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Titolo	Brill's encyclopedia of the Middle Ages [electronic resource] / edited by Gert Melville and Martial Staub
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Collana	Brill's Medieval Reference Library
Altri autori (Persone)	Staub, Martial Melville, Gert
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2. Record Nr.	UNINA9910755076903321
Autore	Antonelli Giovanni
Titolo	Environmental Law Before the Courts : A US-EU Narrative // edited by Giovanni Antonelli, Michael Gerrard, Sara Colangelo, Giancarlo Montedoro, Maurizio Santise, Luc Lavrysen, Maria Vittoria Ferroni
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Altri autori (Persone)	GerrardMichael ColangeloSara MontedoroGiancarlo SantiseMaurizio LavrysenL FerroniMaria Vittoria
Disciplina	344.73046
Soggetti	Environmental law, International Conflict of laws International law Comparative law Law - Europe Constitutional law Human rights Climatology International Environmental Law Private International Law, International and Foreign Law, Comparative Law European Law Constitutional Law Human Rights Climate Sciences
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Nota di contenuto

NY State Courts -- How the U.S. courts have interpreted the relevance of the U.S. Constitution to environmental law -- The ECHR's doctrine of legal standing in the era of modern environmental human rights -- Courts, the Environment, and the Irish Constitution -- The legal dimension of the environment in the European legal history -- The role of ECJ -- Administrative Courts and the Environment -- Judicial protection and the climate in the EU legal order in the context of Aarhus Convention -- Biodiversity Law before the Courts -- Climate change : what to ask to Courts" [cover the French administrative law cases "Affaire du Siècle" and "Grande Synthe" with very different approach (damage compensation vs action from State)] -- How German judges decide environmental cases -- Environmental law in the U.S. legal system -- EPA and the evolution of environmental administrative law -- The contribution of the courts to the interpretation of the WTO Government Procurement Agreement – a European Perspective -- The concept of the public interest in environmental law -- The courts as change agents in the evolution of environmental law -- Arbitrating climate change before Investor – State dispute settlement tribunal -- Climate litigation in the Italian legal order -- The Relationship between Criminal Courts and regulatory authorities in the Italian environmental law.

Sommario/riassunto

This book sheds light on the latest trends in environmental law by analyzing some of the main sectors of law, including administrative law, constitutional law, EU law, US Law, and human rights law. It explores the evolution of these sectors before courts and tribunals from a US-EU perspective and from the perspectives of some of the foremost academics and justices from the major jurisdictions. Supranational and national courts, both in Europe and in the US, have delivered significant environmental judgements in recent years. The corresponding case law reflects how, in many jurisdictions, environmental and climate litigation continues to expand exponentially as a tool to strengthen environmental protection, whether by pushing national governments to be more ambitious or by enforcing existing statutes and regulations. Courts, particularly after the Paris Agreement, are increasingly seeking their own role as an important player in multilevel environmental governance. Courts in both the US and EU are at the forefront of this process and their role in shaping environmental rule of law will be fundamental in the near future.
