

UNEP GLOBAL JUDGES PROGRAMME

APPLICATION OF ENVIRONMENTAL LAW BY NATIONAL
COURTS AND TRIBUNALS

PRESENTATION 10

RESOLVING ENVIRONMENTAL DISPUTES

OUTLINE OF PRESENTATION

DISPUTE RESOLUTION TECHNIQUES

DISPUTE RESOLUTION BODIES

ALTERNATIVE DISPUTE RESOLUTION TECHNIQUES

- MEDIATION SERVICES
 - COMMERCIAL DISPUTES
 - COMMUNITY JUSTICE CENTERS
FOR NEIGHBOURHOOD DISPUTES
- ARBITRATION
- NEUTRAL EVALUATION



DISPUTE RESOLUTION TECHNIQUES

JUDICIAL ADJUDICATION

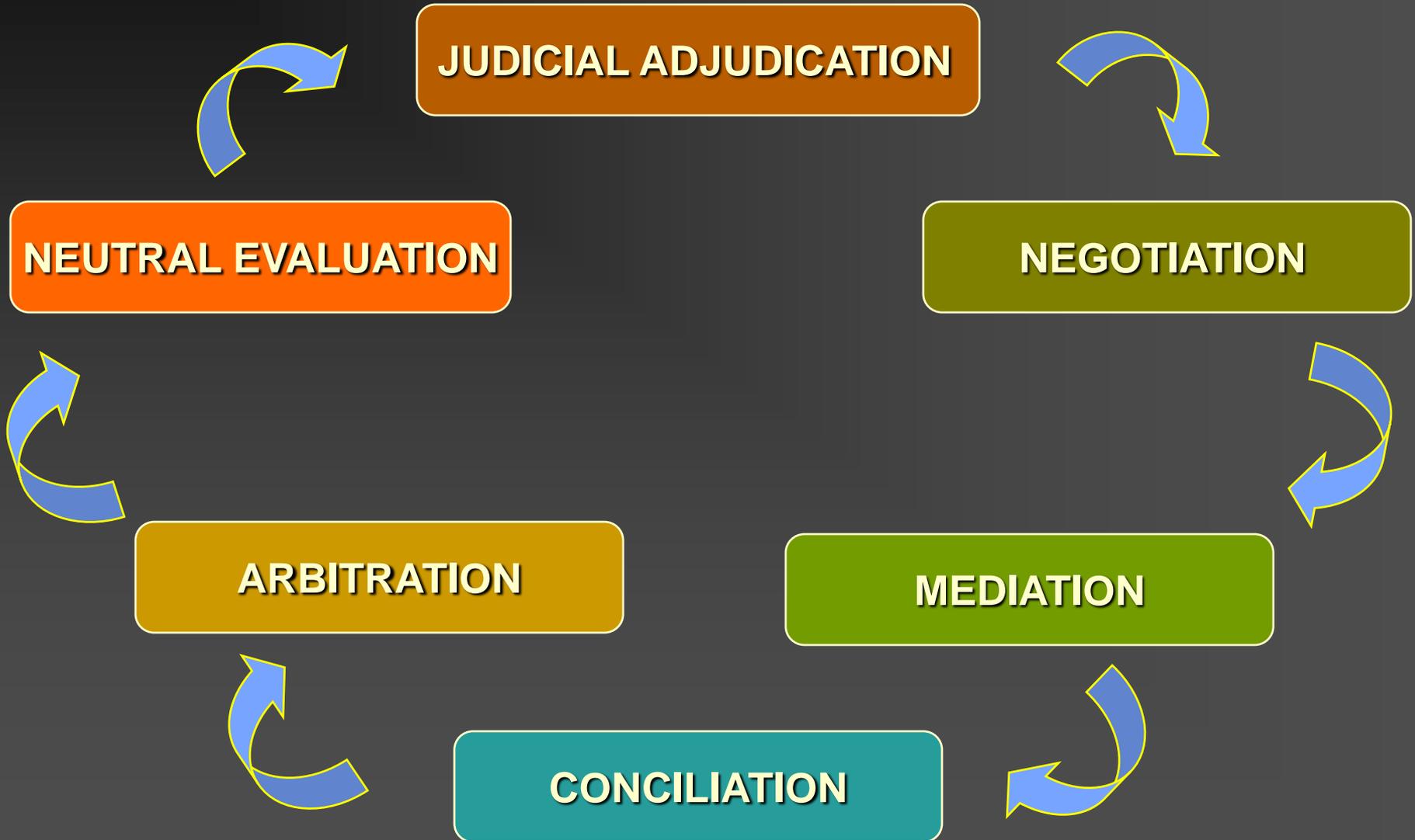
NEUTRAL EVALUATION

NEGOTIATION

ARBITRATION

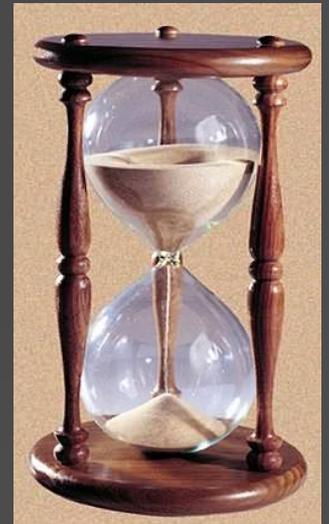
MEDIATION

CONCILIATION



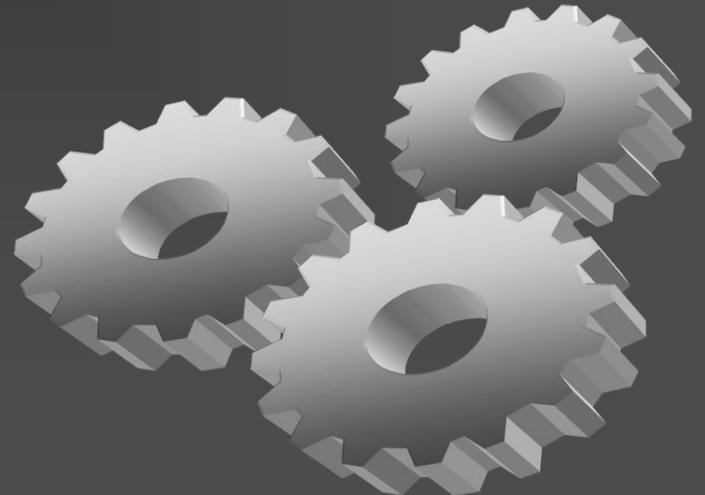
SPECIFIC BENEFITS OF ALTERNATIVE DISPUTE RESOLUTION

- Increase in efficiency
- Reduces time taken
- Encourages constructive approaches
- Gives sense of ownership to stakeholders
- Reduces ongoing disputation
- Courts can still enforce decisions reached through ADR



MEDIATION IN ENVIRONMENTAL DISPUTES

- Mediation is facilitated negotiation, by a third party
- Mediators' role is to assist parties to agree on a solution



ARBITRATION IN ENVIRONMENTAL DISPUTES

- Arbitration is done by a neutral third party
- It is a quasi-judicial function
- Parties agree to submit to arbitration and to be bound by the result

WHEN SHOULD ADR BE DEPLOYED?

- Early in the process may be optimal
- But may bear fruit any time during the trial process
- ADR during appeal?

预览已结束，完整报告链接和二维码如下：

https://www.yunbaogao.cn/report/index/report?reportId=5_13853

