

International Environmental Law And World Order A Problem Oriented Coursebook Documentary Supplement American Casebook Series

The interplay between procedure and substance has not been a major point of contention for international environmental lawyers. Arguably, the topic's low profile is due to the mostly uncontroversial nature of the field's distinction between procedural and substantive obligations. Furthermore, the vast majority of environmental law scholars and practitioners have tended to welcome the procedural features of multilateral environmental agreements and their potential to promote regime evolution and effectiveness. However, recent developments have served to put the spotlight on certain aspects of the procedure substance topic. ICJ judgments revealed ambiguity on aspects of the customary law framework on transboundary harm prevention that the field had thought largely settled. In turn, in the treaty context, the Paris Agreement's retreat from binding emissions targets and its decisive turn towards procedure reignited concerns in some quarters over the "proceduralization" of international environmental law. The two developments invite a closer look at the respective roles of, and the relationship between, procedure and substance in this field and, more specifically, in the context of harm prevention under customary and treaty law.

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This Nutshell introduces the relevant concepts of international environmental law, contemplates the socio-scientific evidence confronting lawmakers, and addresses the resulting corpus of substantive law. Expert authors cover international environmental problems such as population, biodiversity, global climate change, ozone depletion, Antarctica, toxic and hazardous substances, land- and vessel-based pollution, transboundary water pollution, desertification, and nuclear damage.

International Environmental Law is a new textbook written for students, practitioners, and anyone interested in the subject. The overall aim of the book is to provide a fresh understanding of international environmental law as a whole, seen in the light of climate change, biodiversity loss, and the other serious environmental challenges facing the world. The book has also been kept deliberately manageable in size by careful selection of topics and by adopting a cross-cutting synthesis of regulatory interaction in the field. This enables the reader to place international environmental law in the broader context of public international law in general, revealing at the same time that international environmental law is experimental ground for developing new legal approaches towards global governance. To this end, the authors have combined theory and practice. Apart from discussing concepts, rule-making and compliance, the book looks at options for improved coordination, harmonisation and even integration of existing multilateral environmental agreements, analysing how conflicts between various environmental regimes can be avoided or, at least, adequately managed. The

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authors argue that an appropriate management of international environmental relations must address the North-South divide, which continues to be a major obstacle to global environmental cooperation. Furthermore, the authors emphasise the growing human rights dimension of international environmental law. This book is an ideal 'door opener' for the further study of international environmental law. Focusing on 'international environmental governance' in a comprehensive way, it serves to explain that each institution, each actor, and each instrument is part of a multi-dimensional process in international environmental law and relations.

This important work satisfies the need for a thorough assessment of environmental justice concerns at the global level. Using three international environmental case studies, the book extends the theory of environmental justice, commonly used in domestic settings, to the international arena of environmental law, policy and politics. Spanning the traditional boundaries between political science, international relations, international law, international political economy and policy studies, this text is intended primarily for scholars of environmental justice, national and international policymakers, businesses, activists and students of international environmental law, public policy and political economy of the third world.

Revised edition includes all new developments since 1994, including all international case-law and international legislation.

This second edition of International Environmental Law, Policy, and Ethics revises and

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expands this groundbreaking study into the question of why the environment is protected in the international arena. This question is rarely asked because it is assumed that each member of the international community wants to achieve the same ends. However, in his innovative study of international environmental ethics, Alexander Gillespie explodes this myth. He shows how nations, like individuals, create environmental laws and policies which are continually inviting failure, as such laws can often be riddled with inconsistencies, and be ultimately contradictory in purpose. Specifically, he seeks a nexus between the reasons why nations protect the environment, how these reasons are reflected in law and policy, and what complications arise from these choices. This book takes account of the numerous developments in international environmental law and policy that have taken place the publication of the first edition, most notably at the 2002 World Summit on Sustainable Development and the 2012 'Rio + 20' United Nations Conference on Sustainable Development. Furthermore, it addresses recent debates on the economic value of nature, and the problems of the illegal trade in species and toxic waste. The cultural context has also been considerably advanced in the areas of both intangible and tangible heritage, with increasing attention being given to conservation, wildlife management, and the notion of protected areas. The book investigates the ways in which progress has been made regarding humane trapping and killing of animals, and how, in contrast, the Great Apes initiative, and similar work with whales, have failed.

Finally, the book addresses the fact that while the notion of ecosystem management has been embraced by a number of environmental regimes, it has thus far failed as an international philosophy.

This timely Handbook brings innovative, free-thinking and radical approaches to research methods in environmental law. With a comprehensive approach it brings together key concepts such as sustainability, climate change, activism, education and Actor-Network Theory. It considers how the Anthropocene subjects environmental law to critique, and to the needs of the variety of bodies, human and non-human, that require its protection. This much-needed book provides a theoretically informed analysis of methodological approaches in the discipline, such as constitutional analysis, rights-based approaches, spatial/geographical analysis, immersive methodologies and autoethnography, which will aid in the practical critique and re-imagining of Environmental Law.

Emerging Principles of International Environmental Law is ideally suited for any law or environmental studies student, practitioner or law academic who is interested in the legal status of emerging principles in the field of international environmental law. Among its highlights, the text examines the interaction of principles/concepts such as sustainable development, the precautionary principle etc., with one another and how the present international environmental law regime has taken the vast disparity between developed and developing countries into account in designing innovative

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methods to accommodate this disparity.

In the 1970s, the first wave of environmental regulation targeted specific sources of pollutants. In the 1990s, concern is focused not on the ends of pipes or the tops of smokestacks but on sweeping regional and global issues. This landmark volume explores the new industrial ecology, an emerging framework for making environmental factors an integral part of economic and business decision making. Experts on this new frontier explore concepts and applications, including Bringing international law up to par with many national laws to encourage industrial ecology principles. Integrating environmental costs into accounting systems. Understanding design for environment, industrial "metabolism," and sustainable development and how these concepts will affect the behavior of industrial and service firms. The volume looks at negative and positive aspects of technology and addresses treatment of waste as a raw material. This volume will be important to domestic and international policymakers, leaders in business and industry, environmental specialists, and engineers and designers. While both the ?environmental? and ?international? dimensions of law school inquiry continue to flourish, a distinct offering in ?international environmental law? is becoming prevalent. This coursebook begins with a relatively detailed exploration of the key doctrines, principles, and rules of ?international law,? without which it is impossible to understand or apply ?international environmental law.' It summarizes the applicability of state responsibility to environmental wrongs and presents a series of hypothetical

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problems bearing fact patterns that mirror the 'real world.' Coursebook presents a simulated negotiation of a fictional draft protocol to the UN Framework Convention on Climate Change.

This book analyzes the law and policy for the management of global common resources. As competing demands on the global commons are increasing, the protection of environment and the pursuit of growth give rise to all sorts of conflicts. It also analyzes issues in the protection of the global commons from a fairness, effectiveness and world order perspective. The author examines whether policymaking and trends point to a fair allocation of global common resources that is effective in protecting the environment and the pursuit of sustainable development. The author looks at the cost-effectiveness of international environmental law and applies theories of national environmental law to international environmental problems. Chapters include analysis on areas such as marine pollution, air pollution, fisheries management, transboundary water resources, biodiversity, hazardous and radioactive waste management, state responsibility and liability.

International environmental law is often closer to home than we know, affecting the food we eat, the products we buy, and even the air we breathe. Drawing on more than two decades of experience as a government negotiator, consultant, and academic, Daniel Bodansky brings a real-world perspective on the processes by which international environmental law develops, and influences the behavior of state and non-state actors.

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This post-UNCED account of the frameworks, standards and implementation of the international environmental law is intended for undergraduates and academics in the fields of international law, politics, geography, economics and environmental studies. It can be used on its own as a reference or course text or in conjunction with its companion collections of documents.

The second edition of this leading reference work provides a comprehensive discussion of the dynamic and important field of international law concerned with environmental protection. It is edited by globally-recognised international environmental law scholars, Professor Lavanya Rajamani and Professor Jacqueline Peel, and features 67 chapters authored by 76 renowned experts in their fields. The Handbook discusses the key principles underpinning international environmental law, its relevant actors and tools, and rules applying in its substantive sub-fields such as climate law, oceans law, wildlife and biodiversity law, and hazardous substances regulation. It also explores the intersection of international environmental law with other areas of international law, such as those concerned with trade, investment, disaster, migration, armed conflict, intellectual property, energy, and human rights. The Handbook sets its discussion of international environmental law in the broader interdisciplinary context of developments in science, ethics, politics and economics, which inform the way in which environmental rules are made, implemented, and enforced. It provides an introduction to the foundations of international environmental law while also engaging with questions at the

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frontiers of research, teaching, and practice in the field, including the role of Global South perspectives, the contribution made by Earth jurisprudence, and the growing role of a diverse range of actors from indigenous peoples to business and industry. Like the first edition, this second edition of the Handbook is an essential reference text for all engaged with environmental issues at the international level and the applicable governance and regulatory structures.

The United Nations has set in motion a process to discuss and potentially reach agreement on a Global Pact for the Environment. This book informs those discussions, providing a deep dive into the challenges that characterize international environmental law today as well as the necessary background on the past five decades during which these frameworks were created. The book also describes contemporary negotiations about how, and even whether, to clarify and strengthen the norms that guide us today. By providing a clear picture of the competing trajectories of the current state of the law and our environment, this book equips readers with the knowledge and confidence to shape the future evolution of international environmental law.

The Routledge Handbook of International Environmental Law is an advanced level reference guide which provides a comprehensive and contemporary overview of the corpus of international environmental law (IEL). The Handbook features specially commissioned papers by leading experts in the field of international environmental law, drawn from a range of both developed and developing countries in order to put forward

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a truly global approach to the subject. Furthermore, it addresses emerging and cross-cutting issues of critical importance for the years ahead. The book is split into six parts for ease of reference: The Legal Framework, Theories and Principles of International Environmental Law - focuses on the origins, theory, principles and development of the discipline; Implementing International Environmental Law - addresses the implementation of IEL and the role of various actors and institutions, including corporations, intergovernmental organisations and NGOs; Key Issues and Legal Frameworks - brings fresh perspectives of the common general issues of international environmental law, such as biological diversity and marine environmental law; Regional Environmental Law - explores the specific regimes developed to address regional environmental issues, considering the evolution, prospects and relationship of regional law and mechanisms to IEL; Cross-Cutting Issues - considers the engagement of international environmental law with other key fields and legal regimes, including international trade, human rights and armed conflict; Contemporary and Future Challenges - analyses pressing current and emerging issues in the field including environmental refugees and climate change, REDD and deforestation, and 'treaty congestion' in IEL. This up-to-date and authoritative book makes it an essential reference work for students, scholars and practitioners working in the field. Taking stock of all the major developments in the field of international environmental law, this text explores core assumptions and concepts, basic

analytical tools and key challenges.

Revised and updated for its Second Edition, INTERNATIONAL ENVIRONMENTAL LAW AND POLICY uses cases, materials, problems, and questions to introduce important issues to students with little or no background in either international law or environmental law.

Being a grandmother is one of life's most important roles and many women can feel unprepared to take it on. New Age Nanas presents the rich and diverse views of over 1000 modern Australian grandmothers on what it is like to be a grandmother today, interwoven with expert commentary on how to make the most of this potentially

Originally published in 2006, this collection is the outcome of an interdisciplinary research project involving scholars in the fields of international and comparative environmental law, the sociology and politics of global governance, and the scientific study of global climate change. Earth system analysis as developed by the natural sciences is transferred to the analysis of institutions of global environmental change. Rather than one overarching supranational organisation, a system of 'multilevel' institutions is advocated. The book examines the proper role of industrial self-regulation, of horizontal transfer of national policies, of regional integration, and of improved coordination between international

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environmental organisations, as well as basic principles for sustainable use of resources. Addressing both academics and politicians, this book will stimulate the debate about the means of improving global governance.

Frontiers in International Environmental Law is a collection of essays that showcases how law and legal scholarship can responded to challenges to our oceans and climate governance regimes.

International Environmental Governance: Towards UNEPO offers a significant contribution to practitioners and scholars involved in international debates on environmental governance, addresses the law-making challenge presented by growth in MEAs and proliferation of international environmental institutions and thoroughly considers the need for and efficacy of global governance in the field of environment.

This publication present in-depth study of the very topical subject-matter of legal powers of Conferences of the Parties established on the basis of Multilateral Environmental Agreements. The book deals with the legitimacy and efficiency of the decisions of such bodies.

Explores normative and institutional innovation in international law as a response to the challenges to global order posed by rapid environmental change.

A comprehensive examination of international environmental litigation which

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addresses the major environmental challenges of the twenty-first century. Through a collection essays by leading scholars in international environmental law from around the world, this book explores the future of international environmental law in a world of ever worsening environmental crises. It examines the success stories and the failures of international environmental law and argues that future responses to global environmental crisis will be more about good environmental governance rather than just more treaties and laws. Environmental governance in future will need to accommodate the needs and aspirations of peoples from developed and developing countries alike and will have to be based on decisions and actions by a vast range of actors and stakeholders and not just the nation state that has traditionally dominated environmental diplomacy to date. In future this also suggests a need to be cognizant of the close links to other areas of international law including human rights.

International Environmental Law offers a concise, conceptually clear, and legally rigorous introduction to contemporary international environmental law and practice. The book covers all major environmental agreements, paying particular attention to their underlying structure, main legal provisions, and practical operation. It blends legal and policy analysis, making extensive reference to the

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jurisprudence and scholarship, and addressing the interconnections with other areas of international law, including human rights, humanitarian law, trade and foreign investment. The material is structured into four sections - foundations, substantive regulation, implementation, and influence on other areas of international law - which help the reader to navigate the different areas of international environmental law. Each chapter includes charts summarising the main components of the relevant legal frameworks and provides a detailed bibliography. Suitable for practicing and academic international lawyers who want an accessible, up-to-date introduction to contemporary international environmental law, as well as non-lawyers seeking a concise and clear understanding of the subject.

Bringing together contributions from diplomats, UN agency officials, lawyers and academics, this book provides insight into the evolution of international environmental law, diplomacy and negotiating techniques. Based on first-hand experiences and extensive research, the chapters offer a blend of practice and theory, history and analysis, presenting a range of historical episodes and nuances and drawing lessons for future improvements to the processes of law-making and diplomacy. The book represents a synthesis of the most important messages to emerge from the annual course on Multilateral Environmental

Agreements, delivered to diplomats and negotiators from around the world for the last decade by the University of Eastern Finland and the United Nations Environment Programme. The book will be of interest as a guide for negotiators and as a supplementary textbook and a reference volume for a wide range of students of law and environmental issues.

Written by leading scholars and experts with extensive practice and teaching experience in the field, *Comparative and Global Environmental Law and Policy* offers a student-friendly approach to the study of a rapidly evolving and important area of law. Its multi-jurisdictional selection of judicial opinions and legal materials introduces students to the worldwide reach of environmental law.

Through its substance, the book familiarizes students not only with governing and emerging legal principles but also demonstrates how legal norms are applied to specific issues and contexts, illustrating how law-on-the-books becomes law-in-action. Student understanding is reinforced by problem exercises and discussion questions. Professors and students will benefit from: A multi-jurisdictional selection of environmental law cases and regulatory materials from across the world, with many cases from the developing world and emerging economies. Separate chapters on rapidly evolving and critical topics such as rights of nature, sustainability, corporations and private environmental governance, human rights

and the environment, and climate change. Presentation of basic background principles of environmental law, institutions, and governance and their operation in international, national and subnational systems, including indigenous governance systems. Emphasis across the book on issues of institutions and governance as well as enforcement and effectiveness. Judicial opinions providing an authoritative articulation of how legal principles are applied in various systems. Numerous problem exercises and discussion questions to introduce topics and reinforce concepts and materials. Integrated perspective on the relationship of international and transnational environmental law, national environmental law, environmental norms and principles in other settings such as in private environmental governance, and governance institutions.

This volume seeks to provide the reader with a clear understanding to the way that protected areas are created, listed and managed in international law. In doing so, it provides a complete overview of the primary international and regional conventions in this area, and the decisions and resolutions that have come from them. In doing so, it provides a comprehensive examination of, inter alia, the World Heritage Convention, the Man and the Biosphere regime, the Ramsar (Wetlands) Treaty, and the Convention on Migratory Species. It also deals extensively with the important regional conventions in this area, covering

Europe, Africa and the Americas. The regimes governing international maritime protected areas, and Antarctica, are also dealt with. In each area, the values, selection considerations, management, and compliance considerations are examined in detail and linked into recognizable examples from well known protected sites of international significance.

Explores the dynamics of the lawmaking process and the increasingly critical role of transnational actors/citizens, nongovernmental organizations (NGOs), scientists, and business. Discusses the relation of our scientific understanding to the legal response and the relation of the problem to the global economy.

Includes explanation of the use of soft law, framework agreements, binding obligations, the precautionary principle, and polluter pays principle. Describes role of technology transfer and multilateral and bilateral financial mechanisms.

Tropical coral reefs are important ecosystems. They are economically important to coastal communities living in predominantly developing countries, and also provide shoreline protection, catalyse land formation enabling human habitation, act as a carbon sink and are a repository for genetic and species diversity rivalling rainforests. In the face of mounting man-made pressure from pollution, climate change and over-exploitation, these ecosystems increasingly need action to be taken to ensure their conservation and long term sustainable development.

International Environmental Law and the Conservation of Coral Reefs breaks new ground by providing the first in-depth account of the ways in which multilateral environmental treaty regimes are seeking to encourage and improve the conservation of tropical coral reef ecosystems. In so doing, the work aims to raise the profile of such activities in order to reinforce their status on the environmental agenda. The book also has wider implications for international environmental law, arguing that sectorial legal action, provided it remains co-ordinated through a global forum that recognises and reflects the inter-connections between all elements of the natural environment, is the most effective way for international law to enhance the conservation of certain habitats. This book will be invaluable to environmental lawyers, legal researchers, marine conservationists and other stakeholders in coral reefs.

This collection of basic documents provides comprehensive coverage of the most important treaties and international instruments relating to environmental protection, including judicial and arbitral decisions. It additionally includes documents of general importance in international law, such as the UN Charter and the Vienna Convention on the Law of Treaties. Materials on trade, human rights, and the law of war are excerpted where pertinent to the legal analysis of an environmental problem. For students and others engaged in research or practice in international environmental law, such as civil servants, diplomats, governmental officials, NGOs, practicing lawyers, and others, the volume serves as a convenient and thorough

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general reference.

A significant contribution to the field, and a welcome addition to the growing literature on international environmental law and an important reference for every scholar, lawyer, and layperson interested in the field.

This volume examines the impact of globalization on international environmental law and the implementation of sustainable development in the Global South. Comprising contributions from lawyers from the Global South or who have experience in the Global South, this volume is organized into three parts, with a thematic inquiry woven through every chapter to ask how law can enable economies that can be sustained, given the limited carrying capacity of the earth. Part I describes and characterizes the status quo of environmental and economic problems in the Global South during the process of globalization. Some of those problems include redistribution of environmental burden on the public through over-reliance on the state in emerging economies and the transition to public-private partnerships, as well as extreme uncontrolled economic expansion. Building on Part I, Part II takes an international perspective by presenting some tools that are in place during the process of globalization that lead to friction and interfaces between developed and developing economies in environmental law. Recognizing the impossibility of a globalized Northern economy, the authors in Part III present some alternatives through framework ideas of human and civil rights, environmental rights, and indigenous persons' rights, as well as concrete and specific legal tools to strengthen justice and rule of law institutions. The book gives new perspectives to familiar approaches through concrete examples by professional practitioners and theoretical discourse by academic researchers, and can thereby form the basis for changes in practices, as well as further

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discussions and comparisons. This book will be of great interest to students and scholars of environmental law, sustainable development, and globalization and international relations, as well as legal professionals and practitioners.

. . . Highly recommended as a key contribution to the literature. It fulfils its title in being contemporaneous, but more than that it also provides a subtle critique of how many international environmental lawyers have approached their subject. . . this book will be an essential read for anyone interested in the subject. British Yearbook of International Law This book presents an interesting, scholarly read. . . an invaluable reference asset, to law students, researchers, policy makers and non-state actors with interest in environmental regulation and governance. Priscilla Schwartz, Journal of Environmental Law This is a thoughtful and well-researched study of current issues in international environmental law. Malgosia Fitzmaurice's collection of essays is a welcome addition to the literature in this rapidly developing area of the law: it provides perspective on the environmental law issues discussed, but always against the background of the broader concepts and principles of general international law. James Crawford, University of Cambridge, UK The central aim of this insightful book is to illuminate how many concepts in international environmental law such as the precautionary principle and sustainable development are taken for granted. These problematic issues are very much still evolving and subject to heated debate between scholars as well as between states. The author explores these controversies viewing them as a positive development within a field that is in a constant state of flux. Areas discussed include the convergence of human rights with environmental issues and the quest for the human right to a clean environment. The book also clearly demonstrates that international environmental law cannot be analysed in isolation since

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it greatly influences the development of general international law. Taking full account of the most recent decisions of international courts and tribunals as well as the most up-to-date scholarly analysis, Contemporary Issues in International Environmental Law is a timely and important resource for legal scholars, under- and post-graduates and practitioners alike. This study systematically examines how states implement and comply with international environmental accords.

Situating the global poverty divide as an outgrowth of European imperialism, this book investigates current global divisions on environmental policy.

All around the world, nations have established legal frameworks to protect our environment. While many of these frameworks share similar goals and objectives, they hold important differences as well. In Global Environmental Law, Justice Ricardo Luis Lorenzetti and Professor Pablo Lorenzetti offer a holistic view of modern environmental law. In it, they describe the history and purpose behind environmental rule of law, delve into the nuances of varying regulatory structures, and offer insight into how environmental law is implemented around the world--be it voluntary or mandatory. The book also includes an annex that illustrates how environmental law is changing across the globe--a must have resource for today's legal scholars and practitioners.

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