

Sustainable Development and Global Environmental Governance

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Abstract: *Development means to improve, to become better, bigger, and stronger in all spheres of life, like improvement through civil, technical, and digital development, which requires policy updates to meet current needs. Sustainable development maintains development through its implementation, which enables development to occur without disrupting existing ecosystem equilibrium because sustainable development provides resources for current needs, which future generations can still access while creating economic growth and protecting the environment, and including all social groups. Sustainable development exists through three main components, which include economic sustainability, environmental sustainability, and social sustainability.*

Present-day development shall be taken forward in such a manner that it should not ruin the natural resources of the upcoming generation. The system has transformed from its original status as guiding factors into enforceable policies during the past few decades. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (LARR) 2013 requires that the land acquisition process start with a full social impact assessment (SIA) and environmental impact assessment (EIA). However, determining whether integrated compliance mechanisms, strengthened judicial enforcement of environmental principles, and fostering international cooperation can effectively bridge the gap between economic growth and environmental protection continues to pose a significant challenge.

Global Environmental Governance (GEG) uses scientific experts, academic researchers, and policy makers to promote sustainable development through its project work. The GEG Project enables environmental governance through multilateral environmental agreements and Sustainable Development Goals (SDGs) implementation while showing the difficulties that arise during implementation. The paper evaluates how global environmental governance systems have developed their present structure through time.

Keywords: sustainable development and global environmental governance

I. INTRODUCTION

Sustainable development stands as the most transformative concept that exists today within international environmental law. At its core, the goals aim to achieve economic progress not at the cost of damaging the natural environment. From global ban of chlorofluorocarbons to the collective shift toward a low-carbon future, the global history has witnessed various climate initiatives and policies through the summits and various conferences on global level. International efforts have produced a wide range of climate initiatives and policy commitments through major global summits and environmental conferences.

Given the realities of globalization - accelerating climate change, declining biodiversity, degradation of oceans, and transboundary pollution - environmental safeguards can no longer remain confined within national borders. Protecting



the environment now requires coordinated and cooperative global action, which includes the aspect of human rights, reflecting the interconnected nature of the challenges faced. Rather than it being a nation-wise approach, The framework unites three connected fields, which include Environmental Protection, Economic Growth, and Social Inclusion, to achieve sustainable development through a balanced and integrated growth model. The system organizes itself through 17 Sustainable Development Goals, which the United Nations established as its complete list of targets to end poverty and protect the planet and establish worldwide peace by 2030. The environmental sustainability process protects natural resources through its sustainable methods, which control air pollution, water pollution, and noise pollution and climate change. The process of social sustainability supports human well-being through all gender and age groups while providing equal access to justice and health services and establishing gender equality and gender-neutral education. The concept of economic sustainability defines economic growth which creates permanent jobs through innovative processes that benefit all people without damaging environmental or social systems. (UN) International environmental governance serves as the legal system that allows states, international organizations, civil society, and private companies to tackle environmental issues through international law.

II. THE BASIC PRINCIPLES OF SUSTAINABLE DEVELOPMENT INCLUDE THE FOLLOWING

Intergenerational Equity: The duty to protect the environment for future generations. The current generation must share the benefits and drawbacks of environmental resources in a fair manner. This precautionary principle needs protective measures to be implemented whenever scientific data remains ambiguous

As industrialization and urbanization accelerate, coupled with increasingly unsustainable consumption patterns, the need for imposing absolute liability becomes essential. This principle forms the foundation of the Polluter Pays Principle. In *Indian Council for Enviro-Legal Action v. Union of India*¹, The Supreme Court held that a polluter is liable to remedy the environmental harm caused by its activities. Further, in *Vellore Citizens Welfare Forum v. Union of India*², the Court reinforced that the Polluter Pays Principle requires polluters to bear the full cost of environmental restoration

Developed countries bear historical responsibility according to Common but Differentiated Responsibilities (CBDR) which recognizes their past actions. International legal systems and treaty design now incorporate these principles as common practices. (B. C. Malt, 2023)

The development of international environmental governance systems incorporating sustainable development as the very essence of the development started with two key events. The United Nations Conference on the Human Environment took place in Stockholm, Sweden from 5th to 16th of June 1972 which established modern environmental law and created the United Nations Environment Programme. The conference required world citizens to adopt unified principles for environmental protection which would create a standardized approach to human environmental conservation. (UN N. C.)

The United Nations Conference on Environment and Development Rio Earth Summit (UNCED) took place at Rio De Janeiro, Brazil between 3rd to 14th June 1992 introducing key principles such as the polluter pay principle, precautionary principle and common but differentiated responsibility along with Agenda 21 and creation of UNFCCC to create economic development solutions which would decrease poverty while enabling environmental protection initiatives that safeguard Earth's ecological systems.

¹ 1996 SCC (3) 212

² 1996 (5) SCC 647



The Rio Declaration United Nation Conference which met at Rio de Janeiro between 3rd 03 to 14th June 1992 reaffirmed and adopted the Stockholm declaration of 16th June 1972. Conference proclaims to adhere with 27 principles for sustain development protecting global environmental requirements with international agreements. (Rio Declaration on Environment and)

Agenda 21 an international non-binding blueprint of United Nation for promoting and achieving the Sustainable Development Goals adopted in Rio de Janeiro 1992 by approximately 178 countries. (Plessis)

Forest Principles these non-legally enforceable principles were established in Rio De Janeiro 1992 summit for conservation and sustainable development of all types of forest. (IGNOU)

Creation of major treaties such as the United Nations Framework Convention on Climate Change and Convention on Biological Diversity. It was signed in Rio 1992 by 154 states to limit the dangerous climate change and enforced on 21.03.1994. (Victor 1996)

The United Nations Conference on Sustainable Development which took place in Rio de Janeiro in 2012 served as a major international summit for global development which began with the Stockholm Conference in 1972 and called as Rio+20. All participants agreed on the good environment future. Debate rotated around three main areas i.e., (a) work to strengthen environment (b) consolidated sustainable development governance and (c) agree on sustainable development.

III. LEGAL FRAMEWORKS SUPPORTING SUSTAINABLE DEVELOPMENT MULTILATERAL ENVIRONMENTAL AGREEMENTS MEAS 1 CLIMATE GOVERNANCE:

UNFCCC 1992: United nations Framework Convention on Climate Change is an environmental control treaty established in 1992 Rio Earth Summit and enacted on March 21, 1994, under the acceptance of 198 members

Kyoto Protocol 1997: This is first legally binding international treaty to control the emission of greenhouse gases adopted in December 1997 under UNFCC

Paris Agreement 2015 is a legally binding international treaty on controlling the Global Warming which was adopted in December 2015 under the acceptance of 196 parties at COP1 and came into force on November 4, 2016.

Ozone Protection Montreal Protocol 1987 is the most successful international environmental treaty which protects the depleting Ozone Layer that serves as **Earths natural shield**

The Montreal Protocol 1987 international treaty serves to protect Earth's ozone layer through its mission to achieve full recovery of the ozone layer by 2065

Biodiversity Convention on Biological Diversity CBD serves as a crucial international environmental treaty which protects all natural resources and animal and plant life and genetic resources within entire ecosystems.

Hazardous Waste Basel Convention of 1989 speaks about the international movement and disposal of hazardous material, and it is effective since 1992

The treaties establish legal obligations which include requirements for reporting and the establishment of compliance committees and financial systems.

IV. JUDICIAL RECOGNITION OF SUSTAINABLE DEVELOPMENT

The International Court of Justice recognized sustainable development as a solution that could balance economic growth with environmental conservation through its decision regarding the Gabcikovo-Nagymaros Project.

Pulp Mills on the River Uruguay The case established environmental impact assessments as mandatory requirements which international law requires.

The Indian legal system has developed sustainable development jurisprudence through its various judicial processes.



Narmada Bachao Andolan v. Union of India the court established a system which defined requirements in the various field development combining it with methods to protect the environment.

Indian courts have used constitutional provisions to establish environmental protection through Articles 21, 48A, and 51A(g).

The United Nations Environment Program establishes environmental standards while managing international environmental agreements. 2. The UNFCCC Secretariat establishes frameworks for climate change management.

The Global Environment Facility provides financial support to environmental projects.

The World Trade Organization establishes rules which govern the relationship between international trade and environmental protection.

The World Bank provides development funding which supports sustainable development projects.

The existence of multiple competing governance systems causes ongoing problems for effective governance.

V. MAIN OBSTRUCTIONS:

The Multiple Legal Systems Which Exist Today

The different treaties operate as separate systems because they lack a governing body.

The Weak Penalties Which Apply to Violations

The agreements depend on two methods for enforcement which include reporting requirements and peer review processes.

Climate Justice and Equity

Developing countries demand access to climate finance resources together with technology transfer for their development needs.

Political Resistance: National sovereignty often conflicts with global obligations.

Insufficient Climate Finance The failure of developed countries to meet their complete financial obligation to climate funding demonstrates their unfulfilled commitment.

VI. CASE STUDIES:

Strong governance frameworks enable Iceland to implement its carbon capture projects.

Community-based environmental justice movements achieved success through the legal acknowledgment of their rights.

The Great Lakes-St. Lawrence Basin regional partnership works to protect the health of ecosystems in their area. Asian and African regions face two main challenges which arise from their need to protect the environment while their economies continue to grow. The Way Forward: Strategic Recommendations¹. The Way Forward: Strategic

VII. RECOMMENDATIONS:

Implement transparency and accountability measures which require organizations to enforce their procedures.

Environmental rights should be integrated into human rights systems which will create governance systems that serve all people.

The system needs to establish governance between local and national and international stakeholders.

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Capacity building programs should target vulnerable areas because they help organizations develop their governance capabilities.

Corporate Accountability: Create international treaties which require businesses to respect human rights.

Localizing Sustainable Development: The system needs to establish governance between local and national and international stakeholders.



VIII. CONCLUSION

The present-day international concern about sustainable development requires more than existing policy frameworks because every country has established binding and non-binding treaties which they accepted and enacted as their international guiding rules. The system experiences productivity challenges because it fails to enforce its rules through different methods which various institutions use to achieve their operational goals and which different countries execute according to their unique geopolitical positions. Sustainable development achievement depends primarily on two essential components which are legal frameworks and governance systems. The global achievement of sustainable development goals depends on two main factors which are environmental law enforcement and the development of new governance methods. The time to act is now—governance matters more than ever.

Sustainable development goals require enforcement through a governance system which must be built on environmental justice principles and scientific integrity and worldwide obligations. The combination of proper legal framework planning together with necessary institutional changes and genuine political backing will lead to sustainable development outcomes.

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