

Human Rights Development And Environmental Law 1st Edition

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Explore the intricate relationship between human rights, sustainable development, and environmental law, uncovering crucial principles and frameworks that govern global policy. This resource delves into the legal and ethical dimensions of protecting human dignity while addressing environmental challenges and fostering responsible development, offering key insights for practitioners and scholars alike.

The collection includes scientific, economic, and social research papers.

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Research Handbook on Human Rights and the Environment

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.

Climate Change and Human Rights

Do anthropogenic greenhouse gas emissions affect human rights? Should fundamental rights constrain climate policies? Scientific evidence demonstrates that anthropogenic greenhouse gas emissions contribute to increasing atmospheric temperatures, soon passing the compromising threshold of 2° C. Consequences such as Typhoon Haiyan prove that climate alteration has the potential to significantly impair basic human needs. Although the United Nations Framework Convention on Climate Change and human rights regulatory regimes have so far proceeded separately, awareness is arising about their reciprocal implications. Based on tripartite fundamental obligations, this volume explores the relationship between climate change and interdependent human rights, through the lens of an international and comparative perspective. Along the lines of the metaphor of the 'wall', the research ultimately investigates the possibility of overcoming the divide between universal rights and climate change, and underlying barriers. This book aims to be a useful resource not only for practitioners, policymakers, academics, and students in international, comparative, environmental law and politics and human rights, but also for the wider public.

Environmental Protection and Human Rights

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.

Environmental Law Dimensions of Human Rights

A high quality environment is coming to be regarded as a necessary prerequisite for the enjoyment of some of the most fundamental human rights, including the rights to life and health. However, the precise recognition of a 'right to environment' has not yet been settled. The essays collected here address this and related questions from different perspectives.

Research Handbook on Fundamental Concepts of Environmental Law

The quality and the strength of an environmental legal system is a reflection of the conceptual foundations upon which it is constructed. The Research Handbook on Fundamental Concepts of Environmental Law illuminates key aspects of environmental governance through the lens of their underlying dimensions: for example, the form, structure and language of international, regional and national instruments; the function of norms, objectives and standards; and the relevance of economic analysis and of integrated policy formulation.

Human Rights and the Environment

The book examines the genesis and development of environmental rights (or the Right to Environment) in international law and discusses their philosophical, theoretical and legal underpinnings in the context of sustainable development and the notion of solidarity rights.

International Environmental Law, Volume I

This title was first published in 2003. Viewed as a prelude to a broader spectrum of perspectives and approaches captured within international protection of the environment, these volumes offer an invitation to further exploration. Covering a broad array of topics, the essays chosen convey pivotal breakthroughs in international environmental law.

Environmental Human Rights

The nature of environmental human rights and their relation to larger rights theories has been a frequent topic of discussion in law, environmental ethics and political theory. However, the subject of environmental human rights has not been fully established among other human rights concerns within political philosophy and theory. In examining environmental rights from a political theory perspective, this book explores an aspect of environmental human rights that has received less attention within the literature. In linking the constraints of political reality with a focus on the theoretical underpinnings of how we think about politics, this book explores how environmental human rights must respond to the key questions of politics, such as the state and sovereignty, equality, recognition and representation, and examines how the competing understandings about these rights are also related to political ideologies. Drawing together contributions from a range of key thinkers in the field, this is a valuable resource for students and scholars of human rights, environmental ethics, and international environmental law and politics more generally.

Non-regression in International Environmental Law

The book analyses the emerging concept of 'non-regression' as a novel legal principle of international environmental law. It traces the development of non-regression in the context of international human rights law and provides an examination of the respective jurisprudence under universal and regional human rights instruments. These are then compared to closely-related normative concepts in the framework of international environmental law, including the Paris Climate Change Agreement and

biodiversity-related agreements such as the Ramsar Convention on Wetlands and the Bonn Convention on Migratory Species. The book advocates an innovative usage of comparative law methods in order to enable fruitful interactions between human rights and international environmental law. *Non-Regression in International Environmental Law* is an important contribution to the development of international environmental law that offers a fresh perspective on the relationship between human rights and international environmental law. DR MARKUS VORDERMAYER-RIEMER is a legal and policy officer at the Bavarian State Ministry of the Environment and Consumer Protection, Germany. He was previously a law clerk at the Higher Regional Court of Munich, Germany. He has also worked as a research assistant at the Institute of International Law of Ludwig-Maximilian-University, Munich, and was educated in both civil law and common law jurisdictions.

Human Dignity and the Adjudication of Environmental Rights

Focusing on contemporary debates in philosophy and legal theory, this ground-breaking book provides a compelling enquiry into the nature of human dignity. The author not only illustrates that dignity is a concept that can extend our understanding of our environmental impacts and duties, but also highlights how our reliance on and relatedness to the environment further extends and enhances our understanding of dignity itself.

EU Environmental Law, International Environmental Law, and Human Rights Law

EU Environmental Law, International Environmental Law, and Human Rights Law: The Case of Environmental Responsibility offers a critical appraisal of EU environmental responsibility law and the input of a rights-based approach and international environmental law.

International Environmental Law

The third edition of this major legal guide has been thoroughly revised and updated to cover recent events and important emerging issues. Additional material includes analysis of and commentary on the World Summit on Sustainable Development, ecosystem management, compliance and dispute settlement, armed conflict, and developments in the relationship of trade and the environment. Highlights include: - Concept and Scope of the "Environment" and "Environmental Law" - The Necessity of International Law - Foundations of International Environmental Law - Origin and Evolution of International Environmental Law - Sources of International Environmental Law - Institutions and Civil Society - International Common Law and Principles - Implementing International Environmental Law - Compliance and Dispute Settlement - Protection of Living Organisms - Fresh Waters - The Marine Environment - Atmosphere, Stratosphere and Climate - Regulating Threats to the Environment Published under the Transnational Publishers imprint.

Contemporary Issues in International Environmental Law

... Highly recommended as a key contribution to the literature. It fulfils its title in being contemporaneous, but more than that it also provides a subtle critique of how many international environmental lawyers have approached their subject. . . this book will be an essential read for anyone interested in the subject. *British Yearbook of International Law* This book presents an interesting, scholarly read. . . an invaluable reference asset, to law students, researchers, policy makers and non-state actors with interest in environmental regulation and governance. Priscilla Schwartz, *Journal of Environmental Law* This is a thoughtful and well-researched study of current issues in international environmental law. Malgosia Fitzmaurice's collection of essays is a welcome addition to the literature in this rapidly developing area of the law: it provides perspective on the environmental law issues discussed, but always against the background of the broader concepts and principles of general international law. James Crawford, University of Cambridge, UK The central aim of this insightful book is to illuminate how many concepts in international environmental law such as the precautionary principle and sustainable development are taken for granted. These problematic issues are very much still evolving and subject to heated debate between scholars as well as between states. The author explores these controversies viewing them as a positive development within a field that is in a constant state of flux. Areas discussed include the convergence of human rights with environmental issues and the quest for the human right to a clean environment. The book also clearly demonstrates that international environmental law cannot be analysed in isolation since it greatly influences the development of general international law. Taking full account of the most recent decisions of international courts and tribunals as well as the most

up-to-date scholarly analysis, *Contemporary Issues in International Environmental Law* is a timely and important resource for legal scholars, under- and post-graduates and practitioners alike.

The Evolution of Sustainable Development in International Law: Inception, Meaning and Status

In a remarkably short time "sustainable development" has become firmly established in international law. The World Commission on Environment and Development concisely defined this concept as: "development that meets the needs of the present generation without compromising the ability of future generations to meet their own needs". This definition combines inter-generational equity with an awareness of the finite capacity of the earth and its natural resources. This book brings together a collection of lectures given at the Hague Academy of International Law. The aim of the book is threefold: firstly, to review the genesis, clarify the meaning and assess the status of sustainable development within international law; secondly, to examine the legal principles that have emerged in the pursuit of sustainable development; and finally, to assess to what extent the current state of law demonstrates a balance between and integration of all relevant fields of international law as urged by the Rio, Johannesburg and World Summit documents.

The Right of the Child to a Clean Environment

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\

Human Rights and the Environment under African Union Law

This book brings together original and novel perspectives on major developments in human rights law and the environment in Africa. Focusing on African Union law, the book explores the core concepts and principles, theory and practice, accountability mechanisms and key issues challenging human rights law in the era of global environmental change. It, thus, extend the frontier of understanding in this fundamental area by building on existing scholarship on African human rights law and the protection of the environment, divulging concerns on redressing environmental and human rights protection issues in the context of economic growth and sustainable development. It further offers unique insight into the development, domestication and implementation challenges relating to human rights law and environmental governance in Africa. This long overdue interdisciplinary exploration of human rights law and the environment from an African perspective will be an indispensable reference point for academics, policymakers, practitioners and advocates of international human rights and environmental law in particular and international law, environmental politics and philosophy, and African studies in general. It is clear that there is much to do, study and share on this timely subject in the African context.

Children's Environmental Rights Under International and EU Law

This book is dedicated to a topic which has for a long time lacked the attention it deserves within the academic world. It intends to address in a coherent and comprehensive manner the problem of the environmental rights of the child, which are not identical to the ones of adults whose environmental rights have been appraised from a general point of view. In the absence of any international law instrument explicitly granting a child the right to a clean environment, drawing on an extensive and original analysis of the UN Convention on the Rights of the Child and the practice of its monitoring body, this book undertakes an assessment of the extent to which these challenges may be overcome through a greater engagement between international law on the rights of the child and international environmental law. The result is the first comprehensive study on the manner in which these two mutually reinforcing legal regimes can interact to strengthen the protection of children's environmental human rights at stake in the increased strategic environmental and climate litigations at both the national and international level. The book is recommended reading for, amongst others, policy makers, international environmental lawyers and human rights lawyers and practitioners. Additionally, lecturers, students and researchers from a range of disciplines will also gain from seeing how new legal scholarship and intertwined branches of international law contribute to the continual development of the living rights of the human rights conventions. Francesca Ippolito is Associate Professor of International Law in the Department of Political and Social Science of the University of Cagliari, Italy. She holds the Jean Monnet Chair on European Climate of Change - REACT for 2021-2024.

Rights of Nature

Rights of nature is an idea that has come of age. In recent years, a diverse range of countries and jurisdictions have adopted these norms, which involve granting legal rights to nature or natural objects, such as rivers, forests, or ecosystems. This book critically examines the idea of natural objects as right-holders and analyzes legal cases, policies, and philosophical issues relating to this development. Drawing on contributions from a range of experts in the field, *Rights of Nature: A Re-examination* investigates the potential for this innovative idea to revolutionize the concepts of rights, standing, and recognition as traditionally understood in many legal systems. Taking as its starting point Stone's influential 1972 article "Should Trees Have Standing?," the book examines the progress rights of nature have made since that time, by identifying central themes, unifying principles, and key distinctions in how rights of nature discourse has been operationalized in the disciplines of law, philosophy, and the social sciences. These themes and principles are illustrated through a wide variety of examples, including ecosystem services, indigenous thinking, and ecological restoration, demonstrating how the relationship between humanity and the natural world may be transforming. Taking a philosophical, political, and legal perspective, this book will be of great interest to students and scholars of environmental law and policy, environmental ethics, and philosophy.

Human Rights and Environment

Environmental rights, also known as the human rights or constitutional rights that are used for the protection of the environment, have proliferated over the last forty-five years. However, the precise levels of protection that they represent has since been a major question associated with this phenomenon. *Environmental Rights: The Development of Standards* systematically investigates this question by analyzing the emerging standards of environmental protection that are associated with such rights and the way that those associations are becoming formalized. It covers all of the relevant human rights treaties to illustrate how environmental rights standards are emerging in this dynamic area. Bringing together an elite group of scholars, this book discusses significant new insights into the way that environmental rights are developing, the standards of protection that they confer, and the way that standards in the field of environmental rights can potentially be further developed in the future.

Environmental Rights

Human rights and the environment have become increasingly interconnected. This updated manual seeks to contribute to a better understanding of this relationship by taking into account the new pertinent case law of the European Court of Human Rights. While the European Convention on Human Rights does not guarantee a specific right to a healthy and sound environment, the general standards deriving from it may nonetheless also apply to environmental matters. The European Court of Human Rights regularly examines complaints in which individuals argue that a breach of their Convention rights is the result of adverse environmental factors. This manual also takes account of the relevant decisions of the European Committee of Social Rights which has interpreted the right to protection of health under the European Social Charter as including a right to a healthy environment. Examples of good national practices have been compiled on the basis of the contributions of several member states and included in an appendix to the manual. The aim is to present the emerging principles on environmental protection in a systematic and accessible way.

Manual on human rights and the environment - 2nd edition

International Environmental Law & Policy for the 21st Century, 2nd Revised Edition, provides a fresh, comprehensive, and in-depth analysis of the immense and challenging field of IEL, perfect for the needs of students, scholars, professionals, NGOs, and lay readers alike.

International Environmental Law and Policy for the 21st Century

Written by leading scholars and experts with extensive practice and teaching experience in the field, *Comparative and Global Environmental Law and Policy* offers a student-friendly approach to the study of a rapidly evolving and important area of law. Its multi-jurisdictional selection of judicial opinions and legal materials introduces students to the worldwide reach of environmental law. Through its substance, the book familiarizes students not only with governing and emerging legal principles but also demonstrates how legal norms are applied to specific issues and contexts, illustrating how law-on-the-books becomes law-in-action. Student understanding is reinforced by problem exercises and discussion

questions. Professors and students will benefit from: A multi-jurisdictional selection of environmental law cases and regulatory materials from across the world, with many cases from the developing world and emerging economies. Separate chapters on rapidly evolving and critical topics such as rights of nature, sustainability, corporations and private environmental governance, human rights and the environment, and climate change. Presentation of basic background principles of environmental law, institutions, and governance and their operation in international, national and subnational systems, including indigenous governance systems. Emphasis across the book on issues of institutions and governance as well as enforcement and effectiveness. Judicial opinions providing an authoritative articulation of how legal principles are applied in various systems. Numerous problem exercises and discussion questions to introduce topics and reinforce concepts and materials. Integrated perspective on the relationship of international and transnational environmental law, national environmental law, environmental norms and principles in other settings such as in private environmental governance, and governance institutions.

Comparative and Global Environmental Law and Policy

... an important addition to the small, but growing, published literature on the development of environmental law in developing countries. It will be of interest to academics and those involved in law development in Indonesia and the other developing countries. Jennifer Mohamed-Katerere, *Journal of Environmental Law* This book asks whether environmental law and policy in developed countries can be successfully transferred to developing countries. It questions whether developing countries are indeed ready and able to implement new ideas from the developed world, such as the integration of environmental law, and use of market-oriented instruments. The authors draw insights from the case of Indonesia, where they have experience of drafting environmental legislation, and which is itself in the early stages of development. Through these insights they seek to understand why environmental law that has been well developed in theory, can in practice be difficult to monitor and adequately enforce. Indeed, a further question central to the book is why developing environmental law does not necessarily result in an efficient environmental policy. Taking a comparative perspective, and using a multi-faceted methodology that draws on constitutional and administrative law, human rights law, criminal and liability law and international law, as well as law and economics, the authors conclude with an outline of some of the lessons that can be learnt by other jurisdictions seeking to develop environmental law. Lawyers, environmental engineers and social scientists involved in environmental law and policy in developing countries will find much to interest them in this book, as will those concerned with development studies or with a particular interest in the case of Indonesia.

Environmental Law in Development

Human rights and the environment have become increasingly interconnected. This updated manual seeks to contribute to a better understanding of this relationship by taking into account the new pertinent case law of the European Court of Human Rights. While the European Convention on Human Rights does not guarantee a specific right to a healthy and sound environment, the general standards deriving from it may nonetheless also apply to environmental matters. The European Court of Human Rights regularly examines complaints in which individuals argue that a breach of their Convention rights is the result of adverse environmental factors. This manual also takes account of the relevant decisions of the European Committee of Social Rights which has interpreted the right to protection of health under the European Social Charter as including a right to a healthy environment. Examples of good national practices have been compiled on the basis of the contributions of several member states and included in an appendix to the manual. The aim is to present the emerging principles on environmental protection in a systematic and accessible way.

Manual on Human Rights and the Environment

Human rights and environmental protection are closely intertwined, and both are critically dependent on supportive legal opportunity structures. These legal structures consist of access to the courts; 'legal stock' or the set of available standards and precedents on which to base litigation; and institutional receptiveness to potential litigation. These elements all depend on a variety of social, political, and economic variables. This book critically analyses the complexities of uniting human rights advocacy and environmental protection. Bringing together international experts in the field, it documents the current state of our environmental human rights knowledge, strategically critical questions that remain unanswered, and the initiatives required to develop those answers. It is ideal for researchers in

environmental governance and law, as well as interested practitioners and advanced students working in public policy, political science and environmental studies.

Environmental Human Rights in the Anthropocene

The field of human rights and the environment has grown phenomenally during the last few years and this textbook will be one of the first to encourage students to think critically about how many environmental issues lead to a violation of existing rights. Taking a socio-legal approach, this book will provide a good understanding of both human rights and environmental issues, as well as the limitations of each regime, and will explore the ways in which human rights law and institutions can be used to obtain relief for the victims of environmental degradation or of adverse effects of environmental policies. In addition, it will place an emphasis on climate change and climate policies to highlight the pros and cons of using a human rights framework and to underscore its importance in the context of climate change. As well as identifying emerging issues and areas for further research, each chapter will be rich in pedagogical features, including web links to further research and discussion questions for beyond the classroom. Combining their specialisms in law and politics, Atapattu and Schapper have developed a truly inter-disciplinary resource that will be essential for students of human rights, environmental studies, international law, international relations, politics, and philosophy.

Human Rights and the Environment

Emerging Principles of International Environmental Law is ideally suited for any law or environmental studies student, practitioner or law academic who is interested in the legal status of emerging principles in the field of international environmental law. Among its highlights, the text examines the interaction of principles/concepts such as sustainable development, the precautionary principle etc., with one another and how the present international environmental law regime has taken the vast disparity between developed and developing countries into account in designing innovative methods to accommodate this disparity.

Emerging Principles of International Environmental Law

The core focus of this timely volume is to ascertain how regional environmental law may contribute to the pursuit of global sustainable development. Leading scholars critically analyze the ways in which states may pool sovereignty to find solutions to

Regional Environmental Law

Seminar paper from the year 2018 in the subject Politics - International Politics - Topic: Public International Law and Human Rights, grade: 5.0, University of Lagos (Law), course: Environmental Law II, language: English, abstract: This paper sets out to consider all the alternatives for the enforcement of the environmental right, bringing into focus the various human right instruments both at the international and regional level. The constant degradation and pollution of the environment has stimulated both at the international and national level concerns as to its effect on the natural resources, wild life and human life. It has in fact been considered as the fourth generational right in the generational matrix due to the rising global issues of conversion of natural resources and safeguard of the environment. At the international scale, the United Nation in its sustainable development growth program has incorporated these environmental issues as part of its goals; climate action (Goal 13); life below water (Goal 14); life on land (Goal 15). At the regional and national level, environmental rights have been incorporated in the African charter and the 1999 constitution of Nigeria, respectively. The vagueness of these provisions have made its realization slim in view of the difficulty the court would be faced with interpreting such provisions in line with the prevalent situations in Nigeria. This paper seeks to look at the provisions of international, regional, and national human right instruments that guarantees the right to a clean and healthy environment and how they can be applied to enforce such right in Nigeria.

Environmental protection in Nigeria. A human rights approach

Examining the law, regulation and governance of natural resources, this timely work addresses the conflicts and contradictions arising at the intersection between international economic law, sustainable development and other areas of international law, most notably human rights law and environmental law. Bringing together a collection of legal and policy expertise from a range of academic and prac-

tioner perspectives, this book will appeal to scholars of law, political science, international relations, political economy and development studies.

Natural Resources and Sustainable Development

Situating the global poverty divide as an outgrowth of European imperialism, this book investigates current global divisions on environmental policy.

International Environmental Law and the Global South

The second edition of this leading reference work provides a comprehensive discussion of the dynamic and important field of international law concerned with environmental protection. It is edited by globally-recognised international environmental law scholars, Professor Lavanya Rajamani and Professor Jacqueline Peel, and features 67 chapters authored by 76 renowned experts in their fields. The Handbook discusses the key principles underpinning international environmental law, its relevant actors and tools, and rules applying in its substantive sub-fields such as climate law, oceans law, wildlife and biodiversity law, and hazardous substances regulation. It also explores the intersection of international environmental law with other areas of international law, such as those concerned with trade, investment, disaster, migration, armed conflict, intellectual property, energy, and human rights. The Handbook sets its discussion of international environmental law in the broader interdisciplinary context of developments in science, ethics, politics and economics, which inform the way in which environmental rules are made, implemented, and enforced. It provides an introduction to the foundations of international environmental law while also engaging with questions at the frontiers of research, teaching, and practice in the field, including the role of Global South perspectives, the contribution made by Earth jurisprudence, and the growing role of a diverse range of actors from indigenous peoples to business and industry. Like the first edition, this second edition of the Handbook is an essential reference text for all engaged with environmental issues at the international level and the applicable governance and regulatory structures.

The Oxford Handbook of International Environmental Law

Sustainable development requires consideration of the quality of life that future generations will be able to enjoy, and as the adjustment to sustainable lifestyles gathers momentum, the rights of future generations and our responsibility for their wellbeing is becoming a central issue. In this, the first book to address this emerging area of international law, leading experts examine the legal and theoretical frameworks for representing and safeguarding the interests of future generations in current international treaties. This unique volume will be required reading for academics and students of international environmental law and policy. Emmanuel Agius is Senior Lecturer at the Faculty of Theology and Coordinator of the Future Generations Programme at the Foundation for International Studies, University of Malta. Salvino Busuttil is former Director General of the Foundation for International Studies. Future Generations and International Law is the seventh volume in the International Law and Sustainable Development series, co-developed with FIELD. The series aims to address and define the major legal issues associated with sustainable development and to contribute to the progressive development of international law. Other titles in the series are: Greening International Law, Interpreting the Precautionary Principle, Property Rights in the Defence of Nature, Improving Compliance with International Environmental Law, Greening International Institutions and Quotas in International Environmental Agreements. 'A legal parallel to the Blueprint series - welcome, timely and provocative' David Pearce Originally published in 1997

Future Generations and International Law

Prepared by government experts from all 46 member states of the Council of Europe, this publication seeks to help promote a better understanding of the relationship between human rights and environmental issues by setting out details of relevant case-law of the European Court of Human Rights and the principles upon which these judgements are based. These include: the right to life (Article 2), the right to respect for family life (Article 8), the right to a fair trial and access to a court (Article 6) and the right to receive and impart information and ideas (Article 10) of the European Convention on Human Rights.

Manual on Human Rights and the Environment

This comprehensive Research Handbook offers an innovative analysis of environmental law in the global South and contributes to an important reassessment of some of its major underlying concepts. The Research Handbook discusses areas rarely prioritized in environmental law, such as land rights, and underlines how these intersect with issues including poverty, livelihoods and the use of natural resources, challenging familiar narratives around development and sustainability in this context and providing new insights into environmental justice.

Research Handbook on Law, Environment and the Global South

This handbook is an advanced level reference guide which provides a comprehensive and contemporary overview of the corpus of international environmental law (IEL).

Climate Change and Human Rights

This thoroughly updated and revised second edition of this foundational Handbook combines practical and theoretical analyses to cover a wide array of cutting edge issues in international environmental law (IEL). It provides a comprehensive view of the complexity of IEL, both as a field in its own right, and as part of the wider system of international law.

UNEP's New Way Forward

Routledge Handbook of International Environmental Law