

# ENVIRONMENTAL RULE OF LAW

First Global Report



# **Justice Swatanter Kumar (Retd.)**

## **Former Judge, Supreme Court of India**

### **Former Chairperson, National Green Tribunal**

In Ancient Indian Philosophy, the concept of Vasudev Kutumbakam, a Sanskrit phrase meaning "the world is one family", finds frequent mentions and the concept of Environmental Rule of Law, as has been ardently brought forth in the report, can be traced to this ancient concept. Natural resources should be treated as global assets as juxtaposed with national property. Environment is a universal subject and environmental rule of law demands making the right to clean and decent environment fundamental to human existence, efficacious and expeditious across the globe.

The report individuates the governance system of various countries and simultaneously presses upon the conditional differences in various aspects of Environmental Management. The four pillars of sustainable development- economic, social, environmental and peace- is a well-placed need of the hour. The melancholic undertones of the reality must not overcome the various strides that we as populace of the world are taking towards becoming environmentally aware and developing our consciousness and conscience and towards this cause. It is this light of this advancement and strengthening that this report becomes extremely relevant in today's times.

I would like to congratulate the UN Environment for coming out with comprehensive and informative "Environmental Rule of Law: First Global Report" and wish them success.

## **Emmanuel Ugirashebuja, East African Court of Justice**

“When everything else has been tested and yielded limited success, perhaps the only remaining much needed hope for salvaging the environment can only be found in espousing the concept of environmental rule of law especially in developing countries where consequences of environmental degradation are catastrophic.”

## **The Rt. Hon. Lord Carnwath of Notting Hill, CVO, Supreme Court of the United Kingdom**

“I very much welcome the publication of this authoritative and comprehensive report. The Environmental Rule of Law is now an established concept. There is an urgent need for it to be applied in a practical and effective way by courts and administrators throughout the world. This report will make a valuable contribution.”

## **Terry Tamminen, President and CEO of the Leonardo DiCaprio Foundation**

“The rule of law means that no one is above the law. This new report on the Environmental Rule of Law will help us improve compliance with environmental law, which is essential to ensuring protection of constitutional and human rights. As a U.N. Messenger of Peace, Mr. DiCaprio particularly supports legal protection of environmental defenders, especially indigenous peoples. During 2016, more than 200 environmental defenders were killed in 24 countries, with intimidation and violence affecting many more; a significant number of these were indigenous peoples.”

“Many species’ survival rests upon the success of environmental rule of law, which is why an increasing number of countries are extending legal rights or legal personhood to natural systems. As the United Nations has observed, living by the rule of law is critical to peace. It is a pre-requisite to the realization of all human rights.”

## **David Boyd, Special Rapporteur on Human Rights and the Environment**

“This compelling new report solves the mystery of why problems such as pollution, declining biodiversity and climate change persist despite the proliferation of environmental laws in recent decades. Unless the environmental rule of law is strengthened, even seemingly rigorous rules are destined to fail and the fundamental human right to a healthy environment will go unfulfilled.”

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