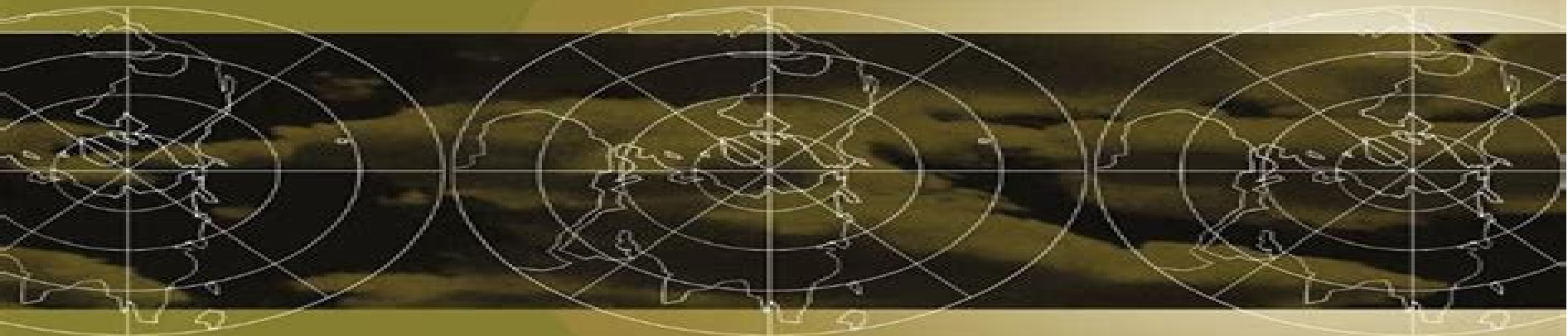


CAMBRIDGE STUDIES IN INTERNATIONAL AND COMPARATIVE LAW

# **Sovereignty Over Natural Resources**

**Balancing Rights and Duties**



NICO SCHRIJVER

# Sovereignty Over Natural Resources Balancing Rights And Duties

**Thomas Schultz, Federico Ortino, Jason  
Mitchenson**



## **Sovereignty Over Natural Resources Balancing Rights And Duties:**

**Sovereignty Over Natural Resources** Nico Schrijver, 1997-07-24 In modern international law permanent sovereignty over natural resources has come to entail duties as well as rights This study analyses the evolution of permanent sovereignty from a political claim to a principle of international law and examines its significance for a number of controversial issues such as people's rights nationalization and environmental conservation Although political discussion has long focused on the rights arising from permanent sovereignty Dr Schrijver argues that this has been at the expense of the consideration of the corollary obligations it also entails His book thus identifies directions sovereignty over natural resources has taken in an increasingly interdependent world and demonstrates its relevance to debate on foreign investment regulation the environment and sustainable development *Natural Resources and Human Rights* Jérémie Gilbert, 2018 Examining the role human rights can play in the regulation of natural resource management this book shines light on the duties of states and private actors when exploiting natural resources and the procedural rights of affected citizens

**Law and Practice of Investment Treaties** Andrew Paul Newcombe, Lluís Paradell, 2009-01-01 The book focuses on the substantive protections accorded to investors and investments and on the variations among jurisdictions Among the many specific issues and topics that arise in the course of the discussion are the following problems of transparency and conflict of interest the recent growth in IIAs between and among developing nations the effect of new model bilateral investment treaties BITs the ability of non disputing parties to participate in investor state arbitration theories of the interaction of foreign direct investment FDI and BITs investor state arbitration as an evasion of public regulatory authority the role of investment funds in international investment fork in the road provisions and institutional versus ad hoc arbitration International business and other investors will greatly appreciate the in depth information and insightful guidance in this solidly useful book It will also be welcomed by jurists and students as a significant milestone in the development of principles in a quickly growing field of practice that is still plagued with inconsistencies *Natural Resources Grabbing: An International Law Perspective* Francesca Romanin Jacur, Angelica Bonfanti, Francesco Seatzu, 2015-10-14 The growing demand for natural resources has triggered a race to their exploitation and possession especially in developing countries Most desired are water land forests raw materials oil gas mineral and precious stones fisheries and genetic resources Emerging economies Western states multinational corporations and international financial institutions have become the biggest buyers in a race that on one hand strengthens economies and creates investment opportunities and on the other threatens local communities and environmental protection *Natural Resources Grabbing An International Law Perspective* aims at filling a gap in the legal literature by addressing the adverse effects that large scale investments in natural resources may pose to fundamental human rights and the protection of the environment

*Sovereignty in the Exercise of the Right to Self-Determination* Jane A. Hofbauer, 2016-09-12 Sovereignty in the Exercise of the Right to Self Determination detangles the relationship between a number of principles of international

law and the exercise of sovereign power Jane Hofbauer's assessment is conducted through an analysis of the different tiers of self-determination ranging from the right to exercise external self-determination the right to exercise forms of autonomy as a form of de facto independence and the right to a type of spatial independence exemplified through the principles of permanent sovereignty over natural resources PSNR and free prior and informed consent FPIC The book not only highlights the intentional uncertainties within each of these principles but identifies the non-discretionary limits to their normative evolution It thereby explores to what extent indigenous peoples can be designated as sovereign entities

*Narratives of Hunger in International Law* Anne Saab, 2019-04-04 This book explores the role that the language of international law plays in constructing understandings or narratives of hunger in the context of climate change The story is told through a specific case study of genetically engineered seeds purportedly made to be climate ready Two narratives of hunger run through the storyline the prevailing neoliberal narrative that focuses on increasing food production and relying on technological innovations and private sector engagement and the oppositional and aspirational food sovereignty narrative that focuses on improving access to and distribution of food and rejects technological innovations and private sector engagement as the best solutions This book argues that the way in which voices in the neoliberal narrative use international law reinforces fundamental assumptions about hunger and climate change and the way in which voices in the food sovereignty narrative use international law fails to question and challenge these assumptions

Resource Nationalism in International Investment Law Sangwani Patrick Ng'ambi, 2015-11-06 Foreign direct investment in the natural resource industries is fostered through the signing of concession agreements between the host State and the investor However such concessions are susceptible to alteration by the host State meaning that many investors now require the insertion of stabilization clauses These are provisions that require the host State to agree that they will not take any administrative or legislative action that would adversely affect the rights of the investor Arguing that it is necessary to have some form of flexibility in concession agreements while still offering protection of the legitimate expectations of the investor Resource Nationalism in International Investment Law proposes the insertion of renegotiation clauses in order to foster flexible relationships between the investor and the host State Such clauses bind the parties to renegotiate the terms of the contract in good faith when prevailing circumstances change However these clauses can also prove problematic for both State and investor due to their rigidity Using Zambia as a case study it highlights the limitations of the efficient breach theory to emphasise the need for contractual flexibility

*Global Forest Governance* R. Maguire, 2013-03-01 This work provides an important broad and legal critique and assessment of transnational trends structures and innovations currently in use for managing forests

**The Oxford Handbook of International Arbitration** Thomas Schultz, Federico Ortino, Jason Mitchenson, 2020 The Oxford Handbook of International Arbitration A team of leading experts from across academia and practice provide an authoritative account of international arbitration Discussion ranges from the practicalities of how arbitration technically works to big picture analysis

of the forces that underpin it Incorporates insights from a range of disciplines beyond law including history sociology literature and economics Book jacket      **Property and the Law in Energy and Natural Resources** Aileen McHarg, 2010

The law of energy and natural resources has always had a strong focus on property as one of its components but there are relatively few comparative book length treatments of both property law and energy and natural resources law The aim of this edited collection is to explore the multiple dimensions of the contemporary relationship between property and energy and natural resources law Its genesis was the growing resurgence of global interest in questions of property in energy and resources and how it manifests itself across legal regimes around the world With an international and comparative character the collection seeks to capture differences in the meaning of property and the different views about the role it should play in a diverse range of contexts civil law and common law the law of indigenous communities public law and private law and national and international law Key issues discussed include private rights and common property situations privatization and regulation competition for land use and resources the role of property rights in environmental protection and the balance between national sovereignty and the security of foreign investment The collection thus has relevance for a wide readership interested in the legal dimensions of property as an increasingly important aspect of the law for energy and resources across diverse countries and at the international level The contributors are established experts in the energy and natural resources law field and the collection builds upon a body of previous collaborative work in this area

## Whispering the Strategies of Language: An Mental Quest through **Sovereignty Over Natural Resources Balancing Rights And Duties**

In a digitally-driven earth where displays reign supreme and instant interaction drowns out the subtleties of language, the profound techniques and psychological nuances concealed within words usually move unheard. Yet, nestled within the pages of **Sovereignty Over Natural Resources Balancing Rights And Duties** a charming fictional treasure pulsing with natural thoughts, lies an exceptional quest waiting to be undertaken. Written by a talented wordsmith, this marvelous opus encourages visitors on an introspective journey, gently unraveling the veiled truths and profound influence resonating within the fabric of each and every word. Within the psychological depths with this moving review, we can embark upon a honest exploration of the book is key styles, dissect their captivating writing model, and succumb to the strong resonance it evokes serious within the recesses of readers hearts.

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