

## Environmental Rights in Other Common Law Jurisdictions

### A. Australia and States (New South Wales)

Citation	Summary
<b>Books</b>	
<b>Articles</b>	

### B. United Kingdom

Citation	Summary
<b>Books</b>	
<b>Articles</b>	

### C. Canada and Provinces

Citation	Summary
<b>Books</b>	
The right to a healthy environment: revitalizing Canada's constitution  David Richard Boyd  Vancouver: UBC Press, 2012  KE5110.B69 2012	Canada has abundant natural wealth, beautiful landscapes, vast forests, and thousands of rivers and lakes. The land defines Canadians as a people, yet the country has one of the worst environmental records in the industrialized world. The book describes how recognizing the constitutional right to a healthy environment could have a transformative impact, empowering citizens, holding governments and industry accountable, and improving Canada's green record. The overwhelming majority of the world's nations now recognize the right to a healthy environment through laws, constitutions, treaties, or court decisions. It explores Canada's history of failed efforts to do the same within this international context and evaluates three pathways to constitutional recognition of the right to a healthy environment. The book makes the case that constitutional recognition of environmental rights and responsibilities would both reflect and reinforce Canadian values, much as the Charter of Rights and Freedoms confirmed and enhanced our commitment to equality.

	<p>Canada needs constitutional environmental rights</p> <p>The pros and cons of the right to a healthy environment</p> <p>The history of environmental rights in Canada</p> <p>Green constitutions in other countries</p> <p>Lessons learned: implementing environmental rights and responsibilities</p> <p>International law and environmental rights</p> <p>What difference would the right to a healthy environment make in Canada?</p> <p>Pathways for greening Canada's constitution</p> <p>Prospects for change.</p>
<b>Articles</b>	
<p>The right to a healthy environment: A prescription for Canada</p> <p>David R Boyd</p> <p>106 Can. J. Pub. Health 353 (2015)</p>	<p>This invited commentary summarizes the need for stronger Canadian environmental laws and policies. The environmental burden of disease in Canada is substantial. In part this is due to environmental laws and policies that are significantly weaker and less effective than corresponding rules in other wealthy industrialized nations. One promising approach is recognition of the right to live in a healthy environment. In particular, constitutional recognition of this right in 100 nations has led to stronger environmental laws, better enforcement of those laws, enhanced public participation in environmental decision-making, and superior environmental outcomes (e.g., faster progress in reducing air pollution and greenhouse gas emissions). In light of Canada's weak environmental record, this potentially transformative approach is particularly promising.</p> <p><a href="https://doi.org/10.17269/CJPH.106.5341">https://doi.org/10.17269/CJPH.106.5341</a></p>

#### D. India

<b>Citation</b>	<b>Summary</b>
<b>Books</b>	
<b>Articles</b>	
<p>Constitutional Recognition of Right to Healthy Environment: The way Forward</p> <p>Normawati Binti Hashim</p> <p>105 Procedia – Soc. &amp; Behav. Scis. and Behavioral Sciences 204 (2013)</p>	<p>Healthy environment is vital to human life as it allows a person to grow physically, mentally and intellectually healthy. Hence, it is vital that a healthy environment attained constitutional recognition as part of the fundamental right. Therefore, it is essential for a state to adopt an active and dynamic jurisprudence and constitutional framework into its legal system. The success and progressive move of the Indian jurisdiction are an example. The strong constitutional framework available in the <u>Indian</u> jurisdiction allows their apex court to develop creatively jurisprudence on a healthy environment as part of constitutional rights. Consequently, the Indian jurisdiction is the source of reference towards such move.</p> <p><a href="https://doi.org/10.1016/j.sbspro.2013.11.021">https://doi.org/10.1016/j.sbspro.2013.11.021</a></p>

## E. Pakistan

Citation	Summary
<b>Articles</b>	
Human rights and the environment: a South Asian perspective  Parvez Hassan & Azim Azfar  5 J. Hum. Rts. & Env't 192 (2014)	Offering an unrivalled quasi-auto biographical perspective on the South Asian contribution to the development of the relationship between human rights and the environment, the authors point towards the vital role of post-colonial nations in the important legal convergences between urgent concern for human dignity and for ecological responsibility in an age of environmental degradation. Tracing the unique contribution of South Asian judicial activism in the genesis of environmental human rights sensibilities, the authors point to future trajectories, arguing that the convergence of human rights and the environment has never been more pressing or urgent. They conclude that while the South Asian judiciary model is a radical jurisprudence of compassionate outrage for the marginalized and violated, it remains vital, due to national and cultural particularities, to continue to strengthen regional mechanisms and responses to human and environmental challenges if important international aspirations are to be fulfilled.  <a href="https://doi.org/10.4337/jhre.2014.03.05">https://doi.org/10.4337/jhre.2014.03.05</a>

## F. Philippines

Citation	Summary
<b>Books</b>	
<b>Articles</b>	

## G. New Zealand

Citation	Summary
<b>Books</b>	

<b>Articles</b>	