

# **International Law And The Environment**

**Benoit Mayer** 

#### **International Law And The Environment:**

International Law and the Environment Patricia W. Birnie, Alan E. Boyle, Catherine Redgwell, 2009 Assessing the basic principles structure and effectiveness of the international legal system concerning the protection of the world's natural environment this text has been updated to take account of developments in genetically modified organisms and Principles of International Environmental Law Philippe Sands, 2003-10-09 This second edition of Philippe Sand s leading textbook on international environmental law provides a clear and authoritative introduction to the subject revised to December 2002 It considers relevant new topics including the Kyoto Protocol genetically modified organisms oil pollution chemicals etc and will remain the most comprehensive account of the principles and rules relating to environmental protection and the conservation of natural resources In addition to the key material from the 1992 Rio Declaration and subsequent developments Sands also covers topics including the legal and institutional framework the field s historic development and standards for general application This will continue to be an invaluable resource for both students and practitioners alike International Law in the Era of Climate Change Rosemary Gail Rayfuse, Shirley V. Scott, 2012-01-01 UN Secretary General Ban Ki moon has called Climate Change the defining issue of our era It presents international law and lawyers with a wide range of novel issues practical as well as conceptual These challenges are addressed in this volume with great authority by many of the leading international law scholars of our generation It is an important and distinctive contribution to the burgeoning literature on an issue critical for the future of our planet David Freestone George Washington University US Climate change will fundamentally affect every area of human endeavour including the development of international law This book maps the current and potential impacts of climate change on the norms principles rules and processes of international law This timely study brings together a group of leading scholars in their respective fields of international law to examine the impacts of climate change and our responses to it on the whole spectrum of international legal regimes including those dealing with everything from climate displacement human rights and international trade and investment to the oceans the environment armed conflicts and the use of force and outer space the volume also examines the impacts of climate change on the underlying principles and processes of international law including those relating to the making and enforcement of international law and to third party dispute resolution the book shows that there is much more to dealing with climate change than negotiating one global climate change specific regime Other areas of international law can and must be included in the solution In this way international law can maximise its coherence and its efficacy This well documented study will appeal to international lawyers academics policy makers government employees negotiators practitioners international legal theorists and anyone interested in climate change and how to maximise our international legal and policy responses to it International Law for the Environment Edith Weiss, Cinnamon Carlarne, Daniel Magraw, Stephen McCaffrey, Steph Tai, 2023-07-21 International Law for the Environment is a comprehensive exposition of

contemporary international environmental law and the governance institutions that implement it Part I sets out the drivers of threats to the planet's air water and social support systems the philosophical economic and scientific foundations of the legal responses to these threats and the customary and treaty based legal regimes that have emerged Also addressed in Part I are the intersections between the environment and human rights and environmental disasters and emergencies These regimes are placed in the context of general international law Part II introduces the students to the major treaty based regimes such as those addressing transboundary air and water pollution the control of pollutants which deplete the ozone layer global climate change the protection of oceans polar regions and outer space the disposal of hazardous wastes outside the country of origin the protection and allocation of fresh waters and the restoration of degraded aquatic ecosystems and the conservation of biological diversity Also addressed are the linkages between agricultural production and the environment Part III examines the integration of environmental considerations with respect to other areas of international law and the influence of those areas on the development of international environmental law including a new chapter examining the relationship between armed conflict and the environment and health and the environment as well as chapters exploring international trade law and the financing of sustainable development Part IV provides an overview of the international legal system including the international institutions and governance issues concerned with international environmental protection as well as international dispute settlement Throughout the book explores the incorporation of international environmental law principles and treaty obligations into national judicial decisions and legislation In addition this new edition includes exercises for students in every chapter Foreign Investment and the Environment in International Law Jorge E. Viñuales, 2012-09-13 Conflicts between foreign investment law and environmental law are becoming increasingly frequent On the one hand the rise of environmental regulation poses significant challenges to foreign investors in several industries On the other the surge in investment arbitration proceedings is making States aware of the important litigation risks that may result from the adoption of environmental regulation This study of the relationship between these two areas of law adopts both a policy and a practical perspective It identifies the major challenges facing States foreign investors and their legal advisers as a result of the potential friction between investment law and environmental law and provides a detailed analysis of all the major legal issues on the basis of a comprehensive study of the jurisprudence from investment tribunals human rights courts and bodies the ICJ the WTO the ITLOS the CJEU and other adjudication mechanisms Global Environmental Change and Innovation in International Law Neil Craik, Cameron S. G. Jefferies, Sara L. Seck, Tim Stephens, 2018-06-28 The challenges to global order posed by rapid environmental change are increasingly recognized as defining features of our time In this groundbreaking work the concept of innovation is deployed to explore normative and institutional responses in international law to such environmental change by addressing two fundamental themes first whether law can foresee prevent and adapt to environmental transformations and second whether international legal

responses to social economic and technological innovation can appropriately reflect the evolving needs of contemporary societies at national and international scales Using a range of case studies the contributions to this collection track innovation descriptively normatively and as a process in and of itself to explain international environmental law s functionality in the Anthropocene This book should be read by anyone interested in the critical intersection of environmental and international law The International Law on Climate Change Benoit Mayer, 2018-06-28 A synthesis of the relevant agreements customary norms and ongoing discussions on the international law on climate change International Environmental Law Daniel Bodansky, Harro van Asselt, 2024 In countless ways we are affected by international environmental norms some social others legal some quite general others very specific For example the norms limiting the refrigerants used in air conditioners have been agreed upon in legal form internationally and are mandated and enforced by national governments The sustainable fishery and forestry standards used by Carrefour and Ikea were developed more informally by environmental groups and businesses and are applied to producers through supply chain contracts without any government involvement The reluctance to eat tuna fish or own elephant ivory reflects more general social norms disseminated through education and culture How and why do these norms arise In what ways do they affect behavior Do they change what states and individuals actually do and if so why How effective are they in solving international environmental problems In the second edition of The Art and Craft of International Environmental Law Daniel Bodansky and Harro van Asselt explore these and other questions Revisions cover the numerous developments spanning the 13 years since the first edition was published New chapters address the growing role of environmental NGOs and the increasingly complex architecture of environmental law involving multiple institutions levels of governance and actors Recent research has been incorporated on treaty design and policy implementation and effectiveness and greater attention has been given to the role of the judiciary in standard setting implementation and enforcement A sophisticated yet highly readable introduction to how international environmental law works and sometimes doesn t work this book is essential reading for a wide audience

International Law and Sustainable Development Alan E. Boyle, David Freestone, 2001 International Law and Sustainable Development Past Achievements and Future Challenges is a collection of essays that cover some of the most important contemporary issues in contemporary law relating to sustainable development the utilization of natural resources and the protection of the environment Written by well known experts on these topics who include judges of the International Court of Justice and the International Tribunal for the Law of the Sea legal advisers from international organizations such as the World Bank the International Maritime Organization and the Food and Agriculture Organization and practitioners of international law as well as some of the leading scholars writing on international environmental law and related subjects this book covers many of the major legal developments that have taken place since the United Nations Conference on Environmental Development held in Rio de Janeiro in 1992 The contributors bring new perspectives on sustainable

development as a legal principle the role of the International Law Commission in codifying international environmental law the protection of the marine environment following the entry into force of the 1982 UN Convention of the Law of the Sea and the revolution in international fisheries law The editors have ensured that the book covers a wide range of topics from Antarctica to small whales and the book will be of particular interest to those teaching or practising law of the sea and international environmental law Trade and the Environment Erich Vranes, 2009 The relevance of the WTO legal system for environmental protection is a central topic in general international law WTO law and international environmental law The relationship between WTO law and international and domestic efforts to protect the environment has moved to centre stage in WTO and international environmental law It has also spurred the discussion on fragmentation in international law in recent years This book analyzes these issues by examining the horizontal interaction between WTO law and other international law the vertical relationship between WTO law and domestic law and the contents and the interrelations between fundamental provisions of WTO law This study relies on established insights from legal theory in order to achieve greater clarity in legal argumentation. The main results of this analysis are applied to two topical instances of international regime interplay namely the relevance of WTO law for international and domestic measures protecting the earth's climate and the ozone layer A series of controversial topics in WTO and general international law are addressed in this book including the notion of conflicts of norms and the resolution of conflicts of norms the role of international law in WTO proceedings extraterritorial jurisdiction and unilateral trade measures proportionality and balancing of interests in international and WTO law the core disciplines of the GATT and the TBT Agreement process and production based measures PPMs in WTO law climate protection protection of the ozone layer and WTO disciplines **Documents Supplement to** International Law for the Environment Edith Brown Weiss, Daniel Magraw, Stephen McCaffrey, Stephanie Tai, A. Tarlock, 2015-12-31 Softbound New softbound print book Global Environmental Change and International Law Lynne M. Jurgielewicz, 1996-07-11 This is one of the few books dealing with regime theory to be written from a legal point of view Jurgielewicz s book is part of an effort to promote interdisciplinary research on the nature of the international legal order Her work explores the concept of international regimes within the international legal order utilizing the policy oriented approach to international law The study uses examples of global environmental change as models By examining the general international law applicable to climate change and ozone layer depletion the author attempts to explain the original need for regime formation in these areas Next Jurgielewicz looks at the role of regimes within international law focusing on their formation maintenance source of legal obligation and compliance mechanisms The book concludes that regimes are present within the international legal order and play a vital role in maintaining that order This book will appeal to students in law schools graduate schools or advanced undergraduate seminars covering international relations international legal theory international law and international organizations International Law and the Environment Patricia W. Birnie, Alan E.

Boyle,1992 This new edition of the respected textbook has been updated to take full account of all the developments in international environmental law since the Rio Conference in 1992 There is a new chapter on international trade law and the environment as well as new sections on sustainabledevelopment climate change biological diversity environmental impact assessment and the precautionary principle International Environmental Law and Policy David Hunter, James Salzman, Durwood Zaelke, 1998 Guide to International Environmental Law Alexandre Kiss, Dinah Shelton, 2007-09-30 Guide to International Environmental Law addresses why and how the international system elaborates environmental obligations and monitors compliance with them The book discusses the relationship between international obligations and national and local law with particular reference to federal systems It points out the influence national law has on the emergence of international law and the growing role international norms play in the development and enforcement of national and local environmental policies It also examines the extent to which environmental protection should be and is taken into account in other regulatory frameworks from trade law and human rights to disarmament and refugee policy

International Environmental Law Mohammad Naseem, Saman Naseem, 2018-05-02 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 International Law and the Conservation of Biological Diversity Michael Bowman, Catherine Redgwell, 1996-01-10 This work presents a thorough analysis of the biodiversity concept in international law and commentary on the 1992 United Nations Convention on Biological Diversity which was opened for signature following the 1992 UN Conference on Environment and Development This Convention is the first international treaty explicitly to address all aspects of biodiversity ranging from the conservation and sustainable use of biological resources to access to biotechnology and the safety of activities related to modified living organisms The work

extends beyond the ambit of the Convention itself to examine the conservation of biodiversity in international law generally including measures for the protection of the terrestrial marine and Antarctic environment and particular features relating to sustainable use of biological resources ex situ conservation and plant genetic resources It further analyses the controversial issue of intellectual property rights the problems of implementation in the European Union and the United States differences between developing and developed states and the role of indigenous peoples This major new work has been written by members of the Committee on Environmental Law of the British Branch of the International Law Association following an earlier study on the subject of International Law and Global Climate Change Graham Trotman 1991 It is the first major study of the Convention of the context in which it was negotiated and of the prospects for its implementation following the entry into force of the Convention on 29 December 1993 **Contemporary Issues in International Law** B.C. Nirmal, Rajnish Kumar Singh, 2018-02-13 This book explores the changing nature of international law and its ability to respond to the contemporary issues related to international environment trade and information technology The evolution of international law has reached a stage where we are witnessing diminishing power of the state and its capacity to deal with the economic matters challenging the existing notions of territory and sovereignty Recent trends in international law and international relations show that states no longer have exclusive control over the decision making process at the global level Keeping this in mind the book brings together the perspectives of various international and national scholars. The book considers diverse issues such as sustainable development climate change global warming Rio 20 technology transfer agro biodiversity and genetic resource authority for protection of environment human right to water globalization human rights sui generis options in IP laws impact of liberalization on higher education regulation of international trade intellectual property rights collective administration of copyright broadcast reproduction rights implementation of copyright law communication rights under copyright law arbitration for IP disputes doctrine of exhaustion of rights trans border reputation of trademark information as an asset cyber obscenity and pornography e governance taxation of e commerce computer crime information technology domain names research excellence in legal education ideological perspective on legal education challenges for law teachers and clinical legal education The topics though diverse are closely interrelated with the common concern throughout being that the global environment international trade information technology and legal education need appropriate national normative and institutional responses as well as the global cooperation of members of the international community Presenting reflections of a number of Asian African and European scholars on these varied facets the book is of great value to scholars practitioners teachers and students associated with contemporary international law **Introduction to** International Environmental Law Timo Koivurova, 2013-12-04 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 The International Law of Environmental Impact Assessment Neil Craik, 2008-02-21 The central idea animating environmental impact assessment EIA is that decisions affecting the environment should be made through a comprehensive evaluation of predicted impacts Notwithstanding their evaluative mandate EIA processes do not impose specific environmental standards but rely on the creation of open participatory and information rich decision making settings to bring about environmentally benign outcomes In light of this tension between process and substance Neil Craik assesses whether EIA as a method of implementing international environmental law is a sound policy strategy and how international EIA commitments structure transnational interactions in order to influence decisions affecting the international environment Through a comprehensive description of international EIA commitments and their implementation with domestic and transnational governance structures and drawing on specific examples of transnational EIA processes the author examines how international EIA commitments can facilitate interest coordination and provide opportunities for persuasion and for the internalisation of international environmental norms

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