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**PhD THESIS**

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**The Ombudsman's role in environmental governance and sustainable development at national and international level :**

**the protection of future generations**

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Athens, 2017

 Αφιερωμένο

 στη μνήμη του

 πατέρα & δασκάλου μου,

 Κώστα Βρετό

 In memory

 of my father & teacher,

 Kostas Vretos

**CONTENTS**

**ABSTACT**……...……………………………………………………………………30

**PREABLE**……………………………..…………………………………………….32

1. THE INSTITUTION OF THE OMBUDSAMAN IN GENERAL…………..32

2. AN OMBUDSMAN FOR ENVIRONMENTAL ISSUES…………………..38

3. WHY AN OMBUDSMAN FOR THE ENVIRONMENT AND FUTURE GENERATIONS?........................................................................................................43

4. THE THEMATIC AND THE RESEARCH PROPOSAL………………….47

5. THE STRUCTURE OF RESEARCH AND METHODOLOGICAL OPTIONS…………………………………………………………….………………49

PART ONE………………………………………………………………………….57

THE ENVIRONMENTAL LEGAL ORDER WITH AN EMPHASIS ON FUTURE GENERATIONS…………………………………………………….….57

**CHAPTER 1………………………………………………………………………...58**

**THE CURRENT TRENDS OF INTERNATIONAL AND EU LEGISLATION ON THE ENVIRONMENT AND FUTURE GENERATIONS**…………………58

1. INTRODUCTORY REMARKS…………………………..………………...58

2. REFERENCES TO THE ENVIRONMENT AND FUTURE GENERATIONS IN INTERNATIONAL AND REGIONAL TEXTS…………………………………63

2.1. CONVENTIONAL INTERNATIONAL AND REGIONAL TEXTS…..63

2.1.1. Preamble to the Charter of the United Nations (1945)…………………………63

2.1.2. Universal Declaration on Human Rights (1948)………………………………..64

2.1.3. International Convention for the Regulation of Whaling (1946)………………66

2.1.4. The European Convention on Human Rights (1950)……………………………66

2.1.5. The Declaration on the Rights of the Child (1959)……………………………..68

2.1.6. The International Covenant on Economic, Social and Cultural Rights –IESCR (1966)…………………………………………………………………………………………..68

2.1.7. The African Convention for the Conservation of Nature and Natural Resources (The Algiers Convention – 1968)………………………………………………69

2.1.8. The Bonn Convention for the Conservation of Migratory Species of Wild Animals (1979)………………………………………………………………………………71

2.1.9. The Berne Convention for the Conservation of Wildlife and the Natural Environment of Europe (1979)……………………………………………………………...72

2.1.10. The African Charter on Human and Peoples' Rights (Banjul-1981)…………72

2.1.11. The Additional Protocol / Pact on Economic, Social and Cultural Rights of the United States Convention on Human Rights (Protocol of San Salvador, 1998)……..74

2.1.12. International Convention on the Rights of the Child (1989)…………………...75

2.1.13. UN Framework Convention on Climate Change (1992)……………………….80

2.1.14. Convention on Biological Diversity (1993)………………………………………81

2.1.15. UN Convention to Combat Desertification and Drought (1994)………..…….83

2.1.16. The Aarhus International Convention………………………………………...…..84

2.1.17. Arab Charter on Human Rights (2004)…………………………………………...87

2.1.18. Treaty on the Functioning of the European Union (2007)……………………..88

2.1.19. Charter of Fundamental Rights of the European Union (2007)………………92

2.1.20. The Paris climate agreement (Paris Agreement, 2015)………………………..94

2.2. NON CONVENTIONAL INTERNATIONAL AND REGIONAL TEXTS AND OTHER ACTS…………………………………………………………………96

2.2.1. The Stockholm International Conference and the establishment of UNEP (1972)…………………………………………………………………………………………..97

2.2.2. Guidelines on Environmental Law and Principles on Common Natural Resources (UNEP, 1978)…………………………………………………………………..101

2.2.3. The World Map of Nature (1982)………………………………………………..102

2.2.4. The World Commission on Environment and Development (1983) and the Brundtland Report (1987)………………………………………………………………….103

2.2.5. Declaration on the Right to Development (1986)……………………………..108

2.2.6. Declaration on the protection of the atmosphere/The Declaration and Health Charter, (1989)………………………………………………………………………………110

2.2.7. European Environment and Health Charter, (1989)…………………………..111

2.2.8. Declaration on the Rescue, Protection and Development of Children (1990)…………………………………………………………………………………………112

2.2.9. The International Conference on Environment and Development and the establishment of the Committee on Sustainable Development (1992)……..…………114

2.2.10. World Warning for Scientists for Humanity (1993)……………………………120

2.2.11. UN and the conduct of in-depth research into the link and relationship between human rights and the environment (Ms Fatma Ksentini Report, 1994)…..122

2.2.12. Draft declaration with authorities / declaration of principles on human rights and the environment (1994)………………………………………………………………..128

2.2.13. Declaration of UNESCO for the protection of future generations (1997).…129

2.2.14. Global declaration on international obligations (1997)………………………134

2.2.15. Millennium Declaration (2000)…………………………………………………..137

2.2.16. The Earth's map (2000)……………………………………………………………138

2.2.17. The Declaration of the new Delhi (2002)………………………………………141

2.2.18. Declaration Bemidji (2006)……………………………………………………….143

2.2.19. UN Declaration on the Rights of Indigenous Peoples (2007)……….……….144

2.2.20. Universal Declaration on the Rights of Mother Earth (2010)……….………145

2.2.21. The Declaration of Human Rights of the Union of Southeast Asian Nations (2012)…………………………………………………………………………………………146

2.2.22. 2012 UN Rio + 20 Summit & UN Secretary-General's report on intergenerational solidarity (2013)………………………………………….……………148

2.2.23. Children's Declaration of 2015 on Global Sustainable Development Goals………………………………………………………………………………………….151

2.2.24. Oslo Principles on obligations arising from global climate change (2015)152

2.2.25. 2030 Agenda for Sustainable Development (2015)…………………………..155

**CHAPTER 2………………………………………………………………………157**

**THE CURRENT TRENDS OF NATIONAL LEGISLATION ON THE ENVIRONMENTA AND FUTURE GENERATIONS**……………………….157

1. INTRODUCTORY REMARKS…………………………………………157

2. CONSTITUTIONAL PROVISIONS WITH SPECIAL REFERENCES TO FUTURE GENERATIONS………………………………………………………160

2.1. THE RIGHT TO A CLEAN ENVIRONMENT AND THE REFERENCED TO FUTURE GENERATIONS IN THE CONSTITUTIONAL PROVISIONS OF THE STATES………………………………………………………………………161

2.2. EVALUATION COMMENTS……………………………………………170

**CHAPTER 3………………………………………………………………………173**

**THE MODERN TRENDS OF THE LEGISLATION ON THE ENVIRONMENT AND FUTURE GENERATIONS**………………………………………….…….173

1. INTRODUCTORY REMARKS………………………………….…….173

2. INTERNATIONAL COURT JUDGMENT (ICJ), INTER-AMERICAN COMMISSION OF HUMAN RIGHTS, HUMAN RIGHTS COMMITTEE & AFRICAN COURT ON HUMAN AND PEOPLE’S RIGHTS ISLATION ON THE PROTECTION OF THE ENVIRONMENT AND REFER TO FUTURE GENERATIONS………………………………………………..…………………177

2.1. CASE EHP V. CANADA (DECISIONS OF THE HUMAN RIGHTS COMMITTEE, 1990)……………………………………………………………….178

2.2. CASE SARAMAKA PEOPLE V. SURINAME (INTER-AMERICAN CΟMMISSION OF HUMAN RIGHTS, 2007)……………………………………179

2.3. CASE YANOMAMI COMMUNITY V. BRAZIL (INTER-AMERICAN CΟMMISSION OF HUMAN RIGHTS, 1985)…………………………………..180

2.4. CASE MAYAGNA (SUMO) AWAS TINGNI COMMUNITY V. NICARAGUA (INTER-AMERICAN COURT OF HUMAN RIGHTS, 2001)...182

2.5. INUIT’S PETITION TO INTER-AMERICAN COMMISSION ON HUMAN RIGHTS (2005)…………………………………………………………………….183

2.6. CASE GABCIKOVO-NAGYMAROS PROJECT (HUNGARY V. SLOVAKIA) (INTERNATIONAL COURT OF JUSTICE, 1997)……………….183

2.7. CASE PULP MILLS ON THE RIVER URUGUAY (ARGENTINA V. URUGUAY, INTERNATIONAL COURT OF JUSTICE, 2010)………………..186

2.8. OPINIONS OF THE INTERNATIONAL HAGUE COURT IN NUCLEAR TESTING CASES…………………………………………………………………..187

2.9. OGIEK CASE (AFRICAN COMMISSION ON HUMAN AND PEOPLES’ RIGHTS V. REPUBLIC OF KENYA, AFRICAN COURT ON HUMAN AND PEOPLES’ RIGHTS – 2017)……………………………………………………….189

3. LEGISLATION OF THE EUROPEAN COURT OF HUMAN RIGHTS AND THE EUROPEAN COMMITTEE OF SOCIAL RIGHTS……………..190

3.1. RIGHTS IN PRIVATE LIFE-ENVIRONMENTAL BACKGROUND..………………………………….………………………………195

TATAR V. ROMANIA (2009), BASILA V. ROMANIA (2010), IVAN ATANASOV V. BULGARIA (2010), DUBETSKA AND OTHERS V. UKRAINE

3.2. RIGTH TO HEALTH…….………………………………………………195

MARANGOPOULOS FOUNDATION FOR HUMAN RIGHTS V. GREECE (EUROPEAN SOCIAL COMMITTEE-ECSR – 2006)……………………………199

4. LEGISLATION OF NATIONAL COURTS ON THE PROTECTION OF THE ENVIRONMENT AND REFER TO FUTURE GENERATIONS…………………………………………………………………..199

4.1. CASE PETER K. WAWERU V. REPUBLIC OF KENYA (HIGH COURT OF KENYA, 2006)…………………………………………………………………201

4.2. CASE MASSACHUSETTS V. ENVIRONMENTAL PROTECTION AGENCY (EPA) (UNITED STATES SUPREME COURT, 2007)……………….203

4.3. CASE OF SUPREME COURT OF FILIPPINES (MINORS OPOSA V. SECRETARY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES –“DENR” PHILIPPINES, 1993)…………………………………..204

4.4. CASE LEGHARI V. FEDERATION OF PAKISTAN (LAHORE HIGH COURT PAKISTAN, 2015)……………………………………………………….208

4.5. CASE URGENDA FOUNDATION V. THE STATE OF THE NETHERLANDS/MINISTRY OF INFRASTRUCTURE AND THE ENVIRONMENT (HAGUE DISTRICT COURT, 2015)………………………….209

4.6. CASE ZOE AND STELLA FOSTER ET AL V. WASHINGTON DEPARTMENT OF ECOLOGY (SUPERIOR COURT OF THE STATE OF WASHINGTON FOR KING COUNTY, 2015)…………………………………..214

4.7. CASE KELSEY CASCADE ROSE JULIANA ET AL. V. UNITED STATES OF AMERICA ET AL. (UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON EUGENE DIVISION, 2016)…………………………..217

4.8. CASE THE PEOPLE VS. ARCTIC OIL (OSLO DISTRICT COURT, 2016)…………………...……………………………………………………………221

4.9. CASE MAGNOLIA (STOCKHOLM DISTRICT COURT, 2016)……..224

4.10. THREE CASES FROM AUSTRALIA (SOUTH WALES LAND AND ENVIRONMENT COURT-SWLEC, 2006-2007)…………………………………225

4.11. THE LONG-TERM JUDICIAL PROCEEDINGS OF THE NEW ZEALAND MAORE AND HOW CONVERTED TO A LAW RECOGNIZING FOR THE FIRST TIME LEGAL PERSONALITY AND RIGHTS AT THE RIVER (MARCH 2017)………………………………………………………………………………...225

4.12. CASE MOHD. SALIM V. STATE OF UTTARAKHAND & OTHERS (HIGH COURT OF UTTARAKHAND AT NAINITAL, 20 MARCH 2017)…..227

**CHAPTER 4……………………………………………………………………….229**

**THE FOUNDATION OF A RIGHT OF FUTURE GENERATIONS IN THE ENVIRONMENT**……………………………………………………………..…...229

1. INTRODUCTORY REMARKS…………………………………………..229

2. THE TWO-WAY RELATIONSHIP OF ENVIRONMENTAL PROTECTION AND HUMAN RIGHTS……………………………………………………………235

2.1. THE IDENTIFICATION OF THE ENVIRONMENTAL DIMENSION OF HUMAN RIGHTS……………………………………..…………………………...238

2.2. THE IDENTIFICATION OF PROCEDURAL ENVIRONMENTAL RIGHTS…………………………………………………………………………….242

3. TO AN AUTONOMOUS RIGHTS IN THE ENVIRONMENT………….244

3.1. THE CONCEPT OF ENVIRONMENTAL LIABILITY …………………246

3.2. THE RIGHT TO A HEALTH, CLEAN, SAFE ENVIRONMENT………248

3.2.1. National and international texts……………………………………………….…251

3.2.2. The nature of the right as a third generation and their problem as rights…253

4. THE KEY PRINCIPLES OF INTERNATIONAL ENVIRONMENTAL LAW AND FUTURE GENERATIONS………………………………………….255

4.1. PREAMBLE………………………………………………………………..255

4.1.1. The meaning and importance of "principles"……………………………..256

4.1.2. The development of principles in environmental International Law…..259

4.1.3. The principles for future generations………………………………………259

4.2. THE PRINCIPLE OF SUSTAINABLE DEVELOPMENT……….…260

4.2.1. Definition………………………………………………………………….260

4.2.2. Sustainable development and future generations…………………………262

4.3. PRECAUTIONARY PRINCIPLE……………………………………..266

4.3.1. Definition………………………………………………………………….266

4.3.2. Future Generations………………………………………………………...267

4.4. PRINCIPLE OF INTERGENERATIONAL EQUITY……………….267

4.4.1. Definition………………………………………………………………….267

4.4.2. Principle of Intergenerational equity and Future Generations………………271

4.4.3. Intergenerational equity and International Law………………………….276

4.4.4. Theory of Hans Jonas & John Passmore………………………………….280

4.4.5. Theory of John Rawls……………………………………………………283

4.4.6. Theory of Edith Brown-Weiss……………………………………….…288

5. IS THERE A RIGHT OF FUTURE GENERATIONS IN THE ENVIRONMENT?...................................................................................................292

5.1. DEFINITION OF THE CONCEPT "FUTURE GENERATION"…...292

5.2. LIABILITY TO THE FUTURE GENERATION………………………294

5.3. THE RIGHT………………………………………………………………300

5.3.1. The legitimate interest……………………………………………………..301

5.3.2. Legal claim: legal capacity, legal capacity………………………………..303

5.3.3. The right as a collective right…………………………………………….306

5.3.4. Right and Democratic Representation……………………………………..309

**PART TWO………………………………………………………………………..316**

**AN OMBUDSMAN FOR FUTURE GENERATIONS**…………………………316

**CHAPTER 5**……………………………………………………………………….317

THE IMPORTANCE OF AN OMBUDSMAN FOR FUTURE GENERATIONS…………………………………………………………………..317

1. INTRODUCTORY REMARKS…………………………………………317

2. ENVIRONMENTAL PROTECTION SYSTEMS FOR FUTURE GENERATIONS…………………………………………………………..………320

2.1. Selective reference in basic international areas for the environment and future generations…………………………………………………………………………...322

3. THE CONTRIBUTION OF AN OMBUDSMAN……………………..338

3.1. A general reference to the Ombudsman’s Institution…………………………338

3.2. The dialectical relation between Democracy and Ombudsman…………..344

3.3. Basic features of Ombudsman in international level…………………………347

3.4. Ombudsman and the protection of the environment………………………….350

5. Key proposals for representation of Future Generations…………………....353

**CHAPTER 6**……………………………………………………………………….358

KEY PROPOSALS FOR THE CREATION OF AN OMBUDSMAN FOR FUTURE GENERATIONS………………………………………………………358

1. INTRODUCTORY REMARKS…………………………………………358

2. THEORETICAL PROPOSALS AT INTERNATIONAL AND EUROPEAN LEVEL…………………………………………………………..….362

2.1. UNESCO FUTURE GENERATIONS PROGRAMME (FGP) - UNIVERSITY OF MALTA AND MALTA GOVERNMENT ACTIONS FOR SUSTAINABLE DEVELOPMENT………………………………………………..362

2.2. THE WORLD CONFERENCE IN RIO 1992 AND THE PROPOSAL FOR CREATING A GLOBAL OMBUDSMAN FOR THE ENVIRONMENT……….364

2.3. THE EARTH COUNCIL ENVIRONMENTAL OMBUDSMAN PROGRAM (1998)……………………………………………………………………………….366

2.4. THE INTERNATIONAL OMBUDSMAN CENTRE FOR THE ENVIRONMENT AND DEVELOPMENT (OMCED - 2000)……………………371

2.5. "MODELS FOR PROTECTING THE ENVIRONMENT FOR FUTURE GENERATIONS". THE HARVARD PROPOSAL………………………………..376

2.6. CODE OF BEST PRACTICES AND RELATED PROVISIONS CONCERNING FUTURE GENERATIONS (2008)………………………………380

2.7. PROPOSALS OF THE WORLD FUTURE COUNCIL (WFC) AND FOUNDATION FOR DEMOCRACY AND SUSTAINABLE DEVELOPMENT (2012)……………………………………………………………..………………...384

2.8. PROPOSAL FOR THE CREATION OF A HIGH COMMISSIONER FOR FUTURE GENERATIONS UNDER UN -RIO+20 (HIGH COMMISSIONER FOR FUTURE GENERATIONS/ENVIRONMENT - HCFG)…………………………..390

2.9. "INTERGENERATIONAL EQUITY AND NEEDS OF FUTURE GENERATIONS" - UNITED NATIONS SECRETARY-GENERAL REPORT (2013)…………………………………………………….…………………………395

2.10. BUDAPEST MEMORANDUM (2014)………………………………….397

2.11. RECENT INITIATIVES AND PROPOSALS TO PROMOTE AN OMBUDSMAN FOR FUTURE GENERATIONS AT EUROPEAN LEVEL…..398

3. THE EXISTING NATIONAL OMBUDSMAN FOR THE ENVIRONMENT / FUTURE GENERATIONS………………………………..401

3.1. INTRODUCTORY REMARKS…………………………………………..401

3.2. PARLIAMENTARY COMMISSIONER FOR THE ENVIRONMENT – NEW ZEALAND…………………………………………………………………...403

3.3. ΝATIONAL COMMISSION FOR FUTURE GENERATIONS – ISRAEL…………………………………………………………………………….407

3.4. PARLIAMENTARY COMMISSIONER FOR FUTURE GENERATION (COMMISSIONER) OR FUTURE GENERATIONS OMBUDSMAN (FGO) IN HUNGARY…………………………………………………………………………419

3.4.1. Introductory remarks………………………………………………………………419

3.4.2. The basic competencies and the way of electing the Hungarian Government Commissioners / Ombudsmen……………………………………………………………..421

3.4.3. The powers and scope of the Commissioner for Future Generations……….426

3.4.4. Comments on the Hungarian Green Ombudsman……………………………..430

3.5. THE FINISH PARLIAMENT’S COMMITTEE FOR THE FUTURE...433

3.6. SUSTAINABLE FUTURES COMMISSIONER IN WHALES……….435

3.7. GUARDIAN OF FUTURE GENERATIONS IN MALTA……………440

**PART THREE…………………………………………………………………….445**

**RESEARCH CONCLUSIONS AND PROPOSAL FOR STRENGTH**……….445

**CHAPTER 7**……………………………………………………………………….446

ASSESSMENT OF FIELD SURVEY…………………………………………..446

1. RESEARCH BASED ON QUESTIONNAIRE…………………………446

2. EVALUATION…………………………………………………………….447

**CHAPTER 8**……………………………………………………………………….470

CONCLUSIONS OF THEORETICAL RESEARCH………………………….470

1. THE RIGHT TO RECOGNITION OF RIGHTS IN A CLEAN ENVIRONMENT, IN THE CONTEXT OF GLOBAL ENVIRONMENTAL GOVERNANCE AND NATIONAL CONSTITUENTS………………………470

2. INTERGENERATIONAL EQUITY, ENVIRONMENTAL JUSTICE AND FUTURE GENERATIONS……………………………………………….478

3. THE ASSISTANCE OF THE COURTS TO ENHANCE THE INTERESTS OF FUTURE GENERATIONS………………………………….482

4. HOW THE PRINCIPLES ARE TRANSFORMED IN RIGHTS AND OBLIGATIONS…………………………………………………………………...488

5. THE EXISTING INSTITUTIONAL FRAMEWORK, EVALUATION AND THE NEED FOR SATISFYING NEW NEEDS…………………………493

5.1. Need for New Institution for Future Generations……………………………494

5.2. Need for redefine our value system……………………………………………..496

6. OMBUDSMAN FOR FUTURE GENERATIONS AND HIS/HER ROLE IN INTERNATIONAL SOCIETY……………………………………………….497

7. THE STUDY OF THE NATIONAL OMBUDSMAN AND THE EXCLUSION OF CONCLUSIONS……………………………………………...500

8. FINAL REMARKS………………………………………………………..504

**CHAPTER 9**………………………………………………………………………508

THE PROPOSAL OF THE THESIS…………………………………………….508

**BIBLIOGRAPHY**…………………………………………………………………517

BIBLIOGRAPHY IN FOREIGN LANGUAGE………………………………….517

ARTICLES IN FOREING LANGUAGE…………………………………………..535

BIBLIOGRAPHY IN GREEK LANGUAGE-TRANSLATIONS……………….552

ARTICLES IN GREEK LANGUAGE……………………………………………557

REPORTS – SURVEYS – HANDBOOKS………………………………………...558

RESOLUTIONS – DECISIONS……………………………………………………564

BASIC TEXTS OF EU……………………………………………………………..565

BASIC TEXTS OF INTER-AMERICAN SYSTEM………………………………566

BASIC TEXTS OF AFRICAN SYSTEM………………………………………….566

APPENDIX-ANNEX-DRAFT STATUTE/ARTICLES…………………………...566

JUDGMENTS – DECISIONS OF COMMITTEES……………………………….568

INTERNET-WEB SITES…………………………………………………………..570

SCIENTIFIC MAGAZINES (SURVEY FROM 2009 UNTIL MAY 2017)……..571

DOCTORAL DISSERTATION…………………………………………...………572

CONTACT – COOPERATION……………………………………………………572

ANNUAL REPORT 2000 OmCED………………………………………………..574

ANSWERS TO THE QUESTIONNAIRE…………………………………………577

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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 freedom[[1]](#footnote-1)”*, 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.

Neverthesess, 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 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]](#footnote-2)”* and giving voice to the rights of future generations.

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

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. [↑](#footnote-ref-1)
2. Βλ. Stone, Ch. Should Trees Have Standing? And other essays on law, moral and the environment, Oceana Publications, 1996, p. 88. [↑](#footnote-ref-2)