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Jorge E. Viñuales, Harold Samuel Professor of Law and Environmental Policy, University of Cambridge

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INTERNATIONAL JUDICIAL PRACTICE ON THE ENVIRONMENT

More and more environmental cases are being heard and decided by international courts and tribunals that lack special environmental jurisdiction. This situation raises fundamental questions about the legitimacy of the environmental practice of international courts. This book addresses, *inter alia*, questions of who has legal standing to bring an environmental claim before an international court, on which legal norms the case is decided and whether judges have the necessary expertise to adjudicate environmental cases that are often of a complex nature. It analyses the challenges that international courts face, the possibilities that they have, and the advances that international judicial practice has been able to make in protecting the environment. Through the prism of legitimacy, important insights emerge as to whether international courts and tribunals are fit for addressing some of the most pressing global challenges of our time.

CHRISTINA VOIGT is Professor at the Department of Public and International Law, University of Oslo, Norway. She is an expert in international environmental law and works in particular on legal issues of climate change, environmental multilateralism, sustainability, and international courts and environmental protection. She is a member of the International Union for Conservation of Nature (IUCN) World Commission on Environmental Law, the chair of the Commission's Climate Change Specialist Group and a member of the IUCN Task Force on Climate Change. In 2009, she was awarded the first IUCN Academy of Environmental Law Junior Scholarship Prize. She is the author of *Sustainable Development as a Principle of International Law* (2009), numerous academic articles and several edited volumes. She also serves as principal legal advisor to the Government of Norway in the United Nations (UN) climate negotiations.

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INTERNATIONAL
JUDICIAL PRACTICE ON
THE ENVIRONMENT

Questions of Legitimacy

Edited by
CHRISTINA VOIGT
University of Oslo



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This book is carried forward by the expectation that analysing and comparing practices and experiences from different regional and international courts and tribunals enhance mutual learning and understanding. The chapters combine various legal perspectives and traditions represented by judges, legal practitioners and academics from many different parts of the world, different ages and genders, and different career stages. Different as they are, they have a shared objective: to contribute, by the means available to courts, to protecting and conserving the environment, and to securing a dignified and environmentally sustainable life for all and an economy defined by safe ecological boundaries.

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Christina Voigt
June 2018

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