ENVIRONMENTAL PROTECTION AND HUMAN RIGHTS

With unique scholarly analysis and practical discussion, this book provides a comprehensive introduction to the relationship between environmental protection and human rights that is being formalized into law in many legal systems. By illuminating human rights theory and the institutions that can be employed to meet environmental goals, this book instructs on environmental techniques and procedures that assist in the protection of human rights. The text provides cogent guidance on a growing international jurisprudence on the promotion and protection of human rights in relation to the environment that has been developed by international and regional human rights bodies and tribunals. It explores a rich body of case law that continues to develop within states on the environmental dimension of the rights to life, to health, and to public participation and access to information. Five compelling contemporary case studies are included online that implicate human rights and the environment, ranging from large dam projects to the creation of a new human right to a clean environment.

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To Louis Henkin, teacher, colleague, and friend; and to Joseph Sax, who generously supported my first attempt at international environmental advocacy. They have led the struggle to defend human rights and protect the environment.

– DKA

To Connor Dillon, Nikolas Leith, and Claire Jillian Robinson, whose right to enjoy the wonders of the earth and transmit the same to their descendants must be preserved.

– DLS
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### Abbreviations

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<td>ACWC</td>
<td>ASEAN Commission on the Promotion and Protection of the Rights of Women and Children</td>
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<td>ASEAN</td>
<td>Association of South East Asian Nations</td>
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<tr>
<td>ATS/ATCA</td>
<td>Alien Tort Statute/Alien Tort Claims Act</td>
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<td>AU</td>
<td>African Union</td>
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<tr>
<td>BIT</td>
<td>Bilateral investment treaty</td>
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<tr>
<td>BP</td>
<td>Bank Procedure (World Bank)</td>
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<tr>
<td>CAO</td>
<td>Compliance adviser ombudsman (World Bank Group)</td>
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<tr>
<td>CAT</td>
<td>Convention Against Torture and Other Forms of Cruel, Inhuman, or Degrading Treatment or Punishment</td>
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<tr>
<td>CBD</td>
<td>Convention on Biological Diversity</td>
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<td>CCPR</td>
<td>U.N. Human Right Committee</td>
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<tr>
<td>CED</td>
<td>Committee on Enforced Disappearances</td>
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<tr>
<td>CEDAW</td>
<td>Convention on the Elimination of All Forms of Discrimination Against Women</td>
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<tr>
<td>CERD/UNCERD</td>
<td>International Convention on the Elimination of All Forms of Racial Discrimination</td>
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<tr>
<td>CESCIR</td>
<td>Committee on Economic, Social, and Cultural Rights</td>
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<tr>
<td>CHR</td>
<td>Commission on Human Rights (replaced by the Human Rights Council)</td>
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<tr>
<td>CITES</td>
<td>Convention on International Trade in Endangered Species of Wild Fauna and Flora</td>
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<td>CMW</td>
<td>Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families</td>
</tr>
<tr>
<td>CPED</td>
<td>Convention on the Protection of All Persons from Enforced Disappearance</td>
</tr>
<tr>
<td>CRC</td>
<td>Convention on the Rights of the Child</td>
</tr>
<tr>
<td>CRPD</td>
<td>Convention on the Rights of Persons with Disabilities</td>
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<tr>
<td>CSD</td>
<td>Commission on Sustainable Development</td>
</tr>
<tr>
<td>CTRPD</td>
<td>Committee on the Rights of Persons with Disabilities</td>
</tr>
<tr>
<td>EBRD</td>
<td>European Bank for Reconstruction and Development</td>
</tr>
<tr>
<td>ECHR</td>
<td>European Convention for the Protection of Human Rights and Fundamental Freedoms</td>
</tr>
<tr>
<td>ECOSOC</td>
<td>U.N. Economic and Social Council</td>
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<td>EIA</td>
<td>environmental impact assessment</td>
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Abbreviations

EIB European Investment Bank
ENMOD Convention on Military or Any Other Hostile Use of Environmental Modification Techniques
ESA Endangered Species Act (U.S.)
ESC European Social Charter
ESC Committee U.N. Committee on Economic, Social, and Cultural Rights
EU European Union
FAO Food and Agriculture Organization
GA U.N. General Assembly
GMOs genetically modified organisms
HRC U.N. Human Rights Council
IACHR Inter-American Commission on Human Rights
IAEA International Atomic Energy Agency
IBRD International Bank for Reconstruction and Development
ICJ International Court of Justice
ICRC International Committee of the Red Cross
ICSID International Centre for Settlement of Investment Disputes
IDA International Development Association
IDPs Internally Displaced Persons
IFC International Finance Corporation
ILC International Law Commission
ILO International Labour Organization
IMF International Monetary Fund
IPCC Intergovernmental Panel on Climate Change
IUCN International Union for Conservation of Nature
NGO nongovernmental organization
MA Millennium Ecosystem Assessment
MDBs Multilateral Development Banks
MDGs Millennium Development Goals
MEA Multilateral Environmental Agreement
MIGA Multilateral Investment Guarantee Agency
MWC Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families
NAEAC North American Agreement on Environmental Cooperation
NAFTA North American Free Trade Agreement
OAS Organization of American States
OECD Organisation for Economic Co-operation and Development
OHCHR Office of the U.N. High Commissioner for Human Rights
OP Operational Policy (World Bank)
OSCE Organization for Security and Co-operation in Europe
PIC Prior Informed Consent
REDD Reducing Emissions from Deforestation and Forest Degradation
SC U.N. Security Council
SG U.N. Secretary-General
UDHR Universal Declaration of Human Rights
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<td>UNCC</td>
<td>U.N. Compensation Commission</td>
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<td>UNCED</td>
<td>U.N. Conference on Environment and Development</td>
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<td>UNCLOS</td>
<td>U.N. Convention on the Law of the Sea</td>
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<td>UNECE</td>
<td>U.N. Economic Commission for Europe</td>
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<td>UNEP</td>
<td>U.N. Environment Programme</td>
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<td>UNESCO</td>
<td>U.N. Education, Scientific, and Cultural Organization</td>
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<tr>
<td>UNFCCC</td>
<td>U.N. Framework Convention on Climate Change</td>
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<tr>
<td>UNFF</td>
<td>U.N. Forum on Forests</td>
</tr>
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<td>UNIOSIL</td>
<td>U.N. Integrated Office in Sierra Leone</td>
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<tr>
<td>USTDA</td>
<td>United States Trade and Development Agency</td>
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<tr>
<td>VCLT</td>
<td>Vienna Convention on the Law of Treaties</td>
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<td>WBG</td>
<td>World Bank Group</td>
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<td>WHO</td>
<td>World Health Organization</td>
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<td>World Summit on Sustainable Development</td>
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