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CONTENTS

S.No.	Title and Name of Author/s	Page Number
1	ENSURING ACCOUNTABILITY AND TRANSPARENCY FOR MULTILATERAL DEVELOPMENT BANKS UNDER INTERNATIONAL LAW: LEGAL OBLIGATIONS AND POLICY PATHWAYS FOR ENVIRONMENTAL GOVERNANCE <i>Amrendra Kumar and Taniya Ahuja</i>	1-20
2	LEGAL PHILOSOPHY AND ENVIRONMENTAL OBLIGATIONS: EXPLORING THE JURISPRUDENCE OF FUNDAMENTAL DUTIES RELATING TO ENVIRONMENT <i>Dr. Chandreshwari Minhas</i>	21-36
3	REVISITING KYOTO PROTOCOL: DECODING ADVISORY OPINION OF INTERNATIONAL COURT OF JUSTICE ON KYOTO PROTOCOL <i>Dr. Santosh Kumar Sharma</i>	37-50
4	CLIMATE-INDUCED DISPLACEMENT: EMERGING CHALLENGES IN HUMANITARIAN LAW <i>Aishwarya & Apoorva Roy</i>	51-81
5	CORPORATE CRIMINAL LIABILITY AND ENVIRONMENTAL PROTECTION: A COMPARATIVE AND POLICY ANALYSIS <i>Prof. (Dr). Alok Kumar and Dr. Tijender Kumar Singh</i>	82-98
6	BEYOND THE STATUS QUO: REPRESSIVE TOLERANCE AND THE FUTURE OF PUNJAB'S WATER RESOURCES <i>Bhupinder Kaur</i>	99-108
7	GROUNDWATER CRISIS IN HIMACHAL'S INDUSTRIAL HEARTLAND: A STUDY OF HEAVY METAL POLLUTION IN BADDI-BAROTIWALA REGION <i>Dr. Praveen Kumar and Dr. Nutan Kanwar</i>	109-134
8	INTEGRATING TRANSFORMATIVE CONSTITUTIONALISM IN CLIMATE CHANGE CASES: AN IN DEPTH ANALYSIS OF PROGRESSIVE SUSTAINABILITY IN INDIA <i>Oishika Bnerjeea</i>	135-153
9	LEGAL DIMENSIONS OF RENEWABLE ENERGY IN INDIA: NAVIGATING REGULATION, INVESTMENT AND ENVIRONMENTAL SUSTAINABILITY <i>Dev and Apporva</i>	154-171
10	INTEGRATING GLOBAL VISION WITH LOCAL ACTION: INDIA'S PURSUIT OF THE SUSTAINABLE DEVELOPMENT GOALS <i>Dr. Bharat Barowalia</i>	172-226
11	RESOLVING ENVIRONMENTAL DISPUTES BEYOND COURTS: THE FUTURE OF ADR IN INDIA <i>Arinjay Mishra and Shubham Mishra</i>	227-240
12	SACRED AIR, POLLUTED REALITY: ANCIENT RELIGIOUS WISDOM MEETS MODERN ENVIRONMENTAL CRISIS <i>Dr. Narinder Pal</i>	241-258

RESOLVING ENVIRONMENTAL DISPUTES BEYOND COURTS: THE FUTURE OF ADR IN INDIA

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Abstract

India's rapid industrialisation and urbanisation have caused a drastic rise in environmental disputes. Traditional litigation, often involving long processes, high expenses, and adverse dynamics, has proven insufficient in addressing multifaceted environmental conflicts, which have become increasingly complex, resulting in more such challenges and calling for long-term and efficient solutions. The existing institutions, like Tribunals and the Supreme Court, have been overburdened with pending litigation, resulting in delays in outcomes. These shortcomings faced by the judiciary have resulted in a need for the adoption of Alternative Dispute Resolution (ADR). This study indicates an increasing necessity for the seamless implementation of ADR in environmental conflicts. The pending litigations can be disposed of rapidly by adopting and learning from international legislation and by adopting best practices from countries with well-established ADR systems in environmental governance. The introduction of the Mediation Bill 2021 has also played a significant role in advancing institutional mediation in India. This legislation focuses on how structured mediation and arbitration can lead to more effective dispute resolution in India.

This paper explores the evolution of ADR in environmental dispute resolution, examines how it contributes to sustainable environmental governance, and assesses how it might improve institutional and legal frameworks. It also focuses on how a well-structured ADR system can provide transparent, equitable, and quick ways to settle environmental conflicts while ensuring that environmental issues continue to be prioritised in economic and policy choices.

Keywords: *Environmental Disputes, Alternative Dispute Resolution, Environmental Arbitration, Sustainable development, Mediation, Tribunals, Environmental governance, Litigation.*

I

Introduction

Environmental disputes arising from factors such as pollution, climate change, and loss of bio-diversity in an ecological system have also been significant factors in causing harm to our ecosystems. Initially, these conflicts were resolved through formal and strict litigation or the government's available decision-making process. However, these formal mechanisms are often costly, time-consuming, and adversarial, making them an impractical choice for many

environmental cases. To address these challenges, Alternative Dispute Resolution (ADR) has become a more adaptable method of settling ecological conflicts. Since its first introduction in the United States in the early 1970s, alternative dispute resolution (ADR) has gained popularity as a more effective way to handle environmental problems. The 1970s marked a turning point with the rise of ecological awareness and legal frameworks such as the U.S. National Environmental Policy Act (NEPA, 1969) and the creation of the Environmental Protection Agency (EPA). During this period, it was evident that these judicial approaches alone were insufficient for managing environmental disputes, leading to the introduction of ADR mechanisms. The 1980s saw the institutionalisation of ADR mechanisms when governments and international organisations decided to incorporate mediation and negotiation strategies into environmental governance. Other nations, including Canada and Japan, have gradually incorporated alternative dispute resolution (ADR) processes into their legal and administrative frameworks, where environmental agencies or specialised tribunals address disputes in place of conventional courts.

“The 1990s witnessed the formal integration of ADR into environmental policies worldwide, which started with the 1992 Earth Summit in Rio de Janeiro, leading to the creation of Agenda 21, a framework for sustainable development.”¹ The growth of environmental mediation centres played a vital role in promoting voluntary dispute resolution. The Aarhus Convention (1998) granted public access to environmental decision-making, ultimately encouraging ADR in environmental governance. The ADR mechanism in India is still developing; however, its early sources can be found in both traditional and modern legal frameworks. Before the advent of formal legal systems, we have seen village panchayats and community-based formal mechanisms were widely used to settle conflicts related to land, water, and natural resources, which can be referred to as environmental disputes of the early days. These traditional institutions often relied on mechanisms which worked on the same principles we observe in modern-day ADR mechanisms. The modern use of ADR in environmental matters in India gained significant recognition in the late 20th century, influenced by global legal trends and

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¹ Usha Tandon, M. Parasaran & Sidharth Luthra, eds., *Biodiversity: Law, Policy and Governance* (1st ed. 2017), <https://doi.org/10.4324/9780203704066>.

judicial activism. The Supreme Court of India played a key role in shaping environmental jurisprudence through Public Interest Litigation (PILs) in the 1980s & through landmark cases such as *MC Mehta v. Union of India* (1986) and *Vellore Citizens Welfare Forum v. Union of India* (1996) emphasised the need for sustainable environmental governance and encouraged non-adversarial dispute resolution. This factor led to the development of specialised tribunals, which became one of the most significant advancements in environmental ADR. To promote mediation and resolution before going to court, the NGT was established, which integrates ADR-like techniques, even though it follows a judicial process at its core. With this, India acknowledged the need for environmental arbitration and mediation as effective conflict resolution techniques, considering growing industrialisation and environmental issues.

Legal yet flexible approaches are becoming increasingly necessary to settle environmental conflicts effectively. ADR offers parties a customised and specialised way to negotiate complex environmental matters outside traditional court systems. Unlike litigation, arbitration allows parties to tailor procedures to the unique aspects of environmental disputes, making it a more flexible and efficient alternative to conventional legal processes by offering a collaborative, efficient, and scientifically informed approach to conflict resolution. ADR, including environmental arbitration, serves as a critical tool for addressing environmental disputes while aligning with global sustainability objectives.

II

Legal Framework for Environmental ADR in India

Environmental conflicts are often complex, involving a wide range of stakeholders such as government agencies, corporations, local communities, NGOs, and experts, each with differing interests and priorities. These disputes typically revolve around intricate technical issues, including pollution levels, biodiversity loss, and the far-reaching effects of climate change. Given the fact that addressing environmental issues in earlier stages is very crucial, as it causes serious harm when not addressed immediately. “Alternative Dispute Resolution (ADR) offers a practical approach to this problem by collaborating efficiently among parties, helping them reach effective solutions while ensuring adherence to environmental laws and ultimately conserving important time.”² This method not only aims to reduce the time and costs

² J. Alkhayer, N. Gupta & C.M. Gupta, *Role of ADR Methods in Environmental Conflicts in the Light of Sustainable Development*, 1084 IOP Conf. Ser.: Earth & Env'tl. Sci. 012057 (2022), <https://doi.org/10.1088/1755-1315/1084/1/012057>.

associated with traditional litigation institutions or the approach they provide, but also encourages sustainable and long-term resolutions to pressing environmental issues.

India's Constitution contains several provisions that emphasise environmental protection, which highlights the use of Alternative Dispute Resolution (ADR) in resolving environmental conflicts, as follows:

(i) *Article 21: Right to Life and Personal Liberty*

Article 21 in the Indian Constitution guarantees individuals' right to life and personal liberty. The Supreme Court has expanded the scope of this right in many cases and held that the expression 'life' in this article not only means mere existence but also living a healthy life with dignity. A significant judgment in this regard was given in *Subhash Kumar v. State of Bihar* (1991) in which the Court held that the right to a clean and healthy environment is implicit in the right to life and that any factor affecting on the quality of life due to environmental pollution is open to challenge in Article 21. Alternative Dispute Resolution (ADR) mechanisms may work as a potent tool for guaranteeing a sustainable guardian for the environmental rights. Therefore, it can be said that by applying the ADR mechanism, environmental disputes can be settled more conveniently, reducing the strain on overburdened courts.

(ii) *Article 48A: Directive Principles of State Policy*

This article places a responsibility on the State to protect and enhance the environment, including forests and wildlife. While DPSPs are not legally enforceable, they serve as guiding principles for the government in formulating laws and policies. This provision highlights the importance of environmental conservation and urges the State to take proactive measures to prevent environmental degradation, which include rules and policies related to pollution control and wildlife conservation.

(iii) *Article 51A (g): Fundamental Duties*

It places a basic responsibility on all citizens to participate in the preservation of the environment. Fundamental duties differentiate from fundamental rights as they are not enforceable in courts but are moral responsibilities. By protecting the environment, this provision encourages citizens to adopt environmentally friendly behaviour, aiming to conserve biodiversity, and promotes sustainable practices.

Traditional litigation can be time-consuming and complex. Several laws incorporate ADR mechanisms to address environmental disputes efficiently, which are as follows:

(i) *The Arbitration and Conciliation Act, 1996*

This Act provides a legal framework for arbitration, mediation, and conciliation in India. While it primarily deals with commercial disputes, it also applies to environmental conflicts arising from contractual agreements, such as those related to construction, mining, and infrastructure projects. Many environmental disputes involving private parties, corporations, or government agencies are resolved through arbitration under this Act, ensuring a well-defined dispute resolution process. Additionally, arbitral awards under this Act are legally enforceable, making ADR a reliable alternative to court proceedings.

(ii) *The National Green Tribunal (NGT) Act, 2010*

The National Green Tribunal was established under this Act to handle cases related to environmental protection and conservation. Although the NGT primarily functions as a quasi-judicial body, it promotes ADR techniques such as mediation and conciliation to facilitate settlements between industries, regulatory bodies, and affected communities. By encouraging negotiated settlements, the NGT helps in reducing prolonged litigation while ensuring environmental justice.

(iii) *The Environment Protection Act, 1986*

“This Act grants the Central Government powers to regulate environmental issues, including pollution control and conservation efforts, allowing for more flexible and time-efficient resolution of environmental conflicts.”³ It also provides for administrative settlements where disputes can be resolved through negotiation rather than legal battles.

(iv) *The Water (Prevention and Control of Pollution) Act, 1974 & The Air (Prevention and Control of Pollution) Act, 1981*

These laws led to the establishment of the Central Pollution Control Board (CPCB) and State Pollution Control Boards (SPCBs), which are responsible for regulating and monitoring pollution. Besides enforcement, these boards act as mediators to resolve pollution-related disputes between industries and local communities. Instead of

³ P.M. Prasad, Environment Protection: Role of Regulatory System in India, 41 Econ. & Pol. Weekly 1278 (2006), <https://www.jstor.org/stable/4418031>.

litigation, many cases involving environmental violations are handled through conciliation and negotiation, ensuring practical solutions while maintaining ecological balance.

(v) *The Companies Act, 2013*

The Companies Act of 2013 introduced the concept of Corporate Social Responsibility (CSR), requiring businesses to invest in socially responsible initiatives, including environmental protection. When corporate activities lead to environmental concerns, disputes are often settled through negotiation and mediation rather than lengthy legal proceedings. This approach helps companies maintain compliance with environmental standards while addressing community concerns effectively.

Given the complexity of environmental disputes, various ADR mechanisms are used depending on the nature of the dispute and the parties involved, some of which are as follows:

(vi) *Arbitration*

It is commonly used in disputes that arise when two parties have contractual obligations towards each other. Sometimes cases include cases where a contractual obligation gave rise to a conflict related to an environmental factor. Since arbitration offers a legally binding decision for both parties, it is considered the most preferred method for corporations and government agencies to resolve their matters. It ensures that environmental disputes arising from contractual obligations are resolved efficiently while continuing their respective business operations.

(vii) *Mediation*

It is particularly used in environmental cases which affect the public at large. In such cases, concerns of affected communities need to be heard and resolved with the utmost importance. This method involves a mediator who facilitates discussions between the parties to reach a mutual solution. A mediation process between two parties can help resolve environmental issues effectively and efficiently. Instead of prolonged litigation, mediation allows both parties to agree on actual solutions, fostering better environmental management.

(viii) *Conciliation*

It commonly happens in cases of regulatory matters where one of the parties to the case is the government. It involves a neutral conciliator who helps the disputing parties settle. Conciliation is used as an after-measure in cases where the parties need to dispute the findings of an Environmental Impact Assessment (EIA). Instead of going to

court, the parties may negotiate modifications to the project to meet environmental standards while allowing development to proceed.

(ix) *Negotiation*

It is a direct discussion between parties aimed at reaching a voluntary settlement without third-party intervention and to find common ground on their issue. Industries often negotiate with farmers or local communities over land use issues. Negotiations can help determine compensation and sustainable practices that benefit all stakeholders if an entity's actions result in environmental damage.

Public awareness campaigns are necessary to inform communities about these ADR options that are available to them, as most of the time, the public does not know about the mechanisms that are available to them. Additionally, international collaboration with organisations like the UN can help India adopt the best global practices. These steps will ensure more effective and sustainable resolutions to environmental conflicts.

III

Advantages of Environmental ADR over Environmental Litigation

Alternative Dispute Resolution (ADR) is preferred for adjudicating matters concerning the environment over traditional litigation as it presents many advantages. The ADR is more efficient than conventional litigation; it is one of the significant advantages of ADR methods. Due to the overburdened courts and complicated procedures, traditional dispute resolution may take decades to come up with solutions and judgments. Disputes between the parties can be resolved rapidly with the help of procedures like arbitration and mediation, and harm to the environment can be prevented with faster outcomes. ADR methods cost less, which is another advantage. Conventional litigation is very costly because lawyers charge high fees, and other related costs like expert fees and court fees are also contributing factors; in environmental cases, which are usually technical and regulatory, these costs are even more significant. ADR can lower these costs by simplifying the process and eliminating the need for full-scale legal procedures. This cost-effectiveness makes ADR highly useful to small organisations, community associations, and others who cannot afford to spend money on long-court litigation.

Litigation is very procedural, with rigid requirements. On the other hand, ADR is very flexible as it permits the involved parties to choose their own methods, which can cater for their requirements more efficiently. For instance, involved parties can mutually decide on the procedure for resolving the dispute and selecting the arbitrator and experts. They can lay down the conditions for the process. "The flexible nature of ADR helps the parties come

up with amicable solutions more effectively and efficiently, which may not be possible through traditional litigation.”⁴ Disputes related to the environment usually contain sensitive data like business secrets and key information; ADR proceedings are often confidential, which is also a benefit. Court hearings are public, and anyone can attend. Also, people can access the key information of the case, which can pose a significant risk to the organisations. Unlike litigation, ADR is often held in a private setting, letting the involved parties discuss and solve the matter without public attention, which may safeguard the reputation of the organisation. The confidential nature of ADR attracts honest discussions, resulting in a more productive outcome.

ADR is also known for protecting the relationships of the parties involved in disputes while amicably resolving the matter. Several entities are usually involved in environmental disputes, such as big corporations, government bodies, and NGOs. Conventional dispute resolution is ruthless, where parties focus on securing the judgment in their favour, which is also responsible for hostility. ADR, on the other hand, promotes healthy negotiations and mutual compromises and focuses on the solutions which may benefit both parties. Specifically, mediation plays a vital role when cooperation is necessary to preserve and protect the environment. Environmental disputes are very technical and often require an expert. In traditional litigation, many judges might not have the proper knowledge to understand the intricacies of the technical aspects of the environment. ADR allows the parties to opt for arbitrators and mediators who possess significant knowledge of environmental technicalities and laws, ensuring informed decisions are made. Experts with experience in environmental law can ensure balanced decision-making.

IV

The Role of ADR IN Achieving Environmental Justice

Alternative Dispute Resolution (ADR) has proven to be an effective mechanism for administering justice in environmental conflicts as compared to traditional litigation. The constitutional recognition of ADR represents an ideal shift in conflict resolution mechanisms, where the primary focus is on the ways to enhance access to justice and ensure the expeditious resolution of disputes without being affected by procedural constraints.

For ADR to be treated as an equally effective means of achieving justice in these environmental conflicts, a comprehensive legal framework is required

⁴ O.P. Motiwal, *Alternative Dispute Resolution in India*, 15 J. Int'l Arb. 117 (1998), <https://heinonline.org/HOL/LandingPage?handle=hein.kluwer/jia0015&div=20&id=&page=>

that focuses on the efficient functioning of ADR while ensuring that the public doesn't have an inferior opinion regarding this mechanism. ADR prevents unnecessary litigation and helps resolve conflicts, fostering voluntary participation and reducing the burden on courts. The Law Commission in Dublin has drawn attention to the fact that ADR should be considered an essential part of any modern civil justice system and should become a standard element in dispute resolution instead of being considered a second option to litigation.

ADR not only plays a vital role in achieving global sustainability, but also integrates itself with the principles outlined in Agenda 21(2002) and the 2030 Agenda for Sustainable Development. Sustainable Development Goals have also emphasised the need for an efficient legal mechanism to resolve environmental-related disputes. Despite its many advantages, the implementation of ADR in environmental disputes still faces challenges such as limited public awareness, a lack of specialised environmental ADR institutions, power imbalances between stakeholders, and the need for more vigorous legal enforcement. While the National Green Tribunal and other judicial bodies have encouraged ADR-based solutions, more efforts are required to institutionalise environmental mediation centres with superior environmental expertise to promote ADR in regulatory frameworks.

Furthermore, ADR also aims to ensure that justice is provided swiftly and at a lower cost. For developing countries that are embracing globalisation challenges, ADR mechanisms offer the best method of dispute resolution, adapting itself to the diverse legal and cultural contexts of that specific country. As ADR continues to evolve with time, it has the potential to set the norm rather than being the exception in dispute settlement, ensuring that disputes are resolved in a manner that is just and efficient across all aspects of society.

“ADR mechanism aims to effectively assist Indian courts, which are overburdened by pending cases, while ensuring timely dispute resolution in matters concerning the environment. The high legal expense can also be a factor that demotivates parties to raise their concern, this is where ADR comes into the picture by providing a reasonable forum to decide on their disputes while promoting justice, making it especially effective in environmental disputes and even in other categories of law such as labour or family.”⁵

⁵ Neha Maggo, Role of Alternative Dispute Resolution in Reducing Burden of Indian Judiciary, 10 Indian J.L. & Legal Rsch. 5 (2023), <https://heinonline.org/HOL/LandingPage?handle=hein.journals/injllw10&div=317&id=&page=>.

Additionally, ADR plays a crucial role in environmental governance by helping resolve conflicts involving multiple parties and balancing development with sustainability. With these factors, ADR has become an effective tool for achieving fair justice in India.

V

Comparative Analysis of Environmental ADR in Different Legal Systems

Each country has a unique framework for environmental ADR, but the basics of ADR, like negotiation, mediation, and Arbitration, remain the same; however, their usage and implementation can vary in different legal systems. The United States legal system promotes the practice of settlements, which contributes to an established ADR system concerning environmental disputes. The legal framework of the United States is very supportive of the ADR methods. Implementing laws such as the Alternative Dispute Resolution Act of 1998 has led to the widespread use of Arbitration and mediation in resolving environmental disputes. This approach has helped the parties avoid costly and lengthy litigation and contributed to the preservation of the environment.

Compared to the United States, European countries have more regulated and well-structured legal frameworks concerning the Environmental ADR. The European Union (EU) seeks the involvement of the public while promoting ADR methods in environmental disputes for a smoother integration that may benefit people at large. Many states in the EU, like the Netherlands and Germany, have previously resolved major environmental conflicts through mediation. Many European nations encourage the participation of involved parties to amicably reach a practical solution, which may not be possible in the case of traditional litigation. The EU values the principle of precaution, which assists in avoiding damage before it happens; this works well with the ADR's important aspect of a proactive approach.

Implementing ADR methods in environmental disputes has been challenging in developing nations because of fewer resources, weaker legal systems and unstable governments. In the past few decades, ADR has gained importance in developing countries like Brazil and India, but its integration is facing hindrances due to a lack of awareness among people. India has observed significant growth in using methods such as Arbitration and mediation, specifically concerning pollution and natural resources. However, the success depends on the acceptance of people regarding the ADR and a strong legal framework, which is still in the process of integrating ADR for environmental disputes. The major environmental conflicts in Brazil are related to the rights over the land and deforestation, which usually involve the local tribes and

large corporations, hence making the adoption of ADR difficult due to the nation's political landscape.

China's traditional judicial system usually deals with environmental conflicts with much government involvement. ADR methods have been encouraged by the Chinese government for the past few years, and there has been significant growth in their adoption. Specifically, mediation is preferred over traditional systems. However, ADR has not seen much success due to the interference and influence of the government. Government interference has reduced the effectiveness of ADR due to the lack of independence of the procedure. Despite these obstacles, ADR has seen significant growth in China, making it perfect for bringing balance while protecting the environment and focusing on development simultaneously.

There have been positive and negative responses while incorporating environmental ADR across African countries. In nations like South Africa, ADR practices have been adopted by their legal frameworks to deal with disputes related to mining and other natural resources. South Africa has benefited from methods like mediation, which are now a widely accepted form of adjudication concerning environmental conflicts. Many parts of Africa still have unstable governments, limited resources and a weaker legal system, making adopting ADR practices challenging. African countries face a significant number of environmental disputes due to the abundance of natural resources, so African nations need to blend ADR methods with their traditional legal systems for effective and efficient outcomes.

VI

Case Studies of ADR in Environmental Disputes

(i) *Rhine River pollution dispute*

The Rhine River is considered one of Europe's most significant water bodies. It was polluted due to the dumping of waste in the river by the industries of several European countries near the river. The aggrieved countries opted for mediation and negotiations in place of traditional litigation, resulting in a cooperative approach to tackling the issue of pollution by coming up with different treaties. Conventional methods would have focused on determining the liability; instead, negotiations were more result-oriented, which helped to develop a structure that helped reduce pollution. The Rhine Action Plan established the targets and developed a framework to monitor the progress.

(ii) ***IPPC permit for the Kunda pulp plant factory***⁶

“As Estonian Cell” wanted to establish an aspen pulp factory in Kunda, It is a small town on Estonia's shore. Before the commencement of the project, an Environmental Impact Assessment was held to determine the probable impact on the environment. The evaluation was a common practice under the local environmental law, and it was authorised by the government. The company required a pollution prevention permit (IPPC) to commence operations in the factory, but an NGO called the Estonian Fund for Nature opposed the permit. They contested that the company's measures were insufficient to protect the sea and the ecosystem.

The company and the NGO began negotiations to solve the dispute amicably. Both parties came to an agreement to alter the requirements to prevent harm to the environment; hence, another permit was presented with more rigid conditions. The discussions assisted the parties in coming up with an agreement, but the parties were not very enthusiastic about the solution. To resolve the matter, both parties made compromises, and the process was very complex, which caused the NGO to face hardship as it lacked the skills to handle such discussions or negotiations. This case study reflected that negotiations can assist in coming up with solutions that may bring a balance between protecting the environment and economic development

(iii) ***Route 10***⁷

This case occurred in Hungary and highlighted the hindrances of adopting ADR when many parties have different expectations. Many NGOs went against the same project and urged the government to terminate the environmental protection permit provided for the construction of Route 10. The opposing parties stated that the project would harm the environment in the particular region and may contribute to increased traffic. Many discussions were conducted to solve the conflict. Some meetings were official, and some were

⁶ J. Alkhayer, N. Gupta & C.M. Gupta, Role of ADR Methods in Environmental Conflicts in the Light of Sustainable Development, 1084 IOP Conf. Ser.: Earth & Env'tl. Sci. 012057 (2022), <https://doi.org/10.1088/1755-1315/1084/1/012057>.

⁷ J. Alkhayer, N. Gupta & C.M. Gupta, Role of ADR Methods in Environmental Conflicts in the Light of Sustainable Development, 1084 IOP Conf. Ser.: Earth & Env'tl. Sci. 012057 (2022), <https://doi.org/10.1088/1755-1315/1084/1/012057>.

unofficial. All the attempts were not successful, and the situation got worse. The significant contributing factor to incompetence was the association of many parties with different expectations.

In many instances, ADR mechanisms have helped to obtain amicable outcomes, but this case was one of the few exceptions where ADR methods couldn't resolve the dispute. Traditional litigation would be a better approach in matters involving several parties due to its rigid and binding procedure, enabling all the stakeholders to have an equal opportunity to be heard. Some environmental conflicts are very complicated and require an expert opinion; hence, in those cases, parties' involvement would make the application of ADR methods difficult. Also, the willingness of stakeholders is a significant factor in determining the success.

(iv) ***Znesinnia regional landscape park versus the electric power supplier***⁸

This case highlights that matters of public interest motivate the involved parties to come up with equitable outcomes with the help of negotiations and mediation. The conflict arose due to a request made by an electric power supplier to seek permission to cut down many trees in the Znesinnia Regional Landscape Park area so electricity supply networks can be maintained without much effort. To resolve this conflict, the local council suggested implementing ADR techniques. This matter focused on long-term outcomes instead of providing an immediate solution. After the negotiations, the parties came up with an outcome that assisted in balancing the preservation of the environment with maintaining the electricity network.

VII

Conclusion

The evolution of environmental ADR from its initial stage demonstrates its increasing global need. Some significant developments in environmental ADR were a result of environmental arbitration, which provides an adaptable forum for resolving disputes outside formal court systems. Arbitration gives parties the freedom to choose their arbitrators based on their specific needs concerning environmental conflicts. This method is particularly beneficial in resolving disputes involving any sector's environmental concerns. Similarly,

⁸ J. Alkhayer, N. Gupta & C.M. Gupta, Role of ADR Methods in Environmental Conflicts in the Light of Sustainable Development, 1084 IOP Conf. Ser.: Earth & Env'tl. Sci. 012057 (2022), <https://doi.org/10.1088/1755-1315/1084/1/012057>.

mediation and administrative ADR offer avenues for affected communities, businesses, and government agencies to engage in constructive dialogue with each other and reach mutually acceptable solutions for their issues.

Looking ahead, the role of ADR in environmental governance is expected to expand further given the growing number of related disputes, corporate entities, and global sustainability needs. This also emphasises the need for governments, legal institutions, and environmental organisations to work together to strengthen ADR mechanisms by enhancing legal frameworks, increasing awareness, and promoting collaboration among stakeholders. If ADR is implemented effectively, it has the potential to transform environmental dispute resolution more broadly. In conclusion, Alternative Dispute Resolution in the present time is not merely an alternative to litigation but a necessary tool for achieving environmental justice and sustainability. As environmental issues are becoming more complex with a high increase in their numbers, ADR emerges as the most effective way for dispute resolution, ensuring that all factors are taken into consideration, highlighting that making ADR a core part of environmental governance is necessary for a peaceful and sustainable future.