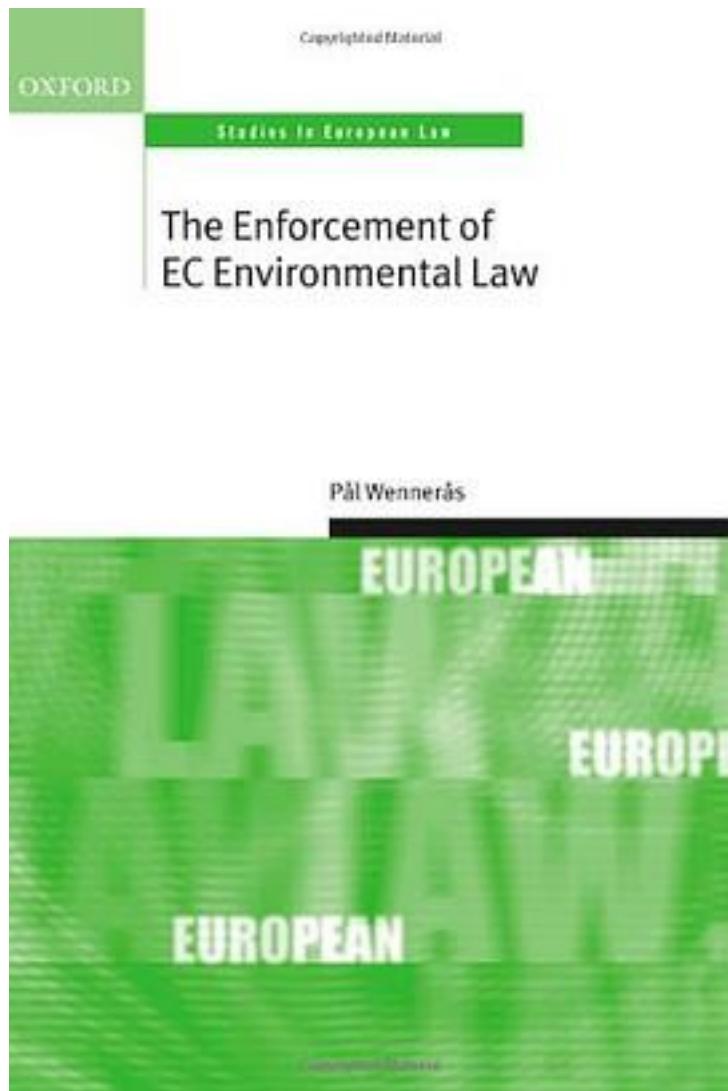


# The Enforcement of EC Environmental Law



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著者:Wenneras, Pal

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It is widely accepted that the future development of environmental law depends not on further legislation, but on more effective enforcement. Within the EC legal system, the conventional view is that the enforcement deficit is due to the fact that the environment is distinct from other fields of Community law. EC environmental law normally does not confer rights on individuals and may therefore not be judicially enforced in the same manner as rules concerning the internal market, competition and gender discrimination. The Enforcement of EC Environmental Law explores and challenges this assumption. Drawing from constitutional aspects of EC law, the author examines to what extent the general case law on procedures and remedies may be transposed to the field of environment, whilst at the same time taking stock of the existing environmental case law and the distinctive features of environmental legislation. In a critical exposition and assessment of 50 years of jurisprudence by the European Court of Justice as well as recent legislative developments, the author explores the potential of enforcement of environmental law through law suits by individuals as well as the European Commission. By demonstrating that the environment is not so different from other fields of law in terms of rights and remedies, the book provides not only new insights to the enforcement of EC environmental law but also to the central characteristics of Community constitutional law.

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