# Examining Conflicts and Harmonies Between Trade Agreements and Environmental Commitments

**Mentor: Ms Niyati Jaudon**

**Author: Sourishree Ghosh**

## Table of Contents

## Abstract

There has been a notable transformation in the global perception of climate change. In our interconnected and globalised world, trade has emerged as a prominent factor in environmental shifts. In this rapidly evolving landscape overshadowed by perilous climate change, global trade has taken centre stage, making it imperative to prioritise sustainability and inclusivity. Notably, there has been a surge in the trade of eco-friendly products, even amid a slowdown in global trade overall. Currently, environmental policies are being included in international trade agreements, often leading to tensions between international environmental laws and trade agreements. The World Trade Report of 2022[1] delves into the prospects of trade as a catalyst for creating a new global sustainable economy. This paradigm is very important with regard to India as a developing country. India's foreign trade has crossed the $800 bn mark in the first quarter of 2023. India's annual average growth rate of environmental goods exports from 2012 to 2021 was 8.3%. At the COP27 summit, India committed to cutting its ratio of greenhouse emissions to net zero by 2070. To achieve this feat, India has set carbon emission reduction targets for aligning its industry with its climate commitments and also shapes the global trade patterns. The paper analyses how India's trade policies can facilitate in achieving its climate goal.The paper would also analyse India's potential opportunities in its trade policy to reach closer to its ambitious climate goals.


*Keywords: climate change, environmental, sustainability, legal, trade agreements, inclusive , Sustainable Development Goals*

## Introduction

The 21st century unfolds against the backdrop of resource scarcity and environmental constraints, leading us to evaluate international trade from the lens of its societal and environmental repercussions. The global trade patterns are increasingly being shaped by climate change considerations. Within this context, international trade emerges as a potential catalyst for facilitating the global transition to a green economy. This underscores the necessity of integrating environmental clauses into trade agreements at the bilateral, unilateral, and multilateral levels. Notably, in June 2023, during the pivotal Trade and Environment Week[2] held in Geneva, it was unanimously agreed upon that trade can contribute sustainably by promoting the transfer of environmentally friendly technologies, enhancing waste management practices, and championing the conservation of biodiversity. As we look at the broader perspective, recent studies[3] conducted

[1] The World Trade Report of 2022
[2] Trade and Environment Week
[3] Report by climate change and Food Security: Risks and Responses, Food and Agricultural Organisation.

by the Food and Agricultural Organization (FAO) affirm that climate change will undoubtedly exert complex and diverse effects on global markets and trade. This is due to climate-induced shifts in transportation costs, competitiveness, and trade policies.

India is a rapidly growing economy whose economic growth has been accompanied by an increase in carbon emissions mainly from the the energy and industrial sectors. The allowing overseas carbon credit trading can expedite India's emissions reduction efforts. By purchasing carbon credits from other countries, India can offset its emissions in a more effective manner in sectors where emissions reduction is a challenge. Carbon credits refers to the mechanism whereby the carbon emissions are offset through investment in the renewable energy projects such as renewable energy initiatives. India has also taken a leap towards clean energy adoption. This would also foster international collaboration as it would also encourage the exchange of technology for development of sustainable practices. India has moved towards incorporating environmental provisions into its trade agreements over the years, reflecting a growing awareness of the importance of addressing environmental issues in the context of international trade. Officially, India believes that the developing countries can benefit from greater trading opportunities.

It has developed strong legislative and policy measures against pollution mentioned in the Constitution, for example, the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution Act, 1977 among others. Some of the policy initiatives include the National Forest Policy, 1988, Foreign Trade (Development and Regulation) Act 1992 among others. It has also adopted exacting standards for ensuring that locally manufactured goods do not disturb the environmental sensibilities. Its domestic policies are in congruence with its international commitments. Another approach adopted by India in giving effect to the Rio Declaration of 1992 and Agenda 21 so that they are implemented in a way that the developed countries do not employ environmental considerations as a mark of securing unfair advantages and discriminatory treatment in international trade. Article 21 of the Rio Declaration included the above concerns relating to international trade relevant for developing countries like India. It is worth noting that preferential trade arrangements have increasingly assumed a leading role in climate action since the beginning of this century as evident in the proliferation of environmental provisions within trade agreements[4]. India has always pushed for reform in the world governance infrastructure to make it more representative of the needs of the developing and underdeveloped countries (the Global South). India also played an integral role in the establishment of a multilateral fund under the Montreal Protocol following the Vienna Convention for the Protection of the Ozone Layer (1985).

[4] Preferential Trade Agreements on the rise
https://r.search.yahoo.com/_ylt=AwrKGAOn4QtlAVIKAVK7HAx.;_ylu=Y29sbwNzZzMEcG9zAzEEdnRpZAMEc2VjA3Ny/RV=2/RE=1695306280/RO=10/RU=https%3a%2f%2fdocuments1.worldbank.org%2fcurated%2fen%2f991871505132824059%2fpdf%2fWPS8190.pdf/RK=2/RS=Ev9183ug4q9E.KHlYMk7m4RX574-

## Existing international agreements on Trade and Environment under the WTO

Delving into the intricate relationship between trade and the environment through the lens of the World Trade Organization (WTO), we discover that sustainable development and environmental preservation stand as twin pillars of the WTO's mission. This commitment is enshrined in the Marrakesh Agreement, which aims to reduce discriminatory trade practices and eliminate unequal treatment in international trade relations. The pivotal role of trade in advancing sustainable development received global recognition at seminal events like the 1992 Rio Summit, the 2002 Another significant milestone is the Doha Agreement, which prominently featured in multilateral trade negotiations, particularly in the realms of agriculture and fisheries subsidies. Article 4.7 of the UNFCCC underscores the obligation of developed nations to support developing countries in fulfilling their climate commitments, including technology transfer, while considering the latter's economic and social development priorities. Some of the existing Multilateral Environmental Agreements include the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); the Montreal Protocol; the Basel, Rotterdam, Stockholm, and Minamata Conventions; and the Cartagena Protocol on Biosafety. India as a member of the WTO is a signatory to all the above acts and legislations. [5] India as a member of WTO (World Trade Organisation) is a signatory to all the agreements. India's Mission LiFE document has also been circulated in the Committee on Trade and Environment of WTO in February, 2023.

## India's Trade Policy in achieving its Climate Goals

India's trade policy has also incorporated green goods(such as renewable energy) into its trade agreements. India is also currently in dialogue with several Southeast Asian nations including Singapore and Thailand, for cross-border trade of renewable energy (RE) electricity. This would expand cross-border sale of electricity by India. Currently, cross-border interconnections exist with Nepal, Bangladesh, Bhutan and Myanmar which facilitate the total power transfer of about 4,423 mega watt (MW). Another proposed deal between India and Singapore is for laying down a direct under-sea interconnection for trade in renewable power. This was also one of the proposed agreements at the recent G20 Clean Energy Ministerial meeting in Goa under India's Presidency. In international trade policy, India's trade policy is focused on liberalising its imports of intermediate goods and raw materials for batteries. This would help India secure its export capabilities in battery manufacturing to make it globally viable. Amidst the resurrection of domestic protection measures

---

5 https://r.search.yahoo.com/_ylt=Awr1RfYZPQlllbkIcqO7HAx.;_ylu=Y29sbwNzZzMEcG9zAzIEdnRpZAMEc2VjA3Ny/RV=2/RE=1695133081/RO=10/RU=https%3a%2f%2fwww.iisd.org%2farticles%2ftrade-and-environment/RK=2/RS=qEJp2NRCeOolTFFOlroU_5CT.1k-

around the world, India's latest budget announcements were a refreshing reiteration of trust in the multilateral framework. India has implemented the self-defined climate action objectives known as the Nationally Determined Contribution (NDC) in the context of climate change. There has been a significant development undertaken by the Power and New & Renewable Energy Ministry wherein India is planning to allow overseas trading of carbon credits linked with Green Hydrogen with other countries. India, an important player in the establishment of the WTO Trade regime, has demanded that the multilateral trading system should include that developed countries should impose zero tariffs on labour intensive exports from the developing countries and granting of protection to the biological material and traditional knowledge of developing countries .

## Case Study on India's Leather Industry

The paper on Global Standards and the Dynamics of Environment Compliance in India's leather industry, paper by Meenu Tewari and Poonam Pillai[6] is also an attempt to explore the global standards and export competitiveness by analysing how a labour-intensive developing country industry (Indian leather goods) complied with a developed country's environmental standards that affected trade and market access(German regulations banning two commonly used leather chemicals and Azo dyes in the 1990s.) It is interesting to note that the stringent measures add to the costs, however there was no trade off between the compliance and export competitiveness. Post this, the Indo-German Export Promotion Project happened in April 2003. India had back then quite successfully complied with the ban. This adjustment process had also led to the technical transfer from the standard-imposing country (Germany) to India and has led to the creation of new internationally testified testing capabilities in India. This also successfully led to Asia's first German-funded ISO 17025-certified leather testing and certification laboratories in 2002 was a game-changer for the leather industry in India.

Today, India is the second largest producer, consumer of footwear and exporter of leather garments, the third largest saddlery and harness, and the fourth largest leather goods and exporter worldwide. India's leather footwear market is estimated to reach $ 15.5 billion by 2022 and from $10.6 Bn in 2019. The industry is the best example for analysing the conflict between environmental compliance and international trade. The Kanpur Unnao leather cluster which is globally known for the footwear saddlery and other leather commodities, has also been the major source of pollution of the water bodies, especially the Ganga River Basin. It has a high environmental impact as it demands environmentally toxic chemicals and a lot of sludge, impacting the health. India has brought about domestic policies for greening the leather industry. These green practices are currently included such as recycling lime water from the leather production,

[6] Global Standards and the Dynamics of Environment Compliance in India's leather industry (2007) https://r.search.yahoo.com/_ylt=AwrKAIYGICxloxcKAZW7HAx.;_ylu=Y29sbwNzZzMEcG9zAzEEdnRpZAMEc2VjA3Ny/RV=2/RE=1697419398/RO=10/RU=https%3a%2f%2fwww.tandfonline.com%2fdoi%2ffull%2f10.1080%2f13600810500137947/RK=2/RS=OWHJ0aeex.QaV1xrW1BdvmlDeuQ-

researching and developing techniques such as salt-free taming, electro-oxidation based zero based discharge for reduction of lead pollution and water consumption in the tanneries. Moreover, the rise of sustainability initiatives such as the rise of vegan leather, the humane and cruelty-free alternative to traditional animal leather. Major companies such as Tesla and Ferrari are developing vegan-friendly automotive interiors as well. There is a need for more innovation as the plant-based products have a shorter lifespan than the traditional animal-based leather. The government has also implemented the Indian Leather Development Program during the 12 plan period for the comprehensive development of the leather sector. The main purpose of this program is to reduce the skill gaps so that the industry can meet the futuristic demand of forthcoming technology upgrades. It has also brought organised slaughter processes, an assembly of the skin of the animals and environmentally friendly conservancy systems. The Government of India's Ministry of Environment, Forests and Climate Change has also brought about the scheme on branding and forged "Ecomark" for the leather products, which has been made compulsory. The leather products are not mandated to get an Indian Standards Institution (ISI) mark.the leather industry is on its way to design a leather value chain which is socially and environmentally sustainable. [7]

## Case Study on Coffee, Trade and Environmental Policies in India

India is Asia's third largest producer and exporter, with exports valued at Rs. 8,762 crore in 2022. India also exports around 70% of its production and it produces around 2.5% of world's coffee. Recently,a landmark event called the Karnataka Climate Resilient Coffee and Species Landscape which ended with the signing of the Memorandum of Understanding(MoU) which included Hindustan Unilever Limited, Tata Coffee and Coffee Board of India, with the aim of achieving climate resilience in coffee production and striving for net-zero carbon coffee production. This also includes the capacity building program for the skill development of the farmers and a robust monitoring and evaluation framework. This collaborative project is expected to run till 2026. It is interesting to note that Climate Change and Coffee share a very complicated relationship as climate change can impact coffee production adversely and coffee production contributes to climate change. The effect of climate change is particularly evident in the state of Karnataka, which produces around 70% of India's coffee. It has been impacted by factors such as the erratic rainfall, rising temperatures are affecting the yield of coffee through reduction of production and increased susceptibility to pests. A study titled 'Regenerative Cultivation for Sustaining and Growing India's Coffee Industry, released by Firefly Life Sciences Pvt Ltd, recommends agroforestry for revival of the natural ecosystem, reviving natural ecosystems and replenishing soil health on coffee farms. [8]

---

7 https://r.search.yahoo.com/_ylt=AwrPrEYf1DdlODMRow67HAx.;_ylu=Y29sbwNzZzMEcG9zAzEEdnRpZAMEc2VjA3Ny/RV=2/RE=1698186399/RO=10/RU=https%3a%2f%2fwww.investindia.gov.in%2fteam-india-blogs%2findia-goes-green-leather-industry/RK=2/RS=XDLqQkzyyscUdAhKBvbUvP1JRjA-

8 https://r.search.yahoo.com/_ylt=Awr1SZH10jdlmfELin67HAx.;_ylu=Y29sbwNzZzMEcG9zAzUEdnRpZAMEc2VjA3Ny/RV=2/RE=1698186102/RO=10/RU=https%3a%2f%2fwww.researchgate.net%2fpublic

## Study on EU's Deforestation Act and Its Impact on Indian Exports

The European Union recently enacted a new legislation called the European Union Deforestation Regulation (EUDR) for addressing the global concern of rising deforestation. It was passed by the EU Council with an overwhelming majority. Marian Jurecka, the former environment minister recognised that the EU is a large consumer of commodities such as beef, soya and timber,cocoa, beef, chocolate, furniture, cattle, rubber and printer paper manufactured products which contribute towards deforestation. The new law states that the exporters who sell their products to the EU must make sure that the products do not lead to deforestation or they might have to face heavy fines. The selling companies have to submit a due diligence form which states that their products have not been produced from the deforested land or has led to deforestation in any way, including irreplaceable primary forests post 31st December, 2022. It would affect the smaller firms doing business in the EU due to high costs of compliance. The EU has devised a four-level penalty mechanism for various levels of the violation of the law. The EU is responsible for 16% of tropical deforestation related to international trade. EUDR is part of the EU's wider Green Deal Plan for achieving the target of net-zero emissions by 2050. This world's first carbon-tax has garnered a lot of criticism from the developing countries and is perceived as safeguarding the European agricultural Industry. This will have important implications for India. The EU's deforestation regulation covers about 479 items exported by India to Europe, and the new law will have an adverse effect on trade valued at 1.3 billion USD annually. EU's share in India's global exports is around 23.6% and it will have a negative impact on India's coffee, leather, paper and wooden furniture industry. The government has assured that it will work on mutual recognition of certificates with the EU as India's afforestation performance has been greater than many countries. According to the India State of Forest report, 2021, the total forest and tree cover has seen an increase of 15,292 sq km since 2015. Additionally, the Agricultural and Processed Food Products Export Development Authority, India, is also aiming to implement a blockchain-enabled trace and track system called GrapeNet for grape shipments to the EU and associated areas. The effects of the new law on Indian exports is dependent on the level of compliance by Indian exporters and the competitiveness of the Indian exports in the European markets. It also makes the exports expensive and even exporters of high quality products must invest in expensive due diligence as they would be required to invest a substantial amount of time and money for providing the integrity of their supply chain through a detailed and sophisticated mechanism, which means that the process would start from the Indian farms. This might be an unsustainable method of business for the small-scale producers. Additionally, the exporters must also ensure that the product also diligently follows the laws in the country of origin which includes the ones related to labour laws and land use laws. It overlooks the principle of the 'Common but differentiated Responsibilities' enshrined in the Rio Declaration. According to UNCTAD, if the CBAM is applied , it will only reduce the global

---

ation%2f304324297_Does_environmental_certification_in_coffee_promote_business_as_usual_A_case_study_from_the_Western_Ghats_India/RK=2/RS=kRTNzNdaKHQe8jWFpMkjKCImnxc-

carbon emissions by not more than 0.1% and it would have an adverse distributional impact. It would lead to a fall in the incomes of the developing countries by US $5.9 billion. [9]

India is also planning to file a complaint to the World Trade Organisation over the EU's imposition of 20% to 35% tariffs on imports of high-carbon goods like steel, iron ore and cement from India, top government and industry sources. This is a part of New Delhi's strategy for combating the EU's Carbon Border Adjustment Mechanism which is designed for pushing local industries for investing in new technologies for bringing down carbon emissions, while raising the issues in bilateral talks. The European Union approves the world's first plan for imposing a levy on high-carbon goods imports from 2026, targeting imports of steel, cement, aluminium, fertilisers, electricity and hydrogen to achieve its target ahead of 2070. India is seeing the proposed levy as a discriminatory and a trade barrier. According to Global Trade Research Initiative, the EU law might affect an annual of $3.1 billion of India's exports. Another issue is that the State of Forest Report, 2021, does not distinguish between natural forests and plantations during the assessment of the forest cover which the EU does. A report by the Utility Bidder in March 2023 stated that India had lost a significant amount of land between 1990 and 2020. Moreover, the EU-DR will consider plantation land as deforested land adding to the existing difficulties for Indian exporters. Indian exporters are also exploring alliances at the WTO for challenging the EU law on the basis of their multilateral provisions in the WTO guidelines. India's response has been the carbon credit scheme.

## The Conflict Between Trade and Environmental Goals

- ### The Race to the Bottom Theory

Globalisation critics argue that international trade triggers a race to the bottom [10]among the national environmental standards. The Supreme Court Justice Louis Brandeis is credited with the coining of the term "race to the bottom' in the 1993 judgement of the case Liggett v. Lee[11]. The ISO 14001 is the world's most widely accepted voluntary environmental trade regulation.[12] (Might remove)Critics have raised concerns about the World Trade Organization's (WTO) lenient and slow approach. This concept of a "race to the bottom," refers to the situation in which nations, in their pursuit of a competitive edge, lower their environmental and social standards. This

---

9 https://r.search.yahoo.com/_ylt=AwrPrEZ70zdlLAcRLiq7HAx.;_ylu=Y29sbwNzZzMEcG9zAzEEdnRpZAMEc2VjA3Ny/RV=2/RE=1698186235/RO=10/RU=https%3a%2f%2fwww.tpci.in%2findiabusinesstrade%2fblogs%2feus-deforestation-act-impact-on-indian-exports%2f/RK=2/RS=Jd3_CIY4F_jqorgRTeEN5NHWp6M-

[10] Race to the Bottom Theory

[11] Louis K. Liggett Co. v. Lee, 288 U.S. 517 (1933)

[12] The ISO 14001

phenomenon often compels other nations (developing and underdeveloped countries) to follow suit and reduce their standards to attract foreign investments in the name of economic growth.

- **Chilling effect of Potential Trade Disputes**

The concept of the "chilling effect" in the context of potential trade disputes related to the implementation of robust environmental laws refers to the tendency of countries to refrain from enacting stringent environmental legislation or regulations due to the apprehension that such measures may trigger trade disputes. Essentially, nations may avoid implementing strong environmental laws out of fear that their trading partners could challenge these laws as violations of existing trade agreements. This fear can lead to unnecessary, protracted, and costly legal battles. This can have significant effects on India's exports and imports domain, leading to reduced investment and economic slowdown. Some classic examples of cases in the Indian context include the India-Agricultural Products Case. For the developed countries, the trade disputes involving SPS measures settled by the Dispute Settlement Body has involved the use of sanitary and phytosanitary measures based on the precautionary principle but on the other hand, the developing countries have concerns regarding the lack of harmonisation, transparency, equivalency and factors which restrict their already limited international access.

- **Impact of Trade Liberalisation on Environmental Regulations**

Trade expansion may have indirect benefits on the environment. According to the theory of comparative advantage, trade causes countries to be more efficient in the utilisation of the resources. While it is also true that trade liberalisation also leads to the distortion of subsidies and pricing policies which has detrimental impact on the environment.[13] Moreover, increased foreign investments in the manufacturing sector may also lead to the adoption of pollution-intensive technologies in industries.[14] In this respect, one of the approaches for India, it insists on the transfer of clean technologies and financial assistance from the developed countries. It has also pointed out that due to inequitable pricing, the developed countries are driven to overexploitation and called for reforming of the pricing system proposing that the environment-related costs be reflected in the international trade prices. As per World Bank data, post the liberalisation reforms of 1991 in India, the average tariff rates came down and increase in FDI, the per capita energy consumption levels and carbon dioxide levels have also increased with India's GDP[15]. Experts have pointed out that the poor regulatory system of India has led to ecological destruction over time. The regulation

---

[13] https://trp.org.in/wp-content/uploads/2018/08/ARSS-Vol.7-No.1-January-June-2018-pp.111-119.pdf

[14] https://r.search.yahoo.com/_ylt=AwrKGAO57wtlJAEMRRO7HAx.;_ylu=Y29sbwNzZzMEcG9zAzIEdnRpZAMEc2VjA3Ny/RV=2/RE=1695309882/RO=10/RU=https%3a%2f%2fwww.tandfonline.com%2fdoi%2ffull%2f10.1080%2f23251042.2019.1608420/RK=2/RS=q5QPcYVHQqqwFwMRQ9MLXHOhbJ8-

[15] https://r.search.yahoo.com/_ylt=AwrKFYfcGA1l15UHcsi7HAx.;_ylu=Y29sbwNzZzMEcG9zAzEEdnRpZAMEc2VjA3Ny/RV=2/RE=1695385949/RO=10/RU=https%3a%2f%2fwww.adb.org%2fpublications%2fglobalization-and-environment-india/RK=2/RS=xNwgpMNG2m3Jxobc_M3n.3_Y03c-

priorities also depend on the political regime, as in the event of rapid economic growth, the ecological problems largely go ignored. Thus, the liberalisation policy has a direct impact on India's environment. However, more specific research and assessments must be undertaken to understand the impact of trade and FDI on the environment in India. Another study made post the liberalisation period in 2005 stated that the imports of India(petroleum and oil) cause more pollution than the exports(agricultural products) due to different composition of goods.

- **Impact of Lobbying on Environmental Regulations in Trade:**

The influence of lobbying on environmental regulations in the realm of politics is a pivotal factor in shaping environmental trade disputes. Multinational corporations (MNCs) and trade lobbying organisations wield significant influence, at times in ways that challenge stringent national environmental conservation policies. Developing and underdeveloped countries possess untapped valuable resources and MNCs are constantly on the lookout for legal loopholes and seek access to these resources through agreements, raising concerns about the sovereignty of these nations. This underscores an ongoing struggle between the sovereign rights of nations, the economic interests of MNCs, the lobbying efforts of trade organisations, and the advocacy of environmental groups. For instance, the ban on asbestos in May 1998, a dispute involving Canada and the World Trade Organization (WTO), illustrates how trade lobbying bodies and environmental health advocacy groups clash. This dispute ultimately led to Canada phasing out asbestos mining. Canada alleged that the measures violated specific articles of the Sanitary and Phytosanitary (SPS) Agreement and the General Agreement on Tariffs and Trade (GATT) of 1994, but in the end, the French side prevailed. [16]

## Challenges

- **Regulatory problems vs Sovereignty**

The Rio Declaration, adopted at the United Nations Conference on Environment and Development in 1992, emphasises the sovereign right of states to manage their resources while pursuing environmental and development policies. The relationship between national environmental measures and sovereignty is complex, with countries often hesitating to implement stringent measures against practices such as dumping from other nations, fearing that it might infringe upon the sovereignty of exporting countries. This tension becomes particularly evident when differences in emission standards and regulations create trade barriers, restricting the import of vehicles that do not meet stricter environmental standards. This interplay between regulatory issues and national sovereignty is a key driver behind disputes where strict environmental measures face resistance from multinational corporations (MNCs) and international organisations like the

[16] ( European Communities- Measures Affecting Asbestos and Asbestos-Containing Products- Appellate Body Report and Panel Report-Action by the Dispute Settlement Body, WT/DS135/12, April, 2001).

World Trade Organization (WTO). Firstly is the national environmental standards wherein each nation has the sovereign right to establish its own environmental standards. Secondly, the process and product issues wherein concerns related to the use of pesticides in the production of goods, such as fruits, illustrate a gap in international trade regulations. While the importing country may not be directly harmed, the exporting country's sustainability is at risk. Developing countries like India insist on their right to development, both in terms of determining their economic, social, political and cultural priorities. The WTO has always been heavily influenced by developed countries and thus, the current trade rules prevent the developing countries from using local technology transfer requirements. The divide between the developing and developed countries also puts the fact of historical responsibility of the developed nations in light. The Indian-Agriculture Products Case has also raised important questions within the international trade law scholars such as why international standard setting mechanism do not take into account the concerns of a particular country with regard to a specific disease or pathogen and how can sanitary and phytosanitary measures be applied at the regional level.

- **The Effectiveness of Dispute Settlement Mechanisms in Addressing Trade-Environment Conflicts**

The effectiveness of a trade-environment dispute resolution mechanism in addressing conflicts between trade and environmental concerns hinges on its ability to strike a delicate balance between economic interests and environmental considerations, guided by the principles of fairness, compliance, and adaptability to evolving social, economic, and political conditions. The World Trade Organization's (WTO) Dispute Settlement Body offers a structured process for addressing these conflicts. Presently, the dispute resolution mechanisms have limited stakeholder engagement, with government officials holding more sway than non-governmental organisations (NGOs) and experts. However, some trade agreements and regional organisations have developed their own negotiation methods for resolving such disputes. However, it has faced criticism for being slow and cumbersome, as well as for issues related to fairness and accessibility, particularly for smaller or less economically powerful nations. The outcomes of past cases vary in degrees of success, underscoring the ongoing challenges within the current WTO framework. For example, the EU's ban on the use of certain pesticides and genetically modified organisms (GMOs) lead to disputes between the United States and the EU, arguing that these exports restrict agricultural exports in July 2018[17]. India finds it difficult to endorse the authority of the WTO and its valid concern with regard to the verdict of the GATT Dispute Resolution Panel in the Dolphin/Tuna case which has caused concerns among the environmentalists. There are questions being raised with regard to Article 20 of the GATT Rules which makes special exceptions for these restrictions and prohibitions. Another case study to understand the application of sanitary and phytosanitary measures in the Indian framework. These phytosanitary measures have the potential for creation of barriers for exports from the developing countries. Since these measures came into force, it has led to several

[17] The European Court of Justice (Case c-528/16)

instances which have created barriers for Indian spices and marine products. Between 1995-99, Indian exports including tea, shrimps, vegetables and milk were not allowed in Germany, European Union and Saudi Arabia on grounds related to health. This had hit India severely as it was an agrarian based economy. This calls for the revaluation of the legal framework of the sanitary and phytosanitary regime in India.

- **Subsidies and trade barriers**

Trade restrictions are often as a result of the national environmental policies. The trade barriers include restrictions or bans placed on the products derived from the illegal poaching and trade in wildlife. Some nations also impose environmental taxes for encouraging responsible production and reducing emissions. Trade policies can play an potentially important role in incentivising the sustainable practices in agriculture and allied activities.[18] India is also under the apprehension that the trade restrictions might be imposed as non-tariff barriers on manufactured goods beyond the capabilities of the developing countries. The negative impacts of subsidies include the fossil fuel subsidies that lead to increased emissions, contributing to climate change. Secondly, the global fishing practices lead to unregulated and overfishing, thereby depleting the fish stocks and harming the marine ecosystems. CBAM(Carbon Border Adjustment Mechanism) is a duty on imports based on the carbon emissions resulting from the production process, and it is a trade-related measure. India, along with least developed countries, has raised concerns about the fairness of the European Union's (EU) CBAM mechanism, particularly considering the costs already incurred in complying with climate regulations in exporting countries. Experts have pointed out that this could have adverse impacts on India's exports of metal products such as iron, steel, and aluminium. The World Trade Organization (WTO) has been tasked with handling disputes in the evolving context of environmental standards. For instance, the India-Solar Cells dispute highlighted the challenges of reconciling trade rules with environmental regulations. This case centred on India's efforts to advance its solar energy program and implement domestic content requirements for solar cells. While the verdict did not favour India, the country subsequently pursued its aims in accordance with WTO rulings. Moreover, the Ministry of Commerce and Industry has also submitted a room document to the committee on trade and environment. The paper is focused on “Concerns on Emerging Trend of Using Environmental Measures as Protectionist Non-Tariff Measures' ' highlighting the increasing usage of unilateral measures as environmental measures. The key concerns of India included the above mentioned CBAM, ban on import of products based on the determination of deforestation free supply chain, Green Tariff Rate Quotas and measures prescribing Maximum Residue Limits (MRL). Some experts believe that the fight against climate change will also lead to the worsening of the existing inequalities in global trade. The developed countries such as the EU and US , backed up with massive subsidies and tariffs are moving towards trade protectionism. For example the Inflation Reduction Act passed by the US in August 2022 which offers tax credits for 10 years for renewable energy, electric vehicles and clean hydrogen, has

[18] Trade, Subsidies and Environment

rankled other green technology manufacturing powers such as the EU and South Korea. The developing countries like India cannot match the IRA's scale of subsidies. This would be a disadvantage for the developing countries. In the context of the phytosanitary measures, the India-Agricultural Products Case between India and the US is a classic example of a high profile dispute which involved chicken trade wars.

- **Intellectual Property Rights Issues**

Intellectual Property Rights is an integral aspect for the transfer of environmentally friendly technology and products. The intellectual property rights determine who controls information and technology. The foundation of the mercantile system has a detrimental impact on environmental policies.[19] One such initiative is the TRIPS Agreement i.e, the Trade-related Aspects of Belonging Rights and climate change. Article 7 includes the protection of IPR and must facilitate the promotion of the transfer and dissemination of technological innovation for mutually benefiting the producers. It is a part of a larger innovation framework based on the larger innovation framework. The issues related to green technologies include the issues related to the technical IP like the patents and non-technical IP like trademark rights and copyrights. However, there are issues related to the poor experience and expertise in the licensing and technical field and inadequate infrastructure. The WIPO Green[20], a technology marketplace for facilitation, adoption particularly in developing countries for the easy access to green technologies, is integral to a low carbon future. A similar agreement can be reached between India and the EU in light of the recent EU's carbon border tax mechanism wherein the EU can aid India in the transfer of green technologies to make Indian industries more climate efficient. In the case of India, the disputes over intellectual property rights involving pharmaceutical companies can have an impact on India's generic drug industry and have a "chilling effect" on the production of affordable medicines.

- **Environmental Dumping Trade Rules**

Dumping is a practice where goods are exported to another country at prices lower than their production costs, often to the detriment of the domestic industries in the importing countries. It is a complex issue that raises both legal and ethical concerns. One significant challenge in addressing dumping is the lack of clear criteria or environmental considerations in anti-dumping laws, making it difficult to analyse the environmental impact of such practices. Additionally, there is often a lack of coordination and collaboration between environmental authorities and trade authorities in addressing dumping cases. Conversely, national environmental laws in some countries may not take into account the environmental harm caused by dumped goods, particularly in regions with lax environmental regulations. India has long been a destination for the illegal import of electronic waste from other countries that lead to contamination and health hazards.

- **Carbon Border Taxation**

---

[19] Intellectual Property Rights and the Environment

[20] WIPO Green Initiative

In light of the EU's recent carbon border tax mechanism,the carbon intensity of the Indian products is significantly higher than that of EU and other countries, as coal dominates the overall energy consumption in the industries such as iron, steel and aluminium industries. The issue is that the higher carbon emissions would also lead to higher carbon tariffs. India currently does not have any domestic carbon tax mechanism, it poses a threat to the export competitiveness of India. This is an important aspect as the countries with existing carbon pricing mechanisms have to pay less carbon tax. It is recommended that the decarbonisation principle is included in the existing domestic schemes such as the National Steel Policy and the Production Linked Incentive Scheme. India should also involve in the negotiations with the EU for considering its energy taxes as equivalent to the carbon taxes, for example, the tax on coal is a measure for internalising the costs of carbon emissions. It is recommended that the carbon trading system is established based on the model of China and Russia. The domestic undertaking of renewable energy should be boosted and green production should be incentivised. Lastly, India can voice the concerns of the other developing countries which heavily rely upon the mineral resources, at the WTO.

## Harmonisation Trade Agreements and Environmental Provisions

The inclusion of environmental clauses in Regional Trade Agreements (RTAs) serves several objectives, including preventing countries from relaxing their environmental laws to attract trade, promoting sustainable development, mitigating environmental and transboundary impacts, and integrating trade policies with environmental provisions. The establishment of the WTO's Committee on Trade and Environment underscores the commitment to aligning trade with sustainable development efforts. Many regional and bilateral Free Trade Agreements (FTAs) address various environmental issues, such as combating illegal wildlife trafficking, addressing non-tariff barriers for environmental goods, and reducing marine litter. India has also harmonised its domestic legislations for meeting the requirements of the Convention on Biological Diversity and other Multilateral Environmental Agreements, for example, the Endangered Species (Imports and Exports) Act was brought in for regulating and prohibiting illegal trade in wildlife. This has also led to the negotiations between India and Nepal. This is a classic example of regional cooperation. India has also entered into the South Asian Cooperative Environment Programme (including the Global Tiger Forum) as a part of its effort to conserve biodiversity at the regional level. This programme has largely been inactive since the 1995 post the establishment of the environmental law in South Asia. India in its Room Document submitted to Committee on Trade and Environment, emphasised upon the harmonised application of international instruments under MEA( Multilateral Environmental Agreements) and has garnered support from the WTO observer and non-observer group, Africa Group and European Union. India has also proposed putting up barriers in green hydrogen. India will put up barriers in green hydrogen trade in response to restrictions set up by other nations. India is in discussions with Germany over the restrictive conditions in its hydrogen purchase tender with the EU. The condition is that the

distance between the hydrogen manufacturing plant and renewable energy plant should be 500 kilometres or less. India has set a target for production of 5 million tonnes of green hydrogen by 2030. India's Ministry of Trade and Commerce stated that the huge subsidies that have been announced by some of the developed countries for their green hydrogen sectors can distort trade in violation of World Trade Organisation (WTO) rules and regulations.

## Multilateral Environmental Agreements

India has officially recognised the importance of the inclusion of environmental clauses in the trade agreements. One notable example is the Comprehensive Economic Cooperation Agreement (CECA) between India and Singapore, signed in 2005[21]. This agreement encompasses a range of environmental issues and promotes the exchange of environmental technologies. Recently, the EU-India Trade and Technology Council will deepen their strategic investments in digital transformation and green technologies through research and innovation. India has a well-established and regular trade and environment committee which is dedicated to deliberate on the impact of trade on the environment and played an important role on environmental clauses on trade agreements. The India-European Union Free Trade Agreement (2022) included the discussions on sustainable development, environmental and labour standards. The India-Japan Economic Partnership Agreement (2011) also laid emphasis on the areas like climate change, energy efficiency and conservation of biodiversity.

## Recommendations

- **Establishment of Dispute Settlements**

The Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) is an example of a trade agreement that incorporates provisions related to environmental protection and sustainable development. Some key aspects of the CPTPP's approach include binding environmental provisions and transparent dispute resolution mechanism, serving as an example of how countries can work together to strike a balance between trade and environmental protection. India in its regional and bilateral trade agreements can adopt such a model. The WTO's Dispute Settlement Body has taken various measures, from safeguarding sea turtles against incidental capture in commercial fishing to addressing risks posed by air pollution. In 2001, it upheld the ban on asbestos imports, prioritising the safety of citizens and construction workers. The recent G20 summit under India's Presidency proposed[22] for the setting up of a fully functional WTO dispute

[21] Comprehensive Economic Cooperation Agreement (CECA)

[22] https://r.search.yahoo.com/_ylt=Awr1QQrHRw1lwGsN9gi7HAx.;_ylu=Y29sbwNzZzMEcG9zAzMEdnRpZAMEc2VjA3Ny/RV=2/RE=1695397959/RO=10/RU=https%3a%2f%2feconomictimes.indiatimes.com%2fnews%2feconomy%2fforeign-trade%2ftough-task-ahead-to-make-wtos-dispute-settlement-syste

settlement body by 2024, which might also have a positive impact in this aspect. Lastly, Article 20 will be required to be amended accordingly so that a country can impose measures for the protection of its country's environment-both at its own territorial level and global level. In the 2016 India-Agricultural Products Case, the SPS (Sanitary and Phytosanitary Agreement) impeded trade between India and the US. As these measures develop overtime with advancement in technology, there is a need for the development of a comprehensive strategy for coping up with the challenges in both the domestic and international level. The Indian firms which deal in the exporting agricultural commodities should be given assistance by the government for entering into international partnerships so as to close the existing technological gaps. This also calls for regular updating and reviewing the new risk assessment techniques in the domestic policy legislations.

- **Increasing Green Goods Trade and Sustainable Trade Partnerships**

An India-Africa partnership through green transition therefore can help in fostering sustainable development. India mainly exports petroleum based products to Africa. It is recommended that an agreement similar to the EU's CBAM (Carbon Border Adjustment Mechanism) is set up between India and Africa. This would also require these developing countries to move towards diversification of their exports towards more efficient and cleaner technologies away from carbon-intensive manufacturers. These countries also remain vulnerable to climate change despite accounting for much lower per capita carbon dioxide emissions compared to the global average. According to the IMF, environmental goods are those related to environmental protection such as pollution control and environmental friendly goods which include industrial air filters, wastewater treatment products and renewable energy technologies. In 2021, environmental goods as a share of India's total exports stood at just 4.4% as compared to 10.5% in case of China. India's exports of environmental goods to Africa stood at $1.7 billion out of $17.3% total exports. Currently, 33 African countries are members of the International Solar Alliance and these countries possess abundant solar resources but lack the necessary technology. India can potentially play an integral role in the establishment of a collaborative platform for technology transfer and capacity building. India and Africa can also explore new avenues of trade which should include climate-smart agriculture, water supply, strategic partnership in critical minerals in the Electric Vehicle Industry, green hydrogen and mainstreaming of the circular economy. The increase in the trade of environmental goods in the trade agreements can potentially emerge as a beacon of hope in the South-South climate change cooperation. Additionally , with regard to the critical minerals supply( an important component for India's EV and lithium-ion battery industries), India should also focus on the material quality and recyclability of the imported materials. This would require the implementation and enforcement of quality-driven barriers as opposed to tariff barriers which are usually price-related. This would also require greening of India's industries, otherwise the recommended measures would act as trade barriers.

---

m-fully-functional-experts%2farticleshow%2f103552644.cms/RK=2/RS=xY7OMEWQtvUeuxI9X9E2ylf3uuc-

- **Inclusion of the PPM(Parts Per Million) standard in MEA**

Indeed, addressing environmental concerns through multilateral measures within a framework like a Multilateral Environmental Agreement (MEA) can be more effective than unilateral or bilateral agreements. Global agreements have the advantage of involving a broader range of countries and economies. Implementing a global carbon tax or a tradable permit scheme for carbon emissions can be an effective way to incentivize emissions reductions on a large scale. Such measures create economic incentives for businesses and countries to reduce their carbon footprint. A global governance framework can promote harmonisation of environmental standards and policies across borders. This can reduce trade barriers and promote a level playing field for businesses while also addressing environmental concerns. It can establish mechanisms for transparency and accountability, ensuring that countries adhere to their commitments and take necessary actions to protect the environment. It can include provisions for capacity building in developing countries, helping them implement environmentally friendly practices and policies effectively. It can facilitate the transfer of environmentally friendly technology from developed to developing countries, supporting sustainable development efforts. Some of the countries have also introduced carbon pricing systems[23] and cap-and-trade systems that encourage cleaner production processes.

- **Setting up of World Environmental Organisation and Greening of Existing Institutions**

At the global level, there is a need for setting up of a World Environmental Organisation for counterbalancing the WTO. The conservation and protection of global resources like biodiversity, protection of the ozone layer and water systems should be the responsibility of the WEO.[24] It can play an integral role in negotiating the trade agreements on the agricultural subsidies for soil conservation and developing low-input agricultural techniques. There should be greening of the global environmental organisation as in broadening the environmental and social positions of GATT's Article XX and redirecting the development initiatives of the World Bank and IMF for sustainable development projects and also supporting the green growth strategy of the developing countries. There is also a need for the redefining the application of the sanitary and phytosanitary measures of the WTO especially in the Indian context. This regime in India has included acts related to food safety such as the Prevention of Food Adulteration Act, 1954.

- **Promotion of Eco-labelling and Certification**

The practice of eco-labelling can be an effective way of addressing the issue of environmental issues due to dumping. The standardisation of these assessments can go a long way in enhancing regulatory cooperation among countries. Greater generation of awareness can help the consumers make sustainable consumption choices and decisions, for example, Germany's green dot system for the recycled goods is a classic example. The standards must be internationalised otherwise the

---

[23] Carbon Pricing Systems

[24] Prospects of a World Environmental Organisation

non-uniform standards can lead to conflicts.[25] However, India is of the opinion that the adoption of a single standard is not desirable and proposes that the product should be harmonised in relation to groups of producing countries enjoying a comparatively common structure of environmental condition and socio-economic capabilities. India has eco-labels such as FSSAI, ISO, EnergyStar and Ecomark for promotion of sustainable consumption and it is recommended that these ecolabelling schemes be applied to Indian exports as well as imports.

- **Inclusion of Environmental Components in Trade Agreements**

Other notable trade-related environmental cases involving India include the India-Endangered Species Act (Tiger and Rhino Products) wherein India faced trade challenges related to the trade of products from animals such as lions and rhinos. India imposed a ban on the import of plastic waste, which was challenged by global plastic recycling and waste management industries. It also imposed restrictions on the import of genetically modified crops, raising concerns from global agricultural players. India's success in this case led to the establishment of the Biological Diversity Act, requiring access agreements and benefit sharing, balancing India's sovereignty with the interests of multinational corporations while promoting conservation and equitable benefits. Lastly, India can push for inclusion of environmental clauses in its major bilateral and regional agreements like the India-ASEAN Trade in Goods Agreement, Indo-Sri Lanka FTA(Free Trade Agreement) among others. The ongoing negotiations in the India-UK FTA have included environmental clauses. As a member of the United Nations, India has brought in legislative acts for meeting the requirements of the Convention on Biological Diversity. India should take the lead in establishing a regional mechanism for the implementation of the Multilateral Trade Agreement.

- **Improving the synergy between the Trade Chambers and Environment Policymakers**

It is also recommended there is active and close coordination and collaboration and exchange between the Ministry of Environment,Forests and Climate Change and Ministry of Trade and Commerce ministry in India.[26] Indeed, achieving a harmonious balance between trade and environmental protection requires close collaboration and coordination among various stakeholders, including policymakers, businesses, and non-state actors. Government authorities should actively involve industry experts and stakeholders from businesses in the policymaking process. This collaboration can help develop and implement circular economy policies that are practical and effective. Policymakers should be vigilant about unintentional trade barriers that may arise due to complex rules and regulations between markets. Regular reviews and adjustments to trade policies can help mitigate these barriers. Governments can build alliances with a wide range of stakeholders, including non-governmental organisations(NGOs), industry associations, and environmental groups. The success of the idea of the transformation of India’s leather industry should also serve as a model for other industries in India.

---

[25] Eco-Labelling

[26] Alignment Between Climate and Trade

- **Adoption of Global Best Trade Practices**

This includes the European Union Border Adjustment Mechanism[27] which is aimed at addressing the carbon leakage through the imposition of tariffs on certain imported goods on the basis of its carbon footprint. This also prevents the EU industries from relocating to countries with lax environmental regulations and trade barriers. Countries like Malaysia and China[28] have legislated restrictions on the import of plastic waste , impacting the global trade in plastic waste. India has also taken the right step of banning the import of plastic waste imports and it is recommended that restrictions be strictly imposed on the e-waste as an anti-dumping measure. On the question of a broader green manufacturing agenda, India should play a more important role in the Environmental Goods Agreement (EGA) negotiations that have been on halt since 2016 due to non-participation by the developing countries except China, Costa Rica and Turkey. This is one of the important agreements that provides a platform for acquiring other green manufacturing related inputs at a cheaper price. Secondly, India's solar power industry on imports is quite high compared to other solar power manufacturing leaders such as Germany and Italy. It is important to open up the green energy sectors and reduce tariffs as the reliance on imports in the manufacturing processes is an overwhelming 90 to 95%.

## Conclusion

We conclude that addressing the complex relationship between trade and the environment requires a multifaceted solution that involves sustainable trade practices, domestic environmental regulations, and international cooperation. It's crucial to recognize that environmental rules and regulations should not be perceived as barriers to free trade but rather as essential components of a responsible and fair international commerce system. Multilateral agreements and organisations play a pivotal role in promoting transparency and accountability in trade agreements and environmental pacts. Collaborative efforts among nations through organisations like the World Trade Organization (WTO) can help establish common ground and rules for balancing trade and environmental considerations. India has adopted a multifaceted approach to international trade and environmental considerations. It aims to ensure that the principles laid out in the Rio Declaration of 1992 and Agenda 21 are implemented in a way that prevents developing countries from being unfairly disadvantaged or subject to discriminatory treatment in international trade. India as an emerging economy should take the lead in the deliberation at the global level; and pioneer in the creation of the necessary ecosystem for green manufacturing.The Indian Commerce Ministry is actively considering the introduction of a Carbon Border Adjustment Mechanism (CBAM), which would involve monitoring imports from producers using non-green technologies,

---

27 https://r.search.yahoo.com/_ylt=Awr1QRxLT_RkUSg27ia7HAx.;_ylu=Y29sbwNzZzMEcG9zAzEEdnRpZAMEc2VjA3Ny/RV=2/RE=1693761484/RO=10/RU=https%3a%2f%2ftaxation-customs.ec.europa.eu%2fcarbon-border-adjustment-mechanism_en/RK=2/RS=6njMd14ZyzE8svSxTBvdUTu6.ts-

28 China's Tightening on Environmental Regulations

starting from October, with a tax levy planned for January 2026. There is a growing need for reform within multilateral organisations like the WTO to better align trade and environmental policies. The New Delhi Leaders' Declaration under India's G20 Presidency, is a positive step toward recognizing the importance of green economic policies and the role of international trade in achieving sustainability. For the success of these agreements and the overall regional and multilateral framework would also require trade-facilitating measures from other key economies across the globe. There is a need to build a rules-based, non-discriminatory, fair, open, inclusive, and transparent multilateral trading system that is essential for creating a global trade environment that benefits all while safeguarding the environment.

## References


1. M.Harris Jonathan, Trade and the Environment, A GDAE Teaching Module,Global Development and Environment Institute, Tufts University, 2004, retrieved from https://r.search.yahoo.com/_ylt=Awr1TcZNPfRkwk80sLG7HAx.;_ylu=Y29sbwNzZzMEcG9zAzIEdnRpZAMEc2VjA3Ny/RV=2/RE=1693756877/RO=10/RU=https%3a%2f%2fsites.tufts.edu%2fgdae%2f/RK=2/RS=flBzODuihH09VlZJhswt6FisHrQ-
2. Report by climate change and Food Security: Risks and Responses, Food and Agricultural Organisation, retrieved from https://r.search.yahoo.com/_ylt=Awr1QLWCPAll26gJ0xK7HAx.;_ylu=Y29sbwNzZzMEcG9zAzEEdnRpZAMEc2VjA3Ny/RV=2/RE=1695132931/RO=10/RU=https%3a%2f%2fwww.fao.org%2fpolicy-support%2ftools-and-publications%2fresources-details%2fen%2fc%2f427091%2f/RK=2/RS=EMy_o2QiONMgfw3aNGdxyZB0wOw-

3. Trade and Environment Review, 2021, UNCTAD, Trade-climate readiness for developing countries, 2021, retrieved from https://r.search.yahoo.com/_ylt=Awr1TcZrPfRkMGM0rJ.7HAx.;_ylu=Y29sbwNzZzMEcG9zAzEEdnRpZAMEc2VjA3Ny/RV=2/RE=1693756907/RO=10/RU=https%3a%2f%2functad.org%2fpublication%2ftrade-and-environment-review-2021/RK=2/RS=vFgi66elJzWlQBPTKCnj.DQlTiI-
4. WU.Mark, Salzam James( 2014)The Next Generation of Trade and Environmental Conflicts: the rise of green industrial policy, Vol. 108, No.2, retrieved from https://r.search.yahoo.com/_ylt=Awr1QRyjPfRkZ6I0AkC7HAx.;_ylu=Y29sbwNzZzMEcG9zAzEEdnRpZAMEc2VjA3Ny/RV=2/RE=1693756963/RO=10/RU=https%3a%2f%2fpapers.ssrn.com%2fsol3%2fpapers.cfm%3fabstract_id%3d2481209/RK=2/RS=lUJeD6SH.GDDKTNMwysvmflMnu4-
5. Weder. Ghislaine, et al, (2020), Briefing Paper, How can trade rules support environmental action? Global Future Council on international trade and investment, retrieved from https://r.search.yahoo.com/_ylt=Awr1QRy4PfRkcvA0KQO7HAx.;_ylu=Y29sbwNzZz

MEcG9zAzEEdnRpZAMEc2VjA3Ny/RV=2/RE=1693756984/RO=10/RU=https%3a%2f%2fwww.wita.org%2fwp-content%2fuploads%2f2020%2f03%2fWEF_GFC_Briefing_on_Trade_and_Environment_Report_2020.pdf/RK=2/RS=ZRzzw6GYKLQ2i6XbJTCKQp6mHZI-

6. Pathak.S( 1994), International Trade and Environmental Development: A view from India, Journal of Global Legal Studies: Vol1:iss. 2, Article 3, retrieved from https://r.search.yahoo.com/_ylt=AwrKGFzmPvRkpU40Y2a7HAx.;_ylu=Y29sbwNzZzMEcG9zAzEEdnRpZAMEc2VjA3Ny/RV=2/RE=1693757286/RO=10/RU=https%3a%2f%2fwww.repository.law.indiana.edu%2fcgi%2fviewcontent.cgi%3farticle%3d1014%26context%3dijgls/RK=2/RS=a6DI5cSjXYyLBEKpTusMFUAQ0VM-
7. Global Trade Slows, but 'green goods' grow, UNCTAD, 23rd March,2023, retrieved from https://r.search.yahoo.com/_ylt=Awrx..m93_1kGS4G3im7HAx.;_ylu=Y29sbwNzZzMEcG9zAzEEdnRpZAMEc2VjA3Ny/RV=2/RE=1694388285/RO=10/RU=https%3a%2f%2functad.org%2fpress-material%2global-trade-slows-green-goods-grow/RK=2/RS=3G_GLrc5z.IZObWt_p4O6TQMplI-
8. Trade and Environment, Irish Aid Key Sheet //02, retrieved from https://r.search.yahoo.com/_ylt=AwrKGBeX3_1k8z0Gw2S7HAx.;_ylu=Y29sbwNzZzMEcG9zAzEEdnRpZAMEc2VjA3Ny/RV=2/RE=1694388248/RO=10/RU=https%3a%2f%2fwww.irishaid.ie%2fmedia%2firishaid%2fallwebsitemedia%2f20newsandpublications%2fpublicationpdfsenglish%2fenvironment-keysheet-2-trade.pdf/RK=2/RS=F8cZkgf6Ynz_WJ3ueHcA1t9ucHM-
9. Swanson.Ana, Climate Change May Usher in a New Era of Trade Wars, Jan 25,2023, retrieved from https://www.nytimes.com/2023/01/25/business/economy/climate-change-global-trade.html
10. Trade and Environment, World Trade Organisation, https://r.search.yahoo.com/_ylt=Awr1QHnn3_1kM3wGPEG7HAx.;_ylu=Y29sbwNzZzMEcG9zAzQEdnRpZAMEc2VjA3Ny/RV=2/RE=1694388327/RO=10/RU=https%3a%2f%2fwww.wto.org%2fenglish%2ftratop_e%2fenvir_e%2fenvir_e.htm/RK=2/RS=GRdPWRRKUkGUnJ7t8.neFvT_Vnc-
11. Jain. Subhangi, Trade and Environment, Environmental Law, April 21,2020, retrieved from https://blog.ipleaders.in/trade-and-environment/
12. Suneja,Kritika, ET Bureau, Foreign Trade, G20 Delhi Declaration WTO reform, discouraging protectionism, mutually supportive trade and green policies, 9th September, 2023, retrieved from https://r.search.yahoo.com/_ylt=AwrKGBcIcf9kI.wlu4W7HAx.;_ylu=Y29sbwNzZzMEcG9zAzEEdnRpZAMEc2VjA3Ny/RV=2/RE=1694491017/RO=10/RU=https%3a%2f%2

feconomictimes.indiatimes.com%2fetreporter%2fauthor-kirtika-suneja-479242995.cms/RK=2/RS=cfOQGjov8Y8zXpR9af64aln_nE4-

13. Environmental disputes in GATT/WTO, World Trade Organisation, retrieved from https://r.search.yahoo.com/_ylt=AwrKALu7cf9kXw4nXwu7HAx.;_ylu=Y29sbwNzZzMEcG9zAzIEdnRpZAMEc2VjA3Ny/RV=2/RE=1694491196/RO=10/RU=https%3a%2f%2fwww.wto.org%2fenglish%2ftratop_e%2fenvir_e%2fedis00_e.htm/RK=2/RS=9HZ1OglSkF6ghd1xoAZ92ivWhBE-
14. Yu Eden, Marjit Sugata, Globalization and Environment i n India, ADBI Working Paper Series 873, Asian Development Bank Institute, ADBI Institute, retreived from https://r.search.yahoo.com/_ylt=AwrKFYfcGA1l15UHcsi7HAx.;_ylu=Y29sbwNzZzMEcG9zAzEEdnRpZAMEc2VjA3Ny/RV=2/RE=1695385949/RO=10/RU=https%3a%2f%2fwww.adb.org%2fpublications%2fglobalization-and-environment-india/RK=2/RS=xNwgpMNG2m3Jxobc_M3n.3_Y03c-
15. Kumar,Raj. Srimanne Shamika, Asia -Pacific Development Journal, vol 12, No.1, June 2005, Economic and Social Commission for Asia and the Pacific, Vol. 12, No. 1, June 2005, retrieved from https://r.search.yahoo.com/_ylt=Awrx_8YlVg1lQkAPipK7HAx.;_ylu=Y29sbwNzZzMEcG9zAzEEdnRpZAMEc2VjA3Ny/RV=2/RE=1695401637/RO=10/RU=https%3a%2f%2frepository.unescap.org%2fhandle%2f20.500.12870%2f2344/RK=2/RS=QCXkyc239FfdRkUFVLK6q24zhDg-

16. Meenu Tewari, **Poonam Pillai,** Global Standards and the Dynamics of Environment Compliance in India's leather Industry, 2007, Oxford Development Studies, Volume 33, 2005 - Issue 2, Taylor and Francis, retrieved from https://www.tandfonline.com/doi/abs/10.1080/13600810500137947
17. Kaul Rohin, ILI Law Review, Winter Issue 2016, WTO Agreement on the Application of Sanitary and Phytosanitary Measures and the Indian Experience, retreived fromhttps://r.search.yahoo.com/_ylt=AwrKBPP11DdlxXsRQxy7HAx.;_ylu=Y29sbwNzZzMEcG9zAzEEdnRpZAMEc2VjA3Ny/RV=2/RE=1698186613/RO=10/RU=https%3a%2f%2fili.ac.in%2fpdf%2fp7_robin.pdf/RK=2/RS=o7pgAN6V8QD9xYrlHg1RuEqlD0Y-
18. Taneja Bansuri, Implementation of Multilateral Environmental Agreements by India, retrieved from https://r.search.yahoo.com/_ylt=Awr1SZEb1TdlDO4MjeS7HAx.;_ylu=Y29sbwNzZzMEcG9zAzEEdnRpZAMEc2VjA3Ny/RV=2/RE=1698186651/RO=10/RU=https%3a%2f%2fwww.cbd.int%2fdoc%2fnbsap%2flegislation%2fINDIA%28Legal%29.pdf/RK=2/RS=NP9Lgi8_e6ZZIdwNwwJnvuhgGnY-