## Table of Contents

Table of Cases	
Table of Treaties and Instruments	xxi
List of Abbreviations	xxxix
List of Contributors	xlv
1. The Rio Declaration on Environment and Development:	
Preliminary Study	I
Jorge E. Viñuales	
1) Introduction	2
II) The Rio Declaration in Historical Perspective	2 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	
I) Introduction	65
II) A Fresh Look at the Earth	66
III) A Duty of Collective Solidarity	69
IV) Conclusion	72
3. Changing Conceptions of Environmental Risk	75
Jacqueline Peel	76
1) Introduction	75 76
11) Place of Science in International Environmental Law	76 79
III) Precautionary Challenge	80
IV) Competing Conceptions of Environmental Risk V) Conclusion	83
V) Conclusion	6,5
4. The Preamble of the Rio Declaration	85
Francesco Francioni	05
1) Introduction	85
II) Reaffirming the Stockholm Declaration	86 87
III) Environment and Human Rights	89
IV) New Levels of Cooperation	90
V) Working Towards International Agreements VI) The Integral and Integrational Nature of the Farth	91 91
VI) The Integral and Interdependent Nature of the Earth	91
5. Principle 1: Human Beings and the Environment	93
Francesco Francioni 1) Origins and Rationale of the Principle	93
ty Crights and Cathmate of the Chinepoe	/5

<ul><li>II) The Principle as Enshrined in the Rio Declaration</li><li>III) Relations with Other Principles</li></ul>	94 101
<ul><li>IV) Assessment: Sovereignty, Then and Now</li><li>V) Select Bibliography</li></ul>	102 104
6. Principle 2: Prevention	107
Leslie-Anne Duvic-Paoli and Jorge E. Viñuales	108
I) Origins and Rationale of the Principle	110
<ul><li>II) The Principle as Enshrined in the Rio Declaration</li><li>III) Relations with Other Principles</li></ul>	134
IV) Assessment	136
V) Select Bibliography	137
7. Principle 3: From a Right to Development to	
Intergenerational Equity	139
Claire Molinari	
I) Origins and Rationale of the Principle	139
II) The Principle as Enshrined in the Rio Declaration	141
III) Relations with Other Principles	154
IV) Assessment	155
V) Select Bibliography	155
8. Principle 4: Sustainable Development through Integrati	on 157
Virginie Barral and Pierre-Marie Dupuy	158
I) Origins and Rationale of the Principle	160
II) The Principle as Enshrined in the Rio Declaration	177
III) Relations with Other Principles IV) Assessment	178
V) Select Bibliography	179
V) Sciece bibliography	1//
9. Principle 5: Poverty Eradication	181
Takhmina Karimova and Christophe Golay	400
I) Origins and Rationale of the Principle	182
II) The Principle as Enshrined in the Rio Declaration	183
III) Relations with Other Principles	204
IV) Assessment	205
V) Select Bibliography	206
10. Principle 6: Special Situation of Developing Countries  Mamadou Hébié	207
	200
Origins and Rationale of the Principle     The Principle of Emphrished in the Pile Declaration	208 209
<ul><li>II) The Principle as Enshrined in the Rio Declaration</li><li>III) Relations with Other Principles</li></ul>	209
IV) Assessment	227 227
V) Select Bibliography	227
11. Principle 7: Common but Differentiated Responsibilitie	es 229
Philippe Cullet	
I) Origins and Rationale of the Principle	229
II) The Principle as Enshriped in the Rio Declaration	232

	III) Relations with Other Principles	241
	IV) Assessment: Principle 7 as a Linchpin of International Environmental Law	242
	V) Select Bibliography	244
12	Principle 8: Sustainable Patterns of Production and Consumption	
12.	and Demographic Policies	245
	Christina Voigt	47)
	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	,
	I) Origins and Rationale of the Principle	269
	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	
	I) Origins and Rationale of the Principle	288
	II) The Principle as Enshrined in the Rio Declaration	290
	III) Connections with Other Principles	307
	IV) Assessment	308
	V) Select Bibliography	309
15.	Principle 11: Environmental Legislation	311
	Martina Kunz	
	I) Origins and Rationale of the Principle	311
	II) The Principle as Enshrined in the Rio Declaration	312
	III) Relations with Other Principles	321
	IV) Assessment	321
	V) Select Bibliography	322
16.	Principle 12: The Environment and Trade	325
	Margaret A. Young	226
	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	348
	V) Select Bibliography	<i>J</i> 40
17.	Principle 13: Liability and Compensation	351
	Malgosia Fitzmaurice  I) Origins and Parionale of the Principle	351
	Origins and Rationale of the Principle     II) The Principle as Enshrined in the Rio Declaration	353
	III) Relations with Other Principles	379
	my relations with Other Emilipies	3,7

	IV) Assessment V) Select Bibliography	379 380
	Principle 14: Dangerous Activities and Substances	383
	Makane M. Mbengue	384
	I) Origins and Rationale of the Principle	387
	II) The Principle as Enshrined in the Rio Declaration	398
	III) Relations with Other Principles	400
	IV) Assessment V) Select Bibliography	401
19.	Principle 15: Precaution	403
	Antônio Augusto Cançado Trindade	101
	I) Origins and Rationale of the Principle	404
	II) The Principle as Enshrined in the Rio Declaration	406
	III) Relations with Other Principles	421
	IV) Assessment V) Select Bibliography	427 427
20	Principle 16: The Polluter-Pays Principle	429
20.	Priscilla Schwartz	1-/
	Origins and Rationale of the Principle	429
	II) The Principle as Enshrined in the Rio Declaration	430
	III) Relations with Other Principles	446
	IV) Assessment	447
	V) Select Bibliography	449
21.	Principle 17: Environmental Impact Assessment	451
	Neil Craik	451
	I) Origins and Rationale of the Principle  II) The Principle as Englished in the Pie Declaration	455
	II) The Principle as Enshrined in the Rio Declaration III) Relations with Other Principles	466
	IV) Assessment	468
	V) Select Bibliography	469
22.	Principle 18: Notification and Assistance in Case of Emergency	471
	Phoebe Okowa	
	I) 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 V) Select Bibliography	491 491
23	Principle 19: Notification and Consultation on Activities with	
		402
	Transboundary Impact Laurence Boisson de Chazournes and Komlan Sangbana	493
	I) Origins and Rationale of the Principle	493
	II) The Principle as Enshrined in the Rio Declaration	494
	III) Relations with Other Principles	506
	IV) Assessment	506
	V) Select Bibliography	507

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
25	Principle 21: The Role of the Youth	519
٠,٠	Magnus Jesko Langer	)19
	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
	(1) Select Dibliography	),))
26.	Principle 22: Indigenous People and Sustainable Development  Dinah Shelton	541
	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  Mara Tignino	557
	I) Origins and Rationale of the Principle	557
	II) The Principle as Enshrined in the Rio Declaration	558
	III) Relations with Other Principles	566
	IV) Assessment	567
	V) Select Bibliography	568
28.	Principle 24: The Environment in Armed Conflict  Marie-Louise Tougas	569
	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
29.	Principle 25: Peace, Development and Environmental Protection  Annyssa Bellal and Gilles Giacca	585
	Origins and Rationale of the Principle	585
	II) The Principle as Enshrined in the Rio Declaration	589
	III) Relations with Other Principles	595
	IV) Assessment	595
	V) Select Bibliography	596
30.	Principle 26: International Environmental Dispute Settlement	599
	Tim Stephens	
	Origins and Rationale of the Principle	599

	The Principle as Enshrined in the Rio Declaration	600 614
	Relations with Other Principles	615
,	Assessment Select Bibliography	616
31. Pri	nciple 27: Cooperation in a Spirit of Global Partnership	617
Pete	r H. Sand	<b>-</b>
I)	Origins and Rationale of the Principle	617
II)	The Principle as Enshrined in the Rio Declaration	618
HI)	Relations with Other Principles	630
-	Assessment	632
	Select Bibliography	632
Append	lix: The Rio Declaration on Environment and Development	633
Index		637