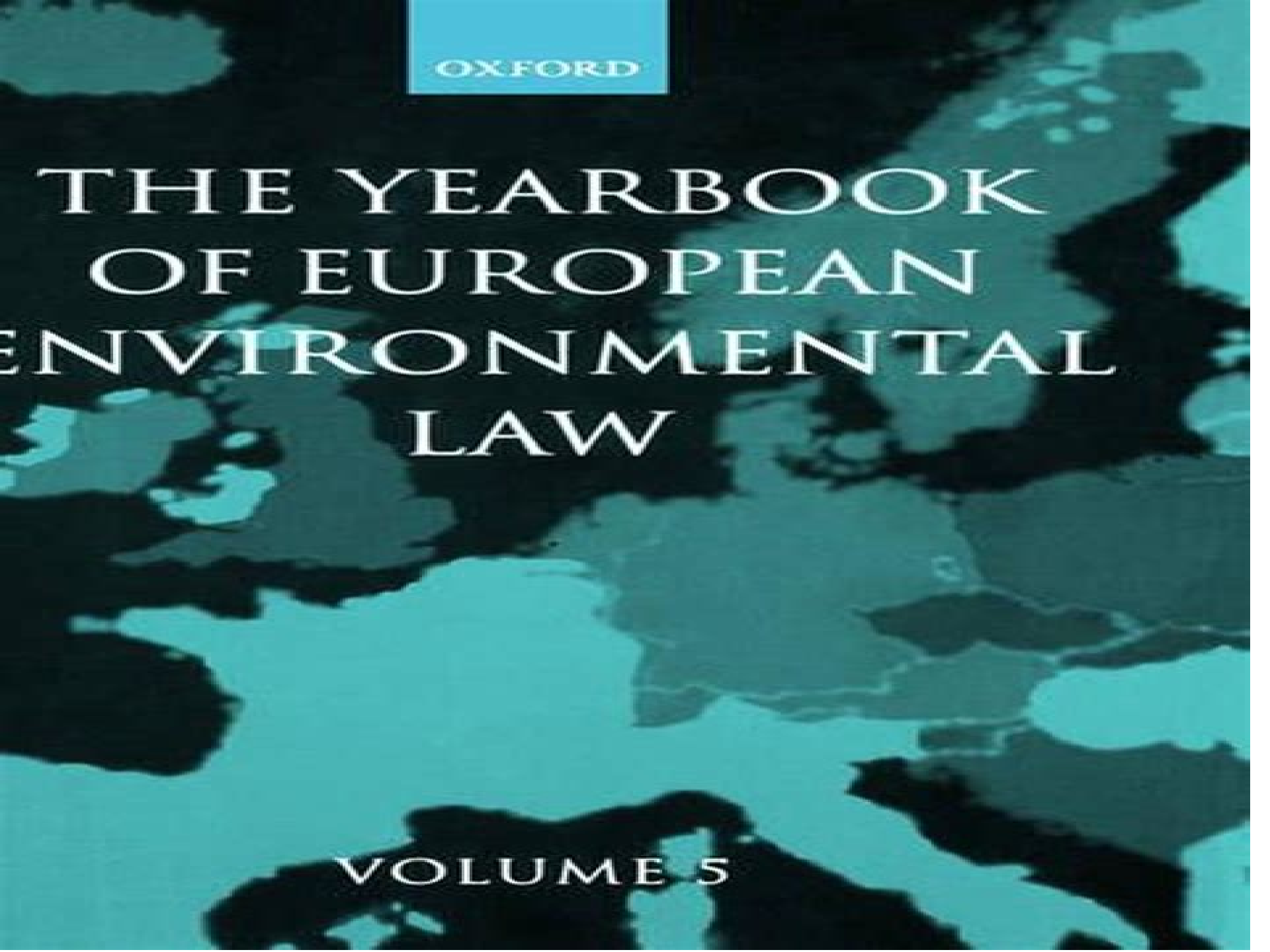




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THE YEARBOOK OF EUROPEAN ENVIRONMENTAL LAW

VOLUME 5

Yearbook Of European Environmental Law Volume 3

Uzuazo Etemire



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Implementing the Precautionary Principle Nicolas de Sadeleer, 2012-05-04 From fisheries to persistent organic pollutants to climate change itself no other environmental principle in environmental law has produced as much controversy as the precautionary principle Unlike a preventive approach in which action is taken provided that the threats to the environment are tangible with a precautionary approach authorities are prepared to tackle risks for which there is no definitive proof that the damage will materialize The ramifications of this increasingly apparent approach are profound and cut across all areas of risk assessment and management environmental law policy and regulation in every major sector However to date little thought has been dedicated to the implementation of the precautionary principle in a wide array of environmental circumstances This authoritative handbook addresses the legal aspects of how the precautionary principle is implemented in different sectors and examines its successes failures strengths and weaknesses Sectors and subjects covered include chemicals GMOs marine pollution fisheries and nature conservation and the book draws on cases in the EU in the USA and Nordic countries where the use of precaution has been gathering momentum Ultimately the book provides an indispensable appraisal of the question increasingly important in the era of human induced climate change of whether the precautionary principle is relevant indeed essential to avert major environmental and health risks and how and when it can be used successfully Published with MARIE CURIE ACTIONS Yearbook of European Environmental Law, 2000

Environmental Law in Development N. Niessen, 2006-01-01 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 Finland Pekka Vihervuori, 2022-11-20 Derived from the renowned multi volume International Encyclopaedia of Laws this book provides ready access to legislation and practice concerning the environment in Finland A general introduction covers geographic considerations political social and cultural aspects of environmental study the sources and principles of environmental law environmental legislation and the role of public authorities The main body of the book deals first with laws aimed directly at protecting the environment from pollution in specific areas such as air water waste soil noise and radiation Then a section on nature and conservation management covers protection of natural and cultural resources such as monuments landscapes parks and reserves wildlife agriculture forests fish subsoil and minerals Further treatment includes the application of zoning and land use planning rules on liability and administrative and judicial remedies to environmental issues There is also an analysis of the impact of international and regional legislation and treaties on environmental regulation Its succinct yet scholarly nature as well as the practical quality of the information it provides make this book a valuable resource for environmental lawyers handling cases affecting Finland Academics and researchers as well as business investors and the various international organizations in the field will welcome this very useful guide and will appreciate its value in the study of comparative environmental law and policy **The Habitats Directive in its EU**

Environmental Law Context Charles-Hubert Born, An Cliquet, Hendrik Schoukens, Delphine Misonne, Geert Van Hoorick, 2014-11-27 This book analyses the Habitats Directive one of the most prominent piece of EU environmental legislation of the past decades Seen by some as the cornerstone of Europe's nature conservation policy among other measures the Directive established the so called Natura 2000 ecological network which covers more than 18% of the surface of the EU However despite the fact the Directive was adopted over twenty years ago only 17% of the protected habitats and species in Europe are being adequately protected while 10 60 % of animal species remain under threat In light of the limited success and the contested nature of the Habitats Directive so far this book examines the successes and failures of the Habitats Directive from a legal and political angle The book brings together international experts to consider the application implementation and future of the Habitats Directive in order to assess whether the Habitats Directive is resilient enough to tackle biodiversity loss in the twenty first century Particular emphasis is put on the legal regime attached to the Natura 2000 network and its possible impact on land development and the relationship between the Habitats Directive and other topics including liability for ecological damage and transboundary nature conservation **The Environmental Rights**

Revolution David R. Boyd, 2011-11-29 The right to a healthy environment is the subject of extensive philosophical debates that revolve around a key question Should rights to clean air water and soil be entrenched in law This pioneering book answers this by moving beyond theoretical debate to measure the practical effects of enshrining the right in constitutions David Boyd analyzes 193 constitutions and the laws and court decisions of more than 100 nations in Europe Latin America Asia and Africa He reveals that nations with constitutional protections have stronger environmental laws enhanced

enforcement greater government accountability and better access to justice information and public participation in decision making than nations without such provisions As a result they demonstrate superior environmental performance and have smaller ecological footprints Boyd not only demonstrates that constitutionalizing environmental protection has the power to make sustainability a priority he tells inspiring stories about the difference the right to a healthy environment is making in people s lives

Transparency in Global Environmental Governance Aarti Gupta,2014-07-11 Transparency is increasingly seen as part of the solution to a complex array of economic political and ethical problems in an interconnected world It is often assumed to result in more accountable and effective governance The transparency turn in global environmental governance in particular is evident in a wide range of international agreements voluntary disclosure initiatives and public private partnerships This is the first book to scrutinise this transparency turn critically and to investigate whether it is a broadly transformative force or plays a more limited instrumental role

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

Risk Governance Ortwin Renn,2017-12-04 Risk Governance is a tour de force Every risk manager every risk analyst every risk researcher must read this book it is the demarcation point for all further advances in risk policy and risk research Renn provides authoritative guidance on how to manage risks based on a definitive synthesis of the research literature The skill with which he builds practical recommendations from solid science is unprecedented Thomas Dietz Director Environmental Science and Policy Program Michigan State University USA A masterpiece of new knowledge and wisdom with illustrative examples of tested applications to realworld cases The book is recommendable also to interested students in different disciplines as a timely textbook on risk beyond risk Norio Okada Full Professor and Director at the Disaster Prevention Research Institute DPRI Kyoto University Japan There are classic environmental works such as The

Tragedy of the Commons by Hardin Risk Society by Beck The Theory of Communicative Action by Habermas and the seminal volumes by Ostrom on governing the commons Renns book fits right into this series of important milestones of environmental studies Jochen Jaeger Professor at Concordia University Montreal Canada Risk Governance provides a valuable survey of the whole field of risk and demonstrates how scientific economic political and civil society actors can participate in inclusive risk governance Jobst Conrad Senior Scientist Social Science Research Center Berlin Germany Renn offers a remarkably fair minded and systematic approach to bringing together the diverse fields that have something to say about risk Risk Governance moves us along the path from the noisy formative stage of thinking about risk to one with a stronger empirical theoretical and analytical foundation Baruch Fischhoff PhD Howard Heinz University Professor Carnegie Mellon University Pittsburgh USA I cannot describe how impressed I am at the breadth and coherence of Renn s career s work Written with remarkable clarity and minimal technical jargon this should be required reading in risk courses John Graham former director of the Harvard Risk Center and former deputy director of the Office of Budget and Management of the United States Administration This book for the first time brings together and updates the groundbreaking work of renowned risk theorist and researcher Ortwin Renn integrating the major disciplinary concepts of risk in the social engineering and natural sciences The book opens with the context of risk handling before flowing through the core topics of assessment evaluation perception management and communication culminating in a look at the transition from risk management to risk governance and a glimpse at a new understanding of risk in post modern societies

The Tolerability of Risk Frederic Boudier, David Slavin, 2013-09-05 There is an increasing dissatisfaction about how risk is regulated leading to vivid debates about the use of risk assessment and precaution As a result academics government officials and industry leaders are calling for new approaches and fresh ideas This book provides a historical and topical perspective on the alternative concept of Tolerability of Risk and its concrete regulatory applications In the UK Tolerability of Risk has been developed into a sophisticated framework particularly within the health and safety sectors It is expected to guide decision makers when applying their legal obligation of keeping risks as low as practically reasonable Could Tolerability of Risk become a wider source of inspiration across the full scope of risk analysis and management Written by leading academics and risk practitioners from industry and government The Tolerability of Risk presents a summary of theoretical perspectives on risk approaches providing a detailed elicitation of the methods and approaches used to build the Tolerability of Risk framework and examining the prospect of universal application of that framework From nuclear power to environmental pollution climate change and drug testing the Tolerability of Risk framework may offer a workable pragmatic solution for balancing risks against the costs involved in controlling them as well as developing the institutional capacity to make effective decisions in all jurisdictions worldwide

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Table of Contents Yearbook Of European Environmental Law Volume 3

1. Understanding the eBook Yearbook Of European Environmental Law Volume 3
 - The Rise of Digital Reading Yearbook Of European Environmental Law Volume 3
 - Advantages of eBooks Over Traditional Books
2. Identifying Yearbook Of European Environmental Law Volume 3
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Yearbook Of European Environmental Law Volume 3
 - User-Friendly Interface
4. Exploring eBook Recommendations from Yearbook Of European Environmental Law Volume 3
 - Personalized Recommendations
 - Yearbook Of European Environmental Law Volume 3 User Reviews and Ratings
 - Yearbook Of European Environmental Law Volume 3 and Bestseller Lists

5. Accessing Yearbook Of European Environmental Law Volume 3 Free and Paid eBooks
 - Yearbook Of European Environmental Law Volume 3 Public Domain eBooks
 - Yearbook Of European Environmental Law Volume 3 eBook Subscription Services
 - Yearbook Of European Environmental Law Volume 3 Budget-Friendly Options
6. Navigating Yearbook Of European Environmental Law Volume 3 eBook Formats
 - ePub, PDF, MOBI, and More
 - Yearbook Of European Environmental Law Volume 3 Compatibility with Devices
 - Yearbook Of European Environmental Law Volume 3 Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Yearbook Of European Environmental Law Volume 3
 - Highlighting and Note-Taking Yearbook Of European Environmental Law Volume 3
 - Interactive Elements Yearbook Of European Environmental Law Volume 3
8. Staying Engaged with Yearbook Of European Environmental Law Volume 3
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Yearbook Of European Environmental Law Volume 3
9. Balancing eBooks and Physical Books Yearbook Of European Environmental Law Volume 3
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Yearbook Of European Environmental Law Volume 3
10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine Yearbook Of European Environmental Law Volume 3
 - Setting Reading Goals Yearbook Of European Environmental Law Volume 3
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Yearbook Of European Environmental Law Volume 3
 - Fact-Checking eBook Content of Yearbook Of European Environmental Law Volume 3
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning

- Utilizing eBooks for Skill Development
- Exploring Educational eBooks

14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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