
FINANCIAL CRIME IN GREENWASHING: MISCONCEPTION AND WAYFORWARD

Ms. B. Manju, LL.M., The Tamilnadu Dr. Ambedkar Law University (SOEL), Chennai.

Ms. T. Vaishali, Assistant Professor of Law, The Tamilnadu Dr. Ambedkar Law
University (SOEL), Chennai.

ABSTRACT

Greenwashing presents a significant obstacle to tackling climate change. By misleading the public into believing that a company or other entity is doing more to protect the environment, greenwashing undermines genuine efforts for sustainability. While the concept of promoting environmental protection and corporate social responsibility is valuable, some companies misuse it for financial gain. These companies advertise products as “eco-friendly,” “non-toxic,” “carbon-negative,” or “safe for the environment,” but often these claims are unsubstantiated, making it difficult for consumers to know whether they are truly buying environmentally responsible products or merely being manipulated.

Greenwashing plays a significant role in marketing and advertising, but when misused, it can have a dangerous impact on environmental sustainability. Some companies and industries have been involved in misleading social responsibility initiatives, engaging in greenwashing activities. In many countries, it has become recognized as a new form of financial crime in the twenty-first century, leading to the imposition of penalties. However, these efforts have not been fully effective in regulating this type of crime, prompting governments to introduce additional laws and regulations.

In India, for example, the government has taken effective steps by incorporating greenwashing under the Consumer Protection Act of 2019. Draft guidelines for the prevention and regulation of greenwashing have been introduced, and several regulatory bodies, such as the Advertising Standards Council of India (ASCI), SEBI, and RBI, have also taken steps to address the issue. These bodies have provided industry-specific guidelines for environmental claims.

Therefore, in this paper, I will discuss the gaps in the legal framework addressing financial crimes related to greenwashing, comparing the laws of different countries.

Keywords: Greenwashing, green claims, corporate social responsibility, environmental sustainability, financial crime.

Introduction:

Urbanization began when the environment was more exploited by companies and government initiatives. As a result, a large number of companies and governments became interested in taking environmentally responsible actions. Efforts have been made through environmental, social, and governance (ESG) initiatives, such as corporate social responsibility (CSR), which are linked to creating a sustainable environment.

The term "greenwashing" was first coined in 1986 by environmentalist Jay Westerveld in an article. Companies have been accused of engaging in greenwashing, which creates the appearance of positive environmental outcomes. However, it is often a misleading or deceptive practice. For example, In 2020 European Commission study of 150 corporate environmental claims found that 53% provided unclear, misleading, or unfounded information, and 40% lacked any supporting evidence. In response, governments have been proposing new legislation to address greenwashing by companies, with a proposal made in March 2023

What is greenwashing?

Greenwashing is one of the different forms of “misleading environmental communication” used by entities or companies that offer products or services for sale to consumers. Professors Magali Delmas and Vanessa Burbano have described the phenomenon more broadly as “poor environmental performance combined with positive communication about environmental performance.” Greenwashing addresses both the effects of positive and negative environmental performances. While positive environmental performance can help protect environmental sustainability, the negative environmental performance creates harmful effects on the environment, as companies may engage in such practices solely for their own financial gain. This can include the misleading or fraudulent use of symbols, images, actions, or claims in product advertising or communications about the company’s environmental initiatives.¹

Modern greenwashing has become more innovative and widespread. Various companies and organizations use complex marketing strategies and vague claims to appear environmentally friendly. For example, they may employ misleading or false certifications, selectively reveal information, or use nature-based imagery, symbols, or actions to create a

¹ Amanda Shanor & Sarah E. Light, ‘Greenwashing and The First Amendment’, 122 COLUM. L. REV. 2023 (November 2022).

false perception of environmental responsibility. Greenwashing takes many forms, such as misleading labels, hidden trade-offs, vagueness, lack of proof, irrelevance, environmental imagery and branding, selective disclosure, false certifications and endorsements, and overstating benefits. These methods are used by companies to deceive people and misuse the concept of environmental responsibility. In my view, the misconception surrounding greenwashing constitutes a significant environmental scam, and it can be considered a form of white-collar crime or economic crime."

Components of green washing:

Legally social responsibility companies,

- Misleading green or environmental claims
- Falsely creating positive environmental impacts
- Promoting a product or providing a service as environmentally friendly
- Gaining illegal profits
- This will be considered an environmental financial crime.

Corporate Social Responsibility:

Corporate social responsibility (CSR) helps companies ensure that their operations are ethical, safe, and deliver a positive impact whenever possible. The theory of the triple bottom line can guide companies in pursuing CSR. It refers to the three P's: People, Planet, and Profit, within a company's business models and practices. Environmental responsibility is one of the main aspects of CSR. Various companies engage in CSR efforts that aim to protect natural resources and minimize their contribution to climate change. Green washing can affect how companies are perceived in relation to climate change mitigation.

Research questions/Hypothesis:

1. Case Study on Green washing in Various Countries?
2. Do you have any international or regional legal frameworks to regulate green

washing?

3. Is green washing considered a financial crime as well as economic crime?

Case study on greenwashing in various countries?

I will focus on this question: If companies can mislead through green washing, how can they use it to promote a product, and what steps should the government take to identify whether it is a crime and whether it can be penalized? Hence, I will discuss this topic.

We have seen some companies involved in green washing-related cases, such as

Volkswagen:

Volkswagen is a global carmaker. The company installed software in its cars that reduced reported greenhouse gas emissions, which is a typical example of green washing. While these cars were entering the market, the company highlighted the low emissions and eco-friendly attributes of their vehicles.

In 2015, the U.S. Environmental Protection Agency discovered that Volkswagen had violated the Clean Air Act. The automobiles had produced 40 times the amount of nitrogen oxide pollution permitted by U.S. law. As a result, Volkswagen faced multiple fines in various countries. A U.S. federal judge imposed a criminal fine of \$2.8 billion in 2017, Australia also imposed a penalty of \$125 million in 2019, and the Dieselgate scandal had cost the company \$34.69 billion by 2020.

Keurig:

In 2022, Keurig was found to have made misleading green claims to customers about its single-use coffee pods. As a result, the Canadian Competition Bureau ordered Keurig to pay \$2.2 million. Keurig began producing "recyclable" coffee pods in 2016, but it turned out that most waste management organizations did not accept these pods for recycling because they lacked clear recycling instructions.

Eni:

The oil company advertised its Eni Diesel+ fuel on TV and in newspapers as "green." Eni

has been deceptive in advertising its biofuel diesel as having a positive environmental impact. However, the fuel contained 15% hydrotreated palm oil and 85% fossil fuel, which has a negative environmental impact. The Italian Competition and Market Authority penalized the company, imposing a fine of \$5.6 million in 2020.

Kohl's & Walmart:

Kohl's and Walmart used vague and misleading claims when marketing textile products made from bamboo, but the products were actually made from rayon, a semi-synthetic material. The U.S. government filed a case against the retailers, alleging that they had violated the Textile Act by marketing products as being made solely from bamboo. However, Kohl's and Walmart only used misleading or deceptive information to promote these products as eco-friendly. So, the US Federal Trade Commission had to impose a fine of \$5.5 million in 2022.

H&M and Decathlon:

The Netherlands Authority for Consumers and Markets has found that clothing retailers have been using labels such as "eco-design" and "conscious choice" without providing evidence for their environmental claims, which may constitute greenwashing. H&M has faced many issues regarding sustainability claims. As a result, the company must pay fines of \$430,500 and \$530,000.

Coco-Cola:

An American multinational corporation has started operating the Coca-Cola company in the USA. The Coca-Cola company is one of the largest polluters in India. However, the company campaigns to promote a product with "100% recyclable" plastic packaging, which creates a significant environmental impact.

In recent years, many companies have also been misleading or deceptively implying that their products are eco-friendly. However, no one is aware of how companies can advertise to sell a product. For example, Haman soap was made by Unilever. It advertised the product as being made from Neem leaves, claiming that it would fight pollution and dirt while protecting us. However, this is a deceptive statement, as it falsely promotes the product and contains some chemicals. The company used environmental imagery to promote and sell the product.

I just gave one example, but many companies have been advertising their products as "green," which implicitly promotes the idea that their products are environmentally friendly. However, this is not true; it creates an environmental impact, contributing to degradation and affecting climate change. So, I have concluded that while the product may be directly connected to environmental sustainability, it will indirectly harm the environment for future generations.

Do you have any international or regional legal framework to regulate green washing?

In the last few years, we've seen a spate of regulations and guidelines impacting green washing at the international level, such as the "Global Guidelines on Environmental Claims" of the World Federal of Advertiser released in April 2022, and across multiple jurisdiction.²

Environmental claims:

Environmental claims are any claims about the environmental attributes or impact of a product or business, including claims that a product or business has no negative impact, a positive impact, or a comparatively better impact on the environment.

It can be made in many ways, both express and implied and include all types of claims, information, symbols, images, logos, graphics, colors, and company, product or brand names.

Global guidance on environmental claims

Principle 1:

Claims must not be likely to mislead, and the basis for them must be clear.

Principle 2:

Marketers must hold robust evidence for all claims likely to be regarded as objective and capable of substantiation.

Substantiation must specifically related to the type of claim made. Absolute or general claims, especially when made without clarification, will require a different type of evidence.

² World Federal Advisers, "Global Guidelines on Environmental Claims", released in April 2022.

Example, claims like “environmental friendly” or “green” will need a different type of evidence than that needed for claims like “better for the environment” or “greener”.

Principle 3:

Marketing communications must not omit material information. Where time or space is limited, marketers must use alternative means to make qualifying information readily accessible to the audience and indicate where it can be accessed.

Principle 4:

Marketers must base general environmental claims on the full lifecycle of their product or business, unless the marketing communication states otherwise, and must clear the limits of the lifecycle.

Principle 5:

Products compared in marketing communications must meet the same needs or be intended for the same purpose. The basis for comparisons must be clear, and allow the audience to make an informed decision about the product compared.

Principle 6:

Marketers must include all information relating to the environmental impact of advertised product that is required by law, regulators or codes to which they are signatories.³

Other countries legislation:

EU Legislation:

There are two significant pieces of legislation in the EU.

- (i) Unfair Commercial Practices Directives

³ World Federal Advertisers, “Global Environmental Principles based on International Best Practice”, April 2022.

(ii) Consumer Rights Directives

The directives will come into force on 26 March 2024 and will apply to companies following their transposition by the member states, which have until 27 March 2026 to adopt and publish the measures necessary to comply with them. The aim is to empower consumers to make sustainable choices and protect them from deceptive marketing practices. The directive addresses the concepts of 'environmental claims' and 'generic environmental claims.' An environmental claim suggests that a product, service, process, brand, or business is better for the environment. A generic environmental claim indicates that a product has a neutral, reduced, or positive impact on the environment, but without proof. The directives regulate that a product must be clearly presented and trustworthy for commercial purposes, allowing the use of sustainability labels only if they are based on official certification schemes or established by public authorities in the EU.

It will focus on increasing awareness of the durability of goods by requiring guarantee information to be more visible. Additionally, a proposal for a New Green Claims Directive was introduced in 2023, aiming to provide more specific rules on the substantiation and communication of explicit environmental claims. Companies would be required to provide evidence to authorities to verify their environmental marketing claims before advertising their products, and only then would they be approved for the use of such claims.

Netherlands legislation:

The Guidelines on Sustainability Claims contain five 'rules of thumb' for businesses to consider when making environmental claims, including substantiating claims with facts and ensuring that comparisons with other companies are fair.

France legislation:

France introduced the Climate and Resilience Law in August 2021, which contains several provisions to prevent green washing and prohibits any advertising related to fossil fuels.

UK legislation:

In September 2021, the UK adopted a *Code of Green Claims* under the framework of consumer protection law. It outlines six key points to consider, including ensuring claims are

fair and accurate, clear and unambiguous, and that they do not hide relevant information.

China Advertising Language Enforcement:

In March 2023, China published guidelines for advertising language enforcement. These guidelines thoroughly address environmental claims, sustainability claims, and other language used in advertising. They provide clear guidance to regulators on enforcing rules against misleading practices, particularly those involving absolute terms.

Australia's Legislation:

In December 2023, the Australian Competition and Consumer Commission (ACCC) published guidance on environmental claims. It includes eight principles for companies to follow. When making environmental claims, companies must ensure they do not breach Australian consumer law. Let's review these eight principles:

- Ensure claims are precise and fair
- Back up claims with evidence
- Not hide or omit important information
- Explain the claim's conditions and qualifications
- Not use broad and unqualified claims
- Ensure language is clear and easily understandable
- Ensure visual elements do not give the wrong impression; and
- Be direct and open about any sustainability transition.

US Environmental Marketing Frameworks:

The Federal Trade Commission (FTC) introduced a guide for the use of environmental marketing claims to provide guidance on general environmental marketing principles. These principles address how consumers may interpret claims and how marketers can avoid deceiving

consumers or failing to substantiate their claims. The FTC updated the Green Guides in 2012, incorporating comments on both new and existing terms.

Currently, the FTC is considering ways to make the Green Guides enforceable and grant itself the authority to seek civil penalties for violations. The impact of updating the Green Guides could include stronger enforcement against allegedly false or misleading environmental claims. While the guides are not yet binding, the FTC is now considering enforceable binding, they still serve as an important resource for guiding marketers in making accurate environmental claims.

- Enforcement of state consumer protection laws,
- Court decisions on civil suits, including class action green washing suits,
- Competitor challenges brought before the National Advertising Division of BBB National Programs.

Even though federal and state regulations are more effective, they are not sufficient for all companies. This inadequacy leads to a growing risk for consumers, who may file litigation against corporate sustainability marketing claims, ultimately placing a burden on the judiciary.

Legal Frameworks of Green Washing in India

India does not have a specific legal definition for green washing. However, certain existing laws and regulations implicitly address misleading marketing practices. In this context, I will discuss the relevant laws:

The Consumer Protection Act, 2019

This act plays a significant role in addressing green washing practices, which fall under the category of unfair trade practices. Section 2(47) of the act defines “unfair trade practices” broadly, covering misleading facts or false representations about the quality of products, goods, or services, as well as other trade-related activities. This definition implicitly includes green washing, where companies make false environmental claims to gain competitive advantages, profits, or reputational benefits.

The act also established the Central Consumer Protection Authority (CCPA), which is responsible for conducting investigations, issuing guidelines, and imposing penalties for violations. If a company is suspected of making false or misleading environmental claims, the CCPA has the authority to take appropriate actions against it. Penalties for violations under the act include imprisonment for up to two years and fines of up to ₹10 lakhs, with more severe penalties for repeat offenses. These stringent measures act as a deterrent to greenwashing practices.

The act enables consumers to file complaints against false or misleading claims about products, thereby helping to combat greenwashing. Consumers can lodge complaints with the District, State, or National Consumer Dispute Redressal Commission, depending on the value of the goods, products, or services and the compensation claimed. However, it is solely intended to address issues affecting consumers and is not directly connected to environmental protection efforts.

Draft Guidelines for the Prevention and Regulation of Green washing:

These guidelines address the issue of greenwashing in advertising and are set to be released by the Central Consumer Protection Authority under Ministry of Consumer Affairs. They provide a comprehensive framework for regulating environmental claims in advertising, including a broad definition of greenwashing and wide applicability to various stakeholders involved in the advertising process.

The guidelines mandate that claims must be supported by reliable scientific evidence, with detailed information made accessible to consumers through links or QR codes on packaging. Additionally, they prohibit the use of natural imagery related to environmental claims and vague terms such as “eco-friendly”.

Drafting guidelines defines some terms:

GreenWashing:

Section 2(e) of drafting guidelines defines "Greenwashing" means-

- (i) any deceptive or misleading practice, which includes concealing, omitting, or hiding relevant information, by exaggerating, making vague,

false, or unsubstantiated environmental claims.

- (ii) use of misleading words, symbols, or imagery, placing emphasis on positive environmental aspects while downplaying or concealing harmful attributes.

but shall not include (i) use of obvious hyperboles, puffery, or (ii) the use of generic color schemes or pictures; either not amounting to any deceptive or misleading practice.

Environmental Claims:

Section 2(f) of drafting guidelines defines 'Environmental claims' means any representation, in any form, regarding:

- (i) a good (either in its entirety or as a component), the manufacturing process packaging, the manner of use of the good, or its disposal;
- (ii) a service (or any portion thereof) or the process involved in providing the service, suggesting environmentally friendly attributes.

Explanation–

It may include, but not limited to:

- (i) having a neutral or positive impact on the environment or contributing to sustainability;
- (ii) causing less harm to the environment compared to a previous version of the same product or service;
- (iii) causing less harm to the environment than competing goods or services;
- (iv) being more beneficial to the environment or possessing specific environmental advantages;

all aimed at conveying a sense of environmental responsibility or eco-friendliness associated with the good or service.

Substantiation of Environmental Claims—

All advertisement making Environmental claims shall comply with following obligations:-

- a) Generic terms such as ‘clean’, ‘green’, ‘eco-friendly’, ‘eco-consciousness’, ‘good for the planet’, ‘minimal impact’, ‘cruelty-free’, ‘carbon – neutral’ and similar assertions shall not be used without adequate qualifiers and substantiation and adequate disclosure as provided under clause (9) of the guideline.
- b) While using technical terms like Environmental Impact Assessment (EIA), Greenhouse Gas Emissions, Ecological Footprint, one shall use consumer friendly language and explain the meaning or implications of technical terms.
- c) Claims shall be backed by verifiable evidence.

Adequate disclosures:

- (a) All environmental claims shall be accurate and disclose all material information either in the relevant advertisement or communication or by inserting a QR Code, URL (or any such technology or digital medium), which will be linked to relevant information.
- (b) While making disclosures in relation to environmental claims, data from research shall not be cherry picked to highlight only favorable observation while obscuring others that are unfavorable.
- (c) Any person making an environment related claim should specify whether it refers to the good (as a whole as part), manufacturing process, packaging manner of use of the good or its disposal; or service (or part thereof) or the process of rendering the service.
- (d) Comparative environmental claims that compare one product or service to another must be based on verifiable and relevant data that is disclosed to the consumers. Comparative claims must disclose exactly what aspects are being compared.

- (e) Specific environmental claims such as Carbon Offsets, carbon neutral, Compostable, Degradable, Free-of, Sustainability claims, Non-Toxic, 100% Natural, Ozone-Safe and Ozone-Friendly, Recyclable, Refillable, Renewable, and similar assertions must be supported by disclosure about credible certification, reliable scientific evidence, or independent third-party verification.
- (f) The disclosures made in relation to the environmental claims shall:-
 - a. Be easily accessible to the consumer.
 - b. Not contradict the relevant environmental claim.

These draft guidelines provide a clear and broad definition of green washing as well as environmental claims, enabling us to easily identify advertisements that include misleading or deceptive information related to environmental claims. Additionally, the guidelines offer practical advice on how to improve green washing and environmental claims to ensure they are accurate and do not cause harm to the environment in the future.

Guidance for making environmental claims:

The following should be kept in mind while making environmental claims,

1. Truthfulness and accuracy

Illustration:

“Our packaging is made from 100% recycled materials”. Without verifiable evidence, this claim might be misleading.

2. Clarity and Unambiguity

Illustration:

“Made with minimal impact on the environment”. Without specifying what “minimal impact” means, this claim may downplay or ignore certain environmental concerns associated with product.

3. Fair and meaningful comparisons

Illustration:

“Chemical-free cleaning for a safe environment!” this claim may mislead consumers by implying that other cleaning products are unsafe.

4. Claims should be absolute and relevant

Illustration:

“A marketer advertises on the bottle of its Hand wash as “biodegradable” without qualification. The advertisement shall makes clear that only the Hand wash and not the bottle, is biodegradable”.

5. Use of imagery without substantive changes

Illustration:

A detergent advertisement showcases a family happily playing in an open grass ground, with the tagline, “Gentle on Clothes, Gentle on Nature.” Without directly stating environmental friendliness, the imagery implies connection between the product and a more eco-conscious lifestyle.

6. Endorsement by environmental organizations or experts or other endorsers

Illustration:

Labelling a product as “certified organic” without proper certification from recognized organic certifying bodies, creating a false advertisement.⁴

These are the legal frameworks for addressing green washing at both international and national levels. They help us understand the mechanisms that regulate environmental claims. However, whether these guidelines are followed or not, most people are unaware of this type of marketing. As a result, it becomes difficult to recognize or enforce these guidelines.

⁴ Central Consumer Protection Authority, “Drafting Guidelines for the Prevention and Regulation of Greenwashing”, (Ministry of Consumer Affairs, 2024).

Ultimately, this leads to companies or industries earning illegal profits by exploiting environmental concerns solely for financial gain. I consider such actions to be environmental-related economic crimes or financial crimes. We can discuss how to classify this as an economic crime in the next question.

Is green washing considered financial crime as well as economic crime?

First of all, green washing is the act of falsely presenting environmental concerns as genuine, and it is closely linked to financial and economic crimes. Economic crimes are rooted in the contradictions of socio-economic relations, which influence the outward forms of these crimes. They are often the result of political, economic, geographical, legal, moral, cultural, and other factors that lead to negative impacts. Similarly, green washing creates negative effects on various aspects such as geography, legality, morality, and more. Therefore, in my opinion, it should be considered an economic crime.

In my second point, green washing is a financial crime as it involves misleading or false environmental claims used to gain illegal profits. It is one of the methods employed to achieve such gains. On the one hand, financial crimes are solely associated with illegal monetary gains, whereas economic crimes also encompass illegal profits along with their impact on socio-economic relations. Therefore, green washing should be considered both a financial crime and an economic crime.

Even though green washing is an economic crime, it is not directly recognized under any specific legislation. Nevertheless, we have a legal regulatory framework in the form of guidelines and authorities. Additionally, the Indian government has indicated that green washing constitutes an economic crime. Accordingly, the RBI (Reserve Bank of India) and SEBI (Securities and Exchange Board of India) have issued guidelines that indirectly acknowledge it as a new form of economic crime. Hence, it is essential to examine the guidelines provided to regulate and monitor green washing effectively.

Advertising Standards Council of India (ASCI):

The ASCI has introduced a code for the self-regulation of advertising content in India, which mandates that all claims must be substantiated by transparent, factual evidence and research, including those related to green washing. It also conducts regular monitoring of

advertisements across various media and investigates complaints about misleading or environmental claims. While their decisions are not legally binding on companies or industries, they can lead to the modification or withdrawal of non-compliant advertisements.

Reserve Bank of India:

The Reserve Bank of India has also addressed green washing-related environmental concerns in its circular on the “Framework for Acceptance of Green Deposits.” It proposes third-party verification/assurance and impact assessments for the allocation of funds from ‘green deposits.’ This framework aims to maintain consumer trust and prove the accuracy of such claims. It ensures to help prevent financial institutions from simply labeling their products as ‘green’ without substantive environmental benefits.

Securities and Exchange Board of India (SEBI):

The Securities and Exchange Board of India has taken a proactive role in addressing green washing in the financial sector. Its circular on ‘Dos and Don’ts relating to green debt securities’ aims to avoid the consequences of green washing and provides a clear definition of green washing along with guidelines for issuers of green debt securities.

Green Debt Securities Requirements in SEBI Guidelines:

- Define the criteria for classifying green projects.
- Provide regular updates to investors on the allocation of funds.
- Report the environmental impact of funded projects and ensure third-party verification or certification for their green projects.

These measures must be followed to ensure that funds raised through green debt securities are genuinely used for environmentally beneficial projects and to prevent companies from misusing the ‘green’ label for financial gain. Additionally, SEBI has taken effective steps to approve a regulatory framework for ESG rating providers. These rating providers are expected to reduce green washing practices in financial markets by standardizing the criteria used to evaluate the environmental performance of companies.

Recently, green washing has played a significant role in advertising, and it can be categorized as an unfair trade practice under the Consumer Protection Act, 2019. This has led to the establishment of a regulatory body, the Central Consumer Protection Authority (CCPA). Exercising the powers conferred by Section 18 of the Act, the CCPA has issued guidelines for the prevention and regulation of green washing.

Recent developments on green washing will be discussed in the second research question of my paper. This can help ensure that companies are effectively addressing green washing to create a positive environmental impact for the future. While these developments are adequate for the current situation, there is room to incorporate more ideas to better prevent green washing and protect environmental sustainability.

Challenges:**Enforcement Difficulties:**

Existing regulations and guidelines could be enforced to implement effective measures, but they require technical expertise to verify complex environmental claims, financial support, raising consumer awareness, keeping pace with evolving marketing techniques, balancing regulations with innovation, and addressing international issues.

Suggestions:

- Implement robust third-party verification systems.
- Enhance transparency and accountability mechanisms.
- Launch consumer education initiatives and conduct awareness programs for society.
- Integrate advanced technologies, such as block chain, and strengthen the legal framework with specific anti-green washing projects.
- Enact separate legislation to address environmental concerns and to prevent the misuse or misrepresentation of economic activities, such as green washing, green debt securities, and green projects.
- Establish robust mechanisms for Corporate Social Responsibility (CSR) and

Environmental, Social, and Governance (ESG) practices to create a positive impact on environmental sustainability.

- Currently, these crimes often only result in penalties, but they fail to address the ethical and moral implications, which is unfair to environmental justice. To ensure fairness, I recommend applying principles such as the precautionary principle, the polluter-pays principle, and absolute liability for environmental crimes. Additionally, perpetrators should be mandated to engage in community services, including initiatives related to afforestation and building climate change resilience.
- Governments, non-governmental organizations (NGOs), individuals, and the judiciary must work together to prevent, regulate, and monitor environmental crimes at both international and national levels.

Conclusion:

These regulatory mechanisms, if effectively implemented, can significantly enhance India's ability to combat green washing and promote authentic environmental claims. India already has existing legal frameworks that provide a solid foundation for addressing deceptive environmental practices. However, the success of these measures will depend on robust implementation, consistent enforcement, and the ability to adapt to evolving marketing strategies.

In conclusion, my research highlights the importance of addressing misconceptions surrounding green washing. By incorporating the recommended measures into existing regulatory mechanisms, we can combat deceptive environmental claims more effectively. This approach will not only promote transparency but also encourage the progressive development of authentic and eco-friendly practices for a sustainable future.

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