



Environmental Rights Law Litigation And Access To Justice

Marek Prityi



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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 Public Interest Environmental Litigation in India, Pakistan, and Bangladesh Jona Razzaque, 2004-01-01 This research examines the growth and expansion of public interest environmental litigation PIEL in India and analyses the changes that are influencing the development of PIEL in Bangladesh and Pakistan The necessity for this research lies in the rapid degradation of environment and the need of efficient environmental management in the three countries of the South Asian region Here we compare the legal systems of the three countries from the environmental point of view discuss new ideas and directions and critically analyse the legal provisions that would help to apply environmental norms These offer the legislators a chance to find out what can be applied in their own region thus developing their existing legal mechanisms About the author Jona Razzaque is barrister and holds a PhD in law from the University of London She works in the field of access to environmental justice and has published numerous articles on this issue She taught law in Queen Mary College and School of Oriental and African Studies under the University of London She is currently working as a lawyer in the Foundation for International Environmental Law and Development FIELD on cross themed projects related to bio diversity trade and climate change

Research Handbook on Human Rights and the Environment Anna Grear, Louis J. Kotzé, 2015-06-29 Bringing together leading international scholars in the field this Research Handbook interrogates from various angles and positions the fractious relationship between human rights and the environment and between human rights and environmental law

Constitutional Environmental Law, 2007 Over the past decades and especially since the 1992 Earth Summit many African countries have incorporated environmental provisions into their constitutions This volume updated and expanded from the original 2000 publication analyzes the constitutional environmental law provisions in Africa It also examines cases from Africa and elsewhere around the world that interpret and apply such provisions

Cambridge Yearbook of European Legal Studies Vol 1, 1998 Alan Dashwood, Angela Ward, 1999-07-01 The Cambridge Yearbook of European Legal Studies provides a new forum for the scrutiny of significant issues in European Union Law the law of the Council of Europe and Comparative Law with a European dimension and particularly those which have come to the fore during the year preceding publication The contributions appearing in the collection are commissioned by the Centre for European Legal Studies Cambridge which is the research Centre of Cambridge University Law Faculty specialising in European legal issues The

papers presented are all at the cutting edge of the fields which they address and reflect the views of recognised experts drawn from the University world legal practice and the civil services of both the EU and its Member States Inclusion of the comparative dimension brings a fresh perspective to the study of European law and highlights the effects of globalisation of the law more generally and the resulting cross fertilisation of norms and ideas that has occurred among previously sovereign and separate legal orders Each edition will commence with the Mackenzie Stuart Lecture established in honour of Lord Mackenzie Stuart formerly President of the ECJ and given each year in the Cambridge Law Faculty The first Lecturer in 1997 was Judge G Rodriguez Iglesias currently President of the ECJ the second was Mr Jean Louis Dewost Director General of the Commission s Legal Service Their contributions launch Volume 1 The Cambridge Yearbook of European Legal Studies is an invaluable resource for those wishing to keep pace with legal developments in the fast moving world of European integration

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Greening International Jurisprudence Cathrin Zengerling, 2013-08-22 *Greening International Jurisprudence* Environmental NGOs before International Courts Tribunals and Compliance Committees examines how international judicial and quasi judicial bodies enforce international environmental law with particular consideration to the role of environmental NGOs The analytical structure of the study is based on four aspects of discussion and research the enforcement deficit in environmental law global environmental governance and sustainable development the proliferation of international judicial and quasi judicial bodies and deliberation and democratic global governance Author Cathrin Zengerling analyses the institutional structure as well as the environmental case law from a total of fourteen international courts arbitral tribunals and compliance committees with special focus on accessibility comprehensiveness and transparency Underlying this analysis is the fundamental question of whether the respective body appropriately contributes to the realization of democratic governance for sustainable development After presenting her core findings the author provides concrete recommendations for future best practices and discusses the need for a new World Environment Court Researchers practitioners and students of international environmental law will find an important thought provoking and timely new text in *Greening International Jurisprudence* Environmental NGOs before International Courts Tribunals and Compliance Committees

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

Research Handbook on Climate Change Litigation Francesco Sindico, Kate McKenzie, Gastón A Medici-Colombo, Lennart Wegener, 2024-06-05 This Research Handbook provides a comprehensive depiction of the various stages opportunities and challenges of climate change litigation at national and international levels from an innovative practice oriented perspective Bringing together expert authors from a range of legal backgrounds it features contributions not only from experienced academics researching in the field but also from strategic planning specialists and legal coordinators for organizations involved in climate related litigation This title contains one or more Open Access chapters

Global Environmental Constitutionalism James R. May, Erin Daly, 2015 Reflecting a global trend scores of countries have affirmed that their citizens are entitled to healthy air water and land and that their constitution should guarantee certain environmental rights This book examines the increasing recognition that the environment is a proper subject for protection in constitutional texts and for vindication by constitutional courts This phenomenon which the authors call environmental constitutionalism represents the confluence of constitutional law international law human rights and environmental law National apex and constitutional courts are exhibiting a growing interest in environmental rights and as courts become more aware of what their peers are doing this momentum is likely to increase This book explains why such provisions came into being how they are expressed and the extent to which they have been and might be enforced judicially It is a singular resource for evaluating the content of and hope for constitutional environmental rights

Environmental Rights Sven Deimann, Bernard Dyssli, 1995-01-01 *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

The EU and Human Rights Philip Alston, Mara R. Bustelo, James Heenan, 1999 For all its achievements in integrating Europe the EU lacks a human rights policy which is coherent balanced and professionally administered Whether in relation to access to Community justice sex equality race and disability discrimination or policing or in its external policies from Kosovo to China the Union needs new principles procedures and institutions to design and implement an effective set of human rights policies The introduction of a single

currency the problems of racism and xenophobia the need for a humane refugee policy the growing powers of the EU in many fields and the Unions imminent eastward expansion all make it urgent to adopt such policies In this volume the leading experts in the field including individuals from every EU country provide an insightful critique of current policies and detailed recommendations for the future The volume includes comprehensive analyses of the competencies of the EU in human rights access to justice the Third Pillar Environmental Protection and Human Rights Donald K. Anton, Dinah L.

Shelton, 2011-04-11 With unique scholarly analysis and practical discussion this book provides a comprehensive introduction to the relationship between environmental protection and human rights being formalized into law in many legal systems This book instructs on environmental techniques and procedures that assist in the protection of human rights The text provides cogent guidance on a growing international jurisprudence on the promotion and protection of human rights in relation to the environment that has been developed by international and regional human rights bodies and tribunals It explores a rich body of case law that continues to develop within states on the environmental dimension of the rights to life to health and to public participation and access to information Five compelling contemporary case studies are included that implicate human rights and the environment ranging from large dam projects to the creation of a new human right to a clean environment *The*

New "public", 2002 The Right of the Child to a Clean Environment Agata Fijalkowski, Malgosia Fitzmaurice, 2017-11-30

This title was first published in 2000 A discussion on the right of a child to a clean environment It links two important contemporary issues human rights and the environment The volume consists of the extended versions of some of the papers which were presented at a workshop on The Right of a Child to a Clean Environment held at Queen Mary and Westfield College University of London in 1997 and there are also some additional contributions The workshop participants included Michael Anderson and Sylvia Bluck Harry Post Holly Cullen and Olufemi Elias The additional contributors include Veronic Wright Maria G Doglioli and Soledad Aguilar There are essays on general issues selected case studies and annexes

Gender, Poverty and Access to Justice David Lawson, Adam Dubin, Lea Mwambene, 2020-06-01 Access to justice is a fundamental right guaranteed under a wide body of international regional and domestic law It is also an essential component of development policies which seek to adequately respond to the multidimensional deprivations faced by the poor in order to improve socio economic well being and advance the progress of the Sustainable Development Goals Women and children make up most of Africa s poorest and most marginalized population and as such are often prevented from enforcing rights or seeking other recourse This book explores and analyzes the issue of gendered access to justice poverty and disempowerment across Sub Saharan Africa SSA and provides policy discussions on the integration of gender in justice programming Through individual country case studies the book focuses on the challenges obstacles and successes of developing and implementing gender focused access to justice policies and programming in the region This multidisciplinary volume will be of interest to policy makers as well as scholars and researchers focusing on poverty and gender policy across law economics and global

development in Sub Saharan Africa Additionally the volume provides policy discussion applicable in other geographical areas where access to justice is elusive for the poor and marginalized *Moral and Political Reasoning in Environmental Practice*

Andrew Light, Avner De-Shalit, 2003 Essays showing how environmental philosophy can have an impact on the world by integrating abstract reasoning with actual environmental practice **Corporate Liability for Transboundary**

Environmental Harm Peter Gailhofer, David Krebs, Alexander Proelss, Kirsten Schmalenbach, Roda Verheyen, 2022-11-14

This open access book aims to elaborate on the legal prerequisites to establish the liability of corporations for transboundary environmental harm not only by identifying existing liability rules principles and standards but also by analysing their potential for further legal development The authors consider international and transboundary liability law to currently be an underutilised tool for international environmental protection The book seeks to address this by exploring what is needed in terms of legislative action and identifying options for judicial pliability thereby providing an important legal contribution in furthering the development of an effective international and transnational environmental liability law regime **Corporate**

Criminal Liability in Environmental Jurisprudence Indrajit Dube, Mia Mahmudur Rahim, 2025-09-08 Environmental jurisprudence is a dynamic field that integrates insights from various disciplines including basic sciences earth science economics and law At its core this discipline emphasizes the importance of enforcing rights as environmental pollution poses significant threats to individuals and society as a whole The repercussions of pollution are not confined to the immediate vicinity they can reverberate across vast regions and impact countless future generations Addressing pollution as a wrong or crime demands a nuanced understanding of the law making the study of environmental jurisprudence essential This book explores corporate polluter liability within the framework of environmental jurisprudence While protective measures for the environment have been embedded in various statutes since the early 20th century the notion of environmental jurisprudence has only recently come to the forefront of legal discourse This field is crucial for safeguarding the natural and legal rights of individuals communities and the state With a comprehensive approach that encompasses both national and international dimensions this book critically engages with the foundational concepts of environmental jurisprudence exposing the rampant environmental violations perpetrated by corporations and outlining how these entities can be held accountable within regulatory frameworks Furthermore it provides a thorough analysis of essential international instruments aimed at combatting corporate induced environmental degradation offering recommendations to elevate corporate criminal liability within the realm of environmental jurisprudence scholarship Highlighting the urgent need for accountability but also inspiring action toward a sustainable future this book will interest legal scholars researching on criminal liability and environmental law International Sustainable Development Law - Volume III A. F. Munir Maniruzzaman, Aaron

Schwabach, Arthur John Cockfield, A. Dan Tarlock, John C. Dernbach and Gabriela Maria Kutting, 2010-10-30 International Sustainable Development Law is a component of Encyclopedia of Development and Economic Sciences in the global

Encyclopedia of Life Support Systems EOLSS which is an integrated compendium of twenty one Encyclopedias The Theme on International Sustainable Development Law reflects on the rights and duties of states and other actors in the development process The chapters range from International Development Law standard applications of economic theory to more radical approaches These three volumes are aimed at the following five major target audiences University and College Students Educators Professional Practitioners Research Personnel and Policy Analysts Managers and Decision Makers NGOs and GOs

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