 4 542-561 (2022).

and institutional support for cross-border environmental infractions including illegal trade in wildlife, trade in hazardous waste, logging, and pollution. These crimes not only affect ecosystems but also bring negative consequences for the economy, people, and their security. This framework relies on the principle of international instruments that are legally binding agreements and promote states’ cooperation. The “United Nations Framework Convention on Climate Change and the Convention on Biological Diversity” aim to prevent climate change by limiting carbon emissions and promoting the conservation and sustainable use of biological resources. In order to ensure the safety of both humans and the environment during the international transportation of hazardous waste, the “Basel Convention on the Control of Transbound African Movement” was established.<sup>28</sup> These conventions aim to ensure fair and equitable sharing of benefits arising from the utilization of genetic resources. The other major inter-continental treaty is the “Convention on International Trade in Endangered Species of Wild Fauna and Flora” (CITES) (1973) which deals with the purchasing and sale of endangered species to protect them against exploitation and extinction.

Multilateral compliance and enforcement mechanisms are crucial for combating environmental crimes, including piracy and trafficking in dangerous areas. Organizations like INTERPOL’s Environmental Crime Programme coordinate international collaboration and provide analytical support for combating these crimes. The “United Nations Office on Drugs and Crime” (UNODC) focuses on the criminal aspect of environmental crimes through its Wildlife and Forest Crime Programme. FATF monitors related financial institutions and focuses on unlawful wildlife trafficking, aiming to dismantle criminal organizations exploiting the environment.<sup>29</sup>

28 “Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa” *available at*: <https://au.int/en/treaties/bamako-convention-ban-import-africa-and-control-transboundary-movement-and-management> (last visited on October 24, 2003).

29 Cardwell, Paul James, Duncan French, and Matthew Hall. “Tackling environmental crime in the European Union:

Regional agreements enhance the international structure further on. The “African Convention on the Conservation of Nature and Natural Resources” (2003) seeks to apply and encourage sustainable use of natural resources and conservation of biological diversity in Africa, the “European Union Environmental Crime Directive” (2008) is an EU legal act that makes it mandatory for member states to criminalize acts that are hazardous to the environment including trade in endangered plants and animals and destruction of their habitats. The “ASEAN Agreement on Transboundary Haze Pollution” (2002) presented by Southeast Asia responds as an example of regional coproduction to environmental foreign effects to control haze pollution due to unlawful land-clearing practices.<sup>30</sup>

The sponsorship of institutional supports such as, for instance, the “UNEP” which deals with standards internationally, and the “WCO” which helps in the observation of unlawful environmentally sensitive merchandise trade cannot be overemphasized. Also, the existing cross-border cooperation such as the “Global Environment Facility” (GEF) that offers funding for environmental projects and the Global Alliance against unlawful sale of wildlife enables countries to share both, money and knowledge.<sup>31</sup>

Therefore, the weakness of the international measure includes legal barriers and concerns, lack of resources, weak sanctions, and corruption. However, there are palpable encouraging signs of trend; application of technology such as satellites and drones for monitoring of the environment, broadening of the definition of environmental offences to encompass “ecocide” with the idea now trending as a possible crime under international criminal court or “ICC”. In combination, these efforts show that the international community is willing to continue building up a new framework to protect and preserve the environment although better enforcement, resource input, and higher penalties

are still necessary to successfully tackle the problem of environmental crime.<sup>32</sup>

## National Legislation and Enforcement

The Constitution of India under the Directive Principles of State Policy has Article 48A that requires the State to protect forests and animals. Thus, the previously mentioned point may now be best explained by this aspect. The environment on which people depend for survival is recognized under the “Directive Principles of State Policy” (DPSP). Therefore, one might conclude that environmental protection was not among the concerns of the Constitution framers. The same can thereafter be seen in the essential duties. Article 51A(g) imposes a civic duty on the residents for the protection of the natural environment. Unlike the enforceable provisions of the Constitution, the DPSP and the fundamental obligations are almost ignored and receive negligible attention.<sup>33</sup>

The Indian Parliament passed specialized environmental laws including the “Wildlife Protection Act of 1972, the Air (Prevention and Control of Pollution) Act of 1974, the Water (Prevention and Control of Pollution) Act of 1981, and the Environment Protection Act of 1986.” The objective of these laws, inter alia was to criminalize activities that harm or may harm the environment including the human environment. In the present society, where environmental issues affect every aspect of life, such laws should be administered with a higher level of stringency than is currently the case if the purpose of such regulations is to be achieved.

It has often been referred to as the Indian environmental legislation’s Charter of Rights. Indian control received a bitter lesson in 1984 from the Bhopal Gas Tragedy. Demand for higher levels of control increased predominantly due to people’s protests. These circumstances led to the enactment

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the case of the missing victim?.” *Environmental Law & Management* 23, no. 3 113-121 (2011).

30 Brisman, Avi, Nigel South, and Rob White, eds. “*Environmental crime and social conflict: contemporary and emerging issues*” (Routledge, 2016).

31 Blaustein, Jarrett, et al. “*The nexus between crime, justice and sustainable development.*” 3-24. (Emerald Publishing Limited, 2020).

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32 Arthur, Kingsley K., et al. “Financial crimes in Africa and economic growth: Implications for achieving sustainable development goals (SDGs).” *Journal of Economic Surveys* (2024).

33 Roy, Sangeeta. “Environmental Crimes-An Analysis of Legal Provisions with Reference to India.” *NUJS J. Regul. Stud.* 5 30 (2020).

of the “*Environmental Protection Act, of 1986 and the Public Liability Insurance Act, of 1991*.”<sup>34</sup> The Public Liability Act was envisaged to compensate an individual, a group of people, or any person who has sustained a wound or been hurt in an accident due to some hazardous chemicals. Before acts such as the Environmental Protection Act, the principal legal remedy for breaking environmental laws was via criminal statutes or project permit laws. The National Environment Tribunal which was set up in 1995 and the National Environment Appellate Authority Act which was undertaken to address concern in relation to the new environment rules have been repealed by the National Green Tribunal Act of 2010.<sup>35</sup>

The “*Hazardous Waste (Management and Management) Rules, 1989*” contain procedures and strategies regarding the emission, creation, control, and treatment of hazardous agents. Further, there are many other regulations framed under the Act of 1986 such as the “*Environment (Protection) Rules, 1986, Manufacture, Storage and Import of Hazardous Rules, 1989, Biomedical Waste (Management and Handling) Rules, 1998*”.<sup>36</sup>

The “*Environment (Siting for Industrial Projects) Rules, 1999*” contain comprehensive prohibitions against certain regions for industrial development, initial tests for the site selection of industries, and a number of conditions that have to be taken into account while setting up industrial projects.<sup>37</sup>

## Prospects for the Future Legal Framework towards Environmental Protection and Sustainable Development of Society

Social well-being and integrated and balanced

34 Verma, A. “Overview of Public Liability Insurance Act, 1991” (iPleaders. 2020, July 2) available at: <https://blog.ipleaders.in/overview-public-liability-insurance-act/> (last visited on October 24, 2003).

35 Divan, Shyam, and Armin Rosencranz. “*Environmental law and policy in India: cases and materials*”. (Oxford University Press, 2022).

36 *ibid*

37 B&B Associates LLP. “Environment (Siting for Industrial Projects) Rules 1999” (B&B Associates LLP. March 282020) available at: <https://bnblegal.com/bareact/environment-siting-for-industrial-projects-rules-1999/> (last visited on October 24, 2003).

environmental and economic growth are needed to fulfil present demands and safeguard the environment without sacrificing future generations under sustainable development. The Sustainable Development Strategy of Latvia till 2030 or “Latvia 2030” are examples. According to it, the only way to address global challenges within the sustainability model is to create a development policy that balances economic growth, social cohesion and security, and environmental protection for future generations. The major conflict is policy liberalisation vs economic ecological consensus. This is possible with a good legal system. Rural and natural resources sociologist Frederick Buttell views sustainability as a process and structure, not a product. It recalls that there will be new ways to “keep systems ecologically sound, economically viable and socially just”.<sup>38</sup>

In this context, the option of analysing the concept of ecological modernisation within the framework of environmental sustainability of development according to which the legal status of the population and policy measures promote collective actions relevant to the common good can be effectively developed. In this analysis, it has sharply argued that policymakers and legal institutions can encourage desired behaviours that enhance cooperation instead of competition through incentives in the social political institution and structure especially in key areas such as the forestry business. This bioeconomic reality model is based on the principles of ecological modernisation, which pursues the unity of material interests of various actors.

In Sweden’s forestry policies,<sup>39</sup> elements of ecological modernisation drive policies in areas such as lawful governance, sustainable growth, resource improvement, which can be described as ‘balanced’. Research conducted by myself reveals that these strategies emphasize the economic and legal aspects of sustainability.

The European Union is ahead with its General

38 Singh, Karan, and V. D. Agarwal. “Effectiveness of environmental law in India: An analytical study.” *IJARD3*, no. 2 635-640 (2018).

39 Lidestav, Gun, and Kerstin Westin. “The impact of Swedish forest owners’ values and objectives on management practices and forest policy accomplishment.” *Small-Scale Forestry* 22, no. 3 435-456 (2023).





Union Environment Action Programme established on April 6, 2022 as the parliament and the council to direct environment activities up to 2030.<sup>40</sup> This programme understands that as populations grow and demands for resources increase economically activities need to progress sustainably. It does not only aim for the mitigation of further negative effects to the environment but also aims to mitigate and reverse the climate change effects through supporting biological diversity and public health by holding, rebuilding, and nurturing ecological asset, pollution reduction, and a bio-economy. The strategy also considers the need to save future resources as a prospect towards abundance.

However, through land misuse, non-sustainable agriculture, deforestation, land consolidation and pollution human beings have continued to dematerialize the soil and land resource that is a common problem in the EU and the whole world. Challenged by climate change and loss of biological diversity it is no longer able to deliver the ecosystem services. On this basis, thematic foci of the programme include climate change mitigation and adaptation, ecosystem rejuvenation, systemic change in production and consumption patterns based on dematerialisation, zero harm principles, and toxic-free circularity. Among these challenges, the complexity of personal organization problems requires a combined approach focusing on the cause-issues and the effects on the environment.<sup>41</sup>

## Concluding Comments

Environmental crime is now acknowledged as one of the most significant international concerns having highly negative impacts on the amounts of species, health of populations, and economic prosperity. The environmental consequences of ILAs including poaching, unauthorized timber exploitation, environmental pollution through dumping of abusive waste, and illicit mining further worsen the environment as SDGs are sought. These

<sup>40</sup> Shulla, Kalterina, and Walter Leal-Filho. "Achieving the UN Agenda 2030: Overall actions for the successful implementation of the Sustainable Development Goals before and after the 2030 deadline." *European Union Parliament* (2023).

<sup>41</sup> Chandra, Mahesh. "Environmental concerns in India: Problems and solutions." *J. Int'l Bus. & L.* 15 (2015): 1.

crimes cut across the international aspect, most of them being composed of transnational organized crime, corruption, and inefficient working measures that complicate the differentiation between environmental conservation and criminal justice. The increasing rate at which environmental crime is committed shows why there is a need to address this problem more than just applying hard security strategies international cooperation, advanced regulatory policies, and sustainable community practices form the most basic frameworks for tackling the problem of environmental crime.

Thus, there are challenges with the implementation of existing international conventions such as the CITES which aims at regulating international trade in threatened Species and the Basel Convention on the control of transboundary movement of hazardous wastes. Compliance with environmental laws is a big challenge in many nations due to one account of poor resources, corrupt institutions, and weak institutions. Such a weak enforcement structure prevents curb of environmental crimes, thus harming ecosystems as well as those most vulnerable in society who rely on these natural resources for income. Thus, the global community must target these as weaknesses requiring investment in the enforcement of environmental laws, interagency, and cross-border cooperation, as well as agreed norms in the monitoring of prosecution of environmental offenders.

Moreover, it is necessary to extend the types of criminal acts classified as environmental crimes and name ecocide as an international crime under the jurisdiction of the ICC. This should extend the legal reach of offenders and potentially make the public feel that the laws are better enforced. Combatting environmental crime can only be achieved by using an approach that includes an acknowledgment of the communities in their conservation of resources. It is useful to educate members of the public on environmental crimes, this makes them play an active role in reporting and even preventing these matters from happening.

Since the adoption of the SDGs, working towards their global realization up to 2030 will involve a comprehensive approach to fighting environmental crime, inter alia, establishing new and legal economic

models to support the development of communities dependent on products of environmental crime. Through the use of the stated policies of tying economic benefits to conservation objectives, governments, and organizations eliminate the allure of environmental crime as a means of income. At long last, sustainable development rests on a sound, international approach to addressing environmental crime and an appreciation for the value of ecological conservation, the protection of human rights, as well as securing socio-economic justice. Far from the fight against environmental crime is not only a way to cure the earth but also to achieve the goal of building strong and sustainable communities that are strong enough to live on the planet in balance and harmony.

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