

**Environmental Law and the Challenges of the Decades
Ahead: Promoting Transformative and Recovery
Responses to the Planetary Emergency**

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PANEL 1. The context and status of Environmental Law in raising the planetary emergency

**RE-ENGINEERING ENVIRONMENTAL LAW
ON THE BASIS OF THE HUMAN RIGHT TO ENVIRONMENT**

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The proposed paper acknowledges that international environmental law has played a critical part in addressing environmental issues such as climate change so far. Its contribution cannot be neglected and has to be praised instead. However, to some extent, it can be arguably contended that this branch of law has experienced some sort of stagnation and limitation in its application. One of the reason explaining this is the very nature of international environmental law. This special regime of international environmental law is highly political since the foundational basis seems to revolve around political commitments made by states and voluntary targets to be achieved in view of saving the planet. This article proposes to argue that if the basis of international environmental law is founded on the human right to environment, then this will enhance the effectiveness of this special regime of environmental law to better combat environmental issues around the world. The basis of this argument is that when environment is couched in the language of human right and same is widely accepted, then it will be possible to impose a vertical sense of obligations, remedies and the need to protect, promote, fulfil and respect the environment as a matter of right, which is the case for any of the currently recognised human right. This will bring a major change especially in environmental law related litigation, mitigation and adaptation measures