

# Failure of International Agreements in Confronting Environmental Crimes: A Case Study of the Climate Crisis in Vanuatu

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## KEYWORDS

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## ABSTRACT

The fossil fuel non-proliferation agreement comes in response to the escalating climate crisis threatening Vanuatu, which was raised by the President of Vanuatu at the 77th General Assembly of the United Nations. This article analyzes the failure of international agreements as an effort to prevent environmental crimes that cause the global climate crisis, especially those felt by Vanuatu, as well as the extent to which international agreements can play a role in addressing these problems, as well as safeguarding the well-being of people in affected countries. The use of fossil fuels, which is still the primary energy in various countries, has become a focus in the context of environmental crimes because of its negative impact on the environment, including the climate crisis. Although these efforts are considered a step in the face of environmental crimes, their implementation is still limited. From a criminological perspective, the restriction of action through the law is a common approach to tackling crime. However, the issue of environmental crimes and international agreements shows the complexity involving many stakeholders. Taking into account the urgency of addressing the climate crisis and its impact on human rights, countries are expected to prioritize people's well-being. Through literature analysis, this article concludes that international treaties will not be effective in tackling environmental crimes without the support of domestic laws and policies, as well as the commitment of state leaders.

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## 1. Introduction

Issues related to environmental crime are quite interesting to continue to raise, considering that the attention given to this form of environmental crime is not proportional to the impact it causes. The impact of environmental crimes is very wide, where actions in one country can indirectly have an impact on other countries. This shows the complexity of the legal regulations governing environmental crimes, where often domestic laws do not adequately consider these cross-border impacts. One example is the excessive use and production of fossil fuels by a country which can cause harm to the environment, not only in its country but also in other countries. As a result, the inability of countries to effectively reduce the use of fossil fuels has increased the risk of a climate crisis, which

is one of the most troubling global environmental issues today. Vanuatu is one example of a country that is very vulnerable to this crisis.

Vanuatu is an archipelago consisting of 13 islands and 60 small islands forming the letter Y. According to a 2014 report by the United Nations University's Institute for Environment and Human Security (UNU-EHS), Vanuatu is the most vulnerable country to possible natural disasters in the world. Apart from the fact that some of the islands in the country have active volcanoes, Vanuatu has other factors that make the country prone to disasters and their impacts. Reporting from Deutsche Welle, a German international media, several possible causes of this arise because; (1) Vanuatu lies on the boundary of a highly active tectonic plate and is part of the '*Ring of Fire*', (2) the lack of ability of the people and government of Vanuatu to survive and remedy the consequences of natural disasters, (3) vulnerability to low sanitation levels and adequate access to waste disposal, and (4) the adaptation of development and its own society is lacking, where Vanuatu politicians themselves often fail to overcome or deliberately avoid social and government failures when dealing with disaster prevention and relief. The impact received by Vanuatu is quite serious. However, despite the country's efforts to reduce the use of fossil fuels, other countries that indirectly contribute to the climate crisis still do not have adequate legal regulations to reduce the use of these fuels. In fact, some countries do not fully pay attention to the impact of the use of this fuel because most of the primary energy of the world's countries is still dominated by fossil fuels, and some of them actually depend on the production of these fuels.

Feeling the need for more decisive action, Vanuatu's President, Nikenike Vurobaravu, expressed these concerns by calling for the signing of the first global agreement to reduce or even stop the use of fossil fuels, as well as urging other countries to join the fossil fuel non-proliferation agreement. His efforts paid off when the President of Vanuatu won a historic vote at the 77th General Assembly of the United Nations (UN) held on September 23, 2022. This action leads to calls for the world's highest court to uphold the obligations of countries to address the climate crisis, with consequences if violated. This agreement is urgent for Vanuatu, especially given the serious impact they are experiencing due to the climate crisis (2022).

At the General Assembly Session, the President of Vanuatu stated that the impact of climate change and the environment is not only felt by Vanuatu, but also includes human rights violations that have caused many casualties due to environmental damage. As quoted by The Guardian (2022), The President of Vanuatu explained that the fossil fuel non-proliferation agreement contains an agreement to "gradually reduce coal, oil and gas production within the agreed climate limit of 1.5°C and develop a long-term plan to support workers, communities and countries that depend on fossil fuels so as to create security and healthy livelihoods". Although the agreement has received international support, including from students and environmental activists, its implementation and level of compliance remain a major question, especially in legal aspects related to environmental crimes. From a criminological perspective, environmental crime is a complex issue that is difficult to address, because it involves a variety of factors that cross legal, political, and economic boundaries.

Although it is not a conventional subject in criminology studies, environmental crime is one of the most widely discussed forms of crime. This is because as time goes by, criminological attention is increasingly focused on *non-human* crimes. This attention is marked by the emergence of the discipline of green criminology which studies environmental crimes ranging from corporate criminal

acts to individual actions that can result in damage to the environment. Environmental crime cases are an interesting topic to analyze, although finding the root cause and solution takes time and effort, especially for cases that involve many countries and have a wide global impact. This article analyzes the failure of international agreements as an effort to prevent environmental crimes that cause the global climate crisis, especially those felt by Vanuatu, as well as the extent to which international agreements can play a role in addressing these issues, as well as safeguarding the well-being of people in affected countries.

In analyzing environmental problems and countries' compliance with international agreements, a cross-disciplinary approach is needed to look at how environmental crimes can be overcome and the role of law in regulating actions that adversely affect the environment. This article provides a broad analysis of the use of international treaties to address the climate crisis caused by environmental crimes. This analysis is based on various journals and research from different fields of science, to complement the explanation of the aspects involved, such as the climate crisis, international agreements, and the role of law in environmental criminology. It is hoped that this analysis of environmental crimes will provide a broader insight into the importance of handling environmental issues by the state and why international agreements have not been able to have a significant impact on urgent environmental crises, one of which is for people from affected countries.

## 2. Materials and Method

This article uses a qualitative descriptive method by conducting a literature review to collect data and understand in depth the issue of environmental crime, especially related to international agreements as an effort to handle this form of crime. Literature reviews allow for the comprehensive collection of information from a variety of existing sources. This method utilizes previous research, expert thinking, statistical data, and other related reports to provide a complete picture of the topic discussed. Quote of Hannah Snyder (2019) in explaining the methodology of literature review, this article uses a semi-systematic or narrative review approach for topics that have been conceptualized differently and studied by different groups of researchers in various disciplines. This approach allows the writer to construct a solid framework of thought and look at the topic from different perspectives to gain a deeper understanding.

In the context of this article, a literature review is used to identify relevant literature related to environmental crimes, particularly related to the climate crisis in Vanuatu. The author uses literature studies to obtain related data that can be accessed online, both in the form of research journals, news, and related official websites. To provide an overview of each of the frameworks or topics in this article, the authors use six different journal articles and reports as the rationale for this case study and explain environmental crimes in the context of the climate crisis in Vanuatu. The first article is a journal article by Shivanna (2022) with the title "*Climate change and its impact on biodiversity and human welfare*" to expand the explanation related to the impact of drastic climate change that is relevant to the recent climate crisis because this article was written in 2022. Then the second article is a journal article by Elliott et al. (2022) with the title "*Credibility dilemmas under the Paris Agreement: Explaining fossil fuel subsidy reform references in INDCs*," which explains the reference to fossil fuel subsidy reform in international agreements related to climate change, namely *Intended Nationally Determined Contributions* which are still related to the Paris Agreement, which is the basis of the fossil

fuel non-proliferation agreement. The third article is a journal article by Newell et al. (2022) with the title "*Building a fossil fuel non-proliferation treaty: Key elements*" where this article analyzes the efforts that have been made, both by countries that have approved this treaty to international organizations or institutions and member communities. Then, to emphasize the concept of environmental crime as one of the phenomena that not only harms the environment physically but also violate human rights, the authors use an annual report by the Rainforest Action Network entitled "*Bank of America's Role in Fossil Fuel Expansion and the Violation of Human Rights*" which explain why the impact of climate change which is the result of excessive use of fossil fuels is still related to human rights violations. The next article is a journal article by Lynch et al. (2016), to deepen the criminological perspective in this paper, with the title "*The Weak Probability of Punishment for Environmental Offenses and Deterrence of Environmental Offenders: A Discussion Based on USEPA Criminal Cases*". This article is one of the sources that help the author in developing the concept of *deterrence* in criminology and apply it to environmental crimes. Finally, a journal article by Kramer (2016) title "*State-Organized Crime, International Law and Structural Contradictions*" emphasizes the failure of international agreements or laws to stop and prevent transnational crimes.

### 3. Results and Discussions

#### The Reality of International Agreements on Environmental Issues

Today, the world is on a path where countries produce more than twice as much fossil fuels. This is contrary to the restrictions in the fossil fuel non-proliferation treaty, which until now is still expected to be followed by the signatory countries. In addition to causing local pollution in the producing and using the fuel, the use of fossil fuels is also the cause of the extreme climate crisis faced by Vanuatu, a country that has called for a fossil fuel non-proliferation agreement in international forums. In recent years, Vanuatu has declared a state of climate emergency, with a number of islands in the country threatened to drown due to rising sea levels. Despite the impact, Vanuatu is a carbon-negative country – meaning it absorbs more emissions than it produces – and has committed to continuing its efforts to phase out all fossil fuels in the hope that Vanuatu will be able to eliminate the use of these fuels by 100% by 2030. Even so, Vanuatu's current efforts have not been able to rule out the possibility that his country will not be affected by this climate crisis.

On the BBC news website (2021), it is stated that one of the causes of this climate crisis is caused by actions that cause temperature increases, especially the use of fossil fuels, which are actually carried out by other countries. Therefore, all forms of efforts made by Vanuatu itself are not enough to overcome the problems experienced by its country and the country's leaders raised this issue in an international forum which then resulted in a fossil fuel non-proliferation agreement.

The fossil fuel non-proliferation agreement can be accessed through the Fossil Fuel Treaty (<https://fossilfueltreaty.org/vanuatu>) website providing complete information related to this agreement, starting from the beginning of the agreement, the supporting parties, to the development of news and *press releases* that are constantly updated so that the public or individuals who are interested in environmental issues can see the latest developments of this agreement. The agreement spurs international cooperation to end new fossil fuel development, halt existing production within the agreed climate limit of 1.5°C and develop long-term plans to support fossil fuel-dependent workers, communities and countries to create security and healthy livelihoods. One by one, countries then began to raise issues related to the climate crisis as well, one of which was Tuvalu which called on other countries to develop a fossil fuel non-proliferation agreement in 2022. This Tuvalu action shows that Pacific leadership has been critical to international climate policy for decades. The climate

crisis itself is a non-trivial problem for the people of Pacific countries. This problem has even been considered a human rights problem for the people of the Pacific Islands, one of which is Vanuatu.

The global agreement expressed by the President of Vanuatu at the 77th UN General Assembly is one of Vanuatu's efforts to stop the impact of the climate crisis, especially the one that his country is facing. Prior to the emergence of the fossil fuel non-proliferation agreement raised by the President of Vanuatu, there was already an international agreement related to climate change, namely Intended Nationally Determined Contributions (INDCs) in the 2015 Paris Agreement which is also the basis of the climate limit target agreed in the fossil fuel non-proliferation agreement, which is 1.5°C. On the World Resources Institute (<https://www.wri.org/>) website, it is explained how this agreement was formed in the United Nations Framework Convention on Climate Change (UNFCCC) where the countries involved explain the actions and efforts that will be taken to achieve the long-term goals in the Paris Agreement; keep global average temperatures well below 2°C and pursue efforts to limit the rise to 1.5°C so that net zero emissions can be achieved by the second half of the century. This INDC is the main means for the government to communicate in international forums regarding each country's steps in responding to climate change by considering its domestic capabilities.

Although this agreement looked quite promising that year, there has been no significant impact that can be felt until today. The UN scientific body still finds it possible that the climate limit target will exceed 1.5°C by 2030 to 2035 due to rising emissions until 2021, even though the country has agreed to address this climate crisis (Boudreau, 2023). This shows that international agreements, despite their potential, are still not able to effectively bind countries in restricting the use of fossil fuels.

The Executive Director of the Lancet Countdown, Marina Romanello, said that the global dependence on fossil energy has resulted in various negative impacts, including extreme climate change that can affect the pillars of food security as a result of extreme weather that threatens crop yields. The Vanuatu government has also considered the consequences for its country to be more than just erratic weather changes; it is already human rights, where the President of Vanuatu mentioned that they "measure climate change not by degrees Celsius but by the number of victims".

In addition to the increasingly visible impact of climate change, there is still a lack of attention from countries to the crisis experienced by other countries due to climate damage. It is noted that 69 out of 86 countries still provide fossil energy subsidies but fail to help support climate action in low-income countries (Kompas, 2022). This shows that there are still many countries that prioritize their own domestic interests because they have not felt the direct impact of the growing climate crisis. In fact, public and private financing for fossil fuels is also still greater than investment in climate adaptation and mitigation (Boudreau, 2023). Vanuatu's Minister of Climate Change Adaptation stated that the fossil fuel industry must be held accountable because "it easily takes the world beyond its goal of surviving below 1.5°C and is a major driver of losses and damage that Pacific island nations are suffering" (RNZ, 2023). However, it is difficult for countries to stop using fossil fuels for reasons of their own national interests.

In an article posted on the Brookings website (<https://www.brookings.edu/essay/why-are-fossil-fuels-so-hard-to-quit/>), Samantha Gross explains in general why countries are struggling to stop using fossil fuels. These difficulties are mainly related to political and economic factors. Efforts to mitigate the impacts of climate change require restructuring the trillion-dollar industries that are at the heart of the economy and people's lives. This decision will be difficult for politicians who tend to focus more on policies that can provide immediate benefits or results in their country. In addition, the biggest challenge is how developing countries can follow the efforts of developed countries in providing modern energy as an alternative to fossil fuels. There is an idea that the need to provide cleaner energy for developing countries is a challenge, but alternative efforts that exclude developing countries are also not a solution.



Gross also emphasized that long-term climate policy requires support from various state actors, including politicians, business leaders, and civil society. This support is not only from within one country, but also from other countries involved in the production and use of fossil fuels. Therefore, the move by the President of Vanuatu to raise this issue in international forums is an important step in overcoming global environmental problems that are detrimental to the country and its people.

While there are a variety of reasons that encourage countries to support fossil fuel agreements, most of them center on the need to comply with the Paris Agreement. In fact, the climate crisis is already widely felt by countries around the world. However, some countries still choose not to pay attention to this issue due to reasons of domestic interests or economic benefits from the production and use of fossil fuels. Although support has been seen from several quarters, the number of countries that have not yet fully committed is still quite significant.

### **State Committee on International Treaties**

Elliott, Bernstein, dan Hoffmann (2022) write articles related to *fossil fuel subsidy reform* (FFSR) or reference fossil fuel subsidy reform in INDCs. With the global climate crisis, one of the steps that countries should strive to take is to replace fossil fuels with other fuels that are more environmentally friendly. But this will not be separated from the cost of fuel being more expensive and becoming a political economy challenge which then becomes a consideration for FFSR reform. Although some countries are committed to this agreement, most other countries are still hesitant to commit to their commitments. This journal article analyzes the content of the agreement where article 4 of the Paris Agreement creates something termed a credibility dilemma for the state. The existence of an ambitious emission reduction plan is the main target of countries that are members of the international agreement, but on the other hand, countries must also plan strategies to regulate the national climate that require appropriate policies and at the same time can have an influence on the international world. This FFSR is explained in two steps; (1) the state will refer to the measures that have been ratified and institutionalized internationally so that then (2) the increase in institutionalization can open a window of opportunity for the activation of norms because the countries that are members and actors of these transnational policies articulate how the relevant policies can justify the commitment appropriately.

From this article, it can be seen that full commitment to international agreements requires a deep understanding of the domestic situation and conformity with international norms. However, this process requires complex time and consideration, especially to ensure that the resulting policies do not neglect domestic interests and people's well-being. The role of international agreements, which was originally expected as a solution, has become a complicated consideration, especially when domestic interests are the top priority.

Until now, there are still many countries that use and produce fossil fuels without any restrictions that should be carried out as a commitment to the fossil fuel non-proliferation agreement that has been agreed. Therefore, the state's commitment to this agreement is still questionable. The level of involvement and commitment from country to country varies; Some countries have attempted to take concrete steps to limit the use of fossil fuels, while others are still dependent on the fossil fuel industry or have less ambitious policies to reduce emissions because they are considered less urgent for their countries. For example, Australia is one of the countries that signed the fossil fuel non-proliferation treaty, but the country continues to subsidize and promote new fossil fuel projects (Komai, 2023).

### **The Ongoing Impact of the Climate Crisis**

From year to year, the threat of climate change is becoming more and more apparent. Deaths due to heat waves, asthma cases exacerbated by air pollution exacerbated by heat, emergencies that

cause malnutrition due to drought, to natural disasters such as floods and forest fires are increasingly frequent (Howard et al., 2022). Articles related to climate change, one of which is research conducted by Shivanna (2022) about the impact of climate change on biodiversity and human well-being, strengthening the understanding of current climate conditions. In addition to providing an overview of the climate conditions we are currently facing, the study also shows the impact of climate change in the coming decades based on an analysis of available data.

A comparison of the performance of climate models published between 1970 and 2007 in projecting global average surface temperatures and observed changes using actual observations shows that the models are consistent in predicting global warming in the years following publication. The article mentions several triggers for climate change, including greenhouse gas emissions that are mostly caused by the burning of fossil fuels (coal, oil, and natural gas) for industries that produce carbon emissions during their extraction and consumption, as well as logging or deforestation triggered by the demands of post-industrial urbanization.

These two main triggers have had several impacts, two of which occurred in Vanuatu; sea level rise and extreme weather patterns, as well as natural disasters such as droughts, cyclones, hurricanes, typhoons, and forest fires. This phenomenon not only harms the state but also ignores the welfare of the community. Based on the data and results provided, Shivanna concluded that the development of the era in society and the demands and encouragement of certain industrial sectors resulted in the need for things that have an impact on the environment, especially the climate crisis. This is essentially an unfair phenomenon; Developing countries suffer more and feel the consequences of the climate crisis compared to developed countries. If this problem is not addressed immediately, the impact will be even worse and future generations will face greater suffering than they are currently experiencing.

The climate crisis is also considered a violation of human rights because the phenomenon has a significant impact on human lives and livelihoods, especially on vulnerable communities with limited resources to cope with extreme weather events. Based on the Rainforest Action Network report in (2023), extreme weather triggered by climate change, such as hurricanes, fires, floods, and heat waves, has led to loss of life, destruction of habitats, and threats to human rights including the right to life, water, food, health, and decent shelter. Of course, the expansion of fossil fuel extraction, transportation, processing, and burning exacerbates climate change, which has an impact on individuals and society at large. Therefore, the climate crisis is considered a violation of human rights because it is detrimental to human welfare, health, and the environment, especially for marginalized and vulnerable communities.

With the reality that the climate crisis cannot be resolved immediately, international agreements still face difficulties in having a significant impact on pressing issues such as environmental issues. This is due to the existence of domestic laws and the interests of each country that are difficult to unite, making it difficult to exert a significant influence on such a large crisis. This phenomenon shows that a country's compliance with international agreements still requires consideration of its effectiveness in overcoming environmental issues that harm many parties and the welfare of people in affected countries.

### **International Treaties in Criminological Perspectives**

From the perspective of criminology, the law plays a role in preventing and handling various cases and crimes committed by individuals and groups. The discussion of this crime includes various forms of crime, including environmental crimes. However, laws related to environmental crimes are still ambiguous. The difficulty in determining the perpetrators, victims, and forms of environmental crime itself is one of the factors that results in environmental crime becoming difficult to understand. Even so, the discussion related to environmental crime and its related elements is still one of the

topics that is widely discussed from a criminological point of view. This is because environmental crimes not only have an impact on the environment physically, but can also have an impact on the welfare of the community related to the fulfillment of human rights.

Citing one of the *chapters* in the book "Environmental Crime and its Victims", Pemberton explains some of the problems of environmental criminology and the difficulty in explaining environmental victimization involving victims and perpetrators. The definition of victim in the context of crime is often different from environmental crime. A new definition of the word victim has emerged, where in general the victim of a crime is an individual or group who has suffered a loss and can be seen clearly or can be constructed based on the crime event that occurred. However, it is different from environmental crime which can occur due to a long chain of causes and effects and further studies are needed whether a form of environmental damage is caused by certain parties or occurs naturally. There are several characteristics that can illustrate the difficulties in this process of victimization. First, in environmental crime, there is a risk of *overlap* between the perpetrator and the victim, which is termed as a *free-rider*. One example is the problem of climate change caused by the use of carbon dioxide emissions by the community will have an impact on society with climate change. Without realizing it, the unpleasant phenomenon felt by a society is the result of their own daily activities. But it is not uncommon for people to only complain about this without trying to make changes that have a significant impact on the environment. This is because people are not aware that they have become victims of environmental crimes and tend to associate the losses experienced with other causes and not because of environmental damage factors.

Second, a large number of casualties. Some examples are relatively small cases of pollution that can harm hundreds of individuals, the impact of environmental damage from one area can affect other areas that are not directly related, and actions that are beneficial to one party can cause losses to others. Not only are the victims large-scale, but the impact of this environmental damage can also have an impact over a long period of time if not properly handled. In addition, in some cases, this long chain of cause and effect stems from the role of the government or the involvement of state actors. Although not directly involved, the state is the authority that passes the rule of law for its people to obey. It is not uncommon for representatives of countries with such authority to then use their rights in passing regulations to cover up white-collar and corporate crimes such as illegal exploitation of the environment. This is also related to the transnational aspect of environmental crimes, where the impact of environmental crimes committed by a country can damage the environment and have an impact on other countries (Pemberton, 2016).

Understanding environmental crime and its complexity is a challenge for criminologists to develop effective law enforcement strategies and protect the environment and society from their negative impacts.

In the context of environmental criminology, a multidisciplinary approach is needed to understand and address environmental crime from multiple perspectives. One of the relevant approaches is conservation criminology, which is an interdisciplinary approach to looking at and analyzing environmental risks. The basis of conservation criminology includes three disciplines; Natural resource policy and management, criminology and criminal justice, and risk analysis and decision (Gibbs et al., 2010). These three disciplines each encompass a broader understanding of problems and characterize solutions to environmental crime and risks. The discipline of criminology and criminal law focuses on legally defined crimes and deals with stakeholder engagement and public participation as well as the application of multi and interdisciplinary theories, which can be used to look at the phenomenon of environmental crimes involving multiple countries at once. In accordance with environmental criminology problems in general, uncertainty is an element of environmental risks included in this conservation criminology framework.



In addition, a number of crime-related interventions included in conservation criminology are built on the idea of deterrence. Deterrence theory is one example of a central framework in criminology and criminal justice that serves as a bridge between the two aspects because the criminal justice system is primarily responsible for establishing and enforcing criminal penalties. Simply put, this theory explains that a person chooses to commit a crime if he feels that he will get a profit greater than the cost he has to spend. Thus, this theory assumes that the perpetrator of a crime is someone who can think rationally so that he can weigh the potential *costs and benefits* of a criminal act and then decide whether to commit or not to commit the crime (Moreto & Gau, 2017).

The criminal penalty itself, which is usually in the form of imprisonment or fines, is one of the common crime prevention methods used to deter potential offenders, eliminate the company's desire to *pay to poll* and implement the provisions of environmental law crimes where the law applies. Although in its implementation criminal punishment can have a deterrent effect, it turns out that it does not apply to environmental crimes. Proven in a journal article by Lynch et al. (2016) which found that out of about 18 federal environmental crime cases in the United States, fewer than five criminal cases are handled each year. From the applicable law, criminal charges against existing environmental crime perpetrators are not rational enough to be able to produce a deterrent effect. So in the United States itself, it is not uncommon for many environmental destroyers, it can be said that they are rational actors, who pursue monetary benefits because they are considered more profitable than obeying related regulations. The article also alludes to several previous studies that show that although criminal penalties provide a significant deterrent effect, the impact will be negligible on the environmental damage that one example of this is produced by polluting industries that have high levels of pollution. They argue that more attention should be paid to the construction and purpose of environmental laws and questioned whether existing regulations are strict enough to protect the environment, humans, and other related species, rather than simply paying attention to violations of environmental laws that do not help address the current pressing ecological problem. Therefore, punishment should focus more on actions that refer to the occurrence of damage, one example such as the continuous expansionist tendency as a form of sustainable development of capitalism.

The fossil fuel non-proliferation agreement is a form of making an agreement to stop the exploration and expansion of fossil fuels and stop existing production in accordance with the targets specified in the Paris Agreement, while striving to make a transition to renewable energy. The existence of this international agreement is a reinforcement of the Paris Agreement which has been approved a few years ago. One example of the country's contribution and dedication to this is that the G7 countries (Canada, France, Germany, Italy, Japan, the United Kingdom and the United States) agreed to stop international financing for coal projects since 2021 as a form of contribution to the Paris Agreement. Quoting from the World Economic Forum ([https:// www.weforum.org/](https://www.weforum.org/)) website, the International Energy Agency (IEA) has also made a stern warning by saying that investors should not fund oil, gas, and coal supply projects. As one of the concrete efforts made, Japan has stopped funding for two coal-fired power plant projects in Indonesia and Bangladesh. This action is one example that this international agreement has become a law that applies as a restriction on actions that can refer to the occurrence of environmental damage as previously alluded to by Lynch et al. (2016), and it is not just a form of punishment given if a damage has actually occurred.

Although many countries have ratified international agreements and have taken several actions to support them, the authors argue that significant impacts or changes will still be difficult to see in the next few years if countries do not provide a concise and clear timeline for their actions. Although it is undeniable that this effort needs to be carried out gradually and needs to adjust to the conditions of each country. However, a journal article written by Kramer (2016), provide evidence that although criminologists provide clear definitions of state behavior that can be considered as crimes or acts that violate established international principles, international law still fails to act to provide accountability

for states and provide protection for victims. Based on Bill Chambliss's speech, which was later published under the title "State-Organized Crime", criminologists began to use international law as a set of standards to classify state behavior as criminal. Although this helps criminologists in defining and viewing acts as crimes, in practice international law cannot do much to control crime. Kramer (2016) asserts that while international law can resolve certain conflicts or dilemmas, it has never addressed the underlying structural contradictions due to limitations that cannot govern the underlying economic and political structures, in his research, in the United States.

Broadly speaking, it is concluded that a regulation that is at the international level cannot be fully considered a binding regulation. Although basically one of the prevention of crime is the procurement of a form of regulation that regulates related to the crime. Environmental crime itself is still a form of crime that is difficult to analyze and requires a special point of view, meaning that environmental crimes such as the use of fossil fuels even still have an overlap between victims and perpetrators where fossil fuel perpetrators also feel the impact of the use of fossil fuels themselves with climate change or increasingly warming weather. But there are still many victims of this climate crisis who do not feel victimized and do not care to overcome it. Then there are still many widespread links from the use of fossil fuels, such as the crisis in Vanuatu which is not just an environmental crisis but has also taken human victims, so that it has become a criminal phenomenon that is detrimental to human rights and a form of serious crime.

International agreements cannot be decisive in providing sanctions and all decisions taken by a country are still in the hands of the leaders of their respective countries. International agreements can only provide an overview, direction, and commitment that can be made by a country to achieve certain goals. So, to overcome environmental crimes that cause the climate crisis in the world, the fossil fuel non-proliferation agreement can provide direction and warning to countries of the urgency in taking preventive measures against the excessive use of fossil fuels, but the implementation of this international agreement returns to each country. On the other hand, this fossil fuel non-proliferation agreement has only been going on for a long time and several parties have given their commitments, in early 2023 several countries have also begun to give their respective efforts in committing to the cessation of the production and use of fossil fuels.

Some parties who agree on the urgency of this phenomenon have already moved forward and committed to fossil fuel non-proliferation agreements. As time goes by, approximately 1 year after this agreement is agreed, the development of the countries involved also needs to be monitored and how far it has been implemented. Newell et al. (2022) wrote in their article regarding the development of the country and also the parties involved who are considered to have started to apply several rules. In looking at the production of fossil fuels themselves, the most important thing is funding because to produce and process this fuel also requires a lot of money. Therefore, one of the movements or efforts that can stop fossil fuel production is the cessation of financing for this production. Some examples of stopping this funding include the World Bank's commitment to withdraw financing from fossil fuels, quoted from the World Bank (<https://www.worldbank.org/>) website that the World Bank itself is the largest multilateral climate investment funder in developing countries by providing more than US\$26 billion in climate finance in 2021. This funding termination plan is also followed by the European Investment Bank which has begun to limit fossil fuel financing. In addition, 20 governments in Glasgow have also agreed to stop financing fossil fuels abroad since the end of 2022. Instead, this funding can be allocated to help developing countries or countries that still need *support* with facilitation measures such as capacity building and financial support.

In addition, there have been emerging global efforts to reduce methane emissions, which account for more than half of today's man-made cookers due to their higher heat capture potential and capabilities in the first few decades after release. The United States and European Union countries introduced the *Global Methane Pledge* at the 26th Conference of the Parties (COP26), which aims to

cut methane emission levels by 30 percent from 2020 to 2030. Then, at COP28, oil companies announced that they would reduce methane emissions from their wells and drilling by more than 80 percent by the end of the decade, with commitments that include international monitoring to hold those companies accountable (Maizland, 2023).

Therefore, stability is needed in commitments and efforts to deal with this climate crisis, especially countries that have signed this fossil fuel non-proliferation agreement. Every five years, countries are supposed to evaluate their progress in implementing the agreement through a process known as *global stocktake*. Therefore, the development of countries' compliance efforts with this agreement needs to be further analyzed in the next few years.

#### 4. Conclusion

The fossil fuel non-proliferation treaty is a global initiative aimed at addressing the climate crisis by reaching agreements between countries on the use of fossil fuels and other related activities. The urgency of this crisis is voiced by island nations such as Vanuatu, which are highly exposed and experiencing serious threats to their communities and human rights due to climate change. A similar phenomenon is felt by other countries, posing a common challenge that is closely related to people's welfare. However, despite widespread support, the implementation of this agreement is hampered by domestic interests that slow down the decision-making process. This slowdown reflects the political and policy complexity that also hampers substantial change in the handling of environmental crimes, even though the impact involves human rights and unfulfilled public welfare. Therefore, monitoring countries' commitments to fossil fuel non-proliferation agreements is important, and needs to be done as a routine agenda to ensure the achievement of the efforts that have been made and ensure countries' compliance with these agreements.

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