
DECONSTRUCTING THE GLOBALIZATION AND WILDLIFE TRADE: AN IMPACT ON ZONOOSES

Vaneet Kaur Sokhi¹

ABSTRACT

Today, we live in *Global criminal economy* there has been globalization of crime; rapid increase in interconnectedness of crime, where the crime has no territorial constraints. *Green criminology* is an emerging discipline taking into consideration the harm caused to the ecosystem and to the humans. It takes into account those activities which are legal but at the same time harmful to the environment. These are green crimes, which may be committed through the technology or other experimental laboratory practices. For example- genome editing in humans as well as non-human species, genetically modified organisms, cloning, animal testing, bio weapons i.e. releasing the generated viruses or environmentally related communicable diseases like- Ebola, influenza, or zoonotic diseases like COVID-19 which spread through the enhanced interaction between the wildlife and the humans. Thus, an effort has been made in the paper to understand the green crimes with special reference to the International wildlife trade going on, from the perspective of zoonotic diseases. How our daily acts (ordinary acts) contributes towards the harmful activities ultimately leading to macabre outbreaks of pandemic like COVID-19. Thus, the paper is aimed to establish a link between the Globalization, world wildlife trade and the outbreak of infectious zoonotic diseases. Globalization is causing extreme and unforeseeable variations in ecological, biological and social spheres that form the basic foundation for spreading the zoonotic diseases. The paper also makes an endeavor to provide solution to such outbreaks. One of the many solutions is reduced human interactions with animals. Presently, there is a need to bring wildlife into health surveillance and invest globally. If humanity abuses or exploits the integrity of the environment or of the ecosystem, so that the species are extinct, climatic conditions are affected; humanity will eventually cause its own demise and shall be treading on its own extinction.

KEYWORDS:- *Green Criminology, Global Criminal Society, Zoonotic diseases, Wildlife Trade, Global risk Society, Globalization, Green Crimes, Genetic Engineering*

¹ LL.M. Student, Rajiv Gandhi National University of Law, Patiala.

INTRODUCTION

Economic Recessions are considered as the worst nightmares to hit the mankind, but today, the humanity is on the threshold of much graver catastrophe i.e. the *Ecological Meltdown*. With each passing day, its footsteps thudding, is becoming louder and graver. The problem of economic recession has ways to recover from it, but the picture which emerges from the International data of the environment degradation states that the humanity is at the gateway of extinction, slowly the biological species will become extinct and then the humans.

UN Millennium Ecosystem Assessment Report states that mankind has made extraordinary, unequalled and unprecedented changes to the ecosystem.² The changes undergone shall increase the pressure globally in coming decades, if the attitudes and actions of the humans do not change. Since, the harm caused to ecosystem has reached an extreme level, because of which the loss of services derived from the ecosystem has triggered issues like poverty, hunger and destitution.

The problem of ecological meltdown is not new in this world; late 1980's witnessed a major rise in the population of the world. October 1999, must be marked as historic for the mankind, when the world population crossed the six billion mark.³ The unprecedented growth of the human population resulted in over consumption of all the natural resources for e.g. to grow food, the forests were converted into agricultural lands.

Mankind thinks, with the help of technology and finances it can create an artificial ecosystem, viable for human life to sustain. Indeed, technological advancement helped the human life and made it easy in many ways but none of the invention was free from its ill-effects.

The Government, civil societies and the Transnational Capitalist Corporations, all are equally responsible for deteriorating and depleting environmental conditions. These institutions exhort and make arrangements to exploit natural resources in the name of development. Presently, the mankind has technological potentiality to cause harm to the environment and exploit the resources.

The aim of UDHR was to provide rights to the individuals, so that they could develop. But, in reality the human race was being governed by the powerful ruling class. On the International

² ASHEEM SRIVASTAV; SUVIRA SRIVASTAV, ECOLOGICAL MELTDOWN 2 (1ed. TERI, Delhi 2010).

³ *Id.* at 2.

plain, subjugation in form of colonization was taking place, which led to the Humanitarian crisis.

The International Institutions through the super powers like USA, UK, France, etc. are formulating the International Instrument to which the developing or undeveloped countries by signing lose their National sovereignty over that particular subject, making such institutions like World Bank, Transnational Capitalist Corporations (TCC) immune from the prosecution in case of violation of Rights. The impact of colonization and Globalization can be seen on the environment. The powerful nations are polluting the poor countries which do not have stringent environmental policies.

The colonisation on the resources not only has an impact on the ecosystem alone, but also has resulted in Human body colonization, which is also termed as Bio-Politics. Since, the super powers by their development programmers and project caused irreversible harm to the environment, leaving behind no resources of the undeveloped countries to earn their livelihood. Therefore, forcing humans to donate their body parts or fluids like plasma, as a source of income. Due to unequalled level of environmental harm, not only the animals are displaced from their natural habitats, but the human beings also now have become Climate Refugees.⁴

IMPACT OF GLOBALIZATION ON GREEN CRIME AND GREEN CRIMINOLOGY

Emile Durkheim stated, *crime is a natural phenomenon which is constantly changing with the social change.*⁵ Change is inevitable, therefore as society changed the crimes also changed. The society transformed into a *Global village*; the crimes also became globalised. Due to Globalization, the International Institutions (IIs) came into existence in all spheres of international relations- political, economy, social; which considerably has affected the autonomy of the sovereign States.

The loss of autonomy has given a serious blow to the Third World States and its people. The sovereign decision-making powers on the economy, environmental issues and human rights, after setting the global standards by ratifying the International agreements and negotiations, has been reallocated from the states to the International Economic Institutions (IEI)- WTO,

⁴ Binuanga District in Philippines; Guatemala in Todos Santos Cuchemantan; Venezuela.

⁵ PROF. N.V. PARANJAPE, CRIMINOLOGY AND PENOLOGY 48 (18 ed. Central Law Publication 2019). ⁶ B.S. Chimini, *International Institutions Today: An Imperial Global State in making*, 15 EUROPEAN JOURNAL OF INTERNATIONAL LAW 1 (2004).

IMF, World Bank. The operating powers are vested in these IIEs, which effectively work for the transnational capitals of countries to create viable economic and social conditions to developments

Today, we live in Global criminal economy as described by David Held et al. (1999), there has been Globalization of crime; rapid increase in interconnectedness of crime, where the crime has no territorial constraints, raises the questions how do we tackle the crime? It is spread across the transnational borders. Crimes are committed by groups living across the national boundaries and having links in different regions of the world, running racquets widely known as organized crimes.

Manuel Castells (1998) enumerated various typical global crimes like Arms trafficking, nuclear terrorism, human trafficking, drugs, money laundering, sex tourism in developing countries, cyber-crimes, etc. He also argues that there is supply and demand economic element to global crime, i.e. most global crime is supply side economics provided by developing countries, feeding the demand being led by the developed countries.⁶

Marxist criminologists, *Ian Taylor* (1997), stated that Global crime impacts all social classes. He claims that Globalization generates criminal activities at both ends of the social spectrum. In Lower social strata, it is the absence of lawful employment chances caused by outsourcing to cheaper labor pools which means unlawful options become more reasonable for them. On the other hand, in higher social strata, Globalization of finance markets has led to an increase of insider trading, evading payment of taxes and huge fraud scams, which are commonly known as White Collar crimes.

Hobbs and Dunningham coined the term Glocal Crimes which are based locally, but have global connections. These ‘Glocal crimes’, have a relationship amongst the gangs and McMafia⁷. The crimes committed against the environment are also an apt example of these crimes. *Albert Halsey* (2004) argued that the acts harming the environment must be global concern, whi

⁶ Markku Wilenius, *A New Globe in the Making: Manuel Castells on the Information Age*, 41 ACTA SOCIOLOGICA 1 (1998).

⁷ The organisation that came in Russia and Eastern Europe after the fall of Communism (1989). The oligarchs (Capitalist class of Russia) hired these organizations to protect and guard themselves from the violent society.

ch shall move the focus from law breaking to a broader discussion regarding activities which harm human's *shared environment*. Thereafter, the term *green crimes* emerged, which involves the study of harm to the environment. Thus, the concept of *Transgressive Criminology* is the by-product of the concept 'Harm'. *Green Criminology* is radical and contemporary to the transgressive criminology.

Unlike, most criminology, it is concerned about the harm to animals, environment and as much as harm to humans. Traditional criminology is usually focused on the harm done to the humans and property, not to the flora, fauna and the environment. Here we make a definite difference amongst the two criminological approaches.

Lynch and Stretsky (2003) pressing upon the challenge to make the wrongdoer accountable held that since, there is no agreed definition of “harm to the environment” globally, and the definition varies upon country to country which makes it difficult to prosecute the people, when they engage in an global crime.

ENMESHED WEB OF GLOBALIZATION AND WILDLIFE TRADE: IMPACT ON ZOOSES

One of the most traditional and widespread illicit activity practiced with regard to non-human species is wildlife trafficking. The illegal trade in wildlife is estimated to be worth up to \$20 Billion per year.⁸ Before explicitly dealing with this illicit trade of wildlife, it is crucial to understand that “wildlife” is an anthropocentric expression. That is to say, here non-human species are treated as a group, and not an individual. Therefore, the word “Wildlife” includes plants and animals.

The TRAFFIC⁹ defines wildlife trade as, sale or exchange of animals and plants by the humans. It also includes activities of trading living as well as dead animals or the products derived from it. It is contended that intra country wildlife trafficking to a large extent is regulated by various rules and regulations in India (dealt in the subsequent portion of this chapter). Numerous studies like PREDICT, funded by USAID is studying the impact of wildlife on the health of the human beings under the programme named “One Health” from 2009.

A large portion of wildlife is used in meat markets, experimentation and selling the article of the animals, trophies, skin, fur in the market. It is an organized crime, operating under the

⁸ UNEP INTERPOL REPORT, THE RISE OF ENVIRONMENTAL CRIME (2016).

⁹ An International NGO, monitoring the wildlife trade. ¹¹

Supra note 9.

garb of timber trade. The secretary of INTERPOL said, *Wildlife crime not only strips our environment of its resources, it has also an impact through the associated violence, money laundering and fraud.*¹¹ The INTERPOL in 2018 started the operation “Thunderstorm” which targeted groups behind the illegal trade in wildlife in 93 countries. Similar operations like operation Thunderbird in 2017, operation Worthy II in 2015, Operation Paws.

Asian Wildlife Species) II in 2015 were launched to protect the wildlife at International spheres. In USA alone there are approximately 5,000 tigers, whereas the count of wild tigers in Asia is 3,900.¹⁰ For example- In 2019, the Oklahoma Federal Court convicted the largest zoo owner in USA, named *Joe Exotic*.

He ran systematic trafficking of animals in significantly large numbers. He used animals in his zoo as source of wildlife tourism and earned billions of dollars. The court charged him with charges of animal trafficking, falsifying the documents, money laundering, evading the tax liabilities, and other criminal activities. He is sentenced to 22 years of imprisonment.¹¹ Hence, there are nationwide and International trade network operating. The various agencies at national or international level run operation to entangle the criminals.

Also, with the rise of colonization and Globalization of natural resources, it has posed a great threat to the wildlife and to the global health of the humanity. Colonization is a spatial process, where the individuals acquire the habituated places of the species. The impact of colonization is seen on the biodiversity, speciation, and its extinction.

On the other hand, globalised world wildlife trade markets have increased the demand of animals around the globe. WHO in its Report on Globalization and infectious diseases: A Review of the linkages, 2004¹² enumerated the factors responsible for infectious diseases spreading from animals known as zoonotic diseases.¹³ These are the growth in economic globalization, environmental changes, demographical changes and global technological changes which includes- transportation technologies and medical technologies.

¹⁰ Sharon Guynup, *'Tiger King' sentenced to 22 years for violence against Tigers and people*, THE NATIONAL GEOGRAPHIC (April 24, 2020, 11:34 AM), <https://www.nationalgeographic.com/animals/2020/01/tiger-king-joe-exotic-sentenced-22-years-violence-tigersmurder-hire/>.

¹¹ *Id.* at 12.

¹² WHO SPECIAL PROGRAMME FOR RESEARCH AND TRAINING IN TROPICAL DISEASES REPORT, GLOBALIZATION AND INFECTIOUS DISEASES: A REVIEW OF THE LINKAGES (2004).

¹³ It is the disease which passes from animals or insects to humans, usually it does not make the animal sick, but has devastating effects on human lives, even having tendency to cause death. For example: animal flu, swine flu, dengue fever, anthrax, bovine tuberculosis, etc.

The increased interference with the wildlife in lieu of development and new inventions now has led the developed urban landscapes empty, the Eiffel Tower looms over the vacant streets, and soldiers are wearing surgical masks. This all is being practiced because of the Pandemic supposedly spread from the wild animal. Wildlife since ages is used for medicinal purposes.

For example- Traditional Chinese medicine; Traditional Asian medicine or Traditional Oriental medicine, great number of animals are killed and trafficked to make medicines for ailments like- arthritis, cancer, skin diseases, impotence, and many others. But researchers have established that most of these animals are exploited on the mere superstitious belief of bearing medicinal values.¹⁴

There is a link between the Globalization, world wildlife trade and the outbreak of infectious zoonotic diseases. Globalization is causing extreme and unforeseeable variations in ecological, biological and social spheres that form the basic foundation for spreading the zoonotic diseases. The first living thing on the planet was Virus. The viruses cannot remain alive independently like humans they require to stick on to some other living cells to multiply.

Substantial number of viruses hijacks the bodies of wild animals and lives in it. There is around 1.5 million viruses wildlife that humanity is unaware of; any one of those could spill over into human population. When these viruses jump to the animal to a human, it is called zoonotic virus. For decades these kinds of new viruses have been causing more and more outbreaks.

They can transform into a new virus once they get into the human population. Scientists believed that just like COVID-19, SARS in 2002 emerged in a live animal market in China. With the increased interaction with the wild animals through live animal markets in places, gives animal viruses all opportunities to transfer and mutate in human bodies. The places like forests, where people moved in, there's no food supply and they hunt wildlife or areas in south-east Asia where indigenous people-built farms.

The cutting down of trees, taking away habitats of the animals, trading in wild animals all activities push humans closer to the wildlife. Therefore, from the previous outbreaks of

¹⁴ David Rodríguez Goyes, Ragnhild Sollund, *Animal Abuse, Biotechnology and Species Justice*, 22 THEORETICAL CRIMINOLOGY 363 (2018).

viruses like H1NI, Ebola, Zika, SARS, MERS and now COVID 19¹⁵ it is definite, nothing is more dangerous than the mother Nature and *Bioterrorism*. A virus is as much as destructive as a bomb or a missile.

Thus, to prevent such outbreaks, one of the many solutions is reduced human interactions with animals. It is impossible to predict all the ways a virus might evolve or mutate. But definitely what is possible is to reduce the human interaction with wildlife. We could be ready for a pandemic like flu. However, with a really fast-moving respiratory pathogen we are not able to hold the death toll.

Therefore, they don't have research and development budget. In 2005 WHO draw up a huge blue print for how the world should prepare and respond to a crisis like pandemic was signed 196 countries across the globe. The blue print of the *International Health Regulation, 2005* states that each party shall develop, strengthen and maintain the capacity to detect, assess, notify and report events to WHO, but most signed parties never complied with it.

CONCLUSION

Thus, as discussed earlier the problems are increased human interaction with wildlife; increased wildlife trade; wild animals used as a research phenomenon where the scientists, genetic engineer or even the medical corporations, wherein they extract, purify or isolate bio components and compounds to be later used in products to make them marketable. But one of other major hurdles is the lack of health budget.

The world spends a lot of money on militarization and preparing for war. Whereas, today there is an urgent and dire need to invest globally on the health and research of such viruses. Many organizations are researching into all kinds of viruses, but due to lack of finances cannot go much far. The research project named *PREDICT*, from 2009 has been going on to study the novel viruses.

Another organization named *EcoHealth Alliance* has been catching bats in the southern parts of China, scanning bats for viruses; flagging the ones that could most easily make the leap to humanity. Presently, there is a need to bring wildlife into health surveillance and invest globally.

We also need to do more to prevent outbreaks from happening at first place. Live animal markets are the places where animals have all kinds of opportunities to mix, mutate and jump

¹⁵ SARS-COV-2 is the official name.

to humans. These markets majorly operate for meat supply to the various parts of Asia and even to world.

The consumption of meat must be reduced; it will be impractical to profess amongst the masses to reduce the consumption of meat. But the scientists have evolved meat which is not made of from an animal. The countries like USA, Germany are producing *Plant based meat*¹⁶ and *cultivated meat*¹⁹ instead of butchering animals and eating their carcasses. Although, this idea is less advertised and involves high costs.

Ideally, we must catch more viruses at the source, as it isn't just China and isn't just bats. Few places where a new virus is most likely to make leap to humans are the places like the end of the road in tropical forest, where someone has just built a new mining concession. People have moved in, there is no food supply, people go and hunt wild life.

Therefore, the biggest lesson learnt by the humanity during this pandemic is to understand the relevance of the shared environment. The trivialization of green crimes and harmful activities committed against the non-human species shall now be seen from immensely crucial perspective. The humanity must understand that Globalization has not only occurred in business and trade, but has rather globalised the environment and even the crime. We must understand that if something is happening at one part of the globe can very easily get to your territory. It is just one flight away from us.

¹⁶ The meat is made out from extracting vitamins, lipid oil, fats and minerals from plants.

¹⁹ The nourishment is provided directly to the cells in the laboratories.