

Volume No. 2

Issue No. 3

Aug 2023 - Sept 2023

Pages: 08 - 21

Author Name: Meher Mansi Tatineni

ANALYSIS OF CORPORATE ENVIRONMENTAL CRIMINAL LIABILITY IN GAS LEAK CASES: AN INDIAN PERSPECTIVE

ABSTRACT:

Exploitation by corporations has been prevalent in India since pre-independence era. All the resources and the lives of people have been at stake for the benefit of corporations. Environment is one of those resources which have been used at the cost of human lives. It is the duty of the states to protect the environment and provide for a safe and clean environment to live in. This all trickles down to an individual. Every individual has a right as well as a duty towards environment. It is guaranteed by the Constitution of India. Nevertheless these rights has been violated constantly by corporations. Corporations, which form the major chunk of society these days, control every aspect of life. Especially when a country is developing country like India, corporations leave unforgettable scars. There is a compromise on human rights due to the development agenda. Development should not be at the cost of human lives. The increasingly active role that corporations assume in all aspects of modern life is accompanied by their correspondingly increased participation in criminal activities. Although most of their delinquent activity is confined to white-collar offenses, it also has spread to other fields of criminality. Gas-leak cases is one such scenario, where corporations should be held liable for people's deaths. There has been an increase in the gas-leak cases in spite of the existing laws. This paper will examine the existing laws for attaching criminal liability to corporations in gas leak scenarios and analyse the reasons for implementation gap of these stricter regimes.

Keywords: Bhopal gas tragedy, corporate-criminal liability, ecocide, environmental crime, environmental jurisprudence, environmental protection act, gas leak cases, section 16, state-corporate crime.

INTRODUCTION:

Environment is one of the most exploited public property among other things. Rather, it should be the most carefully protected one as it sustains life and many other ecosystems. India does preserve and protect its rich environmental resources through a set of regulatory regimes. But the law works badly, when it works at all. Environment is a rich heritage which should be passed on to the future generations. The legislative is quick to enact laws to do the same and protect environment. But the governments lack the zeal to implement the environment laws. The government agencies across the country yield vast power to regulate any harm causing industry. But it rarely happens as they are not willing to punish the violators due to high implementation cost or corruption or due to economic inefficiency. Being a third world country, environment was not a first priority until the early 1970s. In 1974 the very first environment related legislation was enacted. The water act, 1974 was enacted. The statute was similar to other Indian statutes at that time. It also prescribed an agency-regulated licensing regime only that this time it is for polluting water resources. The regime did not undergo a change till the 1986. This year marked the change for environmental law regime. The Bhopal gas tragedy has left some unforgettable scars on the environmental heritage and the people of the country. This lead to the enactment of the Environment Protection Act, 1986. One of the main objectives of the act was to criminalise any violation of the act and discipline the violators through punishment.

On the whole even this act could not bring about much change in the regime due to loopholes and implementation gap. The implementation gap subsists in all the legislations due to the democracy being corrupted and power greedy rather than welfare and service oriented. The enforcement agencies are vested with dangerous amount of power. Like any other aggravated citizens even in India the courts became the last refuge. The courts have been silent spectators for years. Many of the acts leave the liability part to be decided by the judges. But the courts were influenced by many social and political factors and it did not set proper precedents. The court never really used its power and position to discipline the violators. But now even the courts have changed their sale and instead of being reactive, they became proactive. This gave rise to

many doctrines and principles to attach liability to individual, corporations and the state. Yet there have been some serious breaches recently. Despite the laws the corporation are negligent towards environment. Although the courts are assuming their roles, they are not given freedom of decision. The decisions seem to be stricter but on the ground they are toothless due to various reasons. Even the apex court itself lamented over the present scenario. It stated that if at all the plethora of legislations is implemented strictly towards pollution free environment, then india would be the least polluted country in the world. But this is not so, environment degradation has increased on the contrary in spite of hundreds of legislation.¹

GAS LEAK CASES in INDIA:

The courts' stand in the gas leak cases became stricter over the years. The courts came up with new doctrines and attached tort liability. The evolution of environmental policy regime in India started with a gas leak case. At the time of Bhopal gas tragedy the Indian Penal Code was the only law to attach criminal liability or any liability at all to the violators. But now we have a plethora of legislations, rules and other regulations to attach liability.

Definition: Gas leak as such is not defined in any of the legislations. The natural meaning of this term is the unintended leakage of any gaseous substance into the environment where it should not be and causes serious effects.² Some of the terms which can be construed to have a similar meaning have been defined in the Environmental Protection Act, 1986. Section 2(e) of the act defines hazardous substance as follows it means any substance or preparation which, by reason of its chemical or physico-chemical properties or handling, is liable to cause harm to human beings, other living creatures, plant, micro-organism, property or the environment; section 2(b) and (c) of the act defines environmental pollutant and environmental pollution respectively. The read as follows "environmental pollutant" means any solid, liquid or gaseous substance present in such concentration as may be, or tend to be, injurious to environment; "environmental pollution" means the presence in the environment of any environmental pollutant. Gas leak cases are one of the gravest cases of environmental pollution and this has to be curbed. The courts generally adopt strict liability or absolute liability in cases of gas leak and attach a tortuous or civil liability. But it is rarely the case for criminal liability. The state might also have some role

¹ Indian Council for Enviro-Legal Action v. Union of India, 1996 (5) SCC 281.

² Trevor A. Kletz, Learning from Accidents. Gulf Professional Publishing, (ISBN 075064883X 2001).

in this whole negligence part due to lack of efficiency of the enforcement agencies. But millions of lives are affected and in some cases even generations are affected. There is law to attach criminal liability in such grave situations.

OBJECTIVE OF THE STUDY:

1. To examine the evolution of corporate environmental criminal liability
2. To examine existing laws to attach criminal liability
3. To find out the constraints in implementation of the existing laws.

RESEARCH PROBLEM:

The general ideology is that a corporation is incapable of committing grievous crimes like murder or manslaughter. This concept is due to the fact that it is an artificial or juristic person and has a separate personality from its directors. But what we miss is that it is run by natural persons who are capable of crime. Even in the legislations like Indian Penal Code the definition of person includes a company. But nowhere in the statute is it given that a corporation could commit a murder or what is the punishment if that happens. There are clear and specific legislations regarding the same in other countries like UK and US. With growing number of gas leak cases in India as a process of development, there is a clear cut enviro-criminal jurisprudence regarding the same but there is little criminal course of action. The courts have showed how important environment is and included it in the right to life, but there are no provisions if the life itself is endangered. Environmental crimes, noncompliance and risks create significant immediate and future harms to the health of humans and the natural world. Yet, the field of criminology has historically shown relatively little interest in these issues. Criminologists have documented notable examples of environmental crimes and negligence by companies, governments and organized crime groups, but this aspect of the criminological literature has historically lacked the theoretical and methodological depth and breadth of other facets of criminology, such as the study of street crime.³ Until today only compensatory damages are claimed from a corporation but not punitive damages. The main purpose of imposing a criminal

³Carole Gibbs, Meredith L. Gore, Edmund F. McGarrell and Louie Rivers III, *INTRODUCING CONSERVATION CRIMINOLOGY: Towards Interdisciplinary Scholarship on Environmental Crimes and Risks*, 50 *The British Journal of Criminology*, pp. 124-144 (2010) <https://www.jstor.org/stable/43612851>.

liability is to deter others from committing the same act which may cause harm. The growing number of gas leak cases shows how this can be the right time to implement the existing environmental criminal jurisprudence available in all the environmental legislations. In this context the researcher tries to know the reasons why there was no implementation of the same till date. Other concern here is the procedural lacunae as to what happens if a corporation is convicted, will the conviction shut down the corporation. These are some of the concerns which will be addressed through case laws.

RESEARCH QUESTION:

WHY WAS PUNISHMENT PROVIDED UNDER (SECTION 16) THE ENVIRONMENT PROTECTION ACT (EPA), 1986 NEVER USED TO ATTACH CRIMINAL LIABILITY TO THE COMPANIES IN GAS LEAK CASES?

RESEARCH METHODOLOGY:

The present study is largely based on the available secondary data. The statistical data regarding criminal liability is available through cases available online and the evolution of the environmental criminal liability is available online in many articles and journals.

LITERATURE REVIEW:

The theoretical background⁴ involved in this research are theory of personality and theory of liability. A company has a personality is an established fact through many legislations and precedents. Throughout the book the author tells us various explanations and meanings given by Salmond on many jurisprudential aspects. The prime case of a person is a human being, and personality would seem to entail the possession of those characteristics belonging particularly to mankind, i.e. the power of thought, speech and choice. To personify an object is to imagine it as endowed with such attributes. Salmond stresses that in law there are persons who are not men. A joint-stock company or a municipal corporation is a person in legal contemplation. So far as legal theory is concerned, a person is any being whom the law regards as capable of rights or duties. Now coming to the liability. In the book the meaning and types of liability are specified. "He who commits a wrong is said to be liable or responsible for it. Liability or responsibility is the

⁴ P.J. Fitzgerald, Salmond on Jurisprudence, 349 (Universal Law Publishing Co. Pvt. Ltd. 2002).

bond of necessity that exists between the wrongdoer and the remedy of the wrong. Where the remedy is a civil one, the party wronged has a right to demand the redress allowed by law, and the wrongdoer has a duty to comply with this demand. In the case of a criminal remedy the wrongdoer is under a duty to pay such penalty as the law through the agency of the courts prescribes.” The book also specifies crimes where mens rea or intention is irrelevant.

The legislative aspect of corporate criminal liability has been very bleak in India. It was always compensatory

or remedial. Especially in gas leak cases the courts have been reluctant to attach criminal liability to corporations although there are existing laws. One of the first pieces of legislations which attaches criminal liability is Indian Penal Code, 1860. Section 304 and 304A⁵ have been used to attach criminal negligence to the corporations in some of the gas leak cases. It reads as follows:

304A. Causing death by negligence. *Whoever causes the death of any person by doing any rash or negligent act not amounting to culpable homicide, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.*

The next piece of legislation which helps in attaching liability to companies in gas leak cases is Environment Protection Act, 1986. One of the main objectives of the act is to make the violators of the act criminally liable to the hazards caused and deter any such harm to the environment in the future. Section 16 of the act reads as follows:

16. OFFENCES BY COMPANIES.-

(1) Where any offence under this Act has been committed by a company, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly: Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

⁵ Keshub Mahindra v. State of Madhya Pradesh, 1996(3)Crimes288(SC).

Explanation--For the purposes of this section,-- (a) "company" means any body corporate and includes a firm or other association of individuals; (b) "director", in relation to a firm, means a partner in the firm.

There are other legislations as well, which attach criminal liability for corporations like section 40 of the Air act, 1981 and the Public Liability Insurance Act of 1991. Those sections are almost similar to the section 16 as the environment protection act is a consolidated act.

The evolution of literature on environmental crime is slow but the literature available on corporate environmental criminal liability is very bleak. These are some of the article available online.

V.S.Khanna (1996)⁶ stressed on the importance of criminal liability or hybrid version of liability in certain cases like environment degradation. The article explores how there has been expansion of corporate criminal liability into various disciplines like food laws, pharmaceutical laws and environmental laws. The article stresses on the increasing need to attach criminal liability although there is a considerable debate on the whole. The article analyses the underlying rationale behind criminal liability and says that the imposition is for deterrence. The article argues that corporate civil liability can capture the desirable features of corporate criminal liability, especially criminal liability's powerful enforcement and information-gathering dimensions. Furthermore, he contends that corporate civil liability avoids the undesirable features of corporate criminal liability. Such undesirable features include criminal procedural protections and criminal sanctions and stigma effects.

Neal Shover and Aaron S. Routhe (2005)⁷ explain what is environmental crime and how is it determined in this article. They explain how the environmental movement has grown in the 20th century and how the perpetrators are punished using this movement. The article shows how the decision of liability is left to the regulatory agencies in most of the countries and they stress on the point that the agencies do not operate vigourously or the punishment given is not that severe.

⁶V.S. Khanna, *Corporate Criminal Liability: What Purpose Does It Serve?*, 109 Harvard Law Review, pp. 1477-1534 (1996) <https://www.jstor.org/stable/1342023>.

⁷Neal Shover and Aaron S. Routhe, *Environmental Crime*, 32 Crime and Justice, pp 321-327, (2005) <https://www.jstor.org/stable/3488362>.

Engobo Emeseh (2003)⁸ stresses on the challenges face by developing countries in enforcing criminal liability for environmental damage. He stresses on the factors like lack of political will, perception of damage like how these violations are seen as mere breach of administrative regulations or accidents, social and economical factors, the sheer financial power of multi-national companies, legal lacunaes, institutional breakdown and other important factors influence the liability and restrict the applicability of criminal liability.

Clarence J Dias (1986)⁹ argues that the job recessions and monitoring factors and many other socio-political and socio-economic factors influenced the decisions in Bhopal gas tragedy. The author further stresses to have a separate regulatory framework for such disasters and calculate proper liability for such damages, and argues the need and importance of unbiased monitoring units or regulatory bodies.

John E. Stoner (1985)¹⁰ argues how criminal liability can influence the corporate behavior especially in cases of homicide and such serious crimes. The article stresses on the history and evolution of corporate behavior and how the basic postulates of punishment effect the corporate behavior. The aims of deterrence, rehabilitation are clearly discussed in the article, which are the end results of criminal liability. The article stresses on how criminal liability will send a stronger message than administrative fines and civil suits. The criminal liability will make the companies realise how such behavior is unacceptable in the society.

David Whyte (2014)¹¹ argues that we need to widen the theoretical scope of the concept of “state-corporate crime” if we are to grasp the full significance of state-corporate symbiosis in the production of corporate crime. The article argues for a historically and systemically sensitive analysis of the state-corporate relation that takes account of the a priori constitutional features of the relationship between states and corporations in contemporary capitalist democracies. The article therefore uses the state-corporate crime literature as a point of departure for understanding

⁸Engobo Emeseh, *Challenges to Enforcement of Criminal Liability for Environmental Damage in Developing Countries: with Particular Reference to the Bhopal Gas Leak Disaster*, 1 OGEI, (2003) https://www.researchgate.net/publication/37145828_Challenges_to_Enforcement_of_Criminal_Liability_for_Environmental_Damage_in_developing_countries_with_particular_reference_to_the_Bhopal_Gas_Leak_Disaster.

⁹ Clarence J Dias, *That they Shall not Have Died in Vain*, 28 JILI (1986) <http://www.scconline.com>.

¹⁰John E. Stoner, Corporate Criminal Liability for Homicide: Can the Criminal Law Control Corporate Behavior, 38 Sw. L. J. 1275 (1985).

¹¹David Whyte, Regimes of Permission and State-Corporate Crime, 3, State Crime Journal 236-246 (2014), <https://www.jstor.org/stable/10.13169/statecrime.3.2.0237>.

a deeper structural relation between organized capital and state institutions. Which is similar to Bhopal Gas tragedy where due to state given permissions, the corporation was negligent and state represented the aggrieved people whereas it was also be a party to the crime.

There is literature of how multinational corporations exploited the developing countries and there is an emergence of transnational activism regarding the same. There have been few articles on the evolution of environmental criminal liabilities of corporations as well which iterate the same and stress on the need for a separate regulatory framework for the same.¹² CM. Jariwala (2011-2013) stresses on who is liable and the government's role in the whole process. The article also highlights the stance taken by many countries again environmental crime and why India should adopt from them. The article substantiates attaching criminal liability not only to the directors or operators but to the whole company.

DATA FINDINGS:

These are the number of gas leak cases that were filed before Supreme Court since the enactment of EPA, 1986. They are almost 10 cases where certain provisions of EPA were used to attach some kind of liability.



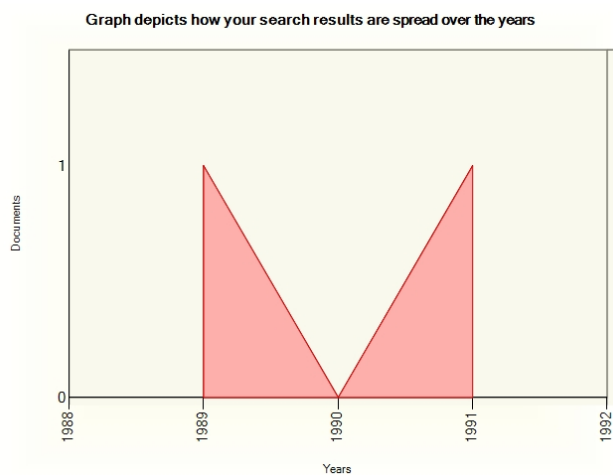
13

Out of all the 10 cases in none of the cases was section 16 of EPA used to attach criminal liability to the corporations. Out of all those years of suffering there were only two cases where

¹²CM. Jariwala, Corporate Environmental Criminal Liability in Inida: Reality or Myth, 3-5 RMNLUJ (2011-2013), www.scconline.com

¹³ Manupatra.

there was discussion of criminal prosecution. One is Charan Lal Sahu v. Union of India¹⁴ where the quashing of criminal proceedings in Bhopal gas Tragedy was questioned and the other is UCC v. Union of India¹⁵ which was related to the same matter again. The other case is also related to UCC where the court held the director liable for criminal negligence under IPC.¹⁶ The same is depicted in the graph below.



17

DATA ANALYSIS :

The evolution of environmental criminal jurisprudence is still in progress. But the courts have taken the starting steps to reform environment policy regulation in the country which is shown in the form of environmental jurisprudence and fundamental right to environment. Bhopal Gas tragedy judgement set out a wrong precedent. The judgement and the compensation have been criticized by many over the years. All those criticisms point at how the court compromised on basic human rights and pardoned the accused. Such precedents does not send out a good message, and show the desperation of a developing country. This make the citizens of the country more vulnerable and susceptible to exploitation. The multi-national companies will be of the view that they can get away with anything without punishment in a developing country like India. This behavior can be seen in the immediate year after Bhopal Tragedy, through Oleum

¹⁴ AIR 1990 SC 1480.

¹⁵ (1991) 4 SCC 584.

¹⁶ *Supra* note 5.

¹⁷ *Supra* note 13.

Gas leak Case¹⁸. But this time the apex court stood up to its reputation. The court gave the doctrine of absolute liability¹⁹ in this case. The no-fault liability is one of a kind of tortious liability, where the violators are absolutely liable without any exceptions. The court may have laid a foundation for the development of environmental criminal liability through absolute liability. But this kind of criminal jurisprudence is far from realization due to many reasons. The court is reluctant to attach liability using existing regulatory framework. What is slowing down environmental criminal prosecution or why has section 16 never been used to determine the liability? These are the some of the reasons which were construed from some of the gas leak cases and also from most of the literature discussed above:

1. High cost of implementation of the existing laws or court orders: the cost of implementation of criminal prosecution orders is really high for a developing country like India. In a developing country like India resources are scarce and justice is costlier when it involves environmental crimes. Environmental crimes all over the world give a profit billions to organized crime companies. In such background it is really difficult for a developing country to make such profit-eating monsters criminally liable. The sheer financial power of these multi-national companies makes it impossible for the developing countries to attach liability. They have many players to influence the decision of the court due to the huge financial power which is not matched by the developing countries. The country becomes much more vulnerable when we expect those companies to set up shop and bring huge foreign investments. We literally give them free passage to pollute and cause such disasters.

2. Right to livelihood v. Right to Life: The courts are always faced with this issue in almost every environmental case not particularly environmental crimes or gas-leak cases. The courts deter from closing down the companies or imposing harsher punishments just to sustain the jobs the company is providing in the country. the judiciary misses the simple logic of what is a job without life.

3. Political will and development: Another important factor that influences the decision of the court is the political will to safeguard the nation from environmental crimes. Developing nations

¹⁸ M.C. Mehta v. Union of India, AIR 1987 SC 965.

¹⁹ Manupatra, <http://docs.manupatra.in/newsline/articles/Upload/2D83321D-590A-4646-83F6-9D8E84F5AA3C.pdf>.

especially are in a mad race to be developed. But in this race they somewhere forget the welfare of the people. This makes the whole development process a lost cause. Environment should be at the top of political agendas like any other economic development. This equal opportunity to both environment and economy is the lifeblood of sustainable development.

4. Inefficiency in permission granting Regime: The boards or controlling authorities or enforcement agencies are the main link to implement environmental laws. But they are very defective in our country, there is either corruption or inefficiency in the agencies. They should perceive the importance of their position and assume their roles accordingly. Another inefficiency in implementation of laws from agency perspective is we do not follow a command control mechanism. This mechanism has specificities and anything even slightly beyond this specific limit is punishable. Rather the regulatory boards follow an economic incentive mechanism, where perks are given for not causing pollution. In this mechanism the only glitch is you can still pollute by paying fines. This mechanism is not beneficial in the long-run. All this in the name of development.

5. The vagueness and loopholes in law: All the laws India have a inefficiency in the implementation part due to the vague and uncertain nature of laws. And there are many loopholes to save from the inefficiency. Especially in case of section 16 the terms like “due diligence” and “without knowledge” make it difficult to attach liability. Also there is no specific term mentioned for imprisonment or any specific punishment mentioned for the same in section 16 whereas it is mentioned for individuals in section 15. Another loophole is that the whole act is government and corporation friendly rather than environmental and citizen friendly. In cases like these knowledge should be made irrelevant. If the country wants justice these legislation need to be given teeth, not such vague mechanism.

6. Due Process Model v. Crime Control Model²⁰: The decision are also decided by the model of criminal justice system a country follows. In a crime control model, the courts or the nation is concerned with repress criminal conduct and safeguard the people. There is a direct link between the rate of conviction and general welfare in this system. Whereas in the due process model the justice system seeks to develop social and legal structure and filter out violators. But no such

²⁰Legal Bites, <https://www.legalbites.in/models-of-criminal-justice-system-crime-control-and-due-process/#:~:text=In%20Packer's%20original%20thesis%2C%20the,the%20rights%20of%20the%20accused>

harsh punishment is given. Crime control model although seems ancient it should be applied in cases of Gas-leak disasters.

Although there have been many debates to attach criminal liability to companies, there has been many recent developments. Companies are huge economic players in a nation. It is hard to suppress the ones which provide economic development to a nation. These are some of the reasons why it is important to attach criminal liability:

1. Deterrence: The main purpose of criminal law and punishment is deterrence. The criminal liability is more efficient than any civil liability. Criminal liability sends a stronger message to those who want to trifle with vulnerable groups and developing countries. Criminal liability deters such behavior.
2. Incapacitation and Rehabilitation: Due to criminal prosecution or criminal liability the companies may lose their goodwill and reputation. There are huge chances of incapacitation of such companies and they should be closed down in a victim country. Imposition of huge fines allows for rehabilitation of the affected people as well as acts as a deterrent.
3. Retribution: With criminal liability there is justice done to the lost lives. Justice cannot be denied just because it is a huge company with huge amount of capital and jobs.

CONCLUSION: WHAT NEXT?

With the recent Vizag gas-leak case,²¹ it can be seen how corporation are misbehaving with a developing country. The courts are still reluctant to even attach absolute liability so criminal liability needs more push to become a reality. Currently India has to make the existing laws and provisions tougher and specify harsher punishments. It is already halfway through it where the corporate veil is lifted and the directors are held liable. But that is not sufficient in the long-run. Proper and fearless implementation of the laws is also important. Now the final question is there a need for separate legislation to hold corporations criminally liable for crimes other than white collar crimes. The answer would be yes. It is high time that these profit-eating monsters are closed down and punished and we do need a law for this. Although there are many debates as to how to hold corporation criminally liable and imprison it and many other procedural debates,

²¹ Lexlife, <https://lexlife.in/2020/05/21/environment-protection-act-vizag-gas-leak-angle/>.

there are many countries which are implementing it already. India can adopt from those countries. Another measure would be an international law to punish ecocides.²² An international regime would stop trans-national exploitation by multi-national companies. All these measures are far from realization but there should be some effort to protect the most prized possession of the earth. We should be able to pass a safe and clean environment to future generations like we inherited from our past generations. We need to take action against these exploitations before it is too late.

LIMITATIONS OF THE STUDY:

1. The study is restricted to the sections only in environment protection act, 1986. There are many other sections in various environmental legislations, like the air act, water act to attach criminal liability to corporations in gas leak cases.
2. The study is restricted to online sources only and cases available on Manupatra and SCC online. The search words are restricted to “criminal prosecution”, “gas-leak cases” and “section 16 of EPA, 1986” for finding the case laws.

OTHER REFERENCES:

1. G.S.Bajpai and Bir Pal Singh, Multinational Corporate Criminal Negligence, International and Transnational Crime and Justice 109 (2019), https://www.researchgate.net/publication/333897602_Multinational_Corporate_Criminal_Negligence_A_Case_Study_of_the_Bhopal_Disaster_India.
2. Wim Huisman and Judith van Erp, Opportunities for Environmental Crime: A Test of Situational Crime Prevention Theory, 53 British Journal of criminology 1178 (2013), <https://www.jstor.org/stable/23639959>.
3. Lorraine Elliott, Fighting Transnational Environmental Crime, 66 Journal of international Affairs 87 (2012), <https://www.jstor.org/stable/24388253>.
4. Dr, Sonika Bhardwaj and Ronak V. Chhabria, Liability of Corporations for Manslaughter, 4 Research Review Journal (2019), www.rrjournals.com.

²² Time, <https://time.com/5940759/ecocide-law-environment-destruction-icc/>.