

Framework for Strengthening Environmental Adjudication in the Philippines

Justice Consuelo Ynares-Santiago

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SUBJECT(S): ENVIRONMENTAL LAW, REMEDIAL LAW

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This is a Speech delivered before the Asian Justices Forum on the Environment, held in the Shangri-la Hotel, Ortigas Center, Mandaluyong City, on 6 July 2007.

It focuses on the institutional and administrative framework of environmental cases. Issues surrounding said cases involve standing to sue, class suits, accrual of cause of action, burden of evidence on causation and damages, and the custody of bulky and perishable evidence. Remedies involving creative penology and judicial review are also explored, as well as alternative mechanisms for resolving environmental disputes.