

The role of international environmental law in achieving Sustainable development Goals

Introduction

The environmental factor lays the foundation for the sustainable development goals. The 2030 Agenda for Sustainable Development was adopted at the 70th session of United Nations General Assembly in 2015. This is a 15-year plan in achieving areas of critical importance to humanity consisting of 17 goals. This consist of 169 quantitative and qualitative targets to be achieved nationally and internationally over the span of 15 years. International Environmental Law in the other hand is a branch of international law which concerns mainly in controlling pollution and depletion of natural resources with the framework of sustainable development. It covers areas such as population, climate change, biodiversity, toxic and hazardous substances, ozone depletion, sea and transboundary water pollution, conservation of marine resources, etc. The article emphasises the importance of International Environmental Law in achieving the Sustainable Development Goals in 2030.

Environmental law, establishes rights and duties of individuals, communities, and industries in the use of environmental resources, including the sets of mandatory quality standards, and assigns powers, responsibilities, and liabilities in respect of environmental management. Its main concern is to govern the relationship of man and his environment. Historically, what was originally labeled as natural resources laws are “use-oriented” or designed for the maximum exploitation and development of natural resources as compared to the new environmental legislation, which is “resource-oriented” or designed for the rational management and conservation of natural resources to prevent their depletion or degradation.

Discussion

During the 1970s, governments were exhorted to establish an effective legal and regulatory framework to enhance national capacities to respond to the challenges of sustainable development by adjusting or fundamentally reshaping the decision-making process relating to environment and development. Among the several trends in the evolution of environmental law vis-à-vis sustainable development are: crystallization of environmental issues in constitutional and policy documents (e.g., right to a healthy environment; sustainable use of natural resources); more comprehensive coverage of environmental issues (e.g., biodiversity conservation; management of hazardous wastes); establishment of environmental standards (e.g., air, water and noise quality standards; maximum level of emission of airborne pollutants); use of economic instruments (e.g., tax incentives, polluter-pays-principle, environment funds); recognition of international environmental norms (e.g., institutional arrangements to give effect to multilateral environmental agreements; financial obligations

required by treaties; environmental impact assessment); effective coordination of environmental management (e.g., ministries responsible for the environment; inter-agency committees for cross-sectoral coordination); measures for effective environmental law implementation and enforcement (e.g., environmental law compliance guidelines; enforcement procedures).

In 1972 United States Conference in Human Environment, paved the way in addressing most of the issues faced by governments regarding the environment. This is also known as the Stockholm conference and the main idea was to link environment and sustainable development. The conference shaped the way for the sustainable protection of the environment for the next 35 years. The conference addressed the need to rectify the human behaviour which depleted and degraded the natural resources. The conference is justiciable as it laid down laws which needs to be adhered between the signing countries regarding the future of the planet earth. Another conference was held in 1992, in Rio, Brazil which was named as the Earth Summit. The summit signed a document named 'Agenda 21' which concerned the protection of forests and environmental development.

In this connection, the transition of environmental law to a law to achieve sustainable development can best be made by infusing the main body of development with ecological principles. This calls for a re-examination of the property rights principle, banking operations, the tax code as well as by a sector-by sector examination of the laws governing agriculture, climate change, energy, transportation, manufacturing, etc. By tailoring environmental law more closely to the patterns of human behaviour, law administration and enforcement will be more efficient and environmental law will blend with other areas of law, thus strengthening respect for and effectiveness of the law to fulfill the SDG 2030 Agenda. As an examples, concentration in water as a resource is on availability and less on water pollution prevention, or on saving protected areas but not checking on soil erosion, or on protecting endangered species but not on biological diversity. Worse is the regulation of the same activity by many government agencies like pollution from mining, pollution from industry and even coastal pollution.

The framework of protection of the environment can be clearly seen when combing through the SDGs such as; loss of genetic diversity in agriculture (SDG 02), protection of water related ecosystems (SDG 06), energy efficiency (SDG 07), waste management and unsustainable production patterns (SDG 12), climate change (SDG 13), marine pollution (SDG 14), wildlife crime (SDG 15), terrestrial ecosystem destruction and biodiversity depletion (SDG 15). An important SDGs indicator that discusses the environment is avoiding and reducing environmental degradation. It is like reducing the negative impact on the changes in the structure of land and forest areas that need to be restored. The International Organization's contribution to nature conservation by the International Union for Conservation of Nature (IUCN) defines nature conservation as a geographical space, dedicated and managed through law or other effective means, to achieve the long-term conservation of nature associated with ecosystem services and cultural values. The central management in conservation includes restoration and sustainable use.

Groundwater is being withdrawn for irrigation much faster than it can be recharged. The need to control groundwater pollution and its conservation is an intricate regulatory challenge. Most often, agriculture law entangles with pollution control and resource laws with tax measures and reform should be one which could lead to an integrated scheme aimed at sustainable economy and, ultimately, sustainable ecology or, rightly, the sustainable development goals. Perhaps, a simpler example would be health laws vis-à-vis climate change law. This would entail study of the laws on economics, food security, climate change, waste management, biodiversity conservation, energy, air and water pollution control, to mention a few, examining their consistency in promoting sustainability. Indeed, the use of environmental law to achieve the SDGs requires the use of all legal tools optimally.

Be that as it may, for national environmental legislation, effective implementation and enforcement remain as the most daunting challenges especially for developing countries. How the matter is resolved will largely determine the capacity of the legal arrangements to effectively contribute towards the realization of the objectives of sustainable development. For, in the final analysis, ineffective law may be worse than no law at all. As can be gleaned, attainment of the sustainable development goals requires not only appropriate and adequate legal and institutional regimes for environmental management, but even more importantly, effective environmental law implementation and enforcement.

There are mainly two concepts pertaining to the international environmental law and the SDGs. First is that there is a mutual support in achieving the 2030 agenda with the international environmental law and the SDGs. This states the importance of adhering to the international environmental law in achieving the 2030 agenda. Another aspect is that SDGs could be taken as a guideline in developing international environmental law. This could be a blueprint for the legislatures and policy makers in filling the current gaps in the international environmental law.

The concept of international environmental law was further discussed with regard to the SDGs in the following conferences;

- 21st session of the Conference of the Parties (COP21) to the United Nations Framework Convention on Climate Change (UNFCCC is the primary international, intergovernmental forum for negotiating the global response to climate change)
- Conference of the Parties to the Convention on Biological Diversity (CBD)- Member States' determination to conserve and sustainably use all sorts of ecosystems, biodiversity, and wildlife, and to promote ecosystems' resilience and disaster risk reduction.
- Sendai Framework for Disaster Risk Reduction 2015-2030

Management of the environment, including prevention, mitigation of damage, and pollution and restoration of the quality of the environment, has demanded the development of various policies and programs that support environmental management in a development program. In this case, there should be no intervention from the policies of the authorities and political elites to destroy the environment. The implementation of issued policies must be in favour of the environment, if not in favour of environmental functions and the general public, exploitation of natural resources will only meet the needs of the economic market, regardless of environmental damage, this will adversely affect the quality of human life.

Conclusion

Sustainable development has gone a long way from a mere concept into a principle with normative value. As changes are made through legislation, sustainable development can help define the path toward increasing preservation of the dignity of nature and of the dignity of humanity within it. The presence of the concept in the objectives of the SDGs is a concept developed by the countries in the Rio +20 Conference, which is a joint agreement between countries to realize environmentally friendly development. The objective of 11 SDGs in urban and community planning was agreed to making cities and settlements inclusive, safe, resilient, and sustainable, which by 2030 must achieve efficient management of natural resources. The purpose of the SDGs concept is to implement policy rules, both at the central and regional levels. This effort in the SDGs is also an interpretation and adaptation of international law in the Declaration of the United Nations Conference on the Human Environment (Stockholm Declaration 1972). The principles declared in Stockholm became a relationship of agreements which from the beginning were developed into SDGs that support not only developing the environment but supporting the fulfilment of human rights in development.

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Contributor



Arosh Martin

Mr. Martin is currently working as an Assistant Lecturer in Law cum Program at ESOFT Metro Campus. He completed BA (Hons) degree in International Studies from the University of Kelaniya. He has also completed the LLB (Hons) from University of London and currently reading for the LLM in International Commercial Law from University of West London. His research interests are foreign policy of Sri Lanka, commercial and shipping law and environmental law.