

UNEP GLOBAL JUDGES PROGRAMME

**APPLICATION OF ENVIRONMENTAL LAW BY NATIONAL
COURTS AND TRIBUNALS**

PRESENTATION 10

RESOLVING ENVIRONMENTAL DISPUTES



OUTLINE OF PRESENTATION

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Resolving Environmental Disputes Resolving Environmental Disputes

Rosemary O'Leary, Lisa Bingham



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Environmental Dispute Resolution in Indonesia David Nicholson, 2009-01-01 In the last two decades Indonesia has seen a dramatic proliferation of environmental disputes in a variety of sectors triggered by intensified deforestation and large scale mining operations in the resource rich outer islands together with rapid industrialisation in the densely populated inner island of Java Whilst the emergence of environmental disputes has sometimes attracted political repression attempts have also been made in recent times to explore more functional approaches to their resolution The Environmental Management Act of 1997 created a legal framework for the resolution of environmental disputes through both litigation and mediation This book is the first attempt to analyse the implementation of this framework in detail and to assess the effectiveness of litigation and mediation in resolving environmental disputes in Indonesia It includes a detailed overview of the environmental legal framework and its interpretation by Indonesian courts in landmark court cases The book features a number of detailed case studies of both environmental litigation and mediation and considers the legal and non legal factors that have influenced the success of these approaches to resolving environmental disputes

Resolving Environmental Disputes Gail Bingham, 1986

Resolving Environmental Disputes Roger Sidaway, 2013-06-17 Thought provoking important and instructive this is a masterly guide to dealing with environmental conflicts PROFESSOR DES THOMPSON Scottish Natural Heritage This is a long awaited book Many of us in the environmental policy management and decision making business have been struggling

along to make environmental values and developmental values fit This book helps us to have a better means for finding the shared values and actions that most environmental issues entail It has the heft of sound scholarship and the street sense of someone who has actually been there and done that WILLIAM R Resolving Environmental Conflicts Chris Maser,2018-11-13 True progress toward an ecologically sound environment and a socially just culture will be initially expensive in money and effort The longer we wait however the more disastrous the environmental condition will become the more disputes will arise as a result of our declining quality of life and the more expensive and difficult the necessary so

Promise and Performance Of Environmental Conflict Resolution Rosemary O'Leary,Lisa Bingham,2003-08 Environmental conflict resolution has been used since 1974 and an official part of policymaking since the mid 1990s This book describes the kinds of disputes where it has been applied and critically investigates its record and potential drawing on political science anthropology and more *Resolving Environmental Conflict Towards Sustainable Community Development* Chris Maser,Carol A. Pollio,1995-11-21 One of the most important challenges facing civilization is how its natural resources will be used and protected Too often polarization and litigation cause results with which no one is truly satisfied Enemies are made lines are drawn and both people and the environment are degraded Resolving Environmental Conflict explains the transformative approach toward facilitation It shows how to help parties empower themselves to define the issues and decide the settlement on their own terms and on their own time through better understanding of one another s perspectives The transformative approach allows a conflict s outcome to be decided solely by the participants even though resolution may not take place for some months after facilitation is complete Inherent in the solution is a shared vision for the community without which sustainability is not possible Beyond shared vision this book examines notions of development sustainability and community and the synergism of ecology culture and economic needs that promote a healthy environment enriching the lives of all its inhabitants **Joint Fact-Finding in Urban Planning and Environmental Disputes** Masahiro Matsuura,Todd Schenk,2016-10-04 The days of rationalist scientific management and deference to official data are behind us The credibility of experts and the information they provide are regularly challenged officials are routinely provided with conflicting sets of facts as they plan and make decisions and decision makers and stakeholders alike are largely skeptical that technical information will adequately account for the various interests and concerns and lead to the right outcomes They struggle to reconcile technical information with other forms of knowledge and differing interests priorities and perspectives Issues like climate change are complicating matters even further as scientists and technicians must increasingly acknowledge the uncertainty and potential fallibility of their findings and highlight the dynamic nature of the systems they are explaining This book examines how groups looking to plan and make decisions in any number of areas can wade through the imperfect and often contradictory information they have to make fair efficient wise and well informed choices It introduces an emerging and very promising approach called joint fact finding JFF Rather than each stakeholder group marshaling the set of facts that

best advance their respective interests and perspectives while discrediting the contradictory facts others provide groups are challenged to collaboratively generate shared sets of facts that all parties accept This book introduces readers to the theory of JFF the value it can provide and how they can adopt this approach in practice It brings together writings from leading practitioners and scholars from around the world that are at the forefront of the JFF approach to science intensive policymaking urban planning and environmental dispute resolution The first set of chapters outlines the concept of JFF and situates it within other bodies of theory and practice The second set of case based chapters elucidates how JFF is being applied in practice This book delivers a new perspective to scholars in the field of public policy urban planning environmental studies and science and technology studies as well as public officials technical experts policy consultants and professional facilitators

Environmental Dispute Resolution Ann L. MacNaughton, Jay G. Martin, 2002 This anthology provides a treatment of environmental dispute resolution for the practitioner along with practical guidance for those wishing to focus on particular aspects It offers a toolkit of diagnostics systems strategies and methodologies proven effective in diverse substantive contexts

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