



INDIAN JOURNAL OF LEGAL AFFAIRS AND RESEARCH

Peer-reviewed, open-access, refereed journal

IJLAR

+91 70421 48991
editor@ijlar.com
www.ijlar.com

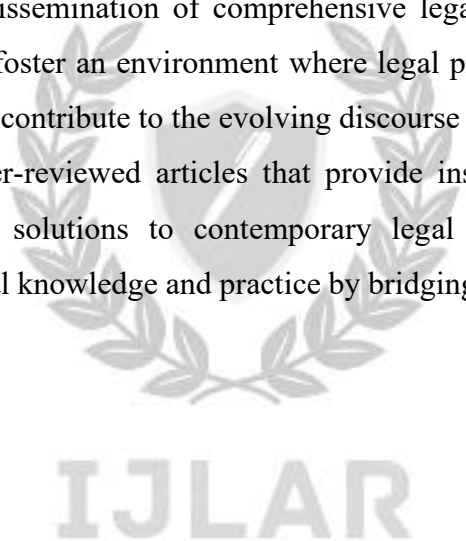
DISCLAIMER

The views and opinions expressed in the articles published in the Indian Journal of Legal Affairs and Research are those of the respective authors and do not necessarily reflect the official policy or position of the IJLAR, its editorial board, or its affiliated institutions. The IJLAR assumes no responsibility for any errors or omissions in the content of the journal. The information provided in this journal is for general informational purposes only and should not be construed as legal advice. Readers are encouraged to seek professional legal counsel for specific legal issues. The IJLAR and its affiliates shall not be liable for any loss or damage arising from the use of the information contained in this journal.

IJLAR

Introduction

Welcome to the Indian Journal of Legal Affairs and Research (IJLAR), a distinguished platform dedicated to the dissemination of comprehensive legal scholarship and academic research. Our mission is to foster an environment where legal professionals, academics, and students can collaborate and contribute to the evolving discourse in the field of law. We strive to publish high-quality, peer-reviewed articles that provide insightful analysis, innovative perspectives, and practical solutions to contemporary legal challenges. The IJAR is committed to advancing legal knowledge and practice by bridging the gap between theory and practice.



Preface

The Indian Journal of Legal Affairs and Research is a testament to our unwavering commitment to excellence in legal scholarship. This volume presents a curated selection of articles that reflect the diverse and dynamic nature of legal studies today. Our contributors, ranging from esteemed legal scholars to emerging academics, bring forward a rich tapestry of insights that address critical legal issues and offer novel contributions to the field. We are grateful to our editorial board, reviewers, and authors for their dedication and hard work, which have made this publication possible. It is our hope that this journal will serve as a valuable resource for researchers, practitioners, and policymakers, and will inspire further inquiry and debate within the legal community.

IJLAR

Description

The Indian Journal of Legal Affairs and Research is an academic journal that publishes peer-reviewed articles on a wide range of legal topics. Each issue is designed to provide a platform for legal scholars, practitioners, and students to share their research findings, theoretical explorations, and practical insights. Our journal covers various branches of law, including but not limited to constitutional law, international law, criminal law, commercial law, human rights, and environmental law. We are dedicated to ensuring that the articles published in our journal adhere to the highest standards of academic rigor and contribute meaningfully to the understanding and development of legal theories and practices.

IJLAR

ADDRESSING THE TRIPLE PLANETARY CRISIS

AUTHORED BY - MUKESH KUMAR ADITYA & NAVDEEP SHARMA

ABSTRACT

The contemporary world is confronted with an unprecedented environmental emergency characterized by the interconnected challenges of climate Change, biodiversity loss, and Pollution, collectively known as the Triple Planetary Crisis. Climate change, driven primarily by greenhouse gas emissions from fossil fuel combustion, industrial activities, and deforestation, has resulted in rising global temperatures, extreme weather events, and significant health risks. Biodiversity loss, caused by habitat destruction, invasive species, and overexploitation of natural resources, threatens ecosystem stability, food security, and the survival of countless species.

Pollution, in its various forms—air, water, and land pollution—continues to degrade ecosystems and endanger human and environmental health. The study highlights the complex interdependence among these crises, demonstrating how climate change accelerates biodiversity loss, pollution intensifies ecological degradation, and weakened ecosystems reduce resilience to environmental disturbances. Recognizing these linkages is essential for developing integrated and effective environmental governance strategies. The paper further traces the historical development of international environmental law, from early conservation-oriented treaties and landmark arbitral decisions such as the Pacific Fur Seals Arbitration and the Trail Smelter Case to major international instruments including the Stockholm Declaration, Rio Declaration, Agenda 21, Kyoto Protocol, Rio+20 Summit, and the Paris Agreement. These legal frameworks have progressively expanded the scope of environmental protection and promoted principles such as sustainable development, precautionary action, polluter-pays responsibility, and international cooperation. The paper concludes that addressing the Triple Planetary Crisis requires coordinated global action, stronger legal mechanisms, sustainable development policies, and enhanced international collaboration to safeguard environmental integrity and ensure a viable future for present and future generations.

Keywords: Triple Planetary Crisis; Climate Change; Biodiversity Loss; Pollution; International Environmental Law; Sustainable Development; Environmental Protection;

Global Cooperation.

INTRODUCTION

The current world is confronted by various types of crisis and for most are environmental issues at the helm. This crisis of environment one is one of the most concerning and serious one as it impact all and everything beyond the manmade borders and systems the planet is facing severe range of environmental challenges from desertification of one's great wetlands and pricing pollution due to extreme economical activities of humans conducted for profit. This challenge not only affect human lives but also the lives of animal birds plant and even small creatures who are bearing the brunt of undertakings that are not even their own fault. This impending doom doesn't distinguish countries by their borders it disturbs everyone in every place equally in different manner.

These challenges can only be tackled through international cooperation this observation is being addressed by a field of public international Law known as international environmental law this field applies to both developing and developed World equally as it necessity to control the activities that poses threat to the humans and wildlife. The initial approach to international regulation of environmental problems was first organized around essentially three issues meaning rules governing the exploitation of certain resources Trans boundary damages and use of shared water courses. Later it developed into a full-fledged part of public law. The first known case was *Bering Sea fur seals arbitration (United States vs. United Kingdom)* which recognized the competition of exploitation of common resources by different states. Later in the *Trail smelter case* that illustrated the act of environmental regulation beyond the boundaries of state. In the famous judgment of arbitrational tribunal it was concluded that States have no right to use or permit to use their territory in such way that it will harm or injury to the other territory or persons. These actions and arbitrations were primarily intended to foster an economic exploitation of resources and certain species in such way that it will not harm the rights of other states. This idea was prevalent in the early 1960s.

Environmental challenges were not acknowledged as serious for detrimental until late 19th century when state and communities started to recognize the trans-boundary consequences of activities affecting shared rivers or leading to the destruction of wildlife. In 1930 the Trans boundary consequences of air pollutions were recognised by the Nations and States. After this a stance toward environment changed bit by bit from apathetic and ignored to attentive and contentious. In the 1950s the case of international sea water pollution by oil spillage was

recognised by Nations and peoples as concerning and harmful to the s Marine and aquatic life forms. This movement maintained its momentum and by 1970s the original destruction and Pollution of fauna and flora was obvious in the eyes of peoples. In the late 1980s the global environmental threats were taken as part of international community's agenda as scientific evidence determined the potential consequences of ozone layer depletion, loss of biodiversity and climate change. From the late 19th century to the beginning of 1970's the regulation of environmental problems moved from either conservation or resource oriented logic to a more comprehensive one.

THE TRIPLE PLANETARY CRISIS

Climate change, biodiversity loss and pollution are collectively referred as the triple planetary crisis. These possess potential threat to the life on the earth. Apart from individual challenges that these issues presents, their complex interlinkages augment the menace.

“The triple planetary Crisis refers to the three main interlinked issues that humanity currently faces: Climate change, pollution and biodiversity loss. Each of these issues has its own cause and effects and each issue needs to be resolved if we are to have a viable future on this planet.”²

In fact it is primary catalyst of our ailing planet. Our planet's precarious state is consequence of the interlinked issue. Climate change refers to long term shifts in temperatures and weather patterns³. It is one of the fundamental issues that humanity confronts these days. It possesses major threat to human health and planet life.

Biodiversity loss refers to the reduction of any aspect of biological diversity in a particular area. It can occur at many scales, from global extinction to local population extinctions, leading to a decline in total diversity at the same scale.⁴

Pollution is the introduction of substance or energy into the natural environment in amounts or concentration that can be harmful for humans, animals, and plants. Air pollution attributed for 8.1 million deaths globally in 2021, becoming the second leading risk factor for death, including for children less than five year of age.⁵



Now we shall delve into these three issues in detail and study their interlinkages.

1) **CLIMATE CHANGE:** It comprise of global warming and climate change, which is repercussion of human activities. Global warming is the event in which the long term average global temperature increases, on the other hand Climate change involve long term shift in temperature and weather patterns that will impact the life on earth.

✓ **Drivers:** Following are the causes of global climate change:

1. **Combustion of fossil fuels:** Large quantum of global emission sources from combustion of fossil fuels to generate electricity and power. Burning of coal, oils and yield of crude oil emits carbon dioxide, nitrous oxide, often termed as greenhouse gases, in atmosphere, which forms a layer around the earth and trap sun's heat, which results in increasing of the average earth temperature annually. As per united nation, globally one- third of electricity come from renewable sources of energy, contrary to fossil fuels emit negligible greenhouse gases.⁶
2. **Manufacturing of goods:** the energy required to operate manufacturing industry to produce cement, iron, plastics, electronic items, clothes, and other finished goods sources from coal, and oil, which in turn emits greenhouse gases. These manufacturing industries are one of the major contributors of greenhouse gases.
3. **Deforestation:** forest acts as a carbon accumulator that absorbs carbon dioxide from our atmosphere and stabilizes our climate. Deforestation decreases the nature's ability to keep emission of greenhouse gases out of atmosphere. Each year approximately ten million hectares of forest are cut down. Deforestation account for almost one third of the global greenhouse gas emission.
4. **Green House effect:** It occurs when heat-trapping gases in a planet's atmosphere prevent from releasing heat into the space. The greenhouse effect is the process through which heat is trapped near Earth's surface by substances known as greenhouse gases.⁷ Greenhouse gases include carbon dioxide, methane, ozone, nitrous oxide, chlorofluorocarbons, and water vapor. Actually, greenhouse gases are part of earth atmosphere. This is why earth is known as "Goldilocks planet" making it suitable for life to thrive. Over the years significant increase in level of carbon dioxide in the earth atmosphere.

IMPACT OF CLIMATE CHANGE: *Following are the effects of climate change:*

- 1) **Increase in global temperature:** owing to increase in concentration of greenhouse gases in atmosphere, there is increase in global surface temperature. According to global surface temperature Report by Berkeley Earth, 2025 was the third warmest year on Earth since 1850.⁸
- 2) **Extreme weather and climate pattern:** Day by day, as the climate changes are taking places, the frequency of extreme weather events are increasing significantly. Acute Rainfall, Floods drought, and extreme heat waves are more frequent nowadays.

Key Facts:⁹¹⁰

- ✓ *The extreme heat waves in 2003 and 2010 accounted for 80% of the weather related death in Europe.*
- ✓ *Extreme temperature 40°C and 50°C are increasingly frequent worldwide.*
- ✓ *Every degree of global warming is projected to cause a 7% increase in daily rainfall.*
- ✓ *In 2021, the Dixie fire in California burnt a record 3,90,000 hectares.*

Source: (WMO, 2022)

- 3) **Health Hazard:** Climate changes present catastrophic threats to global health. Repercussions of Human activities that results in climate change are of variety of nature. Rising temperature increase the risk of heatstroke, respiratory, kidney, diarrhea, Respiratory and kidney disease.
- 4) **BIODIVERSITY LOSS:** It refers to the decline or disappearance of biological diversity, which includes animals, plants and ecosystems.¹¹¹² Earths land and ocean serve as natural carbon absorber and reducing the greenhouse gas emission. Today the biodiversity we found is because of evolution, influenced by humans. But now nature and this biodiversity are in crisis. About one million species are threatened with extinction and about 85% of wetlands have disappeared.¹³
Halting and reversing biodiversity loss and the stabilization of climate system should go hand in hand

Fact Alert:



Source: united nation report on biodiversity and climate change¹⁴

DRIVERS OF BIODIVERSITY LOSS: Following are the cause of biodiversity loss:

- 1. Habitat destruction:** It is primary cause of biodiversity loss and species extinction across globe. It occur when a natural habitat of that native species does not exist anymore either because of deforestation or urbanization. The native species are either dead or migrated.

Key Fact: ¹⁵

An estimated 1 million species threatened with extinction.

✓ *Land degradation has reduced the productivity of nearly a quarter of the land's surface, adversely impacting the food Security and livelihood.*

About 420 million hectare of forest have been lost because of other land use conversion, since 1990

Source: (The IPBES assessment from May, 2019)

2. **Invasive Alien species:** these are animal, plants, fungi and microorganism that have entered and established themselves in the environment outside their natural habitat.¹⁴ Nonnative species brought in by humans drastically changes ecosystem of a particular region by preying on or bringing disease to the native species. The interconnected economy across globe made feasible the introduction of alien species over miles distant.
3. **Overexploitation of resource:** the improper management of fauna and flora of a geographical location adversely affect the world in its periphery and livelihood of people there. Over-hunting, over-fishing, and over-harvesting of species, such as for the illegal wildlife trade or industrial consumption, leads to loss of biodiversity.

IMPACT OF BIODIVERSITY LOSS: Biodiversity loss has many repercussions, for both nature and human beings. Following are the effect of biodiversity loss:

1. **Extinction of species:** biodiversity loss increases the risk of species extinction. The loss of individual species can have ripple effect on other native species. This can drastically change the balance of an ecosystem.
2. **Threats to human beings:** The biodiversity loss has significant impact on human health. It can affect human health in number of ways. Biodiversity is essential for food production, and provide essential genetic resources for crop. Loss of biodiversity reduces the agricultural productivity and increase the risk food security.
3. **Decline in ecosystem services:** Healthy ecosystem provide services like crop pollination, water purification, natural element, and disease control. The loss of insects, like bees and destruction of wetlands reduces our natural ability of defense against flooding.

POLLUTION: Pollution can be defined as addition of unwanted substances or energy into natural environment in concentrations that can be harmful for humans, animals, plants and other life forms on earth. Pollution deteriorates the health of ecosystem by endangering the life living beings there.

TYPES OF POLLUTION: Pollution can be classified broadly into three categories; Air, Water and Land Pollution

1. **Air Pollution:** Air Pollution is a mixture of gases and solid particle in the air. Air pollution comes from the residue that cars and trucks produce when combustion of fuels

Occur.

Fact Alert:

- ✓ 4.2million deaths every year occur as a result of exposure to air pollution from dirty cook stove and fuels.
- ✓ 3.8 million Death every year as a result of household

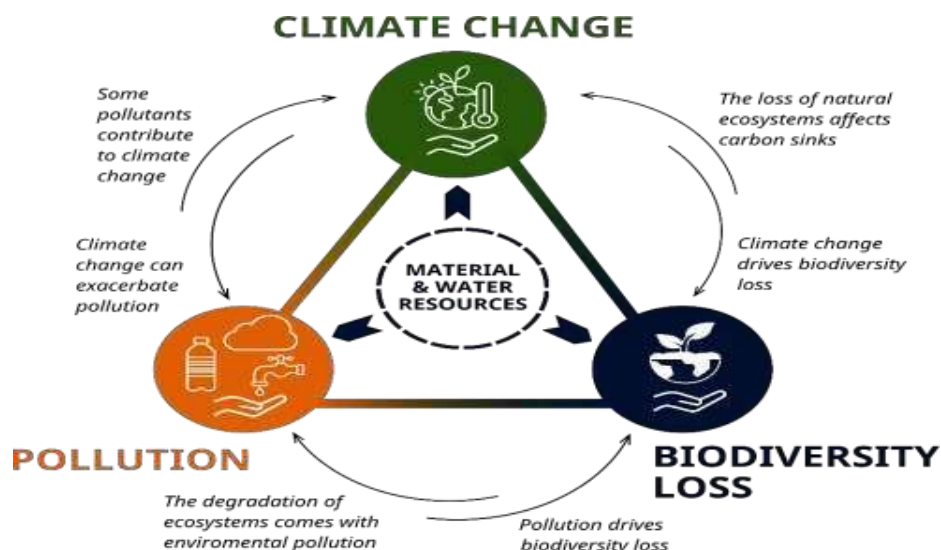
Source: (WHO, int.)¹⁶

Air pollution is mostly caused by industrial waste, vehicle and forest fires. Key pollutant is nitrogen dioxide, Sulphur dioxide, and carbon monoxide.

2. **Land Pollution:** land pollution can be defined as deposition of solid or liquid waste material on land or underground which result in contamination of water of groundwater or soil degradation. A significant amount of land pollution comes from discharge of industrial waste, which is generated by factories.
3. **Water Pollution:** Water pollution is the contamination of water bodies like lakes, rivers, oceans, and groundwater by pollutant that make water unfit for drinking and destructive to ecosystem. It occurs when pollutants are directly or indirectly discharged into water, often through untreated sewage and agricultural fertilizers.

EFFECT OF POLLUTION: Pollution damages the environment by making it less suitable for living beings. A pollutant is toxic or dangerous that it cost life of living beings. Often animal and plants absorb toxins from pollution which is fatal for them. These toxins pass in the ecosystem through food chain, continuing accumulation of toxins causes death or serious health concerns to organism at high levels.

This triple planetary crisis namely- climate change, pollution and biodiversity loss fed upon each other: Climate change drives biodiversity loss, pollution disrupts ecosystem, and reduced biodiversity lowers resilience to climate change. Rising temperature due to climate change results in species to perish or become extinct while biodiversity loss reduces nature's ability to absorb CO₂, resulting in climate change. Pollution weakens the ecosystem increasing climate stress and combustion of fossil fuels cause pollution and emission of greenhouse gases results in climate change.



Source: OECD (2025), *Environmental Outlook on the Triple Planetary Crisis*¹⁷

EVOLUTION OF GLOBAL ENVIRONMENTAL LAWS:

Early glimmers

Early attempts to develop international environmental rules focused on the conservation of wildlife and to a limited extent protection of river and seas. The motive behind those treaties was to preserve state sovereignty over resources and nature under the boundary of a Nation. The adoption of treaties was *ad hoc* and limited in scope. The first treaty aimed at protection of wildlife in a particular region was the London convention 1900. It pursued to ensure the conservation of wildlife in African colonies of European States including the use of trade restriction on the export of skins and furs. This treaty reflected the desire of colonial powers to combine regulation with economic incentive and preservation of certain species. This 1900 convention was replaced by 1933 convention on the preservation of fauna and flora in their natural state also called London convention 1933. This convention didn't try to create any institutional arrangement for administrating its provision like its predecessor.

During this period two environmental disputes were submitted to international arbitration and they influenced subsequent development and regulatory provisions governing the conduct of future activities. In the *Pacific fur seals arbitration* the dispute between United states and Great Britain concerned the alleged over exploitation of for seal by United Kingdom in the areas beyond National jurisdiction. The award of this arbitration rejected the argument that states had right to assert jurisdiction over natural resource outside their jurisdiction. This paved the path of international law in resolving potential disputes between States over natural resources lying in the international waters. The second crucial arbitrary award is known as *Trail smelter case*

a dispute between Canada and USA over the emission of sulphur fumes from a smelter situated in latter state causing damages to state of Washington. The tribunal applied the principle that , “no state has right to use or permit the use of its territory in such a manner as to cause injury by fumes in or to the territory of another for the properties for persons therein.” the award of this tribunal paved the way for later environmental laws and influenced developments of coming era.

This phase reflected a fragmented, state-centric approach with limited scope and extent of law.

Stockholm conference:

The Stockholm conference was the first convention to discuss environmental issues on a global scale. It was convened in December 1968 by the United Nation general assembly in the capital of Sweden. It was attended by 114 states and large number of international institutions and nongovernmental observers. The conference adopted three non-binding instruments:

1. A declaration containing 26 principles
2. Resolution on institutional and financial arrangements
3. Action plan containing 109 recommendations

Stockholm conference was the result of an emerging and rapidly developing focus from National to international rules on environment. This conference is generally considered to have been successful largely because the process had allowed agreement to be reached on the most issues prior to the conference. It opened the previously limited and inadequate perception of environmental issues that are seen through a national point of view rather than a global one.

Stockholm convention reinforced the resolutions regarding the protection of endangered species, Trans boundary air and water pollution and marine pollution.

The action plan comprises 109 recommendations which were generally accepted by consensus and reflected and agenda which identified 6 main subject areas which are as follows:

1. Planning and management of human settlement for environmental quality
2. Environmental aspect of natural resources management
3. Identification and control of pollutants and nuisance of broad international significance
4. Educational information social and cultural aspects of environmental issues
5. development and environment; and
6. International organizational implication of action proposals

The declaration containing 26 principles was intended to provide a common Outlook and principal to inspire and guide the people in preservation and enhancement of environment. The

26 principles were compromise between those States who supported public awareness and concern for environmental issues and wanted the declaration to show specific guideline for future Government and intergovernmental actions. From legal perspective the most relevant provisions are principal 21 to 24.

- 1) Principal 21 affirmed the responsibility of state to ensure that any activity inside their jurisdiction do not cause harm in another state or beyond their jurisdiction including sea and space. It also included any activity carried out by the nationals under the name of state in international territory.
- 2) Principle 22 required States to co-operate in developing international environmental law regarding liability and compensation of victims of pollution and other environmental hazards.
- 3) Principle 23 anticipated a limited role for international regulation and suggested that certain standards would have to be determined nationally on the basis of value system applying in each country and their social structure and in accordance with the need for different environmental standards in different countries.
- 4) Principal 24 calls for international organisations to play echo-ordinated efficient and dynamic role.

Other stock home principals are caused in non-legal languages they can be grouped into themes as they set guidelines for natural resources of earth to be safe guided for the benefit of present and future generation as stated in principle 2 to 5. Principal 4 to 7 identified specific environmental threats. Principle 8 to 15 addresses issues which reflected the relationship between development and environment recognizing that economic and social development go hand in hand with environment. Principal 16 to 20 recognised the need for appropriate demographic policy supporting the development of national institutions to manage environmental resources and encouraging education and scientific research and development. Recommendations on institute and financial arrangements proposed that actions taken by the UN general assembly to establish four institutional attachments:

- An intergovernmental governing council for environmental programs to provide policy guidance for the direction and code direction of environmental programs
- An environmental secretariat headed by an executive director
- An environmental fund to provide financing for environmental programs
- An inter-agency environmental coordinating board to ensure co-operation and coordination management bodies concerned in the implementation of environmental

programs in the United Nation system.

Stockholm follows up: The Stockholm conference build the platform for further proliferation of international environmental communities. This period was marked by establishment of numerous International organisations either through treaties or acts to combat with the existing environmental issue.

Rio declaration:

The UN conference on environment and development (UNCED), is also known as the Rio de Janerio conference and the Earth summit held in Rio de Janerio from 3 to 14 June, 1992. The Rio declaration is a collection of agreements and negotiations between developed and developing countries and equilibrium between the goals of environment protection and development. Despite much opposition from many countries, the UN general assembly approved in December 1992.

It consists of 27 principles, which provide basic framework for the state and people to coordinate in a manner as to further develop international law in the field of sustainable development.

- Principal 1 of the Rio declaration is glimpse of shift towards anthropocentric approach declaring that human being are at the core of concerns for sustainable development and they are entitled to a healthy and productive life in harmony with nature.¹⁸
- Principle 2 declares that states have right to use their own resources to fulfill their own environment and developmental policies as well as the responsibility to ensure that activities within their jurisdiction do not harm the environment of other states.
- The Principle 3 and 4 are the heart of the Rio declaration, reflects the political context and the trade-off they present. Principal 3 provide that the right to development must be fulfilled so as to meet the developmental and environmental needs of the present and future generations.
- Principle 4 provides that the environment protection forms an integral part of the development process and cannot be considered isolated from it.
- The Rio declaration propounds a new principle of common but differentiated responsibility, which is reflected in principle 7 of the Rio declaration.
- Principle 11 provide that all states undertake to enact effective environment legislation and standards applied should reflect the environmental and developmental thereof.

The Rio declaration led to the development of general principle of international law of

sustainable development, to say “precautionary approach is approved by principle 15 and the polluter pays Principles are endorsed by principle 16. The Rio declaration promotes the participation of women, youth and local people at national as well as at the international level.

Agenda 21¹⁸: Agenda 21 is broad action plan to be undertaken at national and international level by UN organisations and major groups in every area in which human impacts environment.

Agenda 21, the Rio declaration on environment and development, and the principles for sustainable management of forests were adopted by more than 178 states at United Nations conference on environment and development (UNCED) held in Rio de Janeiro, Brazil, 3 to 14 June 1992.

The commission for sustainable development (CSD) was created in December 1992 to check on implementation of agreement. Later it was agreed that a 5 year review of earth summit would be made in 1997 by United Nations general assembly.

Modern development:

- **UNCED Summit on sustainable development (2002)¹⁹:** It was held in 2002 often called as earth summit 2002 in Johannesburg, South Africa, from August 26 to September 4, 2002. Over 100 heads of different states and thousands of government NGOs and private sector took part. This summit shift focus from mere drafting of previously made environmental and economic commitments.
- **Kyoto Protocol²⁰:** it is a landmark international treaty adopted in 1997 under the UNFCCC but was enforced on 2005 to limit the greenhouse gasses emission as per agreed targets. There are 192 parties to the Kyoto protocol. Its aim was to reduce overall emission of six key greenhouse gases. This protocol shifted the primary burden of emission reduction on earlier industrialized countries under the principle of “common but differentiated responsibilities and respective capabilities”. The developing nations were encouraged to participate but were not assigned binding any specific targets to achieve.
- **Rio+20 Summit ²⁰ :** It is a document containing clear and practical steps for the implementation of sustainable development. It is officially known as United Nations conference on sustainable development, took place in Rio De Janeiro, Brazil in 2012. It was the 20th anniversary on 1992 Earth Summit

The Summit focused on innovative guidelines on green economy and adopts a policy

for financial sustainable development. The summit launched the intergovernmental approach that led to development of the 17 sustainable development goals.

The conference further strengthened the United Nations environment programme

- **Paris Agreement²¹**: the Paris agreement is a legal international treaty on climate change. It was adopted by 195 parties at conference of party (COP) 21 in Paris France. Its aim is to control the increase in global temperature to below 2° C above pre-industrial levels and put efforts to limits the temperature increase to 1.5 C above pre-industrial levels. It is landmark step in the multinational climate change debate and brings together the entire nation to deal with climate change impacts.

CRITICAL ANALYSIS:

International environmental law deals within a paradoxical framework while attempting to solve the problems beyond boundaries of nation States using legal systems rooted inside the rigid structure of sovereignty of a nation. This tension appears visible in the current road map presented in this addressing the triple planetary crisis. It details the emergence of cooperation on international level regarding environment and how the shift from apathetic and ignorant view toward environment changed into an attentive and conscious stance. While this brief attempt and concise undertaking trying to study the interconnected network of global environmental problems, it also offers ground for political acceptance of consensus over legal accountability and binding compliance against Nation. This document traces the historical trajectory of the foundational jurisprudence from the early arbitrations to modern multilateral treaties like Paris agreement and Kyoto protocol which reveals that global corporations relied heavily on non-binding “soft laws” instruments and “anthropocentric bias” which lead to the failure of enforcement in the global Environmental governance. Early environmental regulations were to govern the exploitation of resources across the boundaries of States primarily intended to exploit resources and nature in a certain way that it will add to the power of state. Like the trail smelter case established the “no harm” principal but fundamentally it treated pollution as a bilateral state issue rather than global issue which it later became. The stock home conference LED the shift from National to international focus on environmental issues while it highlighted the causes and consequences but it failed due to its own soft approach. From its 26 principles the 21st principle affirmed the responsibility of state that any activity inside the territory will not cause harm to another state or anything beyond their boundary including seas and space and on principle 22nd which described that States will pay liability and compensate victims of

pollution and other environmental hazard caused by their activities whether commercial or industrial but largely there was no action seen on the part of state to establish a compensation and liability mechanism the Rio Earth summit of 1992 was also a celebrated development in environmental law. It also introduced the new principal of common but differentiated responsibility in principle 7 of its declaration which stated that the developed state bears a heavy responsibility then a developing state due to their historical industrial emissions and their greater economic and tactical resources. This principle was to fill the gap between developing and developed nation but it was criticized by developed Nations for being soft against emerging economies and their rising emissions. Kyoto protocol of 1997 also advanced the principal of common but differentiated responsibilities by codifying binding laws on developed countries giving heavy responsibility but exempted developing Nations from these rigid cuts leading to a rising friction between developing and developed Nations. This was later fixed in the Paris agreement of 2015 by using a bottom to up approach called National determined contributions are the plans submitted by countries to combat against the environmental crisis and those plans for supported technically and financially by developed nation. Since the inception of global environmental law. It's dependency on declaration agendas and summits which are legally non-binding and are often abused by powerful Nations against their weak counterparts in ways of either financial industrial or even cultural leads to a path of inherent friction between Nations

SUGGESTION:

The environmental issues felt by world are deeply connected and transcends the established boundaries of nation States. Current global laws are insufficient to battle the problems due to their traditional fragmented nature of crisis resolution

- To address these problems there is an urgent need of fundamental shift from the old state centric, resource oriented approach to a legally binding and enforceable global order. Initial attitude toward international regulation was based on exploitation of resources environment preservation was not even a chief concern at that time, which is a need of hour in this era as.
- It is in necessity to have binding eco-centric and enforceable rule framework to govern the matters of environmental Crisis. As the current environment is a consequence of the state centric and resource oriented approach which existed upon the rights of state to use resources in its territory and international waters.

Institutional and enforcement reforms are needed because currently the international environmental law relies heavily on state cooperation and soft law guidelines leaving a way for States to bypass law without any hard consequences.

1. There must be international court for environment dedicated only to matters related to environmental crimes
2. It is recommended that the non-binding principles of treaties must be binding with strict legal compliance to every state included in the treaty.
3. One crucial step is to address the issues faced by institutions of United Nations dedicated to environment for example UNEP these are to be given independence enforcement power similar to Security Council of UN.

Since the early developments of environmental law the Centre of attention was always humans in anthropocentric approach as survival of humanity was and still is the main concern. This paves path for Nations to challenge and interfere with environment under the guise of development of humanity. Firstly, it is recommended that the global framework of environmental law must recognize that there is a rights of nature meaning legally considering ecosystem river forest in same sense as humans so they can be protected for their own exist not just as an accessories of human development. Secondly, Long term environmental destruction by human activity must be considered as international crime, holding the state leaders and corporate executives criminally liable. As this article illustrates that climate change biodiversity loss and pollution are interlink but the treaties to fight them are fragmented and based on single issues, so it is recommended to draft a comprehensive multi-sectorial global treaty that Legally binds Nations to treat all three elements of this crisis simultaneously. As the treaties addresses issues related to development and environment in the same breath on papers but on land it needs a restructure as political friction between developed and developing Nation exist causing instability in the functioning of mechanism, it is suggested that the financial commitments made under Paris agreement and Kyoto protocol must be legally binding creating penalties for developed nation that fail to fund the climate adaptation in developing regions. There must be an international legal framework for carbon taxation to stop multinational corporations from exploiting weak regulatory systems in developing Nation. Ultimately, confronting environmental crises requires a unified, enforceable, and eco-centric legal order that transcends national interests. Strong institutions, binding obligations, accountability for environmental harm, and equitable financial commitments can transform global governance. Only through collective action and legal reform can humanity secure a sustainable future for

all and coming generations.

CONCLUSION:

The triple planetary crisis- climate change, biodiversity loss, and pollution- continues to pose serious challenges to the survival of ecosystem and the well-being of present and future generations. Despite decades of warnings and international efforts, environmental degradation persists at an alarming rate. The interconnected nature of these crises has further complicated the global responses, often exposing gaps in implementation, enforcement and international cooperation. While numerous treaties, declarations, and frameworks have been adopted, their effectiveness has frequently been limited by political, economic and developmental differences among states. From the early conservation-focused such as the Stockholm declaration, Rio declaration, Kyoto protocol, and Paris agreement significant progress has been made in developing legal principle and institutional mechanism to address environmental concerns. These developments reflect a growing commitment to sustainable development, shared responsibility, and collective action. Although the road ahead remains challenging, there is a reason for cautious optimism. Continued advancement in environmental governance scientific innovation, public awareness and international collaboration provide a foundation for meaningful change. If states, international organizations, businesses, and individuals work together with greater determination and accountability, it is possible to mitigate the impacts of the triple planetary crisis and move towards a more sustainable and environmentally secure future.

REFERENCES:

- Michelle spollen, What is Triple planetary Crisis, Unfccc, (April,13,2022), <https://unfccc.int/news/what-is-the-triple-planetary-crisis>
- UNITED NATIONS, <https://www.un.org/en/climatechange/what-is-climate-change>
- UNITED NATIONS OFFICE FOR DIASTER RISK REDUCTION, <https://www.undrr.org/understanding-disaster-risk/terminology/hips/en0501>
- UNITED NATION CHILDREN'S FUND, <https://www.unicef.org/press-releases/air-pollution-accounted81-million-deaths-globally-2021-becoming-second-leading-risk>
- UNITED NATIONS, <https://www.un.org/en/climatechange/science/causes-effects-climate-change>

- OECD (2025), *Environmental Outlook on the Triple Planetary Crisis: Stakes, Evolution and Policy Linkages*, OECD Environmental Outlook, OECD Publishing, Paris, https://www.oecd.org/en/publications/environmental-outlook-on-the-triple-planetarycrisis_257fbb6-en.html
- Philippe Sands, Jacqueline Peel, *Principles of International Environmental Law* (Third Edi 2012)
- UNITED NATION, <https://www.un.org/esa/dsd/agenda21/>
- UNITED NATION FRAMEWORK CONVENTION ON CLIMATE CHANGE, <https://unfccc.int/processand-meetings/the-paris-agreement>

²Michelle spollen, What is Triple planetary Crisis ,Unfccc,(April,13,2022), <https://unfccc.int/news/what-is-the-triple-planetary-crisis>

UNITED NATIONS, <https://www.un.org/en/climatechange/what-is-climate-change>

UNITED NATIONS OFFICE FOR DISASTER RISK REDUCTION, <https://www.undrr.org/understandingdisaster-risk/terminology/hips/en0501>

⁵UNITED NATION CHILDREN'S FUND, <https://www.unicef.org/press-releases/air-pollution-accounted-81million-deaths-globally-2021-becoming-second-leading-risk>

⁶ UNITED NATIONS, <https://www.un.org/en/climatechange/science/causes-effects-climate-change>⁷—NASA, <https://science.nasa.gov/climate-change/faq/what-is-the-greenhouse-effect/>

⁸ BERKELEY EARTH, <https://berkeleyearth.org/global-temperature-report-for-2025/>

⁹ WORLD METEOROLOGICAL ORGANISATION, <https://wmo.int/about-us/world-meteorological-day/wmd->

¹⁰ /climate-change-and-extreme-weather

¹¹ UNITED NATION FRAMEWORK CONVENTION ON CLIMATE CHANGE, <https://unfccc.int/news/what-is-the-triple-planetary>

[crisis#:~:text=The%20triple%20planetary%20crisis%20refers,change%2C%20pollution%20and%20biodiversity%20loss.](https://unfccc.int/news/what-is-the-triple-planetary-crisis#:~:text=The%20triple%20planetary%20crisis%20refers,change%2C%20pollution%20and%20biodiversity%20loss.)

¹² loss.

¹³ UNITED NATIONS, <https://www.un.org/en/climatechange/science/climate-issues/biodiversity>

¹⁴—WORLD HEALTH ORGANISATION, <https://www.who.int/news-room/fact-sheets/detail/biodiversity>

¹⁵UNITED NATION ENVIRONMENT PROGRAMME, <https://www.unep.org/news-and-stories/story/five-driversnature-crisis>

¹⁶Michelle spollen, What is Triple planetary Crisis ,Unfccc,(April,13,2022),), <https://unfccc.int/news/what-is-the-triple-planetary-crisis>

¹⁷OECD (2025), *Environmental Outlook on the Triple Planetary Crisis: Stakes, Evolution and Policy Linkages*, OECD Environmental Outlook, OECD Publishing, Paris, https://www.oecd.org/en/publications/environmentaloutlook-on-the-triple-planetary-crisis_257fbb6-en.html

¹⁸Philippe Sands, Jacqueline Peel, *Principles of International Environmental Law* (Third Edi 2012) ¹⁸

UNITED NATION, <https://www.un.org/esa/dsd/agenda21/>

¹⁹ UNITED NATIONS, <https://www.un.org/en/conferences/environment/johannesburg2002> ²⁰ UNITED NATION FRAMEWORK CONVENTION ON CLIMATE CHANGE, <https://unfccc.int/process->

And meetings-Kyoto-protocol

²⁰UNITED NATIONS, <https://www.un.org/en/conferences/environment/rio2012>

²¹—UNITED NATION FRAMEWORK CONVENTION ON CLIMATE CHANGE , <https://unfccc.int/process-andmeetings/the-paris-agreemen>