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Adios to Paradise: The Yacyreta Dam and the Destruction of Environmental and Human Rights

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Author(s)

Kornfeld, Itzchak E.

Description / Abstract

The field of human rights has for the past six decades, like a river deepening its channel, slowly chipped away at the strata of injustice. Nevertheless, the vaunted words of the Universal Declaration of Human Rights' opening sentence continue to be rejected by numerous state-signatories and inter-state institutions. Indeed, one nascent area in the human rights arena, where the lack of freedom and injustice is manifest, is the field of human rights and the environment. This topic is the subject of the present article. Examples of the abrogation, by sovereign states, of environmental rights and its impact upon human rights are legion, particularly in the developing world. Moreover, it is now quite clear that Multinational Corporations ("MNCs") figure, whether directly or indirectly, into the destruction of the environment and its concomitant violation of the human rights of indigenous peoples around the world. Nevertheless, States and MNCs are not the only institutions that abrogate human rights norms, as a consequence of their despoliation of the environment. International Organizations, also known as Intergovernmental Organizations, are also responsible for these types of harms. This article focuses upon the actions of two international organizations, the World Bank and the Inter-American Development Bank. It examines how their loan policies effect the global environment and produce injustices and human rights violations. As part of that discussion, the article delves into the two banks' dispute resolution procedures, via their respective inspection panels, using the Yacyreta Hydroelectric Dam as a case study.

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