



*International Environmental
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THE ANTARCTIC ENVIRONMENTAL PROTOCOL AND ITS DOMESTIC LEGAL IMPLEMENTATION

**BY
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The Antarctic Environmental Protocol And Its Domestic Legal Implementation International Environmental Law And Policy

Anne-Marie Brady



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The Antarctic Environmental Protocol and Its Domestic Legal Implementation C. J. Bastmeijer, Kees

Bastmeijer, 2003-01-01 A major step towards the comprehensive protection of the Antarctic environment is the adoption of the Protocol on Environmental Protection to the Antarctic Treaty in 1991. The Protocol entered into force in January 1998 and provides a comprehensive system of obligations and prohibitions addressing most types of activities in the region south of 60 degrees south latitude. However, because of the absence of undisputed sovereignty in Antarctica, the legal protection of the Antarctic environment depends on the collective efforts of the Contracting Parties to the Protocol. Have the Contracting Parties adequately incorporated the key provisions of the Protocol into their domestic legal systems? Will the complex of domestic legal systems of the Contracting Parties adequately ensure a comprehensive protection of the natural reserve of Antarctica as specified by Article 2 of the Protocol? These questions are the subject of this book. *Antarctisch milieuprotocol en de nationale juridische implementatie* Kees Bastmeijer, 2002

International Marine Environmental Law and Policy

Daud Hassan, Saiful Karim, 2018-10-03 Several disturbing issues pose a threat to the marine environment and its wellbeing among them marine environmental pollution and degradation of marine biodiversity. Most troubling is that these issues are overwhelmingly caused by human activities which are sometimes transboundary and their consequences will become more severe and complicated if not properly curbed. Thus these activities require comprehensive policies, laws and principles to manage them effectively. Linked to these solutions is the need for responsibilities, cooperation and commitments at local, national, regional and international levels. *Contemporary Marine Environmental Law and Policy* presents a thorough appraisal of the main issues, actors and institutions engaged in the legal aspects of marine environmental conservation. With contributions from an international range of authors, the book provides a concise account of the legal and policy framework underlying international marine environmental issues and of the fundamental concepts and strategies that are important to the protection of the marine environment. Some of the topics explored include the prevention of marine pollution caused by land-based activities, ships and offshore hydrocarbon and mineral resources exploration, the conservation and management of marine living resources, the marine environment in the polar regions and the settlement of marine environmental disputes. This book provides a solid foundation for anyone studying International Environmental Law and the Law of the Sea. It will also appeal to anyone seeking to gain a deeper understanding of this hugely important subject. **The Emerging Politics**

of Antarctica Anne-Marie Brady, 2013 This book examines the post Cold War challenges facing Antarctic governance. It seeks to understand the interests of new players in Antarctic affairs such as China, India, Korea and Malaysia and how other key players such as Russia and the USA or claimant states such as New Zealand or France are coping in the new global order. Antarctica is the world's fifth largest continent and its territories are claimed by seven different states. Since 1961, Antarctica

has been managed under the Antarctic Treaty System ATS a regime which according to its critics by the terms of its membership effectively excludes most of the nations of the world This book examines the post Cold War challenges facing Antarctic governance and is organized thematically into three sections Part 1 considers the role of Antarctic politics in the current post Cold War post colonial era and the impact this new political environment is having on the ATS Part 2 looks at the competing foreign policy objectives of a representative range of countries with Antarctic activities Part 3 examines issues that have the potential to destabilise the order of the Antarctic Treaty System such as unrestricted tourism and new advances in science and technology The Emerging Politics of Antarctica will be of interest to students and scholars of international politics polar studies and foreign policy studies *Encyclopedia of the Antarctic* Beau Riffenburgh, 2007 Publisher description

Functional Jurisdiction in the Law of the Sea Maria Gabunelê, 2007 Drawing on the essential premises of the Law of the Sea Convention as constotation of the oceans this book looks into the ways it can be evolved to accommodate new challenges to its regulatory scheme Implementing the Environmental Protection Regime for the Antarctic D. Vidas, 2012-12-06 When the Protocol on Environmental Protection to the Antarctic Treaty entered into force on 14 January 1998 a new phase commenced for the Antarctic Treaty System The parties to the Protocol are today confronting issues related to the implementation of a complex international environmental protection regime both in international and domestic contexts Several crucial implementation questions need to be solved in order to enhance and make possible the implementation of the Protocol What would be the consequences for the parties of a possible failure in resolving the pending implementation issues on what premises can the solutions be based and what then are the options available This book provides a systematic overview of the implementation issues in sections on jurisdiction control and enforcement in the Antarctic Part I institutional support to the implementation of the Protocol Part II normative support to the implementation of the Protocol an Antarctic liability regime Part III relationship with other international instruments and arrangements Part IV and through a series of selected case studies issues involved in domestic implementation of the Protocol Part V This is a book that will appeal to Antarctic specialists and to all those interested in environmental law and policy **The Routledge Handbook of Polar Law** Yoshifumi Tanaka, Rachael Johnstone, Vibe Ulfbeck, 2023-07-25 Polar law describes the normative frameworks that govern the relationships between humans States Peoples institutions land and resources in the Arctic and the Antarctic These two regions are superficially similar in terms of natural environmental conditions but the overarching frameworks that apply are fundamentally different The Routledge Handbook of Polar Law explores the legal orders in the Arctic and Antarctic in a comparative perspective identifying similarities as well as differences It points to a distinct discipline of Polar law as the body of rules governing actors spaces and institutions at the Poles Four main features define the collection the Arctic Antarctic interface the interaction between global regional and domestic legal regimes the rights of Indigenous Peoples and the increasing importance of private law While these broad themes have been addressed to varying extents elsewhere the

editors believe that this Handbook brings them together to create a comprehensive if never exhaustive account of what constitutes Polar law today Leading scholars in public international and private law as well as experts in related fields come together to offer unique insights into polar law as a burgeoning discipline

Theory and Practice of Transboundary Environmental Impact Assessment Kees Bastmeijer,Timo Koivurova,2008 Environmental Impact Assessment EIA is a well established instrument of Environmental Law and policy that aims to ensure that potential adverse environmental effects of human activities are assessed before decisions on such activities are made The instrument is increasingly being applied in respect of activities that may cause environmental effects across the borders of a state In this book thirteen systems of Transboundary Environmental Impact Assessment TEIA are assessed that exist or are in development in different parts of the world Although TEIA is generally associated with EIA between territorial states this book takes a broader approach and is divided into three sub parts Transboundary EIA between states EIA for activities in international and shared areas and EIA required by international financial institutions Knowledgeable experts scholars and practitioners provide an overview of the history content and practice of the individual systems and based on these discussions the state of the art concerning TEIA and possible future developments are discussed

The Polar Regions and the Development of International Law Donald Rothwell,1996-11-13 A review of international law in the polar regions and its importance to the environment and to international relations

Antarctic Security in the Twenty-First Century Alan D. Hemmings,Donald R. Rothwell,Karen N. Scott,2012-11-27 The Antarctic Treaty 1959 was adopted for the purpose of bringing peace and stability to Antarctica and to facilitate cooperation in scientific research conducted on and around the continent It has now been over fifty years since the signing of the treaty nevertheless security continues to drive and shape the laws and policy regime which governs the region Antarctic Security in the Twenty First Century Legal and Policy Perspectives assess Antarctic security from multiple legal and policy perspectives This book reviews the existing security construct in Antarctica critically assesses its status in the early part of the Twenty First century and considers how Antarctic security may be viewed in both the immediate and distant future The book assesses emerging new security threats including the impact of climate change and the issues arising from increased human traffic to Antarctica by scientists tourists and mariners The authors call into question whether the existing Antarctic security construct framed around the Antarctic Treaty remains viable or whether new Antarctic paradigms are necessary for the future governance of the region The contributions to this volume engage with a security discourse which has expanded beyond the traditional military domain to include notions of security from the perspective of economics the environment and bio security This book provides a contemporary and innovative approach to Antarctic issues which will be of interest to scholars of international law international relations security studies and political science as well as policy makers lawyers and government officials with an interest in the region

International Marine Environmental Law Andree Kirchner (jurist.),2003 This volume deals with institutions implementation and innovations in the field of international marine

environmental law It discusses some controversial legal aspects of the marine environment in the context of UNCLOS as a framework for national regional and global action in the marine sector The purpose of this work is to faithfully report scientific expertise legal insight and policy wisdom presented by the speakers and participants at the Conference The book identifies major aspects of the current situation and possible future developments in a critical way Among the key issues covered are implementation and enforcement of environmental conventions the avoidance prevention and settlement of disputes and liability and compensation for environmental damage Also included are several articles which discuss the role of the main institutions in this field within the UN system This volume is based on contributions made at the International Conference on Marine Environmental Law IC MEL held by the GAUSS Institute in Bremen Germany There is a companion website specially created to work alongside the texts A selected bibliography documents conventions and links connected to the contents of the book are included to provide an updated and comprehensive resource for the reader www.andreekirchner.de/imel *Proceedings RMRS.* ,1998 **New Issues in Polar Tourism** Dieter K. Müller,Linda Lundmark,Raynald H. Lemelin,2012-12-18 New Issues in Polar Tourism traces and analyzes a decade of growing interest in the polar regions and the consequent challenges and opportunities of increasing tourist traffic in formerly remote and seldom visited places The book arises from the recently formed International Polar Tourism Research Network IPTRN and documents the outcomes of its 2010 conference held at Sweden s Abisko Scientific Research Station **New Directions in the Law of the Sea** Roy S. K. Lee,Moritaka Hayaashi,1995 **Principles of International Environmental Law** Philippe Sands,Jacqueline Peel,Adriana Fabra,Ruth MacKenzie,2012-05-03 Philippe Sands text on international environmental law provides a clear authoritative introduction to the subject This edition has been updated to include relevant new topics including the Kyoto Protocol genetically modified organisms and oil pollution *Tilburg Foreign Law Review* ,2003 **Multilevel Governance of Global Environmental Change** Gerd Winter,2006-03-30 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 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 Who Saved Antarctica? Andrew Jackson,2021-10-04 This book provides a diplomatic history of a turning point in Antarctic governance the 1991 adoption of comprehensive environmental protection obligations for an entire continent which prohibited mining Solving the mining issue became a symbol of finding diplomatic consensus The book combines

historiographic concepts of contingency conjuncture and accidental events with theories of structural entrepreneurial and intellectual leadership Drawing on archival documents it shows that Antarctic governance is more adaptive than some imagine and policy success depends on the interplay of normative practices serendipitous events public engagement and influential players able to exploit those circumstances Ultimately the events revealed in this book show that the protection of the Antarctic Treaty itself remains as important as protecting the Antarctic environment Environmental Law and Policy in India Shyam Divan, Armin Rosencranz, 2022-08-04 Environmental law and policy in India affects all sections of society Those most deeply affected by it are the poor They are the first victims of poor sanitation polluted air and contaminated water Since the 1970s efforts to protect environmental quality have met with limited success posing enduring challenges for policy designers and decision makers entrusted with protecting and preserving natural resources This edition of Environmental Law and Policy retains the familiar analytical structure of the second edition and includes all major developments since then It focuses on Indian environmental law policies problems and needs with the comprehensiveness of an American law case book compiles all the leading cases in environmental law in India with concise extracts of landmark judgments and policy documents and provides discussions on projects which could potentially degrade the environment This volume also covers air and water pollution forests wildlife noise pollution common property resources and tribal communities environmental impact assessment coastal regulations large projects urban problems the National Green Tribunal hazardous substances transnational environmental policies and international environment law It is interlaced with notes comments and questions intended to encourage critical thinking amongst lawyers and law students

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