

## Research Student Information

<b>Name</b>	(photo) Mr Jonathan DARBY
<b>PhD Title</b>	International Environmental Dispute Resolution: A Comparative Analysis
<b>Project information</b>	<p>My research aims to evaluate the capacity of four international dispute settlement mechanisms to effect proper resolution of international environmental disputes. To do this, I use a threefold approach. First, I discuss the effectiveness of the procedures of each mechanism. Second, I analyse the environmental jurisprudence which has emerged from the resolution of disputes by each mechanism. Third, I discuss the future development of each mechanism in light of its recent jurisprudence.</p> <p>I focus on the prevention and settlement of international environmental disputes for four primary reasons. One, growing demand for access to natural resources, coupled with a limited resource base, is creating international tension. Two, as international environmental obligations increasingly dominate national interests, states that do not comply with their environmental obligations may be perceived by rival states as gaining an unfair competitive economic advantage over other States. Three, if States assume more significant environmental commitments to manage critical environmental issues, disputes over the scope of these obligations will increase. Four, as commercial enterprises increasingly operate across national boundaries, states may be more likely to be involved in disputes caused by environmentally degrading activities of their nationals (e.g. corporations) or in defence of nationals affected due to the restrictive standing requirements of many international courts and tribunals.</p> <p>The rise of environmental consciousness in international law has been followed by another phenomenon: an increasing number of international fora within which environmentally related disputes can potentially be addressed. My research leads to the conclusion that this multiplication of fora has not led to a fragmentation of international law as previously feared . It may even strengthen the international environmental law regime if managed correctly.</p>
<b>Supervisor</b>	Dr Catherine MACKENZIE
<b>Website</b>	