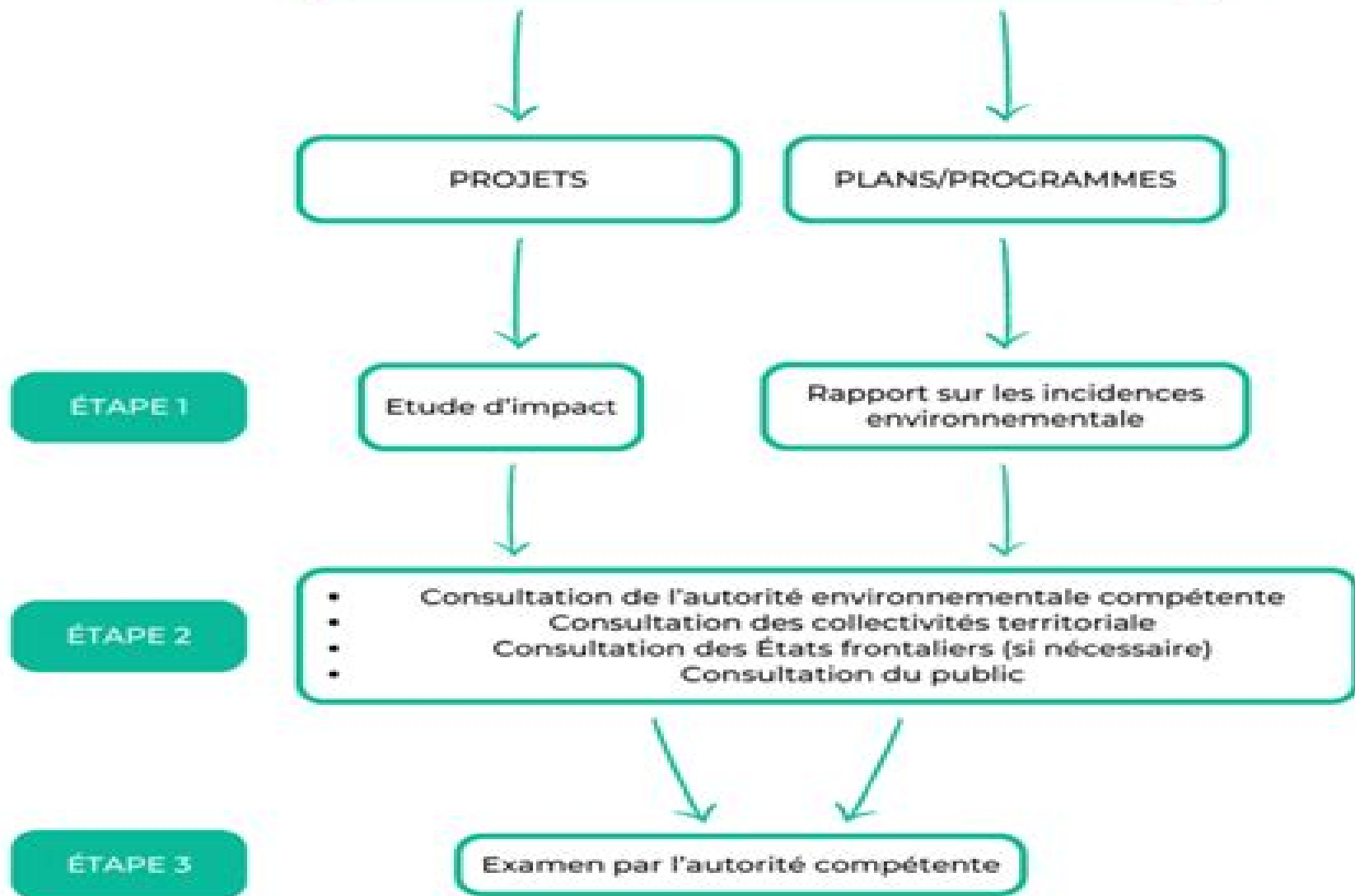
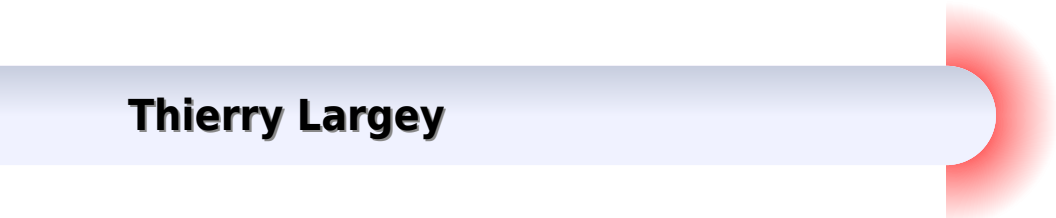


Évaluation environnementale



Contrat L'environnement Etude Droit Compar

Thierry Largey



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Sites contaminés en droit comparé de l'environnement Michel Prieur, 1995-11 *Routledge Handbook of Private Law and Sustainability* Marta Santos Silva, Andrea Nicolussi, Christiane Wendehorst, Pablo Salvador Coderch, Marc Clément, Fryderyk Zoll, 2024-06-05 The Routledge Handbook of Private Law and Sustainability reflects on how the law can help tackle the current environmental challenges and make our societies more resilient to future crises Sustainability has been high on the political agenda since the approval of the Sustainable Development Goals in 2015 and the EU Green Deal in 2019 The Green Agenda aims at making Europe the first climate neutral continent by 2050 but humanity persists in an ecological overshoot that puts at risk the survival of species including that of our own Drawing together a selection of leading thinkers in the field this Handbook provides a curated overview of the most recent and relevant discussions for private lawyers related to environmental and sustainability concerns The authors delve into case study examples from 20 countries in Europe and beyond and discuss a wide range of issues including new property law and consumer law paradigms the use of legal tech for promoting sustainable property management strategies for fighting planned obsolescence eco design the servitisation economy advances on corporate climate litigation and mandated green private sludges Overall the volume is designed to empower new generations of legal scholars to take an active role in the transition to a more sustainable future It will also assist policymakers in producing better policy through pinpointing the main legal issues that need to be addressed and offering a comparative overview of legal solutions and best practices Divided into six key parts and overseen by a team of internationally recognised expert editors this Handbook will be an essential resource for students scholars private lawyers and policymakers who wish to have a comprehensive fundamental overview of how environmental sustainability concerns reflect on private law *Les Conventions locales de gestion des ressources naturelles et de l'environnement* Laurent Granier, 2006 **Le contrat et l'environnement** Mathilde Hautereau-Boutonnet, 2015-09-15 [Le contentieux climatique : une révolution judiciaire mondiale](#) Christian Huglo, 2018-05-23 Le droit climatique a été officialisé au Sommet de la Terre en 1992 duquel est issue la Convention cadre des Nations unies sur les changements climatiques Par la suite la société civile a manifesté son intérêt pour faire face aux défis du réchauffement climatique c'est ainsi que sont nées des coalitions d'organisation pour promouvoir la justice climatique comme l'initiative pour la justice environnementale et le changement climatique Les mouvements religieux ont également souligné l'importance de la justice climatique la protection des équilibres climatiques et de l'environnement Les praticiens du droit de l'environnement travers notamment la mission confiée en juin 2015 par le Président François Hollande Corinne Lepage se sont clairement prononcés en faveur d'une justice climatique pour répondre aux appels de la société civile Le texte qui en est issu est un projet de Déclaration universelle des droits de l'humanité dans laquelle l'Homme est appelé ses devoirs vis-à-vis de l'environnement Mais c'est au cours des années 2000 que le juge américain va ouvrir la voie au contentieux climatique national dans l'affaire dite *Massachusetts v EPA* n° 05-1120 jugée en avril 2007 selon

laquelle la plus haute juridiction des tats Unis a impos l Agence am ricaine de protection de l environnement de r glementer les missions des gaz effet de serre sur le fondement du Clean Air Act Par la suite la justice climatique a t mise en uvre par d autres juridictions nationales travers le monde comme l illustrent les affaires Urgenda foundation v Kingdom of the Netherlands Hollande Ashgar Leghari v Federation of Pakistan Pakistan qui vont largir les r gles traditionnelles de proc dure contentieuse comp tence preuve causalit Le succ s du contentieux climatique repose entre les mains des juges nationaux lesquels s appuient g n ralement sur les travaux du GIEC relatif l valuation des risques climatiques De plus certaines d cisions de justice sont all es jusqu proclamer et reconnaitre des droits sup rieurs au droit constitutionnel interne C est dire que le sujet de la justice climatique qui se propage grande vitesse pr s de 700 d cisions de justice recens es aujourd hui devient un extraordinaire laboratoire en vue de l laboration d un droit efficient pour l avenir des hommes et de la plan te Cet ouvrage s adresse aux juristes galement aux non juristes tous les tudients et chercheurs ainsi qu aux praticiens et professionnels du droit

Eficácia dos princípios ambientais nos contratos Marcelo Moreira dos Santos,2020-09-08 Por mais que se reconhe a a forte presen a de uma nova tica em favor da natureza a aplica o dos princ pios fundamentais a um ambiente ecologicamente equilibrado tem apresentado desafios Neste trabalho destaca se o problema da incid ncia dos princ pios ambientais nos contratos o que nos faz pensar tanto no crescimento de princ pios positivados no Direito Fundamental Ambiental e portanto de sua import ncia como elemento de interpreta o ou mesmo de otimiz o do sistema jur dico quanto na import ncia dos contratos nas rela es privadas que tenham os bens ambientais como objeto ou ainda mais no que se vem denominando atualmente como contratualiza o do Direito do Ambiente trecho do livro

La protection conventionnelle des espaces naturels Catherine Giraudel,Centre de recherches interdisciplinaires en droit de l'environnement, de l'aménagement et de l'urbanisme,2000 Le cri d alarme des scientifiques devant les dommages irr versibles caus s la biodiversit est relay par les juristes Si la prise de conscience in gale des pouvoirs publics dans les pays de droit latin ou anglo saxon s est traduite par des protections r glementaires diversifi es ou par le recours la propri t publique les initiatives priv es issues notamment du mouvement associatif se d veloppent de plus en plus Il s agit pour ces groupements g n ralement de caract re priv dot s de pr rogatives variables d assurer la pr servation des espaces naturels et des habitats de la flore et de la faune sauvages par la ma trise fonci re ou la ma trise d usage D o le recours des instruments juridiques diversifi s contrats ou servitudes la difficult tant de p renniser la protection instaur e Cet ouvrage qui doit beaucoup Cyrille de Klemm expert aupr s de l IUCN et du Conseil de l Europe et qui lui est d di permet une confrontation fructueuse entre les pays de tradition latine et les pays de Common Law Il sugg re et anticipe les volutions vers un d veloppement des mesures volontaires de protection et une sensibilisation plus grande des personnes priv es l exigence vitale de sauvegarde et de respect de la nature

Le statut juridique de l'air Thierry Largey,2017-10-15 Qu est ce que l air en droit La r ponse cette question conduit qualifier cette ressource naturelle vitale en identifiant son statut juridique dans une approche fonctionnelle faisant cho son r le cosyst

mique Elle s attache consid rer les enjeux juridiques qui d coulent des multiples utilisations de l air en distinguant ses divers aspects le volume atmosph rique l air mati re et la force olienne L analyse du droit positif m ne au constat que l air est une chose commune La pr sente th se s attache d s lors construire une th orie moderne des communs En droit interne l air est tour tour envisag en tant que non chose commune domaine public naturel et objet d un statut sui generis En droit international l attention est port e sur les concepts de patrimoine commun et de pr occupation commune de l humanit La recherche s ach ve sur l examen du cadre l gal et des principes juridiques applicables la r gulation des droits d usage de l air afin d en pr server durablement le caract re commun et le noyau intangible **Le mineur consommateur, étude**

comparée du droit français et du droit brésilien Maxime Péron, 2025-01-30 Influenciadores do consumo de seus pais consumidores aut nomos de produtos e servi os ou v timas de sua utiliza o na Fran a e no Brasil por volta de 78 milh es de crian as e adolescentes s o alvos de incita es comerciais Comuns legisla o de ambos os pa ses os mecanismos de incapacidade n o s o suficientes para proteg los porque negam seu consumo real e n o cobrem todas essas hip teses Questiona se se eles devem ser qualificados como consumidores ou se necess ria uma categoria jur dica de crian a consumidora para proteg los Em face dos riscos do consumo acentuados pelas novas tecnologias suas vulnerabilidades s o agravadas e implicam uma prote o espec fica O m todo do direito comparado permite refletir sobre estas quest es Tal como particularmente encorajado pelo direito brasileiro marcado por uma prote o centrada na qualidade da pessoa a identifica o de uma categoria de crian a consumidora oportuna para promover sua prote o Sua efic cia seria assegurada pelo desenvolvimento de um regime espec fico em torno da rela o de consumo adequado a ambos os ordenamentos jur dicos e em parte inspirado na abordagem contratual dominante no direito franc s Entre as diversas proposi es que integrariam este regime consideram se algumas de car ter geral como a utiliza o da metodologia do di logo das fontes e outras mais espec ficas como o enquadramento dos an ncios publicit rios em fun o da idade cronol gica Contrato público e agrobiodiversidade Marcelo Moreira, 2020-05-20 Este livro o primeiro desta s rie de tr s estudos realizados pelo autor por ocasi o dos cr ditos acad micos no seu doutorado na Universidade de Lisboa Um trabalho acad mico e que portanto reflete as ang stias e caracter sticas de uma busca ainda incompleta A pretens o do autor e da Editora da Universidade Federal do Amap partilhar com o p blico essa s rie de ensaios onde s o confrontados os sistemas de direito brasileiro e europeu com destaque normativa transposta para o direito portugu s Neste primeiro livro a nfase foi dada ao papel da contrata o p blica na conserva o da biodiversidade agr cola Espera se contribuir para o debate e uso dos instrumentos jur dicos tradicionais para a prote o da biodiversidade e preven o da escassez alimentar

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