

Origin and evolution of environmental law

1. Definition of Environmental Law:

Environmental law is defined as a set of legal rules aimed at protecting the environment, regulating the exploitation of natural resources, and reducing pollution, while ensuring a balance between economic development and environmental protection through preventive and punitive mechanisms. This branch of law emerged as a response to the growing environmental risks resulting from industrial and technological activities

2. Characteristics of Environmental Law:

- Preventive approach which aims to avoid environmental damage before it occurs, and its comprehensive character
- Interaction with multiple legal, scientific, and technical fields.
- International dimension, as environmental issues often transcend national borders.
- Dynamic and evolving nature in line with scientific and technological progress.

3. Origin of Environmental Law:

The development of environmental law became particularly evident after the Stockholm Conference in 1972, which marked international recognition of the human right to a healthy environment. This development was further strengthened during the Rio de Janeiro Conference in 1992, where fundamental principles such as sustainable development and the precautionary principle were established, leading to the expansion of environmental legislation at both national and international levels. (United Nations. (1972)).

4. Birth of International Environmental Law:

4.1. The 1972 Stockholm Conference:

It marked a turning point in the development of international environmental law. The conference emphasized the necessity of balancing economic development with environmental protection and resulted in the adoption of the Stockholm Declaration, which established fundamental principles for international cooperation in environmental matters. The conference also led to the creation of the United Nations Environment Programme (UNEP) to coordinate international environmental policies and support multilateral environmental agreements.

5. Evolution of International Environmental Law:

International environmental law has developed significantly through the conclusion of numerous international conventions and treaties aimed at protecting the environment and regulating the use of natural resources. These agreements initially appeared in a limited form during the nineteenth century, but their development

accelerated after the Stockholm Conference of 1972, which marked a major turning point in the international recognition of environmental protection as a global concern.

The increase in transboundary environmental risks has led to the development of environmental protection rules within international law, which evolved from customary norms into a comprehensive legal framework based on fundamental principles.

6. Fundamental Principles of Environmental Law:

- The Principle of Prevention
- The Precautionary Principle
- The Polluter Pays Principle
- The Principle of Sustainable Development