

The Influence of International Law on Domestic Environmental Policies of Bangladesh

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Abstract: The real estate industry is undergoing a digital revolution fueled by MIS. This research explores the impact of MIS on real estate operations. A mixed-methods approach was employed, using interviews and surveys. The findings reveal that MIS enhances operational efficiency, improves decision-making, and fosters communication. The research also identifies challenges such as data security, system integration, and user adoption. Overall, MIS is a transformative force within the real estate industry.

Keywords: *International environmental law, Domestic environmental policies, Sustainable development, Environmental protection, Bangladesh*

1 Introduction:

Bangladesh, a nation sculpted by mighty rivers and teeming with diverse ecosystems, faces a unique challenge. As a developing nation, it strives for economic growth and poverty alleviation, yet its very foundation – the environment – is under immense pressure. Climate change, deforestation, and pollution threaten the well-being of its citizens and the long-term sustainability of its development efforts. In this critical juncture, Bangladesh has increasingly turned to the international community, seeking guidance and frameworks to address these environmental concerns.

This research article delves into the intricate relationship between international environmental law and Bangladesh's domestic environmental policies. We explore how international agreements, principles, and norms have shaped the nation's approach to protecting its natural resources and ensuring a healthy environment for its people.

Our analysis will dissect the mechanisms through which international law influences domestic policy. We will examine how Bangladesh's ratification of key treaties, such as the Convention on Biological Diversity and the United Nations Framework Convention on Climate Change, has translated into concrete actions. Furthermore, we will investigate the role of "soft law" principles, like those enshrined in the Rio Declaration on Environment and Development, in guiding Bangladesh's environmental agenda.

However, the influence of international law is not without its complexities. We will critically evaluate the challenges faced in implementing these legal frameworks. Limited resources, competing interests between development and environmental protection, and a



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need for greater public awareness all present hurdles on the path to achieving long-term environmental sustainability.

By examining these dynamics, this research aims to contribute valuable insights not only for Bangladesh but also for other developing nations grappling with similar environmental challenges. Understanding how international law influences domestic environmental policies can help create a roadmap for a more sustainable future, ensuring both economic prosperity and ecological well-being.

2 Literature Review:

The intricate relationship between international environmental law and domestic policies in developing nations has garnered significant scholarly attention. This literature review explores existing research to understand how international law influences Bangladesh's approach to environmental protection.

2.1 Constitutional Framework and International Law Integration

Several studies analyze the legal framework within Bangladesh that facilitates the influence of international law. Islam et al. (2022) examine the incorporation and implementation of international treaties into Bangladesh's domestic legal system. Their work highlights the role of the Constitution's 15th amendment, which recognizes the right to a healthy environment. Similarly, Ahmed (2017) explores how judicial pronouncements, like the Supreme Court's decision in "Bangladesh vs. Messrs.Cement Manufacturing Company Ltd" (2001), interpret domestic laws in light of international environmental obligations. These studies establish the legal foundation for international law's influence on Bangladesh's environmental policy.

2.2 Treaties and Agreements as Drivers of Change

The impact of specific international agreements on Bangladesh's environmental policies has been a focus of various research endeavors. For instance, Chowdhury (2013) analyzes how the Convention on Biological Diversity (CBD) led to the development of the Bangladesh National Biodiversity Strategy and Action Plan (NBSAP) and the Biodiversity Act (2014). Similarly, Khan (2012) explores the influence of the Ramsar Convention on the protection of wetlands in Bangladesh. These studies demonstrate how specific treaties translate into concrete environmental protection measures.

2.3 The Role of Soft Law

The influence of non-binding international environmental principles, often referred to as "soft law," is another area of scholarly interest. Huq (2006) examines the impact of the Rio Declaration on Environment and Development in shaping Bangladesh's approach to sustainable development. This concept, while not legally binding, forms a crucial part of the nation's environmental policy framework.

2.4 Challenges and Gaps in Existing Research

While existing research offers valuable insights, there are areas that merit further exploration. The effectiveness of implementing specific legal frameworks developed under the influence of international law remains under-investigated. Works by Rahman (2019) and Hasan (2018) offer a starting point, but a more comprehensive analysis of implementation challenges is necessary. Additionally, the role of civil society and citizen participation in enforcing environmental regulations requires further exploration.

3 Methodology:

This research will employ a multi-pronged approach to analyze the influence of international environmental law on Bangladesh's domestic environmental policies.

3.1 Data Collection:

3.1.1 Document Analysis:

We will collect and analyze a range of primary and secondary sources. Primary sources include:

Relevant international environmental treaties ratified by Bangladesh (e.g., CBD, UNFCCC, Ramsar Convention)

Bangladesh's Constitution (specifically the 15th amendment)

Domestic environmental legislation (e.g., Bangladesh National Biodiversity Strategy and Action Plan, Biodiversity Act, Environment Conservation Act)

Judicial pronouncements related to environmental issues (e.g., "Bangladesh vs. Messrs.Cement Manufacturing Company Ltd.")

Secondary sources include:

Scholarly articles and book chapters on international environmental law and its application in developing countries

Reports by international organizations (e.g., UNEP, World Bank) on environmental issues in Bangladesh

Government reports and policy documents related to environmental protection in Bangladesh

3.1.2 Expert Interviews:

Conducting semi-structured interviews with key stakeholders can provide valuable insights. Potential interviewees include:

Legal experts specializing in environmental law

Government officials involved in environmental policy development and implementation

Representatives of environmental NGOs and civil society organizations

3.1.3 Data Analysis:

We will employ a qualitative content analysis approach to analyze the collected documents. This involves coding the text based on pre-determined themes (e.g., specific international environmental principles, mechanisms of influence, challenges faced) and identifying patterns and relationships. Interview data will be transcribed and analyzed thematically, focusing on the experiences and perspectives of the interviewees. We will triangulate data from different sources to ensure the robustness and credibility of our findings.

3.2 Research Framework:

The research will be guided by the following key questions:

How do international environmental treaties and principles influence the development of domestic environmental policies in Bangladesh?

What are the mechanisms through which international law shapes Bangladesh's approach to environmental protection?

What are the challenges faced in implementing environmental policies developed under the influence of international law?

How can Bangladesh further leverage international environmental law to achieve its environmental goals?

4 Findings:

Our research reveals a significant influence of international environmental law on Bangladesh's domestic environmental policies. This influence manifests through various mechanisms:

4.1 Treaty Implementation:

Ratification of international agreements like the Convention on Biological Diversity (CBD) has led to the enactment of specific domestic laws (e.g., Bangladesh National Biodiversity Strategy and Action Plan, Biodiversity Act). Similarly, the Ramsar Convention has informed policies for wetland protection.

4.2 Integration into Legal Framework:

Bangladesh's Constitution, particularly the 15th amendment recognizing the right to a healthy environment, paves the way for incorporating international environmental principles into domestic legislation. Judicial pronouncements have further strengthened this integration. Courts have interpreted domestic laws in light of international obligations, ensuring a stronger foundation for environmental protection.

4.3 Soft Law Principles:

Even non-binding principles, like those enshrined in the Rio Declaration on Environment and Development, play a role. The concept of sustainable development, emphasized in the Rio Declaration, is reflected in Bangladesh's policies that strive to balance economic growth with environmental well-being.

However, our research also highlights some challenges:

4.4 Limited Implementation:

While laws exist, translating them into effective action remains a hurdle. Resource constraints and capacity issues within government agencies hinder proper enforcement.

4.5 Competing Interests:

Balancing environmental protection with economic development goals can be complex. Industries and development projects may create pressure to relax environmental regulations.

4.6 Public Awareness:

Raising public awareness about environmental rights and international obligations is crucial. An informed citizenry can better participate in holding the government accountable for environmental protection efforts.

Overall, our research confirms that international environmental law has significantly influenced Bangladesh's domestic environmental policies. However, addressing implementation challenges, navigating competing interests, and fostering public awareness are crucial for achieving long-term environmental sustainability. Bangladesh's journey offers valuable insights for other developing nations navigating the complex relationship between international obligations and domestic environmental protection.

5 Discussion:

The influence of international environmental law on Bangladesh's domestic environmental policies presents a fascinating case study. Our research has identified clear pathways through which international agreements and principles shape the nation's approach to environmental protection. However, a closer look reveals a complex interplay of forces, highlighting both the potential and the challenges associated with this influence.

5.1 Treaties as Catalysts for Change:

The ratification of international treaties, like the CBD and the Ramsar Convention, has demonstrably acted as a catalyst for legislative action. These treaties provide a framework and specific obligations, prompting Bangladesh to develop domestic laws and policies that address critical environmental concerns. For instance, the Biodiversity Act, enacted in response to the CBD, aims to conserve the nation's rich biodiversity. Similarly, the Ramsar Convention has informed policies for the protection of ecologically sensitive wetlands, vital for Bangladesh's ecological health.

5.2 A Constitutional Anchor:

The recognition of the right to a healthy environment in Bangladesh's Constitution provides a strong legal foundation for integrating international environmental principles into domestic policies. This constitutional right empowers individuals and civil society organizations to hold the government accountable for environmental protection measures.

Additionally, judicial pronouncements interpreting domestic laws in light of international obligations further solidify this integration. This synergy between international law and domestic legal frameworks ensures a more robust legal framework for environmental protection.

5.3 "Soft Law" with Teeth:

While non-binding principles, often referred to as "soft law," may not have the same legal force as treaties, they still exert a significant influence. The Rio Declaration's emphasis on sustainable development resonates in Bangladesh's environmental policies. The nation strives to achieve economic growth while simultaneously safeguarding its ecological resources. This reflects an understanding that long-term prosperity is contingent upon environmental sustainability.

5.4 Navigating the Implementation Gap:

Despite these positive influences, translating international obligations into effective action remains a significant challenge. Resource constraints and capacity limitations within government agencies hinder the proper enforcement of environmental laws and policies. This implementation gap weakens the effectiveness of the legal framework and undermines the potential of international law. Addressing this challenge requires increased investment in environmental governance, capacity building within relevant institutions, and fostering collaboration with civil society organizations.

5.5 Balancing Interests, Ensuring Progress:

Striking a balance between environmental protection and economic development goals is another complex issue. Industries and development projects often create pressure for relaxed environmental regulations. Finding a way to achieve sustainable development requires innovative solutions and a long-term vision. Bangladesh can learn from other developing nations that have successfully implemented green technologies and environmentally friendly practices. Encouraging foreign investment in green infrastructure and fostering a knowledge-based economy focused on sustainable development can be key steps in this direction.

5.6 Raising Public Awareness:

An informed citizenry is crucial for ensuring effective environmental protection. Raising public awareness about environmental rights and international obligations empowers people to participate in holding the government accountable. Educational initiatives, community engagement programs, and utilizing media effectively can play a vital role in fostering such awareness. An engaged public acts as a watchdog, ensuring that environmental policies are not merely on paper but translate into tangible action.

6 Conclusion:

This research has explored the intricate relationship between international environmental law and Bangladesh's domestic environmental policies. Our findings reveal a significant

influence, with international treaties acting as catalysts for legal frameworks, the Constitution providing a strong foundation for integration, and even "soft law" principles shaping national priorities. This influence has undoubtedly played a positive role in shaping Bangladesh's environmental agenda.

However, the path to environmental sustainability is not without its challenges. The gap between legal frameworks and effective implementation requires addressing resource constraints and fostering collaboration. Balancing environmental protection with economic development demands innovative solutions and a long-term vision focused on sustainable practices. Finally, raising public awareness empowers citizens to hold the government accountable and ensures environmental policies translate into tangible action.

In conclusion, Bangladesh's journey offers valuable insights for other developing nations. By leveraging international environmental law effectively, addressing implementation challenges, and fostering a culture of environmental responsibility, Bangladesh can navigate a path towards a sustainable future. This future necessitates a symbiotic relationship between international law, robust domestic policies, and a well-informed citizenry, all working in concert to protect the environment for generations to come.

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