

1. Record Nr.	UNINA9910818373803321
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
ISBN	94-6094-816-2
Descrizione fisica	1 online resource (142 pages)
Disciplina	363.7056094
Soggetti	Environmental policy - Europe Environmental law - Europe Deutschland Europäische Union Grossbritannien
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Description based upon print version of record.
Nota di bibliografia	Includes bibliographical references.
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 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 Europe 5.2 The Indian Roots of PIL; 5.3 Some Recent Foreign Developments of Environmental PIL; 5.4 Limits of PIL; 5.5 Outlook; Chapter 6: Empirical Survey: Country Studies; 6.1 Goal of the Survey; 6.2 Methodology; 6.3 Country Selection; 6.4 Assessment of the Interviews; Chapter 7: Summary and Policy Recommendations; 7.1 Goals of the Research; 7.2 Main Findings; 7.3 Beyond the Current Research; 7.4 Recommendations; Bibliography; Annex 1: Questionnaire Latvia; Annex 2: Questionnaire UK; Annex 3: Questionnaire Germany

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
