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International Law and Pollution

Edited by

Daniel Harstone Magraw

The International Law Of Pollution

Allen L. Springer



The International Law Of Pollution:

International Law and Pollution Daniel Barstow Magraw, 2016-11-11 The topic of the essays in this book the threat posed to our environment by various sources and types of pollution is a matter of serious and growing concern The contributors are leading international experts from a variety of legal systems and backgrounds and include Andronico Adede Ian Brownlie Pierre Marie Dupuy Johan Lammers and Paul Szasz *International Law and Pollution* provides an overview of international legal principles and institutional efforts relevant to pollution and then focuses on two particularly acute problems nuclear pollution and acid rain A variety of substantive issues must be confronted in order to deal with the full range of international pollution and various institutional approaches must be utilized in the prevention cleanup and compensation efforts For example pollution from nuclear accidents results from a single event whereas acid rain is a product of chronic emissions the legal and policy concerns differ accordingly In the overview Daniel Barstow Magraw discusses fundamental concepts of international pollution analytic distinctions among types of pollution paradigmatic responses to pollution and the relationship among environmental protection economic development and human rights Other authors examine the existing and evolving principles of customary international law relevant to pollution the U N International Law Commission s work on international liability and international watercourses and a practitioner s perspective The chapters on nuclear pollution analyze the conventional regimes and customary principles applicable to this field including the Chernobyl disaster and the determination and measurement of damages Finally the chapters on acid precipitation summarize the scientific background of the problem and present the multilayered European efforts to control acid rain as well as the Canada United States acid rain controversy *International Law and Pollution* will be of interest to scholars and students of environmental law and international law

Transboundary Pollution S. Jayakumar, Tommy Koh, Robert Beckman, Hao Duy Phan, 2015-05-29 This important new book provides a comprehensive overview of the international legal principles governing transboundary pollution In doing so the experts writing in this book examine the practical applications of the State responsibility doctrine in

The International Law of the Sea Yoshifumi Tanaka, 2012-04-05 This textbook on the law of the sea sets the subject in the context of public international law It comprehensively covers the principal topics of the course from the legal regimes governing the different jurisdictional zones to international co operation for protection of the marine environment and marine living resources

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 biotechnology

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

The International Law of Pollution Allen L. Springer, 1983-11-03

The International Law of Energy Jorge E. Viñuales, 2022-09-15 The world's energy structure underpins the global environmental crisis and changing it will require regulatory change at a massive level Energy is highly regulated in international law but the field has never been comprehensively mapped The legal sources on which the governance of energy is based are plentiful but they are scattered across a vast legal expanse This book is the first single authored study of the international law of energy as a whole Written by a world leading expert it provides a comprehensive account of the international law of energy and analyses the implications of the ongoing energy transformation for international law The study combines conceptual and doctrinal analysis of all the main rules processes and institutions to consider the past present and likely future of global energy governance Providing a solid foundation for teaching research and practice this book addresses both the theory and real world policy dimension of the international law of energy

Liability for Transboundary Pollution at the Intersection of Public and Private International Law Guillaume Laganière, 2022-02-24 This book focuses on how public and private international law address civil liability for transboundary pollution In public international law civil liability treaties promote the implementation of minimum procedural standards in domestic tort law This approach implicitly relies on private international law to facilitate civil litigation against transboundary polluters Yet this connection remains poorly understood Filling the gap this book engages in a meaningful dialogue between the two areas and explores how domestic private international law can reflect the policies developed in international environmental law It begins with an investigation of civil liability in international environmental law It then identifies preferable rules of civil jurisdiction foreign judgments and choice of law for environmental damage using Canadian private international law as a case study and making extensive references to European law Liability for transboundary pollution is a contentious issue of the law both in scholarship and practice

international lawyers both private and public as well as environmental lawyers will welcome this important work

Yearbook of Private International Law Petar Sarcevic, Paul Volken, 1999 Doctype html public w3c dtd html 4 0 transitional en meta http equiv content type content text html charset iso 8859 1 meta content mshtml 6 00 6000 17095 name generator With articles by Maarit J nter Jareborg Petar Sarcevic Hans Ulrich Jessurun d Oliveira Paul Volken national reports from Venezuela Switzerland China Hungaria and Germany and news from The Hague as well as texts materials and recent developments

International Law and the Resolution of Central and East European P. Williams, 2000-07-18 This book takes an interdisciplinary approach to the question of what role international law plays in promoting a resolution of Central and East European transboundary environmental disputes The author examines a wide variety of environmental disputes in Central and Eastern Europe with particular emphasis on the Gabc kovo Nagymaros Project dispute between Slovakia and Hungary and melds international legal theory and international relations theory to develop an analytic framework for understanding the role of law and assessing its future application

The International Law of the Shipmaster John A. C. Cartner, Richard Fiske, Tara Leiter, 2013-03-01 A comprehensive review of the laws and regulations governing the shipmaster including customary law case law statutory law treaty law and regulatory law covering A brief history of the shipmaster Manning and crewing requirements in relation to vessel registration Comparison of regimes of law of agency for shipmasters and crews across jurisdictions Examination of shipmaster liability civil and criminal

International Law Malcolm N. Shaw, 2017-09-14 International Law is the definitive and authoritative text on the subject offering Shaw s unbeatable combination of clarity of expression and academic rigour and ensuring both understanding and critical analysis in an engaging and authoritative style Encompassing the leading principles practice and cases and retaining and developing the detailed references which encourage and assist the reader in further study this new edition motivates and challenges students and professionals while remaining accessible and engaging Fully updated to reflect recent case law and treaty developments this edition contains an expanded treatment of the relationship between international and domestic law the principles of international humanitarian law and international criminal law alongside additional material on international economic law

The Oxford Handbook of the International Law of Global Security Robin Geiß, Nils Melzer, James Gerard Devaney, 2021 A unique overview of the relationship between international law and global security Major areas of coverage include armed conflict human rights the environment and technology Book jacket

The Right of Hot Pursuit in International Law Nicholas M Poulantzas, 2002-10-23 In three Parts the author examines the right of hot pursuit on land in the international law of the sea and in international air law He critically analyzes the development of the right its present status and position in the future Hence solutions are proposed to present problems of international law in connection with the right of hot pursuit as well as to problems which may arise in the future Thus the doctrine of hot pursuit is placed within the framework of modern international law and examined in the light of recent developments These extensively discussed

developments include not only consideration of the right of hot pursuit in connection with guerilla warfare techniques and conflicts not amounting to war but also all recent evolutions in the international law of the sea including inter alia problems appertaining to fisheries exploration and exploitation of the continental shelf pirate radiostations and pollution of the sea In addition the right of hot pursuit in international air law is examined in connection with all modern situations for instance recent interception techniques of intruding aircraft contiguous air space limits hijacking of aircraft and air piracy This work is an extended and updated edition of the book first published in 1969 *The International Law of the Sea* Donald R Rothwell, Tim Stephens, 2023-08-10 Praise for the previous edition A complete overview of the subject which does not intimidate the reader but rather spurns interest and understanding in the subject European Energy and Environmental Law Review the book is scholarly yet accessible and very readable thoroughly recommended Law Institute Journal Description The law of the sea provides for the regulation management and governance of the ocean spaces that cover over two thirds of the Earth s surface This book provides a comprehensive assessment of the foundational principles of the law of the sea a critical overview of the 1982 United Nations Convention on the Law of the Sea and an analysis of subsequent developments including many bilateral regional and global agreements that supplement the Convention The third edition of this acclaimed text has been thoroughly revised and updated and now incorporates a dedicated chapter on natural and artificial islands All of the main areas of the law of the sea are addressed including the foundations and sources of the law the nature and extent of the maritime zones the delimitation of overlapping maritime boundaries the place of archipelagic and other special states in the law of the sea navigational rights and freedoms military activities at sea marine scientific research and marine resource and conservation issues such as fisheries marine environmental protection and dispute settlement The book also takes stock of contemporary oceans governance issues not adequately addressed by the Convention Overarching challenges facing the law of the sea are considered including how new maritime security initiatives can be reconciled with traditional navigational rights and freedoms the need for stronger legal and policy responses to protect the global ocean environment from climate change and ocean acidification and work on a new agreement for the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction *The International Law on Ballast Water* Maria Helena Fonseca de Souza Rolim, 2008-06-19 The introduction of invasive marine species into new environments whether by ships ballast water attached to ships hulls or via other means has been identified as one of the four main threats to the world s oceans along with land based sources of marine pollution over exploitation of living marine resources and the physical alteration or destruction of marine habitat Increased trade and the consequent greater volumes of maritime traffic over the last few decades have served to fuel the problem The effects in many areas of the world have been serious and significant Quantitative data show that the rate of bio invasions is continuing to increase in some cases exponentially and new areas are being found to be invaded all the time As volumes of seaborne trade continue overall to increase the problem may not yet

have reached its peak In response IMO first adopted Guidelines for Preventing the Introduction of Unwanted Organisms and Pathogens from Ships Ballast Water and Sediment Discharges in 1991 while the United Nations Conference on Environment and Development UNCED held in Rio de Janeiro in 1992 recognized the issue as a major international concern The IMO Guidelines have since been kept constantly under review and updated Subsequently in February 2004 the International Convention for the Control and Management of Ships Ballast Water and Sediments was adopted In providing a broad overview of the legal aspects related to marine pollution caused by ballast water and tank sediments this book offers a pragmatic analysis of the current international legal system and includes principles of international customary law and also references to a comprehensive environmental treaty law framework which relates the Ballast Water Convention to other treaties such as the United Nations Convention on the Law of the Sea UNCLOS MARPOL and the Convention on Biological Diversity With such a wide ranging approach this book will certainly provide a source of valuable information for all those with a requirement to pursue the subject in depth From the Foreword by Efthimios E Mitropoulos The Legal Regime of Offshore Oil Rigs in International Law Hossein Esmaeili,2017-03-02 This book reviews and examines the relevant portions of all international treaties cases and the national law and practice of states in relation to international aspects of offshore oil rigs By doing so it offers an understanding of the legal regime surrounding oil rigs and formulates an international law framework It investigates the issues under consideration by analyzing provisions of international law pertaining to all aspects of oil rigs as well as international treaties and their travaux preparatoires It also examines the national legislation of major offshore oil and gas producers and defines a framework of customary international entities such as the OSPAR and the petroleum industries of certain major offshore oil producers Based upon the book s findings it is clear that in spite of their increasing importance offshore oil installations are subject to fragmentary and vague legal rules under international law

Transboundary Damage in International Law Hanqin Xue,2003-03-13 The Chernobyl disaster the Amoco Cadiz oil spill and the Colorado River dispute are examples of an activity conducted by one state which has serious adverse effects in the territory of another or in global common areas This book details the international rules and compensation procedures and is intended for use by governmental officials international lawyers and jurists It discusses existing laws on international liability and considers the underlying legal issues that require further development It is one of the few books on the subject written from the perspective of a developing country with rapid economic and social development **International Law** Boleslaw Adam Boczek,2005 The system of public international law has reached a major turning point in its history and is confronting serious challenges generated by a variety of developments unfolding in the structure of the international society This Dictionary acquaints legal and other professionals students and interested general readers with the basic tenets of public international law combining the features of both a brief encyclopedic dictionary and a textbook in clear understandable language A list of acronyms and abbreviations a glossary of Latin phrases a chronology that offers a historical perspective by

listing major developments relating to international law throughout the centuries a table of cases with references to entries and a list of the 373 entries precede the main text The survey of international law is organized into nine chapters Chapter I contains the usual introductory topics found in international law textbooks the nature of this law its sources the relationship between international and national municipal law and some other general problems Chapters II VIII deal with matters coming within the scope of the law of peace organized according to the framework consisting of states individuals spatial context and interaction Chapter IX whose subject unfortunately becomes ever more relevant describes the rules governing the conduct of warfare that is international humanitarian law Numerous cross references in bold lead the reader to appropriate entries and the abundant references to primary sources mostly treaties and court cases enable the reader to locate the materials needed for research The selective bibliography includes books research aids textbooks and casebooks as well as recent books on special international law topics This Dictionary is a useful addition to both public and academic libraries including in particular libraries of law schools The format of the book allows it to be used as a reference guide for legal professionals scholars inter

International Law Jan Wouters, Cedric Ryngaert, Tom Ruys, Geert De Baere, 2018-12-13

This textbook offers for the first time a comprehensive analysis of the classic doctrines and main areas of international law from a European perspective meeting the needs of the many European law schools teaching public international law in English Special attention is devoted to the practice of the European Union the Council of Europe and European States both civil law and common law countries with regard to international law In particular the book analyses the interplay between international law EU law and national law in the case law of the Court of Justice of the EU the European Court of Human Rights and national jurisdictions in Europe It provides the reader with insights into how the international legal practice of the EU and its Member States impacts the development of international law both in terms of doctrines such as treaty making and customary law the exercise of extraterritorial jurisdiction state responsibility and the settlement of disputes as well as particular sub fields of international law such as human rights law and international economic law In addition the book covers other important areas such as the use of force and collective security the law of armed conflict and global and regional international organisations It provides European perspectives on all these issues and will be of great value to students scholars and practitioners

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