1. Record Nr. UNINA9910465042503321 Autore Faure Michael Titolo Access to justice in environmental matters : a socio-economic analysis // Michael Faure & Niels Philipsen, editors The Hague, The Netherlands: .: Eleven International Publishing. , 2014 Pubbl/distr/stampa ©2014 94-6094-816-2 **ISBN** Descrizione fisica 1 online resource (142 p.) Disciplina 363.7056094 Soggetti Environmental policy - Europe Environmental law - Europe Electronic books. Lingua di pubblicazione Inglese **Formato** Materiale a stampa Monografia Livello bibliografico Note generali Description based upon print version of record. Nota di bibliografia Includes bibliographical references. Cover; Half Title Page; Title Page; Copyright; Table of Contents; List of Nota di contenuto Abbreviations: Chapter 1: Introduction: 1.1 Background for This Book: 1.2 Recent Developments; 1.3 Various Options; 1.4 Methodology; 1.5 Limits of This Book; 1.6 Structure; 1.7 Contributors; 1.8 Acknowledgements; Chapter2: Legal Background; 2.1 The Aarhus Convention: 2.2 Directive 2003/35/EC: 2.3 Proposal COM(2003) 624: 2.4 Case Law; 2.5 Summary; Chapter 3: Examining the Four Options; 3.1 COM(2003) 624 versus the Status Quo; 3.2 Option 1: Business as Usual (Soft Law Approach) 3.3 Option 2: Addressing Existing Gaps in Member States Provisions 3.4 Option 3: Drafting a New Proposal; 3.5 Option 4: Retain COM(2003) 624; Chapter4: Incentives, Costs and Benefits: A Law and Economics Analysis; 4.1 An Introduction to the Economic Analysis of Litigation; 4.2 Access to Justice: A Social Welfare Approach; 4.3 Access to Justice: A Behavioural Approach; 4.4 Applied to the Four Options; 4.5 Levelling the Playing Field; 4.6 Preliminary Conclusions; Chapter5: Environmental Democracy and Access to Justice: A Comparative Law and Society Approach 5.1 Environmental PIL as a Recent Phenomenon in Europe5.2 The Indian

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Sommario/riassunto

Access to justice in environmental matters is a hot topic in Europe. In the light of recent case law of the European Court of Justice, the question arises whether access to justice should be broadened in order to comply with all pillars of the Aarhus Convention. This book discusses four different options for further action at EU level. The consequences of these options are discussed from a socio-economic perspective. Attention is paid to a law and society perspective on public interest litigation by discussing the relevant economic literature (rational choice theory as well as behavioral econo