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The International Law of Environmental Impact Assessment

Process, Substance and Integration

NEIL CRAIK



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The International Law of Environmental Impact Assessment

The central idea animating environmental impact assessment (EIA) is that decisions affecting the environment should be made through a comprehensive evaluation of predicted impacts. Notwithstanding their evaluative mandate, EIA processes do not impose specific environmental standards, but rely on the creation of open, participatory and information-rich decision-making settings to bring about environmentally benign outcomes.

In light of this tension between process and substance, Neil Craik assesses whether EIA, as a method of implementing international environmental law, is a sound policy strategy, and how international EIA commitments structure transnational interactions in order to influence decisions affecting the international environment.

Through a comprehensive description of international EIA commitments and their implementation within domestic and transnational governance structures, and drawing on specific examples of transnational EIA processes, the author examines how international EIA commitments can facilitate interest coordination, and provide opportunities for persuasion and for the internalization of international environmental norms.

NEIL CRAIK is an associate professor at the Faculty of Law, University of New Brunswick, where he teaches and researches in the fields of international environmental law and domestic (Canadian) environmental law. Prior to his academic appointment, Professor Craik practised environmental and land use law with a major Canadian law firm.

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The International Law of Environmental Impact Assessment *Process, Substance and Integration*

Neil Craik

University of New Brunswick



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