Table of Contents

Table of Cases	xiii
Table of Treaties and Instruments	xxi
List of Abbreviations	xxxix
List of Contributors	xlv
1. The Rio Declaration on Environment and Development:	
Preliminary Study	1
Jorge E. Viñuales	2
I) Introduction II) The Rio Declaration in Historical Perspective	3
III) The Architecture(s) of the Rio Declaration	13
IV) The Principles and their Impact	20
V) Concluding Remarks: the Unlikely Constitution	60
VI) Select Bibliography	60
2. The Philosophy of the Rio Declaration	65
Pierre-Marie Dupuy	65
I) Introduction	66
II) A Fresh Look at the Earth III) A Duty of Collective Solidarity	69
IV) Conclusion	72
3. Changing Conceptions of Environmental Risk Jacqueline Peel	75
I) Introduction	75
II) Place of Science in International Environmental Law	76
III) Precautionary Challenge	79
IV) Competing Conceptions of Environmental Risk	80 83
V) Conclusion	03
4. The Preamble of the Rio Declaration	85
Francesco Francioni	05
I) Introduction	85 86
II) Reaffirming the Stockholm Declaration	87
III) Environment and Human Rights IV) New Levels of Cooperation	89
V) Working Towards International Agreements	90
VI) The Integral and Interdependent Nature of the Earth	91
5. Principle 1: Human Beings and the Environment	93
Francesco Francioni	0.2
I) Origins and Rationale of the Principle	93

II) The Principle as Enshi III) Relations with Other IV) Assessment: Sovereign	rined in the Rio Declaration Principles nty, Then and Now	94 101 102
V) Select Bibliography		104
6. Principle 2: Prevention	n	107
Leslie-Anne Duvic-Paoli an	d Jorge E. Viñuales	400
I) Origins and Rational	e of the Principle	108
II) The Principle as Ensh	rined in the Rio Declaration	110 134
III) Relations with Other	Principles	134
IV) Assessment		137
V) Select Bibliography		
7. Principle 3: From a Ri	ght to Development to	
Intergenerational Equ		139
Claire Molinari		120
I) Origins and Rational	e of the Principle	139 141
II) The Principle as Ensh	rined in the Rio Declaration	154
III) Relations with Other	Principles	155
IV) Assessment		155
V) Select Bibliography		1,00
8. Principle 4: Sustainal	ole Development through Integration	157
Virginie Barral and Pierre	-Marie Dupuy	158
I) Origins and Rationa	le of the Principle	160
II) The Principle as Ens	nrined in the Rio Declaration	177
III) Relations with Othe	r Principles	178
IV) Assessment		179
V) Select Bibliography		
9. Principle 5: Poverty l	Eradication	181
Takhmina Karimova and	Christophe Golay	102
 Origins and Rationa 	ale of the Principle	182
II) The Principle as Ens	hrined in the Rio Declaration	183 204
III) Relations with Othe	r Principles	204
IV) Assessment		206
V) Select Bibliography		200
10. Principle 6: Special S	Situation of Developing Countries	207
Mamadou Hébié		200
I) Origins and Ration	ale of the Principle	208
II) The Principle as Ens	shrined in the Rio Declaration	209 225
III) Relations with Other	er Principles	227
IV) Assessment		227
V) Select Bibliography		<i>44</i> /
11. Principle 7: Commo	n but Differentiated Responsibilities	229
Philippe Cullet		220
 Origins and Ration 	ale of the Principle	229
II) The Principle as En	shrined in the Rio Declaration	232

Table of Contents	ix
III) Relations with Other PrinciplesIV) Assessment: Principle 7 as a Linchpin of International Environmental LawV) Select Bibliography	241 242 244
12. Principle 8: Sustainable Patterns of Production and Consumption	2/5
and Demographic Policies	245
Christina Voigt I) Origins and Rationale of the Principle	246
II) The Principle as Enshrined in the Rio Declaration	247
III) Relations with Other Principles	262
IV) Assessment	265
V) Select Bibliography	266
13. Principle 9: Science and Technology	269
Sandrine Maljean-Dubois	269
Origins and Rationale of the Principle II) The Principle as Enshrined in the Rio Declaration	270
III) Relations with Other Principles	282
IV) Assessment	283
V) Select Bibliography	284
14. Principle 10: Public Participation	287
Jonas Ebbesson	200
I) Origins and Rationale of the Principle	288 290
II) The Principle as Enshrined in the Rio Declaration III) Connections with Other Principles	307
IV) Assessment	308
V) Select Bibliography	309
15. Principle 11: Environmental Legislation	311
Martina Kunz	211
I) Origins and Rationale of the Principle	311
II) The Principle as Enshrined in the Rio Declaration III) Relations with Other Principles	312 321
IV) Assessment	321
V) Select Bibliography	322
16. Principle 12: The Environment and Trade	325
Margaret A. Young	
I) Origins and Rationale of the Principle	326
II) The Principle as Enshrined in the Rio Declaration	328 345
III) Relations with Other Principles	346
IV) Assessment V) Select Bibliography	348
, denote 2.2	
17. Principle 13: Liability and Compensation Malgosia Fitzmaurice	351
I) Origins and Rationale of the Principle	351
II) The Principle as Enshrined in the Rio Declaration	353
III) Relations with Other Principles	379

	IV) Assessment V) Select Bibliography	379 380
18.	Principle 14: Dangerous Activities and Substances	383
	Makane M. Mbengue I) Origins and Rationale of the Principle II) The Principle as Enshrined in the Rio Declaration III) Relations with Other Principles IV) Assessment V) Select Bibliography	384 387 398 400 401
19.	Principle 15: Precaution	403
	Antônio Augusto Cançado Trindade I) Origins and Rationale of the Principle II) The Principle as Enshrined in the Rio Declaration III) Relations with Other Principles IV) Assessment V) Select Bibliography	404 406 421 427 427
20.	Principle 16: The Polluter-Pays Principle	429
	Priscilla Schwartz I) Origins and Rationale of the Principle II) The Principle as Enshrined in the Rio Declaration III) Relations with Other Principles IV) Assessment V) Select Bibliography	429 430 446 447 449
21.	Principle 17: Environmental Impact Assessment Neil Craik	451
	Origins and Rationale of the Principle	451
	II) The Principle as Enshrined in the Rio Declaration	455
	III) Relations with Other Principles	466
	IV) Assessment V) Select Bibliography	468 469
22.	Principle 18: Notification and Assistance in Case of Emergency Phoebe Okowa	471
	Origins and Rationale of the Principle	472
	II) The Principle as Enshrined in the Rio Declaration	473
	III) Relations with Other Principles	489
	IV) Assessment	491
	V) Select Bibliography	491
23.	Principle 19: Notification and Consultation on Activities with	
	Transboundary Impact	493
	Laurence Boisson de Chazournes and Komlan Sangbana	100
	I) Origins and Rationale of the Principle	493
	II) The Principle as Enshrined in the Rio Declaration	494
	III) Relations with Other Principles	506 506
	IV) Assessment	506 507
	V) Select Bibliography	10/

	Table of Contents		xi
24.	Principle 20: The Role of Women Claire Mahon		509
	I) Origins and Rationale of the Principle		509
	II) The Principle as Enshrined in the Rio Declaration		510
	III) Relations with Other Principles		515
	IV) Assessment		516
	V) Select Bibliography		517
	v) before bibliography		
25	Principle 21: The Role of the Youth		519
4).	Magnus Jesko Langer		7-7
	I) Origins and Rationale of the Principle		519
	II) The Principle as Enshrined in the Rio Declaration		520
	III) Relations with Other Principles		537
	IV) Assessment		538
	V) Select Bibliography		539
26.	Principle 22: Indigenous People and Sustainable Development		541
	Dinah Shelton		
	I) Origins and Rationale of the Principle		541
	II) The Principle as Enshrined in the Rio Declaration		543
	III) Relations with Other Principles		553
	IV) Assessment		554
	V) Select Bibliography		554
27.	Principle 23: The Environment of Oppressed Peoples		557
	Mara Tignino		557
	Origins and Rationale of the Principle Origins and Rationale of the Principle		558
	II) The Principle as Enshrined in the Rio Declaration		566
	III) Relations with Other Principles IV) Assessment		567
	V) Select Bibliography		568
	v) ociect bibliography		,
28.	Principle 24: The Environment in Armed Conflict		569
	Marie-Louise Tougas		
	I) Origins and Rationale of the Principle		569
	II) The Principle as Enshrined in the Rio Declaration		571
	III) Relations with Other Principles		582
	IV) Assessment		583
	V) Select Bibliography		584
			505
29.	Principle 25: Peace, Development and Environmental Protection	i.	585
	Annyssa Bellal and Gilles Giacca		585
	I) Origins and Rationale of the Principle		589
	II) The Principle as Enshrined in the Rio Declaration		595
	III) Relations with Other Principles		595
	IV) Assessment V) Select Bibliography		596
	v) Select Dibliography		<i>)) 0</i>
30	Principle 26: International Environmental Dispute Settlement		599
501	Tim Stephens		
	Origins and Rationale of the Principle		599

Table of Contents

II) The Principle as Enshrined in the Rio DeclarationIII) Relations with Other Principles	600
IV) Assessment V) Select Bibliography	615 616
31. Principle 27: Cooperation in a Spirit of Global Partnership	617
Peter H. Sand I) Origins and Rationale of the Principle II) The Principle as Enshrined in the Rio Declaration III) Relations with Other Principles IV) Assessment V) Select Bibliography	617 618 630 632 632
Appendix: The Rio Declaration on Environment and Development	633
Index	637