

International Environmental Law In A Nutshell

This textbook provides a compelling and structured introduction to international environmental law in the Text, Cases and Materials genre. The book uses extracts from a judiciously selected range of legal instruments and case law relevant to the protection and regulation of the environment in international law, alongside commentary from author team and questions for class discussion, to facilitate student understanding and encourage engagement in the topic. Divided into four main parts, it examines the main principles of international environmental law, the key areas of substantive environmental regulation, the implementation of environmental law and the relations between environmental law and other areas of international law. Key Features: Provides concise introductions to each topic of environmental law Discussion questions and further reading sections guide students in applying their understanding Familiarises students with the key legal materials, treaties and case law relating to international environmental law Covers a wide variety of topics, including sustainable development, protection of the marine environment, atmospheric protection and responsibility and liability for environmental damage By introducing and highlighting the most important instruments and cases of international environmental law, this textbook seeks to provide environmental law students and non-specialists with a rich and full understanding of the topic.

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.

Human activities are depleting ecosystems at an unprecedented rate. In spite of nature conservation efforts worldwide, many ecosystems including those critical for human well-being have been damaged or destroyed. States and citizens need a new vision of how humans can reconnect with the natural environment. With its focus on the term holistic recovery of ecosystems, ecological restoration has received increasing attention in the past decade from both scientists and policymakers. Research on the implications of ecological restoration for the law and law for ecological restoration has been largely overlooked. This is the first published book to examine comprehensively the relationship between international environmental law and ecological restoration. While international environmental law (IEL) has developed significantly as a discipline over the past four decades, this book enquires whether IEL can now assist states in making a strategic transition from not just protecting and maintaining the natural environment but also actively restoring it. Arguing that states have international duties to restore, this book offers reflections on the philosophical context of ecological restoration and the legal content of a duty to restore from an international law, European Union law and national law perspective. The book concludes with a discussion of several contemporary themes of interest to both lawyers and ecologists including the role of private actors, protected areas and climate change in ecological restoration.

This 'Advanced Introduction' provides both an overview and a critical assessment of international environmental law (IEL) written by one of the leading authorities in this field. An invaluable entry point to this complex area of the law, the book pinpoints essential principles and institutions and distils the vast and often technical corpus of legal doctrine whilst also offering insights that stimulate critical thinking.

Improving Compliance with International Environmental Law

International Environmental Law and Policy

Advanced Introduction to International Environmental Law

Procedure and Substance in International Environmental Law

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 of the precautionary principle, and polluter pays principle. Describes role of technology transfer and multilateral and bilateral financial mechanisms.

This thoroughly updated and revised second edition of this foundational Handbook combines practical and theoretical analyses to cover a wide array of cutting edge issues in international environmental law (IEL). It provides a comprehensive view of the complexity of IEL, both as a field in its own right, and as part of the wider system of international law.

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 the behavior of state and non-state actors.

A practical analytical framework for understanding and analyzing a complex and confusing regime of international environmental laws, this resource begins by considering the current state of play of international environmental law and describes the framework for approaching an issue in this area. The book provides a template for analyzing critical international environmental law issues, and the legal regimes in twenty-six key markets that span the globe, and concludes by discussing global and cross-border matters.

Genealogy and Biopolitics

The Prevention Principle in International Environmental Law

The Oxford Handbook of International Environmental Law

Mechanisms and Case Studies

This compilation of key materials in international environmental law takes account of the most significant developments in the field that have occurred during the past decade, including in the areas of climate change, chemicals and pesticides, biosafety, and nuclear safety, as well as good governance, compliance and liability. Not only does multilateral environmental law and national development policies are drafted and business is conducted, but also environmental issues increasingly interweave with those relating to human rights, trade, agriculture and intellectual property, making familiarity with the key instruments in international law essential for all working in these areas. The book comprises a representative selection of the most important materials, with an editorial introduction to each topic. Its focus on recent trends and cross-sectoral aspects makes it an indispensable tool for students, researchers, practitioners and policy makers in international environmental law and related fields.

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.

Cross-boarder and transnational legal issues concerning the environment are proliferating at such a fast rate that the international environmental law regime is in a continual state or rapid evolution. Here is a new edition of a major legal guide to the field, thoroughly updated and expanded to cover important emerging issues. New material includes an analysis of an environmental protection, and development in the relationship of trade and the environment. This new edition also focuses on the trend toward more efficient enforcement of international environmental obligations.

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.

International Environmental Law and the Global South

The 'Ecosystem Approach' in International Environmental Law

The Art and Craft of International Environmental Law

International Environmental Law

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 new and fully updated edition of Principles of International Environmental Law offers a comprehensive and critical account of one of the fastest growing areas of international law: the principles and rules relating to environmental protection. Introducing the reader to the key foundational principles, governance structures and regulatory techniques, Principles of International Environmental Law explores each of the major areas of international environmental regulation through substantive chapters, including climate change, atmospheric protection, oceans and freshwater, biodiversity, chemicals and waste regulation. The ever-increasing overlap with other areas of international law is also explored through examination of the inter-linkages between international environmental law and other areas of international regulation, such as trade, human rights, humanitarian law and investment law. Incorporating the latest developments in treaty and case law for key areas of environmental regulation, this text is an essential reference and textbook for advanced undergraduate and postgraduate students, academics and practitioners of international environmental law.

The ecosystem approach, broadly understood as a legal and governance strategy for integrated environmental and biodiversity management, has been adopted within a wide variety of international environmental legal regimes and provides a narrative, a policy approach and in some cases legally binding obligations for States to implement what has been called a 'new paradigm' of environmental management. In this last respect, the ecosystem approach is also often considered to offer an opportunity to move beyond the outdated anthropocentric framework underpinning much of international environmental law, thus helping re-think law in the Anthropocene. Against this background, this book addresses the question of whether the ecosystem approach represents a paradigm shift in international environmental law and governance, or whether it is in conceptual and operative continuity with legal modernity. This central question is explored through a combined genealogical and biopolitical framework, which reveals how the ecosystem approach is the result of multiple contingencies and contestations, and of the interplay of divergent and sometimes irreconcilable ideological projects. The ecosystem approach, this books shows, does not have a univocal identity, and must be understood as both signalling the potential for a decisive shift in the philosophical orientation of law and the operationalisation of a biopolitical framework of control that is in continuity with, and even intensifies, the eco-destructive tendencies of legal modernity. It is, however, in revealing this disjunction that the book opens up the possibility of moving beyond the already tired assessment of environmental law through the binary of anthropocentrism and ecocentrism.

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 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.

International Environmental Law and Policy in Africa

The International Rule of Law

Fairness, Effectiveness, and World Order

International Environmental Law Compliance in Context

Introduction to International Environmental Law provides a concise overview of international environmental law and the relations and agreements among nations to facilitate environmental protection. Beginning by exploring the history nature and sources of international environmental law, Professor Koivurova moves on to consider the key principles as well as examining the implementation and effectiveness of international environmental law in practice. It considers how international environmental law has developed away from other branches of international law which are heavily based on state sovereignty, in order to more effectively facilitate environmental protection and concludes by posing questions about the future of the field. Taking a concise, accessible approach throughout and employing case studies drawn from a global range of examples, this book is the ideal first point of entry to the context, principles and issues of this important subject.

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.

This edited volume examines the role of international law in a changing global order. Can we, under the current significantly changing conditions, still observe an increasing juridification of international relations based on a universal understanding of values? Or are we, to the contrary, facing a tendency towards an informalization or a reformalization of international law, or even an erosion of international legal norms? Would it be appropriate to revisit classical elements of international law in order to react to structural changes, which may give rise to a more polycentric or non-polar world order? Or are we simply observing a slump in the development towards an international rule of law based on a universal understanding of values? In eleven chapters, distinguished scholars reflect on how to approach these questions from historical, system-oriented and actor-centered perspectives. The contributions engage with the rise of European international law since the 17th century, the decay of the international rule of law, compliance as an indicator for the state of international law, international law and informal law-making in times of populism, the rule of environmental law and complex problems, human rights in Europe in a hostile environment, the influence of the BRICS states on international law, the impact of non-state actors on international law, international law's contribution to global justice, the contestation of value-based norms and the international rule of law in light of legitimacy claims.

The international community has generated several hundred multilateral environmental agreements, yet it has been far less successful in developing means to ensure that contracting parties honour them in practice. The subject of law enforcement has traditionally attracted relatively little attention amongst international policy-makers at the formation stage of a multilateral environmental accord. Commonly, the question of how to secure collective adherence to environmental treaty regimes might well only be considered in depth at a much later stage of an environmental agreement's evolution, if at all. At the same time, the significance of the issue of enforcement has gradually received more considered attention by states and international institutions. Providing an analysis of the nature, extent and current state of the international legal framework concerned with enhancing effective implementation of international environmental law, this book considers the scope and impact of international rules of law whose remit is to require or promote compliance by states with their international environmental legal obligations.

Principles of International Environmental Law

Text, Cases and Materials

Routledge Handbook of International Environmental Law

EU Environmental Law, International Environmental Law, and Human Rights Law

This book explores how compliance with international environmental law has changed over time, offering a critical analysis of its current shifting patterns. Beginning with an overview of compliance with international environmental law, the book goes on to explore in detail: compliance in the different legal regimes instituted by Multilateral Environmental Agreements (MEAs), the addition of new subjects of international law, the legal relations between developed and developing countries, and the emergence of new compliance mechanisms in global environmental law. The analysis takes two key developments into consideration: the evolution in forms of compliance and non-state involvement in compliance with international environmental law. In the final section, three case studies are provided to demonstrate how these changes have occurred in selected areas: climate change, biodiversity and water resources. Throughout the book, topics are illustrated with extracts from specific international environmental law jurisprudence and relevant international environmental law instruments. In doing so, the book offers a comprehensive analysis of compliance with international environmental law, providing original insights and following a clear and systematic structure supported by reference to the sources. This book will be of interest to professionals, academics and students working in the field of compliance with international environmental law.

Derived from the renowned multi-volume International Encyclopaedia of Laws, this book provides ready access to treaties, conventions, legislation and practice concerning the International Environmental Law. A general introduction covers geographic considerations, political, social and cultural aspects of

environmental study, the history, sources and principles of environmental law, environmental legislation, carbon credits and the role of public authorities. The main body of the book deals first with laws aimed directly at protecting the environment from pollution in specific areas such as air, water, waste, soil, noise, and radiation. Then, a section on nature and conservation management covers protection of natural and cultural resources such as monuments, landscapes, parks and reserves, wildlife, agriculture, forests, fish, subsoil, and minerals. Further treatment includes the application of zoning and land-use planning, rules on liability, and administrative and judicial remedies to environmental issues and disputes. There is also an analysis of the impact of international and regional legislation and treaties on environmental regulation. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable resource for lawyers handling cases dealing with and affecting international environment. Academics and researchers, as well as business investors, corporate houses and international organizations in the field, will welcome this very useful guide, and will appreciate its value in the study of comparative international environmental law and policy.

This volume covers a variety of topics in the fields of the law of the sea and the protection of the environment. The particular focus of the volume is on the role and function of judicial, quasi-judicial and administrative institutions in the prevention and settlement of disputes in both of these areas. This includes an overview and insightful analysis of the cases of the International Tribunal for the Law of the Sea during its first decade. Further substantive issues range from the allocation of shared marine resources, maritime boundary delimitation and issues of maritime security to the prevention of marine pollution as well as a coverage of the compliance and enforcement mechanisms of international environmental law. The views from both scholars' and practitioners' perspectives presented in this volume will offer readers a number of outstanding intellectual synergies to reflect on the development of international law. It can provide both scholars and policy-makers alike with new insights on how to address pressing problems in international law, including ideas for improved institutional design. The work has been compiled in honour of Thomas A. Mensah and comprises 59 essays from leading scholars and practitioners in international law. Measures for regulating the behaviour of nation states in relation to the global environment have increasingly taken the form of international treaties and conventions. Many have argued that this has proved to be an ineffective way of halting unsustainable development, for the provisions of these agreements are either too weak or are flouted regularly by the parties concerned. This volume seeks to address the crucial question of how compliance with these agreements could be encouraged effectively without damaging the fragile political consensus that is emerging on environmental issues. With extensive use of case studies, Improving Compliance will make stimulating reading for all students and researchers working in this area, as well as for anyone concerned about the effectiveness of international environmental measures.

International Environmental Law, Policy, and Ethics

Challenges and Responses at the International Level

International Environmental Law and Policy for the 21st Century

Ecological Restoration in International Environmental Law

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

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

The book provides a systematic and comprehensive study of the prevention principle in international environmental law.

Adopting an interdisciplinary framework, the book succinctly, yet accurately, traverses the full gamut of issues challenging the world today. This new edition deals more fully than the third edition with climate change, energy, and sustainable development. It also traverses a host of new challenges, such as drafting a new Kyoto Protocol, the Deepwater Horizon explosion and oil spill in the Gulf of Mexico, and the nuclear meltdown in Fukushima, Japan. It then clearly analyzes the legal responses, whether in the form of treaties, customary law, or soft law instruments.

Law of the Sea, Environmental Law and Settlement of Disputes

2nd Revised Edition

International Environmental Law and the Conservation of Coral Reefs

Enforcement of International Environmental Law

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 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.

This textbook provides a concise, conceptually clear, and legally rigorous introduction to contemporary international environmental law and practice. Written in an accessible style, the book covers all the major multilateral environmental agreements, paying particular attention to their underlying structure, their main legal provisions, and their practical operation. The material is structured into four sections: (I) Foundations, (II) Substantive regulation, (III) Implementation, and (IV) International environmental law as a perspective. The presentation of the material blends policy and legal analysis and makes extensive reference to the relevant treaties, instruments and jurisprudence. All chapters include a detailed bibliography along with numerous figures to summarise the main components of the regulation. It covers emerging topics such as foreign investment and the environment, environmental migration, climate change and human rights, technology diffusion, and environmental security in post-conflict settings.

This book seeks to better understand how International Environmental Law regimes evolve. The authors address throughout the major environmental, economic, and political tensions that have both shaped and constrained the evolution of international environmental policy within regimes, and its expression in international legal rule and norm development. Readers will gain an increased understanding of the growing role played by non-state actors in global environmental governance, including environmental non-government organisations, scientists, the United Nations, and corporations. The authors also look ahead to the future of International Environmental Law, evaluating key challenges and decisions that the discipline will face. The text is clear, concise, and accessible. It is ideally suited to students and professionals interested in International Environmental Law, and individuals who are intrigued by this dynamic area of law.

C.O.OKID1 I welcome the opportunity to prepare a Foreword to the book on Environmental Policy and Law in Africa, edited by Kevin R. Gray and Beatrice Chaytor. It is a pleasure to do that because the book is a contribution to the cause of capacity building for development and implementation of environmental law in Africa, a goal towards which I have had an undivided focus over the last two decades. There is still some belief in and outside Africa that for developing countries in general, and Africa in particular, development and implementation of environmental law is not a priority. This belief prevails strongly in many quarters of the industrialised countries. In fact, the view is held either out of blatant ignorance or by some renegade industrialists who fail to appreciate Michael Royston's 1979 thesis that Pollution Prevention Pays.² That group, for obvious reasons, must have their correspondent counterparts in Africa to provide hope that industries rejected as derelict in the West or inoperable due to rigorous environmental regulation, can find homes to which they can escape and dump their polluting industries.

The Case of Environmental Responsibility

Liber Amicorum Judge Thomas A. Mensah

Key Materials in International Environmental Law

EU Environmental Law, International Environmental Law, and Human Rights Law: The Case of Environmental Responsibility offers a critical appraisal of EU environmental responsibility law and the input of a rights-based approach and international environmental law.

Sources and Forms of International Environmental Law; Implementation; Population; Biodiversity; Global Climate Chan Ozone Depletion; Antarctica; Toxic and Hazardous Substances; Land-Based Pollution; Vessel-Based Pollution; Dumping; Conservation of Marine Living Resources; Transboundary Air Pollution; Transboundary Water Pollution; Desertification Nuclear Dama The Future of EIL.

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

This fully updated second edition of Corporate Accountability in International Environmental Law examines systematically all international sources of corporate accountability standards with specific reference to environmental protection, and elaborates on their theoretical and practical implications for international environmental law. The book argues that although international environmental law does not bind multinational corporations and other business entities, growing practice points to the emergence and consolidation of international legal standards. These standards allow adapting and translating inter-State obligations embodied in international environmental law into specific normative benchmarks to determine the legitimacy of the conduct of the private sector against internationally recognized values and rules. The role of international organizations who, in the absence of State intervention, identify and promote the application of selected international environmental standards is analyzed in depth. This analysis demonstrates how these international organizations are a driving force in establishing and operationalizing international standards for corporate environmental accountability. The new edition includes a recent assessment of the Rio+20 Summit, analysis of the UN Framework on Business and Human Rights, and the 2012 Performance Standards. It contains a discussion on the role of 'fair and equitable benefit-sharing' under the Convention on Biological Diversity and international human rights law, and analysis of the monitoring practice of the UN Special Rapporteur on Indigenous Peoples' Rights. This is an open access title available under the terms of a CC BY-NC-ND 4.0 International licence. It is offered as a free PDF download from OUP and selected open access locations.

Corporate Environmental Accountability in International Law

Research Handbook on International Environmental Law

Introduction to International Environmental Law

A Case Study Analysis

*International Environmental Law*Cambridge University Press

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.

International Environmental Law in a Nutshell

Rise Or Decline?