

International Trade and Environmental Development: A View from India

Anam Faiyaz Siddiqui*

Student, Galgotias University, Greater Noida, India

*Corresponding author: anams9481@gmail.com

Abstract: India's strong economic performance of recent years requires continuing effort from the newly formed Government to widen the ambit of economic reform. Though the govt. has given higher priority for the facility development projects, the Indian power sector is battling formidable difficulties of meeting the heavy demands of electricity thanks to higher amount of power losses and energy thefts. To offer a supporting hand to the govt., this paper suggests the restructuring of the facility sector with energy conservation because the main motive to realize economic and environmental benefits. The capabilities of the energy conservation policies developed are illustrated via tests by three distinct ways on a state grid-like test system and therefore the test results confirm the suitability of the proposed policies for real-time implementation within the Indian power sector.

Keywords: Trade and Environment, Pollution regulation index, Pollution, Government policy.

1. Introduction

International trade has traditionally been suffering from the interaction of reigning political, economic, and social forces. Invariably, trade among nations bears the imprint of up to date history and is influenced by movements getting into the composition of community life. In recent times, no single movement has -so transformed the perspectives of human outlook because the crusade to guard and preserve the planet's environment. The ethos of environmental philosophy has profound implications for international trade, and significant international events during the past 20 years have evidenced the close involvement of the planet community in those consequences.

India has a crucial role therein involvement. As a prominent developing country, India's population will soon be the most important within the world. India possesses an ancient surviving heritage of considerable vitality, and is governed by a network of recent and vigorous democratic institutions.

This paper will discuss India's environmental traditions, India's environmental laws and policy initiatives, its new environmental philosophy, and eventually India's views on international trade and therefore the environment.

2. Literature Review

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India's strong economic performance of recent years requires continuing effort from the newly formed Government to widen the ambit of economic reform. Though the govt has given higher priority for the facility development projects, the Indian power sector is battling formidable difficulties of meeting the heavy demands of electricity thanks to higher amount of power losses and energy thefts. To offer a supporting hand to the govt, this paper suggests the restructuring of the facility sector with energy conservation because the main motive to realize economical and environmental benefits. The capabilities of the energy conservation policies developed are illustrated via tests by three distinct ways on a state grid-like test system and therefore the test results confirm the suitability of the proposed policies for real-time implementation within the Indian power sector.

The debate over the likely environmental impacts of economic development and trade liberalization has been examined and analysed by economists for many years now. But, neither the theoretical nor the empirical literature on trade, economic development and therefore the environment could yield anything conclusively about the general impact of trade on the environment.¹ As shown by Grossman and Krueger (1993) also as Copeland and Taylor (2004), trade openness can affect environment both positively also as negatively. The empirical literature on the consequences of economic process and international trade on the environment, which was initiated by Grossman and Krueger (1991, 1995) are carried forward by many researchers over the years and produced an outsized amount of empirical studies which has popularly come to be referred to as "environmental Kuznets curve" (EKC).² The EKC literature argues that an inverted U-shaped relationship exists between economic process and environmental quality, which means that environmental degradation increases with income at low levels of income then decreases once a intensity of per capita income is reached. Their argument for such finding is that after a particular level of income, concern for environmental degradation becomes more relevant and a mechanism to scale back environmental degradation is put in situ through necessary institutional, legal and technological adjustments.

3. Research Problem

With the event of international trade, the effective conservation of resources for sustainable development was recognised within the UNGA resolutions, convention, declarations, agreements and reports which are considered as soft law. These laws and rules are merely restricted to books and nations aren't serious to form these laws operational. Most of the legal elements of the concept of Sustainable Development are incorporated in various WTO covered agreements. At the WTO-GATT context, the trade restriction must not be disproportionate to the advantages arising from the protection of the worth covered by the measure. The Agenda for environmental sustainability is more complex and lots of problems are intertwined. It's not clear and there are substantial controversies on how best the trade and environmental measures must be accommodated within GATT. This will seriously raise a doubt regarding the status and bindingness of the concept of Sustainable Development.

The concept of sustainable development was categorically accepted by various arbitral tribunal, ICJ and various other constitutional courts as components of law. Environmental experts have also recognised the importance of varied legal elements of sustainable development as means to make sure social justice. However, the WTO-DSB's decisions don't remark that the concept of Sustainable Development is norm and fundamental governance of the states.

In fact, the above mentioned judicial decisions also revealed that there's no uniqueness and fundamental certainties amongst judicial institutions to resolve conflict of unilateral trade measures for achieving environmental sustainability and customary appreciation on environmental objectives in law of nations itself. Whether the interpretation given by the WTO-DSB (dispute settlement body) is applicable just for trade concerns or maybe non trade concerns?. Similarly, the WTO's competency to make a decision the national unilateral measures when disputed parties aren't contracting parties to either the WTO covered agreements of MEAs. The WTO-DSB doesn't stand alone within the governance of international trading system and international trade order. It's one among the various other agreements that affect international trading system in a method or other, although the role played by the WTO is perhaps the foremost important among them.¹²³ Similarly, the question of how law of nations impacts domestic law when absence of explicit agreement. Of these developments have raised a significant doubt whether the legal elements of the concept of Sustainable Development will have a binding force among states.

4. Research Methodology

The research work is predominantly doctrinal in nature. Various research methods like, Historical method, Analytical method, Evaluative method and Comparative method are often employed. Historical method is used to trace out the origin, development and evolution of the concept of Sustainable

Development. Analytical method is employed to analyse and test the character of the concept in present scenario with the gathering of data through the relevant multilateral treaties, legislations, policy documents and judicial decisions of international and municipal courts, articles, newspapers, journals and internet. However, for the sake of convince the researcher has applied the evaluative method so as to seek out the effective implementation of the concept of Sustainable Development both at national and international level. Comparative method also can employed to review this status of the concept of Sustainable Development both international and Indian perspective. Additionally, to know the judicial contribution of the concept of Sustainable Development, several national and international case laws are analysed.

5. Objectives of Study

This paper overall aims at shedding light on the link between International Trade and therefore the Environment. Hence, any depletion of resources will make an impression to all or any person with none border and limits. To seek out the impact of the concept of Sustainable Development the objectives of the study are listed hereunder:

- To analyse various dimensions of the concept of Sustainable development.
- To understand any environmental measure against the trade and development may be a territorial application or extraterritorial in nature.
- To analyse the WTO-DSB may be a competent body to settle the conflict between trade and environmental conflicts.
- To examine the judicial decisions with regard to conservation of resources for preserving the interest of present and future generations.

6. Impact of Pollution Regulation Index

The pollution regulation index (PRI), which is included within the random effects model measures the impact of efficiency of implementing environmental regulations on pollution level. The estimated coefficient values show that PRI is statistically significant and negative for SO₂ with a magnitude of - 0.067, meaning thereby a discount in its concentration levels thanks to higher efficiency within the implementation of regulations. But the estimated coefficients aren't statistically significant for NO₂ and SPM. However, the negative coefficients of PRI for SO₂ suggest that implementation of environmental standard has significant pertaining to pollution levels.

7. Sustainable Development and International Trade

The consistency between the objectives of growth, development and environmental quality may be a critical one in its field. However, the broad objective of GATT-WTO is to liberalise the multilateral trading system in balancing resource

conservation by setting minimum environmental standards. No doubt, the international trading system concerns about environmental sustainability, that's truly sustainable. The UNCHE (United Nations conference on Human environment) in its various principles re-emphasize the mandate of conservation of resources for the betterment of present and future generations and recognized the environmental right as a person's right. The relation between trade and environment are often attributed with the 2 different branches of law of nations viz., Environmental Law and Trade Law. Under the primary branch, variety of environmental measures are embodied within the various MEAs, including the Regional Agreements and National laws and policies. The second branch, a majority of trade measures covers under the GATT, Regional and Bilateral Trade Agreements (BTAs). These Agreements constantly emphasize that contracting parties must structure their economic activities with the common goal to conserve resources.

In the early 1980s, trade and developmental issues are received attention and therefore the World Conservation Strategy (WCS) remarkably describes that conservation of resources is that the chief tool for achieving environmental sustainability. However, the WCS isn't defined the concept of Sustainable Development. For the primary time, in 1987, the Brundtland Report defines the concept of Sustainable Development on meet the requirements of this without compromising the power of future to satisfy their own needs. Subsequently, the planet Charter for Nature, Caring for the world, UNCED (united nations conference on environment and development), WSSD(World Commission on Sustainable Development), and Rio+20 categorically reemphasises that conservation of resources. Conservation of resources for the advantage of present and future generation is one among the fastest growing fields at the international, regional and national levels. The central element of the concept of Sustainable Development is that the present generation has no right to take advantage of the natural wealth of nation and cause damage. The mandate of the Rio Declaration isn't only at the time of economic development but also at the time of conflict. This idea helps in achieving social justice. Realising, environmental sustainability is that the need of the hour; Unlike the UNCHE and therefore the UNCED, the UNCED describes the necessity of policy framework on sets rules and principles. These principles are designed to guard the worldwide environment from the stand point of the principles and goals of trade that have increased attention to the complementarities between development and therefore the environment.

8. International Organisations

A. India and GATT-WTO

From very inception of GATT-WTO India actively participated in multilateral trading system. While realising the commitment of GATT-WTO and therefore the Rio Declaration as a protectionist policy; the govt has launched the New policy

of India. The liberalisation policy helps during a big thanks to accelerate investment across borders and makes the domestic enterprises more competitive.

However, there are conflicting perspectives on the liberalization strategy in India. From one perspective, a couple of economic experts contended that the multilateral exchanging framework and therefore the noteworthy of liberalization strategies of India without causing any genuine damage to the environmental or tilting biological parity. On the opposite, the environmentalists contended that liberalization approach may intensify environmental issues and expand imbalances and involve a misfortune and disintegration of power.

Millennium Development Goals (MDGs) repeated that requirement for environmental security. Interestingly, national government can embrace any environmental measures against exchange without confining global exchange unless that's essential or unavoidable. Albeit, most the aforementioned measures are regularly restored as non-tariff barriers against trade and these measures may hinder trade with agriculture and food products. The overwhelming majority of the trade and environmental measures are adopted by the WTO Member states in TBT (Technical Boundaries to Trade), SPS(Sanitary and phyto sanitary measure) and SCM(subsidies and countervailing measures) as for advancement or use of principles. Professor Chimni describes that developing nations need to actively absorb the WTO process whereby it's relied upon to thoroughly satisfy its commitments when all the powerful states can abstain from doing intrinsically through the consolidation of novel interpretative plans or by utilizing the national security condition. In any case, the late Environmental Protection Approach (EPA) depicts that no measure will strife against with MFN standards of GATT.

The Ministry of Environment and Forest has adopted certain arrangements towards accomplishing sustainable development. The approach incorporates Development of Management Tools for forestalling environmental pollution, Indian Centre for Promotion of Cleaner Technologies (ICPC), National Environmental Action Plan for Control of Pollution, Environment Management System (EMS), Program for Mitigating Pollution and National Bio Diversity Strategy and Action Plan (NBSAP). India has additionally consoled its dedication towards UN Convention to Combat Desertification furthermore approved Convention on Biological Diversity and Kyoto Protocol on Convention on global climate change. The representatives from India have actively taken an interest within the 22nd session of the overall Assembly furthermore at the worldwide Conference on Sustainable Development of Small Island Developing States in Barbados.

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 among intrinsically worldwide extension. Jagdish Bhagwati astoundingly depicted that the GATT framework approve.

9. Environmental Law and Policy in India

Although the role of development has taken a status within the Indian economy, India has also developed a robust structure of legislative measures and policy initiatives, with the goal of safeguarding the environment. The Indian Constitution was amended in 1976 by the Constitution (42nd Amendment) Act. Inserted within the Directive Principles of State Policy partially IV of the Indian Constitution, Article 48A obliges the State to "endeavour to guard and improve the environment and to safeguard the forests and wild lifetime of the country." Simultaneously, Article 51A (g) partially IV (A) of the Constitution, the part on Fundamental Duties, imposes a requirement on every Indian citizen "to protect and improve the natural environment including forests, lakes, rivers and wild life, and to possess compassion for living creatures."

Environmental Acts:

A. Regulation

The following paragraphs describe a number of India's main environmental legislative acts.

This Act provides for the prevention and control of pollution and therefore the maintenance or restoration of water's purity and wholesomeness. To satisfy these goals, a Central Pollution Control Panel also as State Pollution Control Boards exist. Without the prior consent of the State Pollution Control Panel, nobody is permitted to determine any industry which is probably going to discharge sewage or trade effluent into a stream, well, sewer, or ashore. Contravention of this provision by a person is punishable by imprisonment for a prescribed minimum term of 1 year and 6 months.

1) *The Water (Prevention & Control of Pollution) Cess Act, 1977'*

This Act's purpose is to supply for the levy and collection of a cess on water for human consumption, within industries and by local authorities. A rebate is out there for an individual or agency installing a plant for the treatment of sewage or trade effluents. This act was amended in 1991 to mandate that refunds be withheld from persons who fail to suits the Water (Prevention & Control of Pollution) Act, 1974 and with the Environment (Protection) Act, 1986.

2) *The Air (Prevention & Control of Pollution) Act, 19817*

This enactment occurred as a consequence of selections made at the 1972 Stockholm Conference. An integrated approach has been considered advisable for tackling environmental problems concerning the pollution of water and therefore the pollution of air. Accordingly, the Central Pollution Control Panel, created under the Water (Prevention & Control of Pollution) Act of 1974, has also been empowered to function as a Central Pollution Control Panel for the prevention and control of pollution. State Pollution Control Boards even have a task in combating pollution. Nobody is permitted, without the previous consent of a State Board. operate any plant in a pollution controlled area, and where such plant is permitted, the emission of an air pollutant must not exceed the standards

promulgated by the State Board. Contraventions are punishable by imprisonment.

3) *The Environment (Protection) Act, 19868*

This is a comprehensive enactment which passed in response to decisions made at the 1972 Stockholm Conference. The definition of "environment" includes "water, air and land and therefore the interrelationship which exists among and between water, air and land, and citizenry, other living creatures, plants, micro-organisms and property." The Act also provides for the prevention of hazards to citizenry, other living creatures, plants, and property.

The Central Government has been empowered to require all necessary measures for shielding and improving the standard of the environment, and preventing, controlling, and abating environmental pollution. Such measures could include the following: planning and executing a nationwide program for the prevention, control, and abatement of environmental pollution; promulgating standards for the standard of the environment, and for emission or discharge of environmental pollutants; demarcating areas during which industries, operations, or processes shall not be administered or shall be administered subject to certain safeguards; promulgating procedures and safeguards for the prevention of accidents which can cause environmental pollution; promulgating procedures and safeguards for the handling of hazardous substances; and examining manufacturing processes, materials, and substances likely to cause environmental pollution. The Environment (Protection) Act has great Constitutional significance. Some jurists believe that because the Act implements a choice made at a world conference, it transcends the division of legislative powers between the Union of India and therefore the Indian States, and thus enables the Union Parliament to legislate regarding the environment for the whole world.

4) *The general public Liability (Insurance) Act, 19919*

This Act is meant to supply relief to persons suffering from accidents which occur while a corporation is engaged in handling hazardous substances. Every company must carry insurance against claims arising from such accidents. The Act additionally specifies that locations during which hazardous substances are handled are subject to entry and inspection; hazardous substances could also be seized if they're being handled by companies without the requisite insurance. Finally, contravention of the Act subjects not only companies, but also individual supervisors, to criminal and monetary penalties.

5) *The Wild Life (Protection) Act, 19720*

This Act's purpose is to supply protection for wild animals and birds. It creates several authorities, including Director of Untamed Life Preservation, Chief Wild Life Warden, and therefore the Wild Life planning board. This Act was amended in 1991 to put a ban on the hunting of all species of untamed life for commerce or for pleasure. Actions in contravention of the Act are punishable by imprisonment also because the imposition of monetary damages.

6) *The National Environment Tribunal Bill, 1992*

This Bill, if enacted, would offer for the establishment of Tribunals to supply relief, compensation, and restitution to victims of accidents which occur as a results of handling hazardous substances, and to victims of environmental damage.

B. Policy Initiatives

In addition to legislative enactments, policy initiatives on various environmental issues have also been enunciated. A number of these policies are described below.

This Policy concerns restoring the ecological balance and conserving the country's natural heritage by protecting its remaining natural forests.

1) *The national wild life action plan*

This Plan lays down strategy and action programs for wild life conservation.

2) *Forest (Conservation) Act, 1988*

The application of the National Forest Policy was strengthened by this Act so as to make sure that diversion of forest land for non-forest use is subjected to the strictest governmental scrutiny.

3) *The Policy Statement for Abatement of Pollution, 1992*

This Policy Statement records the commitment of the Indian government to stop further deterioration of the environment. The Statement focuses on long-term concepts and planning because pollution particularly affects the poor, and poverty is viewed as a drag necessitating long-term, as against short-term, solutions. The Policy Statement advocates a comprehensive approach which integrates environmental and economic aspects in development planning, emphasizes preventive aspects for pollution abatement, and promotes technological input to scale back industrial pollutants. The Policy Statement additionally promotes reliance upon public cooperation in securing a clean environment.

4) *The National Conservation Strategy and Policy Statement on Environment and Development, 1992*

This Statement provides the idea for the mixing and internalization of environmental considerations within the policies and programs of various sectors. It further emphasizes the necessity for sustainable lifestyles and therefore the proper management and conservation. Policy initiatives and action plans are put into operation addressing a number of other environmental issues. The cleaning of rivers and other water bodies, urban housing, land use, recycling of wastes, and various other activities are undertaken for the aim of sustaining or improving environmental health and integrity. The Indian administration has involved several non-governmental organizations and activist groups, most of which enjoy excellent reputations and exhibit missionary enthusiasm for environmental causes. The environmental movement in India has gained considerable momentum and is rapidly maturing.

10. The New Environmental Philosophy

A. Globalization

In the growing jurisprudence and ethos of sustainable

development, the key words are "globalization" and "equity." Several sorts of environmental damage extend across national borders to the degradation of the worldwide commons, affecting a worldwide society. Therefore, the concept of a worldwide society involves the necessity for global perspectives which, in turn, involve new definitions of jurisprudential, economic, and social relationships. Definitions which arose from the old order tend to lose their validity when reckoning with human society during a global dimension.

With the event of latest philosophic systems in modern law of nations, like human rights, the individual is now treated because the direct beneficiary of the law. The members of a worldwide society, within the end, are individuals, and individuals are the beneficiary of both state law and law of nations. Because some areas of legal rights and obligations are common to both the state and international legal systems, one can imagine the individual as positioned within the centre of two concentric circles, a clique embodying the operation of state law and a bigger circle embodying the operation of worldwide law. thereupon metaphor, in common legal areas, like environmental law, one may envisage global values flowing into the content of state law. In such areas, global perspectives got to be considered to reach a real and comprehensive interpretation of individual rights and obligations. The globalization of human society and of human values has been developing during the last half of this century, and has taken a vitally significant and irreversible direction. everywhere the planet, a stirring of worldwide consciousness has occurred, from the theatres of armed conflict to the institutions of humanitarian relief.

This is to not say that the doctrine of state sovereignty has lost its basic validity. Developing nations, including India, enforce their right to development, both in terms of the proper to freely determine their economic, social, political, and cultural priorities, and in terms of their right to the utilization of their natural and other resources. For developing countries, the pursuit of development will still remain at the forefront of their national aspirations. It can't be otherwise. Developing countries' insistence on the proper to take advantage of their resources emerges out of an extended period of colonialism and economic backwardness. The natural resources of colonial territories were treated as raw materials for the manufacture of products in imperial countries, and really little was done to market economic development in those colonies. the overall consensus is that underdevelopment in colonies was the byproduct of imperial countries' development, therein the expansion of colonial territories "was blocked by the destruction of the natural balance in situ before colonialism, including structural disadvantages built into this international financial system. Upon attaining independence, the new States realized that, among other things, poverty and low standards of living reception led to comparatively weaker bargaining positions within the arenas of international diplomacy and international economic opportunity. the event of national identities made

those countries desire urgent development and modernization, improved conditions of living for his or her people, and a more equitable place within the comity of countries.

Developing countries also maintain that to satisfy their proper role as partners during a global partnership, it's essential for them to possess independent policies of natural resources use. Autonomy within the dimensions of self-development-economic, social, and political-brings discipline, experience, and national pride within the process of growth to adult statehood. The spur of history has given an immediacy to development; in consequence, development assumes a preeminent place

An important recollection during this regard is that the primary articles of two international covenants, the International Covenant on Economic, Social, and Cultural Rights" and therefore the International Covenant on Civil and Political Rights,^{1 3} were placed within the covenants in deference to the needs of the newly emergent independent states. Also, of particular note is that while the United Nations Declaration on Human Rights⁴ was unanimously adopted in 1948, it had been not until 1966 that the 2 aforementioned United Nations Covenants were adopted. This delay in adoption was largely caused by the differing approaches adopted by developed countries and developing countries. the previous placed emphasis on civil and political rights, while the latter considered development to be a big component of the human rights regime.

B. Equity

The other key word within the jurisprudence and ethos of sustainable development is "equity." it's evident that, as members of the worldwide community, countries are held together by an inescapable interdependence and must inevitably interact with one another. Viewed from the attitude of an equilibrated unity, the planet community must find its stability during a pervading equity. Considerations of environmental security alone require that equity be an important principle in knitting together a stable community. Consequently, developing nations claim that in any process of sustainable development, these disparities between nations, also because the needs of present and future generations, should be taken under consideration.

India has an ancient heritage of integrated environmental values, but it's at an equivalent time insistent on redeeming its people from the bondage of poverty. Two approaches are adopted by India which demonstrate the strain between these two ideals. First, to make sure that India's development processes fructify in an environmentally friendly ethos, India insists on the transfer of unpolluted technologies and financial assistance from developed countries. Following the Vienna Convention for cover. This Covenant guarantees the proper of all peoples to self-determination, entitling them to freely determine, inter alia, their economic, social, and cultural development, and to freely eliminate their natural wealth and resources.

The concept of sustainable development supplied the ethos of the Rio process. The Rio Declaration⁰ adopted at the United Nations Conference on Environment and Development (UNCED) in June 1992, attempts to accommodate and balance the contending positions taken by the developed countries and therefore the developing countries. It represents a world consensus on the longer term direction of worldwide environment and development policy, and it attempts to supply a framework during which to integrate values. It reiterates the internationally recognized principle that "states have... the sovereign right to take advantage of their own resources pursuant to their own environmental and developmental policies,"² while insuring against transboundary environmental damage. The Declaration states that the eradication of poverty is "an indispensable requirement for sustainable development, so as to decrease the disparities in standards of living and better meet the requirements of the bulk of the people of the planet.

Multilateral economic cooperation is viewed as vital to a sound international trading environment. Recognizing that the "expansion of world trade has been unevenly spread, and only a limited number of developing countries are capable of achieving appreciable growth in their exports," Agenda 21 notes that protectionist pressures and unilateral policy actions still endanger the functioning of an open multilateral trading system, affecting particularly the export interests of developing countries. It recommends that the international community should halt and reverse protectionism so as to cause further liberalization and expansion of world trade, to supply for an equitable, secure, non-discriminatory, and predictable international trading system, and to facilitate the mixing of all countries into the planet economy and therefore the international trading system.

Specific measures are suggested with reference to commodity trading. These include improved market transparency through exchanges of views and knowledge concerning markets for individual commodities, negotiations between producers and consumers, and compensation mechanisms for shortfalls in commodity export earnings of developing countries, so as to encourage diversification efforts.

An open, multilateral trading system advances the task of creating trade and environmental policy mutually supportive by causing a more efficient allocation and use of resources. It thereby contributes to increases in production and in incomes and to diminishing demands on the environment. On the utilization of trade provisions in multilateral environmental policy agreements designed to tackle global environmental challenges, Agenda 21 warns against unjustified restrictions on trade. Trade restrictions shouldn't be used to offset differences in costs arising from disparities in environmental standards and regulations. Also, in applying environmental standards and using trade measures, "special factors affecting environment and trade policies in developing countries" should be borne in mind.³² Simultaneously, and like Principle 11 of the Rio Declaration, Agenda 21 cautions that "environmental standards

valid for developed countries may have unwarranted social and economic costs in '33 developing countries.

C. India and Future Partnerships

The period following the Rio Conference is remarkable for the symposia and deliberations which have taken place in developing countries to appraise the Conference's import and to assess its achievements. during a post-UNCED Seminar on Environment and Development Policy Issues in Asia, eminent economists, jurists, and scientists from several Asian countries conferred on the implications of the Rio Declaration, Agenda 21, the Framework Convention on global climate change, and therefore the Biological Diversity Convention.³⁴ From the outset, conferees expressed disappointment that the Rio process was affected by the absence of an efficient follow-up, and there was an uneasy feeling that the Rio process had, in fact, become dormant. Another apprehension expressed by some participants was the anomaly of varied expressions within the Rio documents like "supportive and open international economic system" within the Rio Declaration.³⁵ The anomaly allows developed countries to interpret expressions like this in their favour to the detriment of developing countries. Indeed, one Sri Lankan speaker, while expressing trenchant criticism of the Rio process, doubted whether any real achievement had resulted from the UNCED.³⁶ The concerns of the post-UNCED Seminar are embodied during a Compact on Sustainable Development, which was adopted by the Seminar at its conclusion.

India may be a signatory to the international documents finalized at Rio, and may be a strong supporter of the Rio process. However, dominant Indian opinion is that the result of the Rio process will depend upon the broad vision and straightness which the developed countries provides it. Armed with superior technology, economic advantage, and financial power, the developed countries are, actually, the prime factors within the implementation of the Rio promises. Unless they deliver, there'll be scarce aiming to the arduous labors which culminated within the Rio decisions. They, in turn, must recognize that the whole Rio edifice has been structured on the premise of a worldwide partnership—a partnership envisioned the maximum amount in their interest and for his or her benefit because it is for the developing countries. Mutual need, not charity, characterizes the Rio process.

Indian official opinion accepts that developing countries can enjoy greater trading opportunities.³⁸ This, as Agenda 2139 suggests, will end in a more efficient allocation and use of resources, thereby enabling India to require simpler measures for the preservation and protection of the environment.

11. Conclusion

India places great emphasis on an appropriate restructuring of the international financial system. Restructuring is imperative if "an open, equitable, secure, non-discriminatory and predictable multilateral trading system of benefit to all or

any trading partners"⁴² is to be established. the prevailing international financial system is considered weighted heavily in favour of the North and against the South. Indian opinion regards it as essential that market processes should be allowed to require under consideration truth costs of products, so as for the liberalization of trade to profit developing countries. due to inequitable pricing, developing countries are driven to over-exploitation of their natural resources. Liberalization of trade without corrections within the system will, it's feared, accentuate the degree of over-exploitation. To reform the system, it's been suggested that environment-related costs be reflected in international market prices. there's serious apprehension in Indian circles that developed countries will still covertly pursue protectionist policies and can do so by invoking the very environmental considerations which are against protectionism. as an example, trade restrictions could also be imposed as non-tariff barriers by specifying standards for manufactured products or for processes which are beyond the potential of developing countries. One example is eco-labelling of textiles manufactured with environmentally friendly chemicals and dyes and excluding textiles using natural dyes. As a result, a developing country would be compelled, at a high cost, to use the technology of the importing country, rather than placing reliance on its own environmentally friendly technology.

Indian opinion maintains further that while harmonization of product standards is desirable, the adoption of one standard on a worldwide basis is illogical. Instead, product standards should be harmonized in reference to groups of manufacturing countries enjoying a relatively common structure of environmental conditions and socio-economic imperatives. India's export trade is critical to the viability of its economy, and non-tariff trade barriers imposed by the synthetic policies of importing countries will severely set back India's development. India is adopting exacting standards to make sure that locally manufactured goods, that attractive export markets exist, don't offend environmental sensibilities. Chemicals, pharmaceuticals, leather, fish, ready-made garments, machinery, and mineral fuels account for about one-half of India's exports, and are produced in an environmentally sensitive way. Besides strictly applying statutory pollution standards, the govt. encourages importing state-of-the-art technology for application in those areas. There are other features of the Indian economy which involve particular attention, like the small-scale industrial sector, where insistence on the appliance of Western standards could cripple the industry and destabilize employment levels. An excessive and incautious burden in the purported imposition of environmental considerations and standards could cripple India's attempt to open her economy to international market forces. India's overarching aspiration is to develop and modernize the socioeconomic life of its people. India is a complex society, a vast spectrum of differing habits and practices, and ancient and modern technologies, with time-

honoured tradition competing against impatient change. In the period of transition toward a fully developed economy, it is necessary that India enjoy freedom to establish its own balance of sustainability between the environment and development.

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