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Αφιερωμένο
στη μνήμη του
πατέρα & δασκάλου μου,
Κώστα Βρετό

In memory
of my father & teacher,
Kostas Vretos

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This approved PhD Thesis leads to a PhD in International and European Studies, with specialisation in Environmental Governance and Sustainable Development.

Signed : Vassiliki K. Vretou

ABSTRACT

In the age of modern capitalism, the legitimate in principle freedom to consume as much as possible tends to lead on the one hand to exhaustion of natural and other resources and on the other to degradation and substantial reduction of freedoms and choices of the less favored groups or individuals. However, one of the most particular characteristics of modern times is that the uncontrollable freedom of the present generation can deprive future generations of basic goods. It seems that there is a contradiction which bedevils our time and which best illustrated in the phrase, "*freedom without acceptance and assumption of responsibility can destroy the very freedom¹*", while it is rightly argued that the solidarity with 'others' is necessary in order to protect 'us'.

This dissertation deals with issues of intergenerational equity, with the main purpose to reveal new rights and obligations which must from now on imbue the relations of this generation with future generations, with the latter being considered as a legal entity to be taken into account. The basic concept of this dissertation is that many of the current actions will have an impact on the near and even more on the distant future, affecting the interests of future generations, a fact that can't leave the contemporary human society and its political leaders apathetic.

Nevertheless, in order to organize this whole new reality and establish a common reference, a new institution should prevail within the framework of global environmental governance. This institution will be able to act for future generations and function on the terms of New Ethics. The thesis statement is that this institution should take the form of an Ombudsman which will be able to operate at an international level and enjoy institutional prestige and substantial authority to engage with all peer institutions that could be involved in the management of this new problem.

In an effort to present a convincing and legitimate proposal, research statement was initiated both in the search for similar international institutions dealing with human rights and environmental protection, as well as in comparing similar

¹ Column "Greater Respect for Human Rights rather than for Human Responsibilities is what is Needed", in Netherlands Quarterly of Human Rights, vol. 16, no. 2, 1998, p. 119.

national institutions on the basis of a special questionnaire forwarded to Ombudsman institutions and NGOs in EU countries.

We believe that, through this multifaceted analysis of the subject under investigation, we have built up the thesis statement in a scientific manner and that we have succeeded in showing that it is not a luxury to establish such an institution, which can act as a special mediator and consultant starting with "*the silent environmental victims*"² and giving voice to the rights of future generations.

Key words: Intergenerational equity, future generations, Ombudsman, environmental ethics, human rights.

² Bl. Stone, Ch. Should Trees Have Standing? And other essays on law, moral and the environment, Oceana Publications, 1996, p. 88.