

1. Record Nr.	UNINA9910349371403321
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Titolo	Science-Based Lawmaking : How to Effectively Integrate Science in International Environmental Law / / by Dionysia-Theodora Avgerinopoulou
Pubbl/distr/stampa	Cham : , : Springer International Publishing : , : Imprint : Springer, , 2019
ISBN	3-030-21417-6
Edizione	[1st ed. 2019.]
Descrizione fisica	1 online resource (426 pages)
Disciplina	341.762 344.046
Soggetti	International environmental law Environmental law Environmental policy Environmental sciences International law Environmental management Political science International Environmental Law Environmental Law/Policy/Ecojustice Environmental Science and Engineering Sources and Subjects of International Law, International Organizations Water Policy/Water Governance/Water Management Philosophy of Law
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Nota di contenuto	Introduction: Is Contemporary International Environmental Law Based on Science? -- Historical Background: What Are the Lessons Learnt from the Past and What Remains To Be Answered -- Part I -- Pathology of International Environmental Law -- Fragmentation of Science, International Environmental Law, and International Institutions -- Causes of Pathology -- Part II -- Normative Powers of the International Institutions with Environmental Competence -- Contemporary

Lawmaking Processes and Progressive Lawmaking Processes That Bind the States Without Unanimous Vote -- Progressive Lawmaking Procedures in the Framework of International Institutions with Environmental Competence -- Normative Powers of Expert Bodies as Variables for Effective Environmental Governance -- Additional Theoretical Legal Bases for the Integration of Science in International Environmental Law Without Any Constitutional or Procedural Amendment -- Part III -- Democratic Governance and Public Accountability as Limitations to the Science-Based Lawmaking Model -- The Inherent Limits of the Science-Based Lawmaking Model -- Criticism Against the Delegation of Lawmaking Powers to Experts Based Upon Democratic Considerations -- Part IV -- "To Unite the Political Power with the Wisdom. . .": The Decision-Making Model That Accepts Expertise as a Basis of Legitimacy -- Why Would States Obey Rules Issued by Expert Bodies? -- Science Expertise as a Legitimacy Basis for Lawmaking and Additional Bases of Legitimacy -- A New Modus Operandi for the International Institutions with Environmental Competence -- Part V -- Towards a Comprehensive Science-Based Lawmaking Model -- Conclusion.

Sommario/riassunto

The Book takes the approach of a critique of the prevailing international environmental law-making processes and their systemic shortcomings. It aims to partly redesign the current international environmental law-making system in order to promote further legislation and more effectively protect the natural environment and public health. Through case studies and doctrinal analyses, an array of initial questions guides the reader through a variety of factors influencing the development of International Environmental Law. After a historical analysis, commencing from the Platonic philosophy up to present, the Book holds that some of the most decisive factors that could create an optimized law-making framework include, among others: progressive voting processes, science-based secondary international environmental legislation, new procedural rules, that enhance the participation in the law-making process by both experts and the public and also review the implementation, compliance and validity of the science-base of the laws. The international community should develop new law-making procedures that include expert opinion. Current scientific uncertainties can be resolved either by policy choices or by referring to the so-called „sound science.“ In formulating a new framework for environmental lawmaking processes, it is essential to re-shape the rules of procedure, so that experts have greater participation in those, in order to improve the quality of International Environmental Law faster than the traditional processes that mainly embrace political priorities generated by the States. Science serves as one of the main tools that will create the next generation of International Environmental Law and help the world transition to a smart, inclusive, sustainable future. .
