CONTENTS

Acknowledgements page viii Table of Cases xi
Introduction 1
PART I Constructing Synergies: Framing the Environment–Human Rights Interface 15
Narratives of Environmental and Human Rights Protection:
From a 'Pristine Wilderness' to a 'Human Environment' 17
1.1 Protecting 'Nature' from 'Humans': Rupture and
Antagonism in Early Environmentalism 18
1.2 Protecting 'Nature' for 'Humans':The Mobilising Power of Human Rights 28
 1.2.1 Building a Human Rights-Based Approach to Environmental Protection: The 1972 Stockholm Conference on the Human Environment 32
 1.2.2 Circumscribing Environmental Protection to Human Development: The 1992 Rio Conference on Environment and Development 43
 1.2.3 The Culmination of a Merging Agenda: A Human Right to a Healthy Environment 48
1.3 Environmentalism and Human Rights: A Legislative Taxonomy 52
Horizons of Synergy: Adjudicating Environmental
and Human Rights Protection 56
2.1 The Inter-American Human Rights System:A 'Healthy' Environment 58
 2.2 The African Human Rights System: A 'Generally Satisfactory' Environment 62

2.3 The European Human Rights System:

		A 'Balanced' and 'Safe' Environment 65	
	2.4	International Courts and Tribunals:	
		A 'Non-Damaged' Environment 73	
	2.5	Environmentalism and Human Rights: An Adjudicative Taxonomy 76	
3	Co	structing and Contesting Anthropocentric	
	Syr	ergies 80	
	3.1	Anthropocentrism and Synergy: A Doctrinal Construction 81	
	3.2	Contesting Anthropocentrism 83	
	3.3	Contesting Synergies 89	
4	Co	intering the Dominant Frame: An Account of	
	Tra	de-offs and Tensions 97	
	4.1	Framing the Environment–Human Rights	
		Interface: The Mantra of Synergy 97	
		Alternative Frames: Integrating Conflicts 100	
	4.3	Beyond Synergy: Towards New Compositions 109	
	PA	T II Conflict Mediation Through	
		versalisation 113	
5	The	General Interest as Universalisation Strategy 119	
		The General Interest in Environmental Protection 123	
		The General Interest as a Heuristic of Conflict Adjudication 130	
		5.2.1 A 'Mantra on Environmental Protection': The General Interest in the Court of Justice of the European Union 130	
		5.2.2 The Value of 'Outstanding Natural Beauty': The General	
		Interest in the European Court of Human Rights 139	
		5.2.3 An Indigenous 'Strong Attachment with Nature': The General Interest in the African Human Rights System 15	5(
		5.2.4 The 'Conservation of Protected Areas': The General Interest in the Inter-American Human Rights System 160	
	5.3	Discursive Hegemony and the Construction of Commonality 166	
6	Ext	ert Knowledge as Universalisation Strategy 180	
O	-	The Scientific Expert: Conflict Resolution through 'Objectivity' 186	6
	0.1	6.1.1 Conflicts between Climate Change	9
		and Economic Freedoms 188	
		6.1.2 Conflicts between Animal Welfare and	
		Indigenous Peoples' Rights 193	

CONTENTS vii

	6.1.3	Conflicts between Animal Welfare and	
		Religious Freedoms 196	
	6.1.4	Assessing the CJEU's Managerial Approach to Conflict Adjudication 201	
62	ThoL		
0.2		Human Rights Expert: Conflict Resolution Igh Epistemic Authority 206	
	6.2.1	Conflicts between Nature Conservation	
		and Indigenous Peoples' Rights 209	
	6.2.2	Conflicts between Landscape Preservation	
		and Roma's Rights 220	
	6.2.3	Assessing Regional Human Rights Courts'	
		Recourse to Legal Expertise 228	
6.3	The N	Management of Expertise or the Managerialism of Experts	238
Co	nclus	ion 241	
	liogra lex	<i>aphy</i> 252 283	