

**Faculty of Business, Law and Social Sciences**

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| **Proposed Title: The Organisation of American States and the Safeguarding of Environmental Rights** |
| **School:**  **Law School** |
| **Proposed Supervisory Team:**  **Dr Anne Richardson Oakes (Director of Studies)**  **Dr Ilaria Di-Gioia (Supervisor)**  **Dr Friso Jansen (Supervisor)**  **Dr Alice Storey ( Advisor)** |
| **Abstract:**  The Organisation of American States (OAS) is a regional human rights union of the 35 states of the Americas with a commitment (amongst others) to defending human rights and promoting solutions to the political, judicial and economic problems of member states. The OAS recognizes the right to a healthy environment as a human right and is committed to the role of the judiciary in promoting and protecting that right. In pursuance of OAS FIDA (Inter-American Forum on Environmental law) Theme:(d) Strengthening Judicial Institutions and Jurisprudence, it has launched an initiative “*Caring for our Common Home from the Judiciary: Guaranteeing More Rights for More People in the Americas,*” designed to promote the role of the judiciary in establishing and guaranteeing an “environmental rule of law in the Americas”.  In collaboration with other organizations and the Government of Jamaica, it organized the First Inter-American Congress on the Environmental Rule of Law in Montego Bay, Jamaica, which concluded with a call to strengthen the rule of law to address environmental challenges in the Americas. <https://www.oas.org/en/media_center/press_release.asp?sCodigo=E-015/16>.  The Inter American Court of Human Rights (IACtHR) which is the judicial organ of the OAS in a landmark ruling considered the obligations of member states in relation to the right to a healthy environment and detailed the obligations of states when they have caused or may cause significant environmental harm, including cross-border harm. *See Advisory Opinion of the Inter-American Court of Human Rights, OC-23/17* (*State Obligations in Relation to the Environment in the Context of the Protection and Guarantee of the Rights to Life and Personal Integrity: Interpretation and Scope of Articles 4(1) and 5(1) in Relations to Articles 1(1) and 2 of the American Convention on Human Rights*) *Requested by the Republic of Columbia*  This research project will investigate the OAS mechanisms for establishing and promoting an environmental rule of law amongst its member states with particular reference to the role of the judiciary. It places these in the context of a) the mechanisms of other human rights monitoring organisations, specifically the United Nations HRC Universal Periodic Review (UPR) with which the OAS cooperates b) the standards identified by the IACtHR and c) an emerging global consensus concerning the role of the judiciary in the protection of the environment and the promotion of environmental responsibility. |
| **Research Environment:**  The research project sits within the remit of the Centre for American Legal Studies and will be supervised by members of the Centre with relevant expertise. |
| **Applicant Requirements:**  The student should have a good first degree in Law and/or Politics. A second degree in a related area of study is desirable but not essential.  An interest/specialism in law and the environment is desirable. OAS and Inter-American Court of Human Rights materials are in English as well as Spanish. This means that there is no specific requirement for Spanish language skills although if available these may be useful for accessing supplementary materials. |
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