

Rights in int. env. law

- A rights based approach disappeared from Rio
- Rio Declaration + the Aarhus Convention (1998)
 - The focus on procedural rights - information, participation in decision-making, access to justice
- Are countries moving in the direction of substantive or procedural rights?
- Environmental justice
- Development and environment
- Indigenous peoples and minority rights
- Individual right or collective right?

Participation Litigation Rights Of Env

David R. Boyd



Participation Litigation Rights Of Env:

Participation and Litigation Rights of Environmental Associations in Europe Martin Führ, Gerhard Roller, 1991
This book assembles the revised papers of an international conference and thus offers a comprehensive comparative overview of the participation and litigation rights of environmental associations in Europe This is supplemented by a compilation of the relevant statutory law in force Besides the legal background the focus of interest is above all on practical experience with participation and litigation rights from the point of view of the environmental associations The contributions show that the effectivity of group actions is extremely high In none of the analysed countries were there the slightest indications of any undue strain being placed on the judicial system by this instrument There can be no doubt that the participation and litigation rights of environmental organizations are important instruments in reducing the enforcement deficit in environmental protection With a view to the fact that Europe is growing more and more into one entity the need of participation of environmental NGO s on the European level becomes a pressing necessity

The Oxford Handbook of International Environmental Law ,2021 Taking stock of all the major developments in the field of international environmental law this text explores core assumptions and concepts basic analytical tools and key challenges R sum de l diteur

Legal Rights for Rivers Erin O'Donnell, 2018-10-17 In 2017 four rivers in Aotearoa New Zealand India and Colombia were given the status of legal persons and there was a recent attempt to extend these rights to the Colorado River in the USA Understanding the implications of creating legal rights for rivers is an urgent challenge for both water resource management and environmental law Giving rivers legal rights means the law can see rivers as legal persons thus creating new legal rights which can then be enforced When rivers are legally people does that encourage collaboration and partnership between humans and rivers or establish rivers as another competitor for scarce resources To assess what it means to give rivers legal rights and legal personality this book examines the form and function of environmental water managers EWMs These organisations have legal personality and have been active in water resource management for over two decades EWMs operate by acquiring water rights from irrigators in rivers where there is insufficient water to maintain ecological health EWMs can compete with farmers for access to water but they can also strengthen collaboration between traditionally divergent users of the aquatic environment such as environmentalists recreational fishers hunters farmers and hydropower This book explores how EWMs use the opportunities created by giving nature legal rights such as the ability to participate in markets enter contracts hold property and enforce those rights in court However examination of the EWMs unearths a crucial and unexpected paradox giving legal rights to nature may increase its legal power but in doing so it can weaken community support for protecting the environment in the first place The book develops a new conceptual framework to identify the multiple constructions of the environment in law and how these constructions can interact to generate these unexpected outcomes It explores EWMs in the USA and Australia as examples and assesses the implications of creating legal

rights for rivers for water governance Lessons from the EWMs as well as early lessons from the new river persons show how to use the law to improve river protection and how to begin to mitigate the problems of the paradox **The Environmental Rights Revolution** David R. Boyd, 2011-11-29 The right to a healthy environment has been the subject of extensive philosophical debates that revolve around the question Should rights to clean air water and soil be entrenched in law David Boyd answers this by moving beyond theoretical debates to measure the practical effects of enshrining the right in constitutions His pioneering analysis of 193 constitutions and the laws and court decisions of more than 100 nations in Europe Latin America Asia and Africa reveals a positive correlation between constitutional protection and stronger environmental laws smaller ecological footprints superior environmental performance and improved quality of life

Human Rights and Environmental Protection Marek Prityi, 2024-11-15 This book explores the complex relationship between human rights and environmental protection It analyzes the concept of environmental procedural rights from a comparative perspective in the European Union India and China Arguing the need to apply a holistic approach which acknowledges the interlinkages between democracy environmental protection and climate change it examines both theoretical and practical dimensions of the topic with case studies drawn from empirical research The work highlights the important role of environmental procedural rights at the intersection of environmental law and human rights emphasizing the need for effective channels of communication between citizens and public authorities The study calls for the taking into account of non binding recommendations such as the Maastricht Recommendations on Promoting Effective Public Participation in Environmental Matters for developing public participation procedures in a manner that allows authorities to tailor these to the needs and situations of marginalized people The book will be a valuable resource for academics researchers and policy makers working in the areas of environmental law international human rights law and transnational law and governance *Approaches to Environmental Litigation & Advocacy in Southern Africa*, 2002 **Environmental**

Law and Justice in Context Jonas Ebbesson, Phoebe N. Okowa, 2009-02-19 political science and international relations Book Jacket **Law and Practice on Public Participation in Environmental Matters** Uzuazo Etemire, 2015-07-20 Public participation has become a recurring theme and a topical issue in the field of international environmental law with many multilateral environmental instruments calling on states to guarantee effectively the concept in their laws and practices This book focuses on public participation in environmental governance in terms of public access to environmental information and public participation in environmental decision making processes Drawing on the body of international best practice principles in environmental law and taking a comparative stance Uzuazo Etemire takes Nigeria as a key case evaluating its procedural laws and practices in relation to public access to information and participation in decision making in environmental matters In working to clarify and deepen understanding of the current status of environmental public participation rights in Nigeria the book addresses key issues in environmental governance for developing and transitional

countries and the potential for public participation to improve the state of the environment and public wellbeing This book will be of great interest to undergraduate students as further reading and post graduate students academics researchers relevant government agencies and departments policy makers and NGOs in the fields of international environmental law environmental justice environmental natural resource management development studies and international finance

Environmental Protection in Transition John Clark, Daniel H. Cole, 2017-07-05 This book takes an interdisciplinary look at environmental protection during Poland's transition to market democracy The contributors are recognised experts in their fields making this an authoritative volume combining the perspectives of economists legal scholars political scientists and sociologists

Environmental Communication and the Public Sphere Phaedra C. Pezzullo, Robert Cox, 2017-10-24 The fifth edition of this award winning text remains the most comprehensive introduction in the growing field of environmental communication offering insights into real world applications of the topic and exploring recent events such as the Trump Administration the People's Climate March and international legal precedents

Europe and the Environment Marco Onida, 2004 Dr Ludwig Krüger born 1939 retired from the European Commission in August 2004 Dr Krüger joined the European Commission in 1972 where he started his career dealing with consumer protection issues in the Competition Directorate General He successfully combined his profession as an official of the European Commission with intensive writing and teaching activities Dr Krüger is the author of numerous books handbooks and articles on EC environmental law He is an environmental law professor and regularly teaches at several European and non European universities In his teaching and speeches he has inspired his audience and spurred many young people into working to protect the environment On the occasion of his retirement from the Commission a group of colleagues and friends decided to honor him with the production of this book which assembles legal essays on a number of EC environmental law subjects

Environmental Management in a Transition to Market Economy Carlo Carraro, Alain Haurie, Georges Zaccour, Université de Genève, Fondazione Eni Enrico Mattei, Centre d'études en administration internationale (Montréal, Canada), 1994 The proceedings of an International Conference held in Geneva Switzerland January 1993 providing a comprehensive overview of environmental issues in Central European countries and a look at possible problem solving approaches with comparative studies based on some current Western practices The volume is organized in three parts environmental management principles and experiences challenges to Central European countries Poland Czechy and Slovakia Hungary Romania ex USSR ex East Germany and systems analysis and techno economic modeling No index Note the 120 price is estimated the publisher's price is 590 francs Annotation copyright by Book News Inc Portland OR

Environmental Principles Nicolas de Sadeleer, 2002 This has been due in part to a fundamental change in the type and scale of risk posed by industry

Environmental Judicial Review R. J. Moules, 2011-09-01 Judicial review of environmental decisions is an important and growing area of public law But although the general principles of judicial review have been clearly mapped out their

application to the particular context of the environment is under explored This book therefore seeks to provide a detailed and critical account of environmental judicial review in both domestic and EU law Part I explains the central principles of environmental law such as the polluter pays principle and the precautionary principle and shows how they influence the application of public law standards of legality Part II considers the procedure for judicial review with particular emphasis on standing protective costs and the availability of interim relief Part III consists of a detailed examination of how each of the grounds for judicial review is applied in the environmental context It highlights the increased emphasis on consultation and public participation in environmental matters the degree of deference afforded by the courts to scientific and political judgments and the prevalence of hard edged questions of law Part IV focuses on EU law and examines direct and indirect actions before the EU courts preliminary references and state liability It also considers infraction proceedings brought by the EU Commission the role of individuals and NGOs in relation to such proceedings and the interrelationships between infraction proceedings and judicial review Finally Part V explains the complex regime governing access to environmental information

Human Rights and the Environment Maguelonne Dejeant-Pons, Marc Pallemarts, Sara Fioravanti, Council of Europe, Belgium. Ministère des affaires sociales, de la santé publique et de l'environnement, 2002-01-01 This book brings together for the first time international texts relating to individual and collective rights to environmental protection standards for the benefit of present and future generations These rights include access to information public participation in decision making and access to justice in environmental matters This publication will be of interest to human rights specialists environmentalists and all those wishing to exercise environmental rights

Environmental Communication and the Public Sphere Robert Cox, Phaedra C. Pezzullo, 2015-04-17 The Fourth Edition of *Environmental Communication and the Public Sphere* remains the only comprehensive introduction to the growing field of environmental communication ranging from an historical overview of key terms to important legal and technological developments This innovative book focuses on how human communication influences the way we perceive and act in the environment It also examines how we interpret environmental problems and decide what actions to take with regard to the natural world Three time president of the Sierra Club the largest environmental group in the United States lead author Robert Cox leverages his vast experience to offer insights into the news media Congress environmental conflict advocacy campaigns and other real world applications of environmental communication New coauthor Phaedra Pezzullo brings two decades of applied experience working with grassroots environmental justice and health organizations citizen advisory boards and student led campaigns as well as her internationally recognized research on toxic pollution social injustices public advocacy and more The authors introduce the reader to the major areas terms and debates of this evolving field The Fourth Edition incorporates major revisions that include four new chapters on visual and popular culture digital media and activism the sustainability of college and corporation campuses and the legal standing of citizens and nature Updates throughout the text draw on timely topics

including visual communication used in climate science campaigns fracking and challenges to the right to know plastic bag bans consumer apps digital activism for environmental justice green marketing and arguments on giving legal rights to nonhuman entities from dolphins to rivers

Finding Solutions for Environmental Conflicts Edward

Christie,2008-01-01 Environmental conflicts over sustainability EIA biodiversity biotechnology and risk chemicals and public health are not necessarily legalistic problems but land use problems Edward Christie shows how solutions for these conflicts can be found via consensual agreement using an approach that integrates law science and alternative dispute resolution ADR This book assesses the key unifying principles of environmental and administrative law in Australia the UK EU and USA together with accepted scientific concepts of environmental management and protection By doing so it provides a cross disciplinary approach to collaborative problem solving and decision making using ADR processes to resolve environmental conflicts and will be valuable to any environmental professional This book has been written to meet the requirements of any environmental professional lawyer scientist engineer planner who directly or indirectly may be involved in development or planning conflicts when the environment is in issue For the lawyer this book with its focus on understanding and integrating unifying legal principles and scientific concepts consolidates opportunities for assessing and resolving environmental conflicts by negotiation For the environmental professional the book provides opportunities for managing environmental conflicts In addition opportunities are identified for resolving environmental conflicts by negotiation but in quite specific situations i e when the interpretation and application of questions of law are not in issue and only factual scientific issues are in dispute It will also of course strongly appeal to academics and researchers of environmental studies and environmental law It will also appeal to the indigenous community and environmental groups who are seeking more direct and effective inputs into resolving environmental conflicts

Environmental Law Dimensions of Human Rights Ben Boer,2015 How can we guarantee a right to life or a right to health without also guaranteeing a decent environment in which to exercise these rights It is becoming increasingly obvious that a high quality environment is key to the fundamental human rights of life and health and associated rights such as the right to clean water adequate housing and food This book canvasses a range of law and policy issues concerning human rights and the environment Each chapter examines an aspect of the links between environmental law and human rights in substantive and or procedural terms loosely falling into four themes human rights and the environment in the context of the private sector analysis of decisions of the European and Inter American courts in respect of substantive and procedural aspects human rights and the environment in the Asian region including the issue of human displacement and the future direction of human rights and environment law

Legal Methods of Mainstreaming Climate Change Adaptation in Chinese Water Management Xiangbai He,2016-01-29 This book addresses why whether and how the existing legal framework on water management in China could make climate change adaptation a mainstream issue The book uses a table to illustrate the distinctions and similarities between IWRM and water centered adaptation to analyze

the possibilities of mainstreaming adaptation The new water planning processes and EIA are also illustrated in the form of figures showing the differences after factoring in adaptation considerations Interviews with water managers to obtain their perception and attitudes towards climate change adaptation offer new perspectives for readers The adaptation mainstreaming approach which finds a way to balance various interests and tasks will arouse the interests of those readers who argue that climate change is only one of the issues challenging water management and that poverty reduction environmental protection and living standard improvement are even more important Readers will also be interested to discover that the adaptation mainstreaming approach could be applied in water management institutions such as water planning and EIA In addition the book offers a clear explanation of the challenges of adaptation to the existing water related legal framework from a theoretical perspective and provides theoretical and practical recommendations

Access to Environmental Justice: A Comparative Study Andrew Harding, 2007-06-30 Although it is commonly asserted that enhanced citizen participation results in better environmental policy and improved enforcement of environmental standards this hypothesis has rarely been subject to testing on a comparative basis The contributors to this book set out to study the extent to which citizens can and do exert influence over their urban environments through the legal and extra legal gateways in eleven countries spanning several continents as well as different climates levels and type of economic development and national legal and constitutional systems as well as exhibiting a different set of environmental problems One interviewee questioned about access to environmental justice dryly remarked that in his city there was no environment no justice and no access to either Yet this view as will be seen requires to be nuanced While few people will be surprised by the finding that legal gateways to environmental justice are largely ineffective the reasons for this are revealing but also the richness of detail and the comparisons between the different countries and also the positive aspects which surfaced in several instances were indeed both encouraging and sometimes surprising This book presents the first comparative survey of access to environmental justice and will be of considerable use to lawyers policy makers activists and scholars who are concerned with the environmental issues which so profoundly affect and afflict our habitat and conditions of social justice throughout the world

The book delves into Participation Litigation Rights Of Env. Participation Litigation Rights Of Env is an essential topic that must be grasped by everyone, from students and scholars to the general public. This book will furnish comprehensive and in-depth insights into Participation Litigation Rights Of Env, encompassing both the fundamentals and more intricate discussions.

1. The book is structured into several chapters, namely:
 - Chapter 1: Introduction to Participation Litigation Rights Of Env
 - Chapter 2: Essential Elements of Participation Litigation Rights Of Env
 - Chapter 3: Participation Litigation Rights Of Env in Everyday Life
 - Chapter 4: Participation Litigation Rights Of Env in Specific Contexts
 - Chapter 5: Conclusion
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5. In chapter 4, this book will scrutinize the relevance of Participation Litigation Rights Of Env in specific contexts. The fourth chapter will explore how Participation Litigation Rights Of Env is applied in specialized fields, such as education, business, and technology.
6. In chapter 5, this book will draw a conclusion about Participation Litigation Rights Of Env. The final chapter will summarize the key points that have been discussed throughout the book.

The book is crafted in an easy-to-understand language and is complemented by engaging illustrations. This book is highly recommended for anyone seeking to gain a comprehensive understanding of Participation Litigation Rights Of Env.

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