

Sustainable Development and Environment Conservation: A Comparative Study on Protecting Environmental Human Rights

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Abstract

Preserving the environment and promoting sustainable development are essential steps in attaining a strong and balanced global ecosystem. The relationship between these principles and human rights has attracted considerable attention in recent years, influencing both international and state laws. This brief seeks to illustrate the intricate relationship between sustainable economic development, the preservation of the environment, and the protection of human rights. It highlights how these elements may work together to guarantee a fair and thriving future for everyone. Sustainable development means to meet the necessity of the present without compromising the resource of future generations. This concept can be categorised into three main elements: economic expansion, societal involvement, and ecological durability. The concept of environmental human rights is increasingly being associated with sustainable development and environmental preservation, indicating a global tendency to recognise the inherent entitlement to a sound and unpolluted environment. The Escazú Agreement and the Aarhus Convention exemplify this trend by giving precedence to procedural environmental rights, such as the right to access information, engage in public decision-making, and seek legal redress. These rights are crucial for protecting the right to a pristine environment. The Escazú Agreement places particular emphasis on the importance of equality and non-discrimination for marginalised groups, including indigenous peoples and environmental defenders. This establishes a strong connection between the conservation of the environment and broader concerns related to human rights. Hence, the purpose of the inquiry is to assess and compare the effectiveness and approaches of environmental conservation and sustainable development projects in protecting environmental human rights in different areas. The study examines the relationship between sustainable development, environmental protection, and environmental human rights, as highlighted in the Escazú Agreement and the American Convention on Human Rights. This study examines the current legal frameworks in place to safeguard the environment of Bangladesh while promoting economic growth. This study employs a descriptive, thematic, and doctrinal legal research technique, together with an integrated literature analysis, to examine legal

mechanisms that promote a harmonious connection between economic development and the protection of environmental human rights.

Keywords: Economic Development, Environment Protection, Legal Frameworks, Sustainable Development, Environmental Human Rights

Introduction

The concepts of sustainable development, environmental conservation, and human rights are all inherently interconnected. Environmental protection involves complying with regulations and participating in initiatives that protect natural resources and communities (Hossain et al., 2024; Shelton, 2010). It involves reducing pollution, protecting wildlife, and using natural resources in a way that doesn't affect the environment (Ogiemwonyi et al., 2022; Hossain et al., 2024). Ensuring comprehensive environmental protection is essential for preserving the overall well-being of the planet and sustaining diverse kinds of life. If you place a high priority on the well-being of the environment, you also prioritize the basic rights and privileges of individuals and groups. Environmental degradation poses a significant threat to human rights, affecting health, availability of resources, and overall quality of life, especially for the most vulnerable groups (Hossain et al., 2024). In order to address these challenges, it is imperative to possess a comprehensive understanding and implement measures at both the local and global levels (Otubu, 2010). These rights, which are a component of human rights, clearly state that everyone is entitled to a world that is secure, hygienic, safe, and long-lasting. Laws are beginning to recognize the importance of a healthy environment in accomplishing other human rights, such as the right to life, health, and well-being. There is no denying the connections between environmental preservation, human rights, and sustainable development. Neglecting the environment in sustainable growth strategies can lead to environmental degradation, which in turn can negatively impact human health and the economy (Hossain et al., 2024). Conversely, robust environmental protection policies support the aims of sustainable development by maintaining productive and healthy landscapes, which in turn support human livelihoods (Ogiemwonyi et al., 2020). Global growth opportunities are greatly increased when environmental human rights are integrated into policies for sustainable development, but there are still many issues that need to be resolved. Political opposition, lax regulations, and varying degrees of national commitment are a few of these (Hossain et al., 2022). On the other hand, environmental human rights are gaining worldwide recognition, and the number of grassroots organizations battling for environmental justice is growing. This bodes well for the future (Peters, 2020). In conclusion, the world must be equitable and tranquil if sustainable development, environmental protection, and human rights are to be achieved in concert. This summary will provide a comprehensive overview of the methods for safeguarding and promoting environmental human rights in the context of sustainable development by examining significant ideas, laws, and real-world examples. The relationship between environmental protection and development is intricate and nuanced, particularly when viewed in the context of environmental human rights (Fraser, 2003). This is manifested in Ukraine through the violation of environmental human rights and the absence of effective legal procedures for their restoration (Aguilera, 2023a). A global response to environmental challenges that have been exacerbated by industrialization has been the result of the historical recognition of the right to a healthy environment as a third-generation human right. Agenda 2030, which embodies the principle of sustainable development, aims to strike a balance between environmental preservation and economic growth. Collectively, these perspectives

emphasize the importance of international collaboration and robust legal frameworks to safeguard environmental human rights, as they illustrate the interconnected and dynamic nature of environmental protection and development (Mahmutović & Velić, 2023). Once humans have secured all their rights to achieve a certain quality of living, they will instinctively shift their attention towards safeguarding the environment. Humans will strive to improve their environment responsibly in pursuit of environmental justice, while also safeguarding their fundamental rights. This link establishes a framework that combines a rights-based approach with environmental protection procedures. It enables individuals to seek compensation for any sort of environmental harm as a separate category of human rights (Habiba, 2024). It is expected that a deeper understanding of the relationship between environmental preservation and human rights will help Indonesia's legal system work more effectively to ensure that all of its residents live in a sustainable and habitable environment. Additionally, the Constitution's and daily actions' better integration of environmental protection and human rights must be given top priority (RS et al., 2023). Despite the increasing emphasis on environmental conservation and sustainable development, there is a significant research gap in the context of how these strategies specifically contribute to the protection of environmental human rights from a comparative perspective. Contemporary research is not thoroughly adequate to conduct an exhaustive comparative analysis across a variety of countries or regions, which is crucial for the identification of effective practices and shared challenges. This discrepancy emphasizes the importance of conducting comprehensive studies that compare a diverse array of policies, strategies, and results in order to develop a more profound comprehension of how environmental conservation and sustainable development can be optimized to protect environmental human rights on a global scale. Nevertheless, the investigation delves into the dichotomy between human rights and environmental standards, with a particular focus on the connection between the right to development and ecocentric environmental conservation. The challenges associated with establishing a balance between environmental conservation and development requirements should be considered in the comparative study on defending environmental human rights in order to ensure a sustainable and just future (Bhat & D'Souza, 2022).

Problem Statement

Development projects can have a substantial influence on environmental human rights in multiple ways, frequently resulting in negative outcomes for local residents and the environment (Hossain et al., 2023). For example, the rapid progress of infrastructure projects in Indonesia, like the Bener Dam and Bitung Toll Road, has infringed upon the rights of local communities to their land and the environment. This highlights the arbitrary actions of the government in carrying out the projects without sufficient public consent or consideration of the community's needs (Herwati & Wungkana, 2023). Environmental degradation, which is frequently worsened by these projects, has a greater impact on disadvantaged populations in developing nations. This results in problems such as forced relocation and increased susceptibility to global warming and other unfavourable climatic conditions (Abdulkadir et al., 2012). Investment projects of significant magnitude, such as those in commerce and infrastructure, can also violate the rights of indigenous people by displacing them from their native territories and taking over their properties. To solve these deficiencies, it is necessary to conduct more comprehensive assessments of the impact on human rights, known as Human Rights Impact Assessments (HRIAs) (Baxewanos & Raza, 2013). The Clean Development Mechanism (CDM) projects under the UNFCCC have demonstrated that human

rights infringements can occur even when projects adhere to formal regulations. This underscores the necessity of incorporating the UN Guiding Principles on Business and Human Rights into new mechanisms under international agreements such as the Paris Agreement (Oberghassel et al., 2017). In the past, large-scale corporate initiatives, particularly in extractive industries and hydropower, have resulted in substantial negative environmental, social, and health effects, such as forced resettlement and cultural disruption. This has resulted in the progression of Environmental Impact Assessments (EIAs) and other impact assessments, which have facilitated the development of beneficial community-level programs and influenced project design. However, challenges continue to exist (Castro et al., 2016). The emergence of Environmental Impact Assessments (EIAs) and other impact assessments has resulted in the advancement of project design and the promotion of good community-level activities. However, there are still some issues that need to be addressed (Foyet, 2023). This lack of attention has required a fundamental change in approach to incorporate human rights into conservation programs. This is seen in the growing acknowledgement of the importance of Human Rights Directors in promoting community-centred strategies (Ford-Learner et al., 2024). The Escazú Agreement in Latin America and the Caribbean exemplifies the integration of sustainable development with democracy by implementing environmental human rights legislation (Aguilera, 2023b). This regional legislation offers a robust and all-encompassing legal framework to protect both humans and the environment. Hence, the merging of development initiatives and environmental human rights calls for thorough evaluations and global collaboration to minimize negative consequences and safeguard essential human rights.

Limitations

The research endeavours to provide a comprehensive analysis of legal, institutional, and policy frameworks in numerous countries; however, the study is subject to certain structural limitations. a) The global environmental issues are constantly evolving, necessitating the adaptation of environmental legislation and sustainable development strategies. This dynamic nature implies that the conclusions derived from current frameworks may become obsolete as a result of the implementation of new policies, legal modifications, or international accords. b) Informal, community-based, or indigenous conservation initiatives may not be adequately represented by the study's emphasis on legal, institutional, and policy frameworks. c) The long-term effects of policies or initiatives within the study's timeline may not provide a comprehensive comprehension of their effectiveness, as sustainable development and environmental conservation are enduring pursuits.

Literature Review

The increasing interconnectedness of social and ecological justice concerns can lead to challenging trade-offs between environmental protection laws and human rights. Therefore, the complex interactions between environmental protection legislation and human rights highlight how these two areas regularly collide and require difficult concessions in order to achieve social and ecological justice (Petersmann, 2022). The safeguarding of the environment is a fundamental principle of intergenerational justice and a primary objective of national sustainable development institutions. Different methods of environmental protection are feasible. One strategy is to prioritize environmental protection as an independent strategy. The European context is an especially good example, as the European Court of Human Rights (ECtHR) has a significantly larger body of jurisprudence than other

human rights bodies. Consequently, valuable discoveries regarding the potential of civil and political rights to advance environmental protection may be made (Binder, 2021).

The European Convention on Human Rights (ECHR) does not provide an explicit and enforceable right to a healthy environment, nor does it contain measures specifically aimed at safeguarding or conserving nature. However, there is an inherent connection between the environment and human rights. The foundation of this claim was established in the 1972 Stockholm Declaration on the Human Environment and has been further developed by different authorities, such as the Inter-American Court of Human Rights ("IACtHR") in its latest Advisory Opinion on the Environment and Human Rights. A flourishing ecological system is thus a prerequisite for the fulfillment of human rights; the law on human rights can serve as a means to tackle environmental concerns from both a substantial and procedural perspective; and both are needed for achieving sustainable development (Kobylarz, 2018). Environmental justice is essentially a human right that emphasizes the entitlement of every individual to reside in a wholesome environment that promotes their welfare and dignity.

The interdependence between environmental and human rights: The text emphasizes the interdependence of environmental concerns and human rights, asserting that safeguarding the environment encompasses not only ecological sustainability but also the guarantee of social justice and human dignity for all individuals. The interdependence between the environment and human rights implies that any harm to the environment has a direct effect on human rights. Therefore, it is imperative to tackle environmental problems in order to safeguard these rights (Hiskes, 2008). Environmental conservation practices in several countries have undergone substantial changes, demonstrating a combination of legislative structures, technical progress, and global collaboration. State management systems play a vital role in overseeing nature management and environmental protection in urbanized and industrial zones (Egorenkov, 2023). They highlight the necessity of a new model of social development to successfully address ecological problems. An analysis of EU countries from 2008 to 2016 has revealed that the effectiveness of environmental protection measures in enhancing economic and social conditions has been inconsistent. The study emphasized the significance of strong governance and policies promoting economic growth in successfully implementing environmental policies (Stratan et al., 2018; Hossain et al., 2022). Modern free trade agreements now have 'Trade and Sustainable Development' (TSD) chapters aimed at enhancing environmental regulations within broader trade accords. The comprehensive 2018 agreement between the European Union (EU) and Japan marks the final stage of a movement towards further incorporation of Trade and Sustainable Development (TSD) aspects. Given that it encompasses one-third of the global Gross Domestic Product (GDP), the importance of this agreement for trade relations cannot be underestimated. When comparing this agreement with others that involve Japan and the EU, we contend that it places more emphasis on sustainable development in trade relationships. Despite the notable environmental improvements, this agreement reinforces a perspective that prioritizes human interests in the trade-environment connection. It also promotes a mutually beneficial relationship between economic growth and environmental protection (Gilson, 2024).

Development and Environmental Human Rights Mechanisms Practiced in India: India has a complex strategy that includes legislative, judicial, and regulatory tools to strike a balance between growth and the protection of environmental rights. The nation's dedication to environmental conservation as a fundamental right is reflected in the Indian Constitution (R M et al., 2022). In spite of this, the post-independence fast economic growth model which is

marked by extensive industrialization and resource exploitation has seriously harmed the environment (Vedula & Bodhankar, 2017).

However, the competing demands of urban expansion and environmental conservation frequently make it difficult to implement these rules. India created the National Green Tribunal in 2010 as a judicial body specifically for environmental issues in order to overcome legislative shortcomings and improve access to environmental justice (Turaga & Sugathan, 2022). Furthermore, the Indian judiciary has taken the lead in promoting environmental rights through Public Interest Litigations (PILs) by the Supreme Court and High Courts. In spite of these initiatives, there is still a big problem with the gap between policy and practice, which calls for a drastic revision of the current development paradigm to guarantee sustainable development (Sodhi & Saurabh, 2019). Some judicial cases to protect environmental human rights in India are narrated below: a) *Vellore Citizens Welfare Forum v. Union of India* (1996): The Supreme Court acknowledged the ideas of sustainable development, including the "Precautionary Principle" and "Polluter Pays Principle." The court mandated the industries to establish effluent treatment systems and provide compensation for the environmental harm (Mueller, 2023). b) *M.C. Mehta v. Union of India* (Ganga Pollution Case, 1988): The Ganga River was being polluted by industrial effluents and untreated sewage, which presented significant environmental and health hazards (Do et al., 2018). The Supreme Court has mandated industries and municipalities to ensure the proper treatment of effluents prior to their release.

The court underscored the imperative of promoting sustainable growth and preserving the environment (Jadhav & Yannawar, 2022). c) *Indian Council for Enviro-Legal Action v. Union of India* (Bichhri Case, 1996): The Supreme Court upheld the "Polluter Pays Principle" and held the industries accountable for environmental repair. The court emphasized how crucial sustainable development is (Larsen et al., 2020). d) *Narmada Bachao Andolan v. Union of India* (2000): The Supreme Court upheld the construction as long as certain requirements were met, striking a balance between the rights of impacted people, environmental preservation, and development requirements. The ruling brought attention to the intricate relationship between sustainability and development (Bagchi & Paul, 2022). e) *T.N. Godavarman Thirumulpad v. Union of India* (Forest Conservation Case, 1996 onwards): Several orders were issued by the Supreme Court to ensure sustainable development practices, control mining, and safeguard forests. The court reaffirmed the significance of sustainable development and environmental rights (Chowdhury, 2014).

Development and Environmental Human Rights Mechanisms Practiced in Nepal: Nepal has achieved notable progress in harmonizing growth with the safeguarding of environmental human rights, specifically by implementing the Environment Protection Act, 2019, which upholds Article 30 of the Constitution of Nepal (Upadhyay, 2021). In Nepal, the recognition of environmental human rights is based on the understanding that significant environmental damage undermines core human rights principles such as dignity and autonomy. Therefore, it is necessary to safeguard crucial environmental conditions, such as clean water, air, and soil, within a well-functioning ecosystem (Long et al., 2016). Some remarkable cases have been stated below where the issue of development and protection of environment was available: a) The case of *Jitendra Devkota v. The Government of Nepal* (2000) revolved around a legal dispute regarding the government's authorization of building activities within the Parsa animals Reserve. This decision posed a significant risk to the local animals and ecosystems. The Supreme Court of Nepal has mandated the conduction of environmental impact studies

and the suspension of construction activity until adequate environmental safeguards are put in place (Cullet, 2022). b) In the Khimti Hydropower Project Case of 2001, The Supreme Court mandated a comprehensive assessment of the project's ecological consequences and stipulated that the developers must offer equitable restitution and adopt strategies to alleviate environmental harm (Tignino & Jara, 2024). c) The Sunaulo Yatra lawsuit (2005): The Supreme Court ordered the project developers to cease all activity until a comprehensive environmental impact assessment was conducted and appropriate actions were made to address the concerns voiced by local people. The verdict emphasized the significance of sustainable development and the active participation of the community (Anton & Shelton, 2011). d) The Nepal Water Supply Corporation v. Environmental Protection Organization (2008) involved the failure of the Nepal Water Supply Corporation to solve water contamination issues in Kathmandu. The Supreme Court ordered the Water Supply Corporation to enhance water treatment procedures and immediately resolve contamination concerns (Regmi, 2020). e) The Chure-Bhabhar Hills Conservation Case in 2012: The Supreme Court mandated that the government cease construction activities until a thorough environmental impact assessment was undertaken and conservation measures were implemented. The decision emphasized the importance of safeguarding crucial biological areas and promoting responsible land utilization (Upreti et al., 2023).

Development and Environmental Human Rights Mechanisms Practiced in Malaysia: The junction of development and environmental human rights in Malaysia is an intricate and dynamic terrain (Hossain et al., 2022). The 2015 Sustainable Development Goals (SDGs) encompass environmental sustainability as a crucial element, highlighting the significance of incorporating international law, constitutional standards, and human rights into national agendas (Mohammad, 2014; Hossain et al., 2023). Although Malaysia has shown dedication to numerous international agreements that acknowledge environmental rights as human rights, these rights are not specifically incorporated into domestic laws or the Federal Constitution, revealing a notable deficiency in legal acknowledgement and enforcement (M Dian et al., 2022). Here are some cases in Malaysia to ensure the protection of environmental human rights during the process of development: a) In the case of Menteri Hal Ehwal Dalam Negeri v. Mohamed Azad (2006), The Federal Court mandated that developments impacting sensitive areas must undergo environmental impact evaluations. The court underscored the need of implementing sustainable development techniques and safeguarding the rights of individuals in relation to the environment (Jawad et al., 2022). b) In the case of Sungai Selangor Residents Association v. Selangor State Government (2009), The High Court sided with the locals, affirming that conducting thorough environmental impact assessments was necessary prior to commencing any construction.

The verdict emphasized the significance of protecting water supplies and ensuring public health (Jayatharan et al., 2022). c) Malaysia Environmental Network (MEN) v. Government of Malaysia (2010): The court instructed the government to reassess its policies on palm oil plantations and guarantee the implementation of measures for environmental preservation. The verdict underscored the importance of implementing sustainable land use policies (Ismail et al., 2024). d) In the case of Kampung Orang Asli v. State of Perak (2011), The High Court found in favor of the indigenous groups, affirming that their rights must be prioritized and safeguarded before any development on their territory (Abdullah et al., 2021). e) In the case of Friends of the Earth Malaysia v. Penang State Government (2012), The court mandated a

halt to the project until a thorough environmental impact assessment was finalized (Ramalingam, 2024).

Development and Environmental Human Rights Mechanisms Practiced in Bangladesh: The relationship between environmental human rights and development in Bangladesh is intricate and multifaceted, encompassing a variety of mechanisms and obstacles (Hossain et al., 2020). In Bangladesh, environmental justice is essential for the enforcement of environmental laws and the advancement of human development (Bint-E-Basar & Tasnim, 2024). These laws are designed to safeguard against natural disasters, and health hazards, and to guarantee a healthy environment for all citizens. The absence of a recognized right to a healthy environment and the lack of judicial enforceability of these principles present substantial obstacles, despite the constitutional mandate to protect the environment (Ala Uddin, 2023). Here are some cases in Bangladesh to ensure protection of environmental human rights during the process of development: a) Bangladesh Environmental Lawyers Association (BELA) v. Bangladesh (2000): The High Court of Bangladesh has issued a directive to the government and relevant authorities to implement immediate measures to prevent pollution, such as the establishment of effluent treatment plants and the enforcement of environmental regulations (Hussein, 2024). b) BELA v. Ministry of Environment and Forests (2003): The court underscored the significance of safeguarding this UNESCO World Heritage Site and its contribution to the preservation of local biodiversity and livelihoods (Rahman, 2021). c) BELA v. Dhaka Water Supply and Sewerage Authority (DWASA) (2006): The right to a secure and healthy environment was underscored in the ruling as a component of the right to life (Zubaer, 2023). d) BELA v. The Department of Environment (2008):

The Department of Environment was directed by the High Court to implement stringent measures against illicit sand mining activities, enforce environmental regulations, and restore the river ecosystem that has been damaged. The court emphasized the necessity of sustainable resource management (Mapaco et al., 2012). e) BELA v. Government of Bangladesh (2010): The court has issued directives for the development and implementation of climate adaptation strategies, which include the construction of embankments and the implementation of sustainable coastal management practices. The ruling recognized the necessity of proactive measures and the impact of climate change on environmental human rights (Islam, 2023).

Research Objectives

The primary objectives of the study are as follows:

- a) To evaluate the legal, institutional, and policy frameworks that support environmental conservation and sustainable development in a diverse array of countries;
- b) To identify the most effective practices in environmental conservation and sustainable development;
- c) To investigate the challenges and obstacles that are encountered in the implementation of environmental conservation and sustainable development initiatives;
- d) To offer policymakers, stakeholders, and international organizations actionable recommendations for more effective sustainable development and environmental conservation strategies.

Research Questions

The following are the research questions, as determined by the aforementioned research objectives:

- a) How do the legal, institutional, and policy frameworks of various countries promote environmental conservation and sustainable development?
- b) Which environmental conservation and sustainable development practices are most effective in safeguarding environmental human rights?
- c) What are the primary challenges and obstacles that countries face when implementing environmental conservation and sustainable development initiatives?
- d) How do different countries and regions resolve the distinctive challenges associated with protecting environmental human rights through sustainable development?
- e) How do international organizations, stakeholders, and policymakers contribute to the protection of environmental human rights by implementing sustainable development strategies and environmental conservation?
- f) What practical suggestions can be provided to international organizations, stakeholders, and policymakers to improve the protection of environmental human rights during development projects?

Methodology

This study is a content analysis-based research conducted to assess the legislative policy framework for preserving the environment during the establishment of government development projects. The technique employed in this study primarily relies on doctrinal and pure legal research to achieve the study's objectives (Torraco, 2005). An integrated comprehensive literature review has been carried out. The doctrinal legal research approach involves carefully analyzing and comparing different documents to identify ambiguity, reveal inconsistencies between laws and principles, and uncover disparities.

The analysis incorporates materials from primary and secondary sources in the field of law to gain a deeper understanding of the laws on the balance between development and the protection of environmental human rights. It is derived from legal principles documented in legal literature and legislation established by court rulings. The essay centers on the laws' relevance to government development projects and the preservation of the environment. Law is a separate and autonomous field of study that employs its own distinct method of legal analysis (Salter & Mason, 2007). This article presents authoritative statements about the nature and application of essential legal standards and requirements for the relevant study-related topics, together with explanatory comments. Legal documents undergo a meticulous assessment to scrutinize and study the laws pertaining to environmental rights and development (Chatterjee, 2000). This article employs analytical, critical, explanatory, and descriptive methodologies.

The study utilizes a critical analysis technique to evaluate and make assessments regarding the constraints of legal systems in implementing regional and global legal frameworks pertaining to sustainable development and environmental protection. In order to advance the objective of the study, a thorough analysis is conducted on several relevant perspectives and arguments presented by well-informed authors in books, journals, newspapers, and international publications.

Findings and Discussion

In Bangladesh, the legal framework is designed to safeguard environmental human rights during economic development by implementing Environmental Impact Assessments (EIAs) and environmental justice laws. Notwithstanding the notable surge in environmental regulation, there exist obstacles in the execution and enforcement (Bint-E-Basar & Tasnim, 2024). The study finds the following aspects as significant challenges in protecting environmental human rights during the economic development of the country: a) Although challenges persist, Bangladesh has implemented numerous initiatives to strike a balance between economic development and environmental protection.

The economy has been substantially stimulated by the rapid industrialization of Bangladesh; however, it has also resulted in severe environmental degradation, particularly water pollution, which has a detrimental impact on human health and ecosystems (Wang & Islam, 2022). b) In order to regulate pollution and preserve natural resources, the government has implemented a variety of laws, including the Environment Conservation Act 1995, the Environment Protection Act 1995, the Environment Court Act 2010, and the Bangladesh Water Act 2013, in order to address these concerns. Legal loopholes, institutional vulnerabilities, and a lack of enforcement of Environmental Impact Assessments (EIA) have all contributed to the inadequacy of the implementation of these laws. c) Furthermore, Article 18A of the Bangladeshi Constitution requires the state to safeguard and enhance the environment; however, these principles are not legally binding, which restricts their efficacy. The country is also confronted with obstacles in promoting green investments, particularly under the Belt and Road Initiative (BRI) with China, where investments have been primarily in fossil fuel-based sectors rather than climate-friendly initiatives. This is the result of politically motivated decision-making and an uncoordinated governmental approach. d) Besides, the depletion of forest resources persists in spite of policies that advocate for participatory forest management (PFM) and social forestry. This is primarily attributable to inadequate policy implementation, a centralized decision-making process, and a feeble institutional framework (Begum & Alam, 2023). e) The economic development initiatives in Bangladesh are designed to foster ecological sustainability by reducing external inputs and enhancing resource utilization.

The major environmental advantages are the preservation and improvement of the natural environment, the reduction of reliance on agrochemicals, which results in lower production costs and diminished contamination of water sources, the improvement of soil productivity, and the mitigation of adverse health effects on humans and animals. These initiatives are consistent with the principles of sustainable development goals (SDGs) by promoting a balanced approach to economic growth while protecting the environment, thereby contributing to ecological soundness, economic viability, and social acceptability (Musa et al., 2024). f) Furthermore, it has been determined that foreign direct investment (FDI) can enhance environmental quality, provided that it is directed appropriately, for example, towards green technologies in the agricultural sector. Bangladesh's proactive measures, such as the promotion of green business practices and the implementation of stringent environmental regulations for foreign investors, have also played a role in the reduction of carbon emissions and the protection of sensitive coastal areas (Mamun et al., 2020). g)

The integration of International Human Rights Law and International Environmental Law underscores the responsibilities of states, but, recent occurrences in Bangladesh, such as factory fires and building collapses, underscore the necessity for corporate accountability in disaster management with regard to human rights (Lubaba, 2023). h) The Bangladesh

Constitution lacks explicit provisions for environmental preservation, as Article 8(2) specifies that the fundamental principles contained in Part II are not subject to judicial enforcement. Although Bangladesh has implemented a range of environmental laws and regulations, environmental contamination in the country continues to exist, suggesting that the legal structure has certain limitations in effectively addressing environmental concerns. i) The notion of 'environmental personhood' is increasingly gaining support, advocating for the legal recognition and safeguarding of natural entities such as rivers and forests (Matharani, 2023). j) India's legislative system for safeguarding environmental human rights has undergone significant modifications, particularly throughout its periods of economic growth. The Environment Protection Act (EPA) of 1986 is a fundamental legislation that provides a thorough definition of the environment. Article 21 of the Indian Constitution grants individuals the right to a healthy environment as part of their right to life. Notwithstanding these strong legal restrictions, the swift industrialization and exploitation of resources after gaining independence have resulted in substantial environmental devastation.

Recommendations

To ensure the protection of environmental rights during establishing development projects with application of the sustainable development principle: a) In Bangladesh, environmental justice is essential for the promotion of sustainable development and human rights, as it addresses issues such as resource management, pollution, and natural disasters. Overall, Bangladesh has a legal and policy framework in place for environmental protection; however, the effectiveness of these measures is impeded by implementation challenges, requiring a more comprehensive and integrated approach to economic policy and environmental governance. b) From an economic perspective, it is proposed to implement policies that support the appreciation of exchange rates and direct domestic savings and foreign direct investment (FDI) towards green technologies in the agriculture sector.

This will help achieve a balance between economic growth and environmental sustainability. c) The nation's dedication to renewable energy is essential as a significant portion of its energy consumption. Environmental sustainability is further supported by the transition to renewable energy. d) All development projects should be legally required to conduct Environmental Impact Assessments (EIAs). In order to identify, anticipate, and assess any potential environmental effects prior to project approval, this calls for thorough evaluation procedures. e) Enshrining the concept of public involvement in environmental law would enable communities to provide input on development initiatives that impact their surroundings. Legal frameworks have to guarantee that local people are notified and involved in project planning and implementation at all project stages. f) For plans, programs, and policies that have significant environmental ramifications, it should be legally required to conduct Strategic Environmental Assessments (SEA). By assessing potential effects early in the planning process, this metric promotes sustainable development by assisting in the integration of environmental factors into the highest levels of decision-making. g) It is necessary to enact laws to acknowledge and safeguard ecological services.

This entails placing legal restrictions on the exploitation of resources, the loss of habitats, and pollution so that ecosystems can sustainably continue to offer vital functions. h) To make developers responsible for any environmental harm they do, the Polluter Pays Principle ought to be strictly enforced by law. According to this theory, the expense of controlling pollution or environmental deterioration to protect human health and the environment must be borne by those who cause it. i) To guarantee that development initiatives do not negatively impact

biodiversity, legal procedures ought to be implemented. Strict laws prohibiting habitat damage, illegal wildlife trading, and deforestation are part of this. Achieving sustainable development and preserving environmental balance depend on biodiversity protection (Hossain et al., 2022). j) In situations where environmental harm occurs, legal systems must offer unambiguous channels for compensation and remedy. This covers the ability of people and groups to oppose projects that break environmental regulations as well as the provision of just compensation for those impacted by environmental deterioration. In addition to guaranteeing the protection of environmental rights and the application of the law to sustainably developed areas, the establishment of environmental courts or tribunals can offer a specialized forum for settling environmental disputes.

Conclusion

Therefore, the article evaluates the current legal framework for environmental dispute resolution and investigates the environmental challenges encountered in Bangladesh. Despite the nation's economic advancements, severe pollution poses a substantial threat to human health and ecosystems. The Bangladesh Constitution does not contain explicit provisions for environmental preservation and does not recognise the right to a healthy environment as a fundamental right. Pollution persists in spite of the implementation of numerous environmental regulations. The study aims to identify the environmental dispute resolution procedures that are present within the current legislative framework and to address the legal obstacles that impede the attainment of environmental justice during economic development in Bangladesh. Despite its stated objective of mitigating environmental damage, the Environmental Impact Assessment (EIA) system has been subjected to criticism for its inadequate public participation. The implementation of regulatory procedures based on market principles, the enhancement of the clarity and transparency of information provided to the public, and the simplification of the process of resolving environmental disputes through specialized organizations have all been proposed as solutions to the deficiencies in regulatory systems.

In conclusion, the legal provisions enumerated below are essential for the protection of environmental rights during development initiatives, as they facilitate the balance between economic growth and ecological preservation. The strict application of sustainable development principles, such as the polluter pays principle, public engagement, and precaution, can ensure that development not only meets the current requirements of the community but also safeguards the environment for future generations. In a world that is rapidly evolving, these legal frameworks are crucial for promoting sustainable development, preserving environmental integrity as a foundation for progress, and promoting a balanced approach to sustainability.

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