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Environmental Protection And Human Rights

Stefan Theil



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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 *Environmental Human Rights* Jan Hancock, 2019-07-12 This title was first published in 2003 *Environmental Human Rights* redefines the political ethical and legal relationships between the environment and human rights to claim the human rights to an environment free from toxic pollution and to natural resources Through a focus on the operational dynamics of social power this compelling book details how global capitalism subjugates concerns of human security and environmental protection to the values of allocative efficiency and economic growth The capacity of social power to construct ethical norms and to determine the efficacy of law is examined to explain how ethical and legal concepts have been selectively applied to accommodate existing patterns of production consumption and exchange that cause environmental degradation and human rights violations By looking at how environmental values have been systematically excluded from the human rights discourse the book claims that human rights politics and law has been constructed on double standards to accommodate the destructive forces of capitalism *Human Rights Approaches to Environmental Protection* Alan E. Boyle, Michael R. Anderson, 1996 *Environment* by Alan Boyle *Human Rights and the Environment* Sumudu Atapattu, Andrea Schapper, 2019-03-08 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

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Environmental Human Rights and Climate Change Bridget Lewis, 2018-08-21 This book examines the current status of environmental human rights at the international regional and national levels and provides a critical analysis of possible future developments in this area particularly in the context of a changing climate It examines various conceptualisations of environmental human rights including procedural rights relating to the environment constitutional environmental rights the environmental dimensions of existing human rights such as the rights to water health food housing and life and the notion of a stand alone human right to a healthy environment The book addresses the topic from a variety of perspectives drawing on underlying theories of human rights as well as a range of legal political and pragmatic considerations It examines the scope of current human rights particularly those enshrined in international and regional human rights law to explore their application and enforceability in relation to environmental problems identifying potential barriers to more effective implementation It also analyses the rationale for constitutional recognition of environmental rights and considers the impact that this area of law has had both in terms of achieving stronger environmental protection and environmental justice as well as in influencing the development of human rights law more generally The book identifies climate change as the key environmental challenge facing the global community as well as a major cause of negative human rights impacts It examines the contribution that environmental human rights might make to rights based approaches to climate change

Human Rights and the Environment Linda Hajjar Leib, 2011 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

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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

Gormley Human Rights and Environment W. Paul Gormley, 1976-06-14

When Environmental Protection and Human Rights Collide Marie-Catherine Petersmann, 2022-10-27 Conflicts between environmental protection laws and human rights present delicate trade offs when concerns for social and ecological justice are increasingly intertwined This book retraces how the legal ordering of environmental protection evolved over time and progressively merged with human rights concerns thereby leading to a synergistic framing of their relation It explores the world making effects this framing performed by establishing how humans ought to relate to nature and examines the role played by legislators experts and adjudicators in re producing it While it questions contextualises and problematises how and why this dominant framing was construed it also reveals how the conflicts that underpin this relationship and the victims they affect mainly remained unseen The analysis critically evaluates the argumentative tropes and adjudicative strategies used in the environmental case law of regional courts to understand how these conflicts are judicially mediated thereby opening space for new modes of politics legal imagination and representation

Towards the Environmental Minimum Stefan Theil, 2021-09-09 A practical human rights approach strengthens environmental protection without requiring radical departures from established protection regimes and legal principles

Environmental Rights Stephen J. Turner, Dinah L. Shelton, Jona Razzaque, Owen McIntyre, James R. May, 2019-05-23 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 The Human Right to a Healthy Environment John H. Knox, Ramin Pejman, 2018-06-28 This book considers and clarifies many different facets of the international human right to a healthy environment Constitutional Environmental Rights Tim Hayward, 2005 This book shows why a fundamental right to an adequate environment ought to be provided in the constitution of any modern democratic state It explains why the right to an environment adequate for one's health and well being is a genuine human right and why it ought to be constitutionalised UN Human Rights Institutions and the Environment Sumudu Atapattu, 2023-05-22 This book presents an in depth analysis of how UN human rights institutions and mechanisms have addressed environmental protection sustainable development and climate change Despite the increasing involvement of UN human rights bodies in addressing environmental degradation and climate change a systematic review of the convergence between human rights and the environment in these bodies has not been carried out Filling this lacuna this book surveys the resolutions general comments concluding observations decisions on individual communications and press releases It identifies principles that have emerged explores the ways in which human rights charter based and treaty based institutions are interpreting environmental principles and examines how they contribute to the emerging field of human rights and the environment Given the disproportionate effect that polluting activities have on marginalized and vulnerable groups Atapattu also discusses how these human rights mechanisms have addressed the impact on women children indigenous peoples people with disabilities and racial minorities Written by a world renowned expert on human rights and the environment this book will be of great interest to students and scholars researching and teaching in this important field of study *Manual on human rights and the environment - 2nd edition* Council of Europe, 2013-04-01 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

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

Environmental Human Rights in the Anthropocene Walter F. Baber, James R. May, 2023-03-09

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

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Environmental Protection And Human Rights Introduction

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