

What is Environmental Dispute Resolution (EDR)?

- EDR is the shift we are seeing in natural resource management decision making processes away from command and control methods to a less authoritarian form of conflict resolution
- Unlike traditional methods that often end in litigation in which a judge or jury makes the final decision EDR techniques use various forms of assisted negotiation to help parties reach a mutually satisfactory agreement on their own terms
- With the exception of binding arbitration all EDR processes are based on the idea of negotiation that allows for a give-and-take among disputants who want to find a solution to a common problem

Environmental Dispute Resolution

James Crowfoot, Julia M. Wondolleck



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Environmental Dispute Resolution Ann L. MacNaughton, Jay G. Martin, 2002 This anthology provides a treatment of environmental dispute resolution for the practitioner along with practical guidance for those wishing to focus on particular aspects It offers a toolkit of diagnostics systems strategies and methodologies proven effective in diverse substantive contexts **The Promise and Performance of Environmental Conflict Resolution** Rosemary O'Leary, Lisa B.

Bingham, 2003 Environmental conflict resolution ECR is a process of negotiation that allows stakeholders in a dispute to reach a mutually satisfactory agreement on their own terms The tools of ECR such as facilitation mediation and conflict assessment suggest that it fits well with other ideas for reforming environmental policy First used in 1974 ECR has been an official part of policymaking since the mid 1990s This is the first book to evaluate systematically the results of these efforts The contributions to this book critically investigate the record and potential of ECR drawing on perspectives from political science public administration regional planning philosophy psychology anthropology and law **Environmental Dispute Resolution** Lawrence S. Bacow, Michael Wheeler, 1984-11-30 This book has its origins in an M I T research project that was funded by the U S Environmental Protection Agency EPA Our immediate objective was to prepare a set of case studies that examined bargaining and negotiation as they occurred between government environmental advocates and regulatees throughout the traditional regulatory process The project was part of a larger effort by the EPA to make environmental regulation more efficient and less litigious The principal investigator for the research effort was Lawrence Suskind of the Department of Urban Studies and Planning Eight case studies were prepared under the joint supervision of Suskind and the authors of this book Studying the negotiating behavior of parties as we worked our way through an environmental dispute proved enlightening We observed missed opportunities for settlement negotiating tactics that backfired and strategies that appeared to be grounded more in intuition than in thoughtful analysis At the same time however we were struck by how often the parties ultimately managed to muddle through People negotiated not out of some idealistic commitment to consensus but because they thought it better served their own interests When some negotiations reached an impasse people improvised mediation These disputants succeeded in spite of legal and institutional barriers even though few of them had a sophisticated understanding of negotiation Environmental Mediation Catherine Choquette, Véronique Fraser, 2017-12-14 Environmental mediation continues to develop and evolve in different jurisdictions across the world in order to prevent potential environmental conflicts or to resolve the conflicts while avoiding the inherent drawbacks of an adjudicated solution This book takes a comparative approach to explore the legal framework of environmental mediation with a focus on the judicial administrative and private procedures and the criteria for accrediting mediators in a range of jurisdictions across the world It also examines practical considerations for environmental mediators while analysing the effectiveness of different mediation processes **Environmental Conflict Resolution** Christopher Napier, 1998 **Environmental Dispute**

Resolution in Indonesia David Nicholson, 2009-01-01 In the last two decades Indonesia has seen a dramatic proliferation of environmental disputes in a variety of sectors triggered by intensified deforestation and large scale mining operations in the resource rich outer islands together with rapid industrialisation in the densely populated inner island of Java Whilst the emergence of environmental disputes has sometimes attracted political repression attempts have also been made in recent times to explore more functional approaches to their resolution The Environmental Management Act of 1997 created a legal framework for the resolution of environmental disputes through both litigation and mediation This book is the first attempt to analyse the implementation of this framework in detail and to assess the effectiveness of litigation and mediation in resolving environmental disputes in Indonesia It includes a detailed overview of the environmental legal framework and its interpretation by Indonesian courts in landmark court cases The book features a number of detailed case studies of both environmental litigation and mediation and considers the legal and non legal factors that have influenced the success of these approaches to resolving environmental disputes

Resolving Environmental Disputes Roger Sidaway, 2013-06-17 Thought provoking important and instructive this is a masterly guide to dealing with environmental conflicts PROFESSOR DES THOMPSON Scottish Natural Heritage This is a long awaited book Many of us in the environmental policy management and decision making business have been struggling along to make environmental values and developmental values fit This book helps us to have a better means for finding the shared values and actions that most environmental issues entail It has the heft of sound scholarship and the street sense of someone who has actually been there and done that WILLIAM R

Environmental Disputes James Crowfoot, Julia M. Wondolleck, 1990-11 Environmental Disputes helps citizen groups businesses and governments understand how Environmental Dispute Settlement a set of procedures for settling disputes over environmental policies without litigation can work for them

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consensus but because they thought it better served their own interests When some negotiations reached an impasse people improvised mediation These disputants succeeded in spite of legal and institutional barriers even though few of them had a sophisticated understanding of negotiation

Mediating Environmental Conflicts J. Walton Blackburn, Willa M. Bruce, 1995-06-13 Environmental conflicts are increasing in number and intensity demanding new approaches to dispute resolution such as environmental mediation This book contains the expertise of 28 specialists stresses the need for mediated dispute resolution as an alternative to litigation calls for a communitarian approach explores conceptual foundations and conflicts resistant to mediation and answers How do we know what we know Addresses training mediators discusses special problems of small communities value of citizen participation and EPA regulatory negotiation explores ethics and social justice and considers future challenges and issues confronting theory and practice Case studies analyze nuclear waste siting highway design wilderness designation field burning and Environmental Impact Statement development Intended for alternative dispute resolution practitioners scholars and citizen environmentalists Authors provide insights from many academic disciplines and practical experience Reed advocates creating sustainable communities O Leary calls for new research Maida contends that law and economics offer viable perspectives and Allen prescribes mediation training Dworkin and Jordan contribute a teaching case Klase addresses problems in rural areas and the Burgesses offer steps to make difficult confrontations constructive Clary and Hornsey argue that prenegotiation and negotiation are essential Richardson describes facilitated negotiation and Bogdonoff explains negotiated rule making in Maine Stephens Stephens and Dukes suggest that ethical considerations are due the environment Blackford and Matunga advise sensitivity to cultural differences Ryan demonstrates the utility of conflict management by the EPA Wood and Guy describe how local governments can achieve consensus and Baird Maughan and Nilson offer reasons mediation failed in Idaho Mangerich and Luton describe an urban rural conflict in Washington state and Blackburn provides his Eclectic Theory to guide future research

Environmental Dispute Resolution in Indonesia David Fergus Nicholson, 2010 Indonesia's Environmental Management Act of 1997 created a legal framework for the resolution of environmental disputes through both litigation and mediation This book is the first attempt to analyze the implementation of this framework in detail and to assess the effectiveness of litigation and mediation in resolving environmental disputes in Indonesia

The Practice of Environmental Dispute Resolution James A. Caplan, 2010-05-15 The book details an objectives based prescriptive model for resolving environmental disputes at all geographic scales It describes over 100 methods and tools and then provides explanations and examples of how the tools might be used It also details management options and methods sensitive to dispute scale and complexity

Conflict Resolution in Environmental Disputes John Kohls, 1987

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The Politics of Environmental Dispute Resolution Barry George Rabe, 1989

Policy Dialogue for Environmental Dispute Resolution Sam Gusman, Andrew Mark Sachs, MIT-Harvard Public

Disputes Program,1987 **Managing Environmental Disputes** P. Glasbergen,2012-12-06 The concept of sustainable development is a source of inspiration for many who see it as a call to cooperative action In practice however policies intended to further this goal often generate conflicts of interest The ensuing disputes occur among governmental organizations but disputes also arise between public authorities private interest groups and the environmental movement In the opinion of the authors the fact that environmental policy can provoke such conflict may be attributed largely to decision making procedures in our society Accordingly the authors are convinced that a new approach to managing environmental disputes is needed in order to deal effectively with environmental problems Indeed this book presents a viable alternative which is called network management Foundations of Dispute Resolution Carrie Menkel-Meadow,2017-05-15 This volume brings together leading research articles in to the theory research findings and applications of modern dispute resolution The articles relate to a wide variety of settings and cover the primary processes of negotiation mediation and arbitration as well as exploring combinations and hybridization of those processes Also included are articles on the search for value added or pie expanding creative solutions the choosing of strategies based on game theory economics and social and cognitive psychology how foundational theories have been altered or modified depending on contexts and numbers of parties and issues and what issues are raised by the privatization of justice The articles span both the science and art of dispute resolution consider the relationship of peace to justice and include both empirical descriptive and normative prescriptive assessments of how these processes of dispute resolution function

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Table of Contents Environmental Dispute Resolution

1. Understanding the eBook Environmental Dispute Resolution
 - The Rise of Digital Reading Environmental Dispute Resolution
 - Advantages of eBooks Over Traditional Books
2. Identifying Environmental Dispute Resolution
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Environmental Dispute Resolution
 - User-Friendly Interface
4. Exploring eBook Recommendations from Environmental Dispute Resolution
 - Personalized Recommendations
 - Environmental Dispute Resolution User Reviews and Ratings
 - Environmental Dispute Resolution and Bestseller Lists

5. Accessing Environmental Dispute Resolution Free and Paid eBooks
 - Environmental Dispute Resolution Public Domain eBooks
 - Environmental Dispute Resolution eBook Subscription Services
 - Environmental Dispute Resolution Budget-Friendly Options
6. Navigating Environmental Dispute Resolution eBook Formats
 - ePub, PDF, MOBI, and More
 - Environmental Dispute Resolution Compatibility with Devices
 - Environmental Dispute Resolution Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Environmental Dispute Resolution
 - Highlighting and Note-Taking Environmental Dispute Resolution
 - Interactive Elements Environmental Dispute Resolution
8. Staying Engaged with Environmental Dispute Resolution
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Environmental Dispute Resolution
9. Balancing eBooks and Physical Books Environmental Dispute Resolution
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Environmental Dispute Resolution
10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine Environmental Dispute Resolution
 - Setting Reading Goals Environmental Dispute Resolution
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Environmental Dispute Resolution
 - Fact-Checking eBook Content of Environmental Dispute Resolution
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning

- Utilizing eBooks for Skill Development
- Exploring Educational eBooks

14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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