

“International Trade and Sustainable Development”**Gunjanpreet Kaur¹**School of Law, Christ (Deemed to be) University, Bengaluru****Manpreet Singh²**School of Law, Christ (Deemed to be) University, Bengaluru***INTRODUCTION:**

Trade liberalisation and globalisation can have both positive and negative impact on sustainable development. The contribution of international trade towards economic growth is marked the highest and has increased enormously since 1945. Whether trade is an enemy of sustainable development is the issue that stays unresolved. With the increased knowledge and awareness among the public masses' environment problems are viewed and taken seriously in the developed countries especially those that flow from trade to the environment. International trade has gained major utmost attention in the present scenario as the trade is critical to global development and has various serious implications on the environment and sustainable development.

RESEARCH QUESTIONS:

- To analyses various dimensions of the concept of Sustainable development.
- What is sustainable development?
- The impact of International trade on environment.

RESEARCH PROBLEM:

With the advancement and development of international trade on a large scale under WTO agreements, there is a urgent need felt for conservation of resources for sustainable development. There are various conventions, agreements, resolutions signed by the trading members on the conservation and protection of environment and resources. But the problem lies in the fact that these obligations of the nations are left non-operational and unimplemented and are limited to the writings in the books. To bring them into effect is looked after by no supreme body so it is

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considered as a matter restricted to the books and not in reality. Most of the elements of sustainable development are established under WTO covered agreements

WHAT IS SUSTAINABLE DEVELOPMENT?

The concept of sustainable development is subjective and has got various interpretations. Sustainable development in simple terms means “the development in which needs of the present generations are met without compromising the ability of the future generations to meet or fulfil their needs”.³

This concept provides for the limit on the usage of the resources on the present generation in a way that the present generations can efficiently use the resources available to them and save them for the future generations. This does not mean that the present generation should suffer rather it provides better ways should be adopted by the present generation in the usage of the resources available to them so that both present and future generations can live a healthy life.

SUSTAINABLE DEVELOPMENT AND INTERNATIONAL TRADE IN INDIAN CONTEXT:

India as a society has various challenges put forward as a barrier to it in its growth and development. On one hand there is industrialization and urbanization taking their way and on the other the vicious cycle of poverty which have together led to serious environmental hazards and challenges. In order to solve this problem, various legislations and agreements have been signed both nationally and internationally. However, these agreements have not been delivered efficiently and adequately and have reached to no positive outcome in resolving the concerned issues. The major focus which has to be concentrated is to the problems and impact on sustainable development. This led to serious fall back on the concept of sustainable development which couldn't tight its teeth against the mishandling of environmental governance. SDGs needs to get supersonic focus in order achieve environmental sustainability both for present and future generations mostly in India.⁴ The judiciary shouldn't put its legs off on trade development and environmental controversies in understanding the concept of sustainable development.

India since long has been suffering from the major problem of populace blast which has led to environmental emergency and depletion of resources. Environment in India has always been a major problem. The implementation of the laws provided by the various legislations has always lacked proper mechanism which has caused a far-reaching impact leading to the depletion of resources. The person whose right was violated was given immediate remedy in early times without

³World watch Institute. State of the World 1992. New York: W.W. Norton & Company, 1992, p 3

⁴Journal of Political Science, Law and International Relations (JP SLIR) Vol. 2, Issue 1, Jun 2016.

considering the fact of how that action would bring in loss of environment for others in society as well.

However, after the establishment of the constitution of India various laws and legislations came into being thereby scrutinizing the wrong doer.

India from the very beginning has been an active member of GATT-WTO multilateral trade agreement. While realizing the commitment of GATT-WTO and the Rio Declaration as a protectionist policy; the government has launched the New Economic Policy of India. The liberalization policy helps in a big way to accelerate investment across borders and makes the domestic enterprises more competitive.⁵

There was an immediate need to secure and preserve environment. The trade and environment coincide and are largely adopted by WTO member states in technical boundaries to trade, sanitary and Phyto -sanitary measures and subsidies and countervailing measure.

The Ministry of Environment has adopted certain measures to achieve sustainable development. Adhering to the effective trade and environmental measures; Abdul Haseeb Ansari welcomed that economic reconciliation additionally changed environmental assurance from an obviously residential, exceedingly restricted issue into one of intrinsically worldwide extension. Jagdish Bhagwati astoundingly depicted that the GATT framework approve the self-governance of national governments putting their economic policies inside of their ward. Anand remarks that attention on economic development and economic advancement was demanded for the dissatisfaction with "pollution of poverty". The law guarantees that industrial advancement, does not give up environmental interests and polluting industries are made to pay as per the polluter pay principle.⁶

⁵Journal of Political Science, Law and International Relations (JP SLIR) Vol. 2, Issue 1, Jun 2016.

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IMPACT OF INTERNATIONAL TRADE ON ENVIRONMENT;

The major unresolved dispute revolves around the fact that whether globalization and environment are a friend or a foe and does it help or hurt in achieving the best tradeoff between environmental and economic goals. Trade is considered to have some affects to the sustainability of the healthy environment. This affect takes place through the channel of economic growth which helps a nation or a country to develop with technological enhancement and more foreign direct investments (FDI).⁷

It is important to consider that both the objectives that is the environment and trade or economic growth overlap each other but both hold importance in their own sphere. Individuals or the public may place one objective over the other stating their own respective requirement or need but the fact lies is that it should not be tangled but rather they should be considered and given importance in their own sphere.

The production of goods that are imported and exported through the countries will often have environmental effects.

Health and safety are the major issue that arises with the impact of trade on the environment and citizens at large. Domestic regulations for example that prohibit the sale of toxic pesticide do not apply internationally.

Goods that are restricted in domestic markets, on the grounds that they present a danger to human, animal or plant life or health, or to the environment, may often be legally exported. This may cause a problem for the importing country, where information is lacking on whether and why the product is banned. Exporters may make false declarations to customs authorities particularly in developing countries as they lack adequate product testing facilities.⁸

⁷Environmental Effects of International Trade Jeffrey Frankel Harpel Professor, Harvard Kennedy School Harvard University

⁸TRADE AND THE ENVIRONMENT Based on: Environmental and Natural Resource Economics: A Contemporary Approach by Jonathan M. Harris

CONCLUSION:

According to me a positive outcome requires appropriate measures adopted for economic and environment policies both nationally and internationally. The sustainability and environment interests can be best achieved by effective environmental policies and institutional framework at all the local, national, regional and International level. Also, in my view trade barriers is not the answer for the co-existence of both environment and trade related matters. Trade restrictions are counter-productive, and they inhibit the growth within the countries thus reducing their capacity to improve environmental standards.

In the twentieth century, sustainable development is being immensely discussed and considered and has become part of local, regional, national and international law. The real mandate of the elements of the concept of sustainable development is to help in redefining the state's legal obligations towards effective environmental and developmental policies both for present and future generations.