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Broadening the Horizon of Environmental Trust: Legal Instruments of Private Approaches to Land Conservation

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Abstract

The idea and practices that the private sector devotes to land conservation by directly acquiring and managing land have developed for a long time and reached great achievements in many countries such as the U.K. and the U.S. In recent years, this idea, in the name of the “environment trust,” has drawn more and more attention in Taiwan. This article intends to show that private approaches to land conservation could play a critical role in Taiwan’s environmental governance and argue that the legal instruments to be used in private land conservation are potentially diverse, rather than only a charitable trust can be invoked. The comprehensive understanding and comparison of the potential legal instruments in

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this article will help practitioners to match adequate instruments to specific real contexts and help the legislature to devise a comprehensive law reform.

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