Record Nr. UNINA9910815213003321 Autore Brunnee Jutta Titolo Procedure and substance in international environmental law / / Jutta Brunnee Pubbl/distr/stampa Leiden, The Netherlands:,: Brill,, [2020] ©2020 90-04-44438-6 **ISBN** Descrizione fisica 1 online resource (240 pages) Collana Pocket books of the Hague Academy of International Law Disciplina 341.762 Soggetti Environmental law, International Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Nota di bibliografia Includes bibliographical references. Sommario/riassunto The interplay between procedure and substance has not been a major point of contention for international environmental lawyers. Arguably, the topic?s low profile is due to the mostly uncontroversial nature of the field?s distinction between procedural and substantive obligations. Furthermore, the vast majority of environmental law scholars and practitioners have tended to welcome the procedural features of multilateral environmental agreements and their potential to promote regime evolution and effectiveness. However, recent developments have served to put the spotlight on certain aspects of the procedure substance topic. ICJ judgments revealed ambiguity on aspects of the customary law framework on transboundary harm prevention that the field had thought largely settled. In turn, in the treaty context, the Paris Agreement?s retreat from binding emissions targets and its decisive turn towards procedure reignited concerns in some guarters over the? proceduralization? of international environmental law. The two developments invite a closer look at the respective roles of, and the relationship between, procedure and substance in this field and, more

specifically, in the context of harm prevention under customary and

treaty law.