International Encyclopaedia of Laws

Environmental Law - Outline

The Author
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§3. Historical Background
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- I. The governmental institutions and their competencies
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§5. Sources of Environmental Law

Part I. Pollution Control
The survey given in each chapter should include one subdivision concerning enforcement and control and another containing a critical evaluation of the efficiency of the legal provisions.
Chapter 1. General law
In several countries, some all-medium environmental legislation exists, e.g. legislation on environmental impact assessment and a license procedure common to different pollution control legislation.
Chapter 2. Air pollution
Chapter 3. Water pollution If appropriate, a distinction will be made between surface water pollution, ground water pollutionand marine pollution.
Chapter 4. Waste
If applicable, a distinction will be made between different of types waste: waste in general, dangerous waste, toxic waste, nuclear waste, etc.
Chapter 5. Soil pollution
Chapter 6. Noise pollution
Chapter 7. Radiation and Vibrations (nuclear and non-nuclear)
Chapter 8. Other sectors
This chapter gathers all other Pollution Control Law, if any, e.g. laws concerning noxious substances or the rational use of energy.

Part II. Nature Conservation and Management

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Chapter 1. Monuments and landscapes
Chapter 2. Protected Areas
Chapter 3. Protection and Management of Spieces
Chapter 4. Agricultural resources
Topics to discuss here are, if applicable, soil protection (e.g. against erosion) and water resources management.
Chapter 5. Forests
Chapter 6. Fish resources
Chapter 7. Subsoil and minerals
Chapter 8. Other sectors
This chapter includes, if applicable, the law concerning very specific topics, such as dunes, canyons, rivers.

Part III. Spatial Planning
In some countries, zoning and land-use planning law plays an essential role in environmental protection. Discussion of this topic should be limited to its environmental relevancy.

Part IV. Liability Questions
This part gathers all substantive rules on liability for environmental matters. If applicable, a distinction will be made between Private Law liability (the general law of torts and, if existing, specific environmental liability rules) criminal liability and administrative liability.

Part V. Juridical Actions of Individuals
Whereas the previous part discusses substantive rules, this part discusses procedural rules and possibilities. Attention has to be paid to class and/or group actions.
Chapter 1. Administrative remedies
This chapter concerns the possibilities of private parties (individuals and groups) to provide an input in decision-making procedures. It also discusses the administrative procedures private parties can use against government and administrative agencies decisions affecting the environment.
Chapter 2. Judicial remedies
This chapter discusses the procedures to implement substantive rules of Environmental Law through the court system. If applicable a distinction is made between courts of general jurisdiction and administrative courts.

Selected bibliography