1. Record Nr. UNINA9910789019803321 Autore Faure Michael Titolo Access to justice in environmental matters : a socio-economic analysis // Michael Faure & Niels Philipsen, editors Pubbl/distr/stampa The Hague, The Netherlands: .: Eleven International Publishing. , 2014 ©2014 94-6094-816-2 **ISBN** Descrizione fisica 1 online resource (142 pages) Disciplina 363.7056094 Soggetti Environmental policy - Europe Environmental law - Europe Deutschland Europaische Union Grossbritannien Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Description based upon print version of record. Includes bibliographical references. Nota di bibliografia Nota di contenuto Cover; Half Title Page; Title Page; Copyright; Table of Contents; List of 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

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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