

ENVIRONMENTAL LIABILITY

Definition

Obligation based on the principle that a polluting party should pay for any and all damage caused to the environment by its activities. In some countries, this is a strict liability if the damage can be attributed to a specific party.

The laws of environmental liability and environmental harm

Environmental liability is an instrument of environmental protection for the prevention of and compensation for environmental harm. It promotes the personal responsibility of the (economic) players. Properly constituted environmental liability law creates economic incentives to prevent the occurrence of harm, paving the way for the payment by the polluter of compensation for any harm that occurs.

The legislature can create environmental liability legislation under both public and civil law. In terms of civil law this is a matter of compensation for harm to life, limb, health or property of individuals who fall victim to such harm mediated by environmental media as a result of the conduct of other individuals. This kind of harm is covered in particular by the Environmental Liability Act (Umwelthaftungsgesetz) of 19.12.1990. This is accompanied by standards that oblige the polluter to repair the harm to environmental goods by itself, even if the latter are not the property of a person. These standards allow the authorities to proceed against the polluter, if necessary with coercion, and to order it to repair any harm. Such regulations are contained in the Environmental Damage Act (Umweltschadensgesetz), which entered into force on 14.11.2007.

The development of environmental liability law at EU level and a compact presentation of the conditions and legal consequences of the practical application of the Environmental Damage Act can be found in the presentation "Umweltschutz durch Umwelthaftung – Das Umweltschadensgesetz" ("Environmental protection through environmental liability - the Environmental Damage Act").

The German Environment Agency has for many years been engaged in the further development of environmental liability at national, European and international levels.

Environmental liability in international law

Cross-border environmental harm is increasing internationally. For many areas - for instance, for the protection of the marine environment - there are instruments which govern liability for environmental harm in specific areas and which contain different conditions for establishing liability. This opens up the unwelcome possibility of regulatory differences in individual areas which cannot be objectively justified or, with even graver implications, of gaps in the regulations.

The study prepared on behalf of UBA entitled "Environmental Liability in International Law: Towards a Coherent Conception" and authored by Prof. Rüdiger Wolfrum, Prof. Christine Langenfeld and Dr. Petra Minnerop extensively describes and evaluates many such cases giving rise to liability which are found mainly in multilateral environmental agreements but also in

Environmental Liability Handbook For Property Transfer And Financing

Lei Huang



Environmental Liability Handbook For Property Transfer And Financing:

Unveiling the Magic of Words: A Overview of "**Environmental Liability Handbook For Property Transfer And Financing**"

In some sort of defined by information and interconnectivity, the enchanting power of words has acquired unparalleled significance. Their power to kindle emotions, provoke contemplation, and ignite transformative change is really awe-inspiring. Enter the realm of "**Environmental Liability Handbook For Property Transfer And Financing**," a mesmerizing literary masterpiece penned by way of a distinguished author, guiding readers on a profound journey to unravel the secrets and potential hidden within every word. In this critique, we shall delve to the book is central themes, examine its distinctive writing style, and assess its profound affect the souls of its readers.

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