

CHAPTER II
LAW AND POLITICS OF THE INTERNATIONAL ENVIRONMENT

Introduction and Summary

I. GENERALLY

A. International Instruments and Documents

1. **United Nations Resolutions and Documents**

Report of the United Nations Conference on the Human Environment, U.N. Doc. A/CONF.48/14/Rev.1 (Stockholm, 5-16 June 1972), reprinted in, 11 International Legal Materials 1416 (1972). endorsed by the General Assembly in, United Nations Conference on the Human Environment, G.A. Res. 2994 (XXVII), reprinted in, XIV United Nations Resolutions 278, D.J. Djonovich, ed. (1972-74).

United Nations General Assembly, Measures for Protecting and Enhancing the Environment, G.A. Res. 3000 (XXVII), reprinted in, XVI United Nations Resolutions 282 (1972-74).

United Nations General Assembly, International Responsibility of States in Regard to the Environment, G.A. Res. 2996 (XXVII), reprinted in, XIV United Nations Resolutions 278 (1972-74).

UNEP, Report of the Governing Council (Session of a Special Character and Tenth Session), Paragraph 9, U.N. Doc. A/37/25 (1982), endorsed by the General Assembly in, Session of a Special Character of the Governing Council of the United Nations Environment Programme, G.A. Res. 37/219, reprinted in, XXI United Nations Resolutions 368, D.J. Djonovich, ed. (1982-83).

UNEP, Nairobi Declaration, U.N. Doc. UNEP/GC.10/INF.5 (19 May 1982).

United Nations General Assembly, World Charter for Nature, G.A. Res 37/7, 37 United Nations General Assembly Official Records Supp. (No. 51) at 17, U.N. Doc. A/37/51 (1982), reprinted at, XXI United Nations Resolutions 239, D.J. Djonovich, ed. (Series I, 1982-83), reprinted in, 22 International Legal Materials 455 (1983).

United Nations General Assembly, Environmental Perspectives to the Year 2000 and Beyond, Paragraph 3(f), G.A. Res. 42/186 (11 December

United Nations General Assembly, United Nations Conference on Environment and Development, G.A. Res. 44/228 (22 December 1989). 1987).

World Commission on Environment and Development, Legal Principles for Environmental Protection, 25 International Legal Materials

494 (1986).

World Commission on Environment and Development, Development and International Economic Cooperation: Environment - Report of the World Commission on Environment and Development, U.N. Doc. A/42/427 (4 August 1987).

UN, World Charter for Nature, 10 Environmental Policy and Law 37 (1983).

UN, Senior Level Meeting on Environmental Law[, Together With the Montevideo Declaration], 8 Environmental Policy and Law 2 (1982).

Meeting of Senior Government Officials Expert in Environmental Law for the Review of the Montevideo Programme, U.N. Doc. UNEP/Env.Law/L.1 (2 November 1991).

UNCED Secretariat, Annotated Check-List of Principles on General [International Environmental] Rights and Duties, U.N. Doc. A/CONF.151/PC/78 (26 July 1991).

UNESCO, International Coordinating Council of the Programme on Man and the Biosphere: Final Report, 9-19 November 1971 (Paris: UNESCO, 25 Feb. 1972, UNESCO Doc. SC/MD/26).

3. Other Documents

----- INTERNATIONAL ENVIRONMENTAL SOFT LAW: COLLECTION OF RELEVANT INSTRUMENTS, W.E. BURHENNE, ED. & MARLENE JAHNKE, COMP. (Dordrecht/Boston/London: Martinus Nijhoff, 1993).

Statement of General Principles of International Environmental Law, Adopted by the Asian-African Legal Consultative Committee on Environment and Development (Islamabad), done 1 February 1992, in U.N. Doc. A/CONF.151/PC/WG.III/5 (10 March 1992).

Holy See, Proposed Charter Concerning the Basic Rights and Duties of State and Peoples as Regards the Environment (Rome), done 23 August 1991, in U.N. Doc. A/CONF.151/PC/WG.III/L.16 (29 August 1991).

The Hague Recommendations on International Environmental Law, done Peace Palace, The Hague, 16 August 1991, extracts reprinted in 21 Environmental Policy and Law 276 (1991).

Draft Charter on Environmental Rights and Obligations, Article 1, Adopted by a Meeting of Experts, Oslo, Norway, 29-31 October 1990, reprinted in, 21 Environmental Policy and Law 81 (1991).

Declaration of Environmental Interdependence, Decision of the Interparliamentary Conference on the Global Environment (Washington), done 2 May 1990, reprinted in, 20 Environmental Policy and Law 112 (1990).

Preserving the Global Environment, Final Report of the Seventy-Seventh American Assembly (New York), done 22 April 1990, reprinted in, 20 Environmental Policy and Law 190 (1990).

Draft Rules Concerning Changes in the Environment of the Earth, David Daview Memorial Institute of International Studies (London, 1964).

P.N. Bhagwati, Keynote Address to the Second Australian International Environmental Law Conference (Bangkok, 4-7 August 1991).

David Davies Memorial Institute of International Studies, Principles Governing Certain Changes in the Environment of Man (London: Undated Pamphlet).

David Davies Memorial Institute of International Studies, Draft Rules Concerning Changes in the Environment of the Earth (London: Undated Pamphlet).

U. Thant Human Environment and World Order, UN Press Release SG/SM/1259 (1970).

Proposals for International Environmental Law Developments Toward the Year 2000, 16 Environmental Policy and Law 90 (1986).

4. Relevent Cases

Trail Smelter Case 1941, 3 UN Reports of International Arbitral Awards 1911 (1963-1966).

Corfu Channel Case (Merits), I.C.J. Reports (1949).

Nuclear Test Cases, I.C.J. Reports (1974).

Nauru v. Australia, pending

B. Texts, Treatises & Anthologies

Robert Allen, How to Save the World: Strategy for World Conservation (Kogan, Page 1980).

K. Ananichev (Anaicher?), Environment: International Aspects (Progress Publishers 1976).

Serge April, The Development of International Environmental Law, in From Coexistence to Cooperation: The Development of International Law in the Post-Cold War Era 121, McWhinney, et al. eds. (Dordrecht/Boston/London: Martinus Nijhoff Publishers, 1991).

Mahnoush H. Arsanjani, International Regulation of Internal Resources: A Study of Law and Policy (University of Virginia Press 1981).

Aspen Institute for Humanistic Studies, International Organization and the Human Environment (1971).

Richard Barrett, International Dimensions of the Environmental Crisis (Westview 1982).

James A. Barros & Douglas M. Johnston, The International Law of Pollution (New York/London: The Free Press/Collier Macmillan, 1974).

----- Beyond Environmental Diplomacy: The Changing Institutional Structure of International Cooperation, J. Carroll, ed. (1988).

S. Bhatt, Environment Protection and International Law (New Dehli: Radiant Publisher, 1985).

R. Boardman, International Organization and the Conservation of Nature (1981).

J. Boot, Common Globe of Global Commons (Dekker 1974).

Patricia W. Birnie & Alan E. Boyle, International Law and the Environment (Oxford: Clarendon Press, 1992).

C. Bramsen, Transnational Pollution and International Law (OECD 1972).

W.E. Burhenne, F. Guilmin & J.W. Kennedy, An International Environmental Law Information System (Berlin: Erich Schmidt Verlag, 1972).

W. Burhenne & W. Irwin, The World Charter for Nature: A Background Paper (Verlag 1983).

Lynton K. Caldwell, In Defence of Earth: International Protection of the Biosphere (Indiana University Press 1972).

Lynton K. Caldwell, International Environmental Policy: Emergence and Dimensions, 2nd ed. (Durham/London: Duke University Press, 1990).

M.J. Chadwick, International Environmental Issues and Policies: An Overview from Europe (Stockholm Environmental Institute 1990).

NAZLI CHOUCRI, GLOBAL ACCORD: ENVIRONMENTAL CHALLENGES AND INTERNATIONAL RESPONSES (MIT Press, 1993).

C.W. Clark, Managing Planet Earth (Oxford: W.H. Freeman, 1990).

Robin Clark & Judi Palmer, The Human Environment: Acton or Disaster, Rober Lamb, ed. (Dublin: Tycooly International Publishing for UNEP, 1983).

K. Dahlberg, M. Soroos, A. Feraru, J. Harf & B. Trout, Environment and the Global Arena (1985).

----- Environment and the Global Arena, Dahlberg, Soroos, Ferar & Trout, eds. (1985).

----- ENVIRONMENTAL CHANGE AND INTERNATIONAL LAW: NEW CHALLENGES AND DIMENSIONS (Edith Brown Weiss, ed., UN University Press, Tokyo, 1992).

----- Environmental Law: International and Comparative Aspects,

Jolanta Nowack, ed. (London/Dobbs Ferry, NY: British Institute of International and Comparative Law/Oceana Publications, 1976).

----- Environmental Law and Policy Workshop: Our Common Future, J.M. Behrens & B.M. Tsamenyi, eds. (Univ. of Tasmania 1991).

----- Environmental Policies: An International Review, C. Park, ed. (1986).

----- Environmental Policy: Concepts and International Implications, A. Utton & D. Henning, eds. (1973).

----- Environmental Policy in the 1990's, N. Vig & M. Kraft eds. (1990).

----- ENVIRONMENTAL POLLUTION CONTROL: AN INTRODUCTION TO PRINCIPLES AND PRACTICE OF ADMINISTRATION (Dordrecht/Boston/ London: Martinus Nijhoff, 1993)

----- Environmental Problems and Their International Implications, Halis Obadasi & S. Erol Ulug, eds. (Boulder, CO: Colorado Associated University Press, 1973).

----- Environmental Protection: The International Dimension, David A. Kay & Harold K. Jacobson, eds. (Allanheld, Osomon 1983).

----- Environmental Protection and International Law, Winfred Lang, Hanspeter Neuhold, Karl Zemanek eds. (London/Dordrecht/Boston: Graham & Trotman/Martinus Nijhoff, 1991).

----- Environmental Protection: Public or Private Choice, D.J. Kraan & R.J. in't Veld, eds. (Dordrecht/Boston/London: Kluwer Academic Publishers, 1991).

----- Evolving Environmental Perceptions: From Stockholm to Nairobi, M. Tolba, ed. (1988).

Experts Group on Environmental Law of the World Commission on Environment and Development, Environmental Protection and Sustainable Development[:] Legal Principles and Recommendations (London,Dordrecht, Boston: Graham & Trotman/Martinus Nijhoff, June 1986).

Richard Falk, This Endangered Planet (Random House 1971).

----- The Future of the International Law of the Environment, Rene-Jean Dupuy, ed. (Dordrecht/Boston/Lancaster: Martinus Nijhoff, 1984).

----- The Global 2000 Report to the President of the U.S.: Entering the 21st Century, Gerald O. Barney, Study Director (Pergamon Press 1980).

----- Global Effects of Environmental Pollution: A Symposium, S. Fred Singer, ed. (1970).

----- Global Environmental Change: Understanding the Human Dimension, Oran R. Young, Paul C. Stern & Daniel Druchman, eds.

(National Academy Press, 1992).

----- Global Environmental Change and International Relations, Ian H. Rowlands & Malory Greene, eds. (Basingstoke: Macmillan, 1992).

----- Global Environmental Issues: UNEP, Essam El-Hinnawi & M. Hashmi, eds. (Tycooly 1982).

----- The Global Predicament: Ecological Perspectives on World Order, D. Orr & M. Soroos, eds. (Chapel Hill, NC, Univ. North Carolina Press, 1979).

Branislav Gosovic, The Quest for World Environmental Cooperation: The Case of the U.N. Global Environment Monitoring System (London/New York: Routledge, 1992).

N. Haigh & F. Irwin, Integrated Pollution Control in Europe and North America (Washington, DC/Bonn: Conservation Foundation/Institute of European Environmental Policy, 1990).

PETER HAAS, ROBERT KEOHANE & MARC LEVY, INSTITUTIONS FOR EARTH: SOURCES OF EFFECTIVE INTERNATIONAL ENVIRONMENTAL PROTECTION (MIT Press, 1993).

Nancy K. Hetzel, International Environmental Coordination: The UNEP Experience (Holmes & Meier 1991).

M. Holdgate, The Environment of Tomorrow's World (London: David Davies Memorial Institute of International Law, 1990).

E. Hull & A. Koers, Introduction to a Convention on the International Environmental Protection Agency (1972).

----- International Dimensions of the Environmental Crisis, Richard Barrett, ed. (West View Press 1982).

----- International Environmental Law, Ludwik A. Teclaff & Albert E. Utton, eds (Praeger Publishers 1974)

----- International Environmental Law and Policy, H.P. Neuhold, W. Lang & K. Zemanek, eds. (Austrian Institute for International Affairs, 1991).

----- International Environmental Law and Regulation, J. Schlickman T. McMahon, N. van Riel & S. Austin, eds. (Salem, NH: Butterworth Legal Publishers, 1991).

----- International Handbook of Pollution Control, Edward J. Kormondy, ed. (New York: Greenwood Press, 1989).

International Institute for Environmental Affairs, The Human Environment: Science and International Decision-Making (1971).

----- International Institutions and Legal Instruments (UNCED Research Paper No. 10)(New York: UN Secretariat Office of Ocean Affairs and the Law of the Sea, 1991).

----- International Law and Pollution, Daniel Magraw, ed.

(Philadelphia: University of Pennsylvania Press, 1991).

----- The International Protection of the Environment on a Regional Level (Thesarus Acroasium - University of Thessaloniki, 1982).

W.A. Irwin, The World Charter for Nature: A Background Paper (Berlin 1983).

Bo Johnson, International Environmental Law (LiberForlag 1976).

D. Kay & H. Jacobsen, Environmental Protection: The International Dimension (1983).

Lee Kimball, Forging International Agreement: Strengthening Inter-Governmental Institutions for Environment and Development (Washington, DC: World Resources Institute, 1992).

Alexandre Kiss, Survey of Current Developments in International Environmental Law (Morges, Switzerland, IUCN Environmental Policy and Law Paper No. 10, 1976).

Alexandre Kiss & Dinah Shelton, International Environmental Law (New York: Transnational Publishers 1991).

Martti Koskenniemi, International Pollution in the System of International Law (Helsinki: Suomalainen Lakimiesyhdistys, 1984).

Jeffery Laurenti & Francesca Lyman, One Earth, Many Nations: The International System and the Problem of the Global Environment (New York/San Francisco: UNA-USA/Sierra Club, 1990).

----- Law, Institutions & the Global Environment, John Lawrence Hargrove, ed. (Oceana Publications 1972)

----- Law, Policy and the Environment, R. Churchill, J. Gibson & L. Warren, eds. (Cambridge, MA: Blackwell, 1991).

Pamela Leonard & Walter Hoffman, Effective Global Environmental Protection: World Federalist Proposals to Strengthen the United Nations (Washington, D.C.: World Federalist Association, 1990).

A. Levin, Protecting the Human Environment (1977).

R.A. Malviya, Environmental Pollution and Its Control Under International Law (1987).

R. Michael M'Gonigle and Mark W. Zacher, Pollution, Politics and International Law (University of California Press 1979).

R.J. Munro, International Environmental Law (Dobbs Ferry, NY: Oceana Publications, 1990).

Ved P. Nanda & Jahn A. Carver, International Environmental Law (Ardsley-on-Hudson, NY: Transnational Publishers, 1991).

----- Nine Case Studies in International Environmental

Negotiation, L. Susskind, E. Siskind & J. Breslin, eds. (1990).

Elinor Ostrom, Governing the Commons[:] The Evolution of Institutions for Collective Action (Cambridge 1990).

H. Palmstierna, The Future Imperative for the Human Environment (New York: United Nations Centre for Social and Economic Information, May 1972).

KEVIN T. PICKERING & LEWIS A. OWEN, AN INTRODUCTION TO GLOBAL ENVIRONMENTAL ISSUES (London: Routledge, 1994).

Gerard Piel, Only One World: Our Own to Make and Keep (New York: United Nations, UN Sales No. E.92.I.5, 1992).

Dennis Pirages, The New Context for International Relations: Global Ecopolitics (Duxbury 1978).

Gareth Porter & Janet Welsh Brown, Global Environmental Politics (Boulder, CO: Westview Press, 1991).

Amedeo Postiglione, The Global Village Without Regulations[:] Ethical, Economical, Social and Legal Motivations for and International Court of the Environment (Firenze, Italy: Giunti Gruppo Editoriale, 1992).

----- Preserving the Global Environment: The Challenge of Shared Leadership, Jessica Tuchman-Mathews, ed. (New York: W.W. Norton, 1991).

----- Proceedings of the Meeting of the Group of Legal Experts to Examine the Concept of the Common Concern of Mankind in Relation to Global Environmental Issues (Nairobi, Kenya: UNEP, 1991).

----- The Protection of the Environment and International Law, A.C. Kiss, ed. (Hague Academy of International Law Colloquium: 1975).

Shridath Ramphal, Our Country, The Planet (1992).

David Reed, The Global Environmental Facility: Sharing Responsibility for the Biosphere (Washington, DC: WWF-International, 1991).

Roger Revelle, International Aspects of Man's Effect Upon Environment (Washington, DC: National Academy of Sciences, January 1970).

Peter H. Sand, Lessons Learned in Global Environmental Governance (World Resources Institute 1990).

Miguel A. Santos, Managing Planet Earth: Perspectives on Population, Ecology and the Law (Greenwood Publishing Group, 1991).

Andrew J. Schlickman, International Environmental Law and Regulation (Butterworths, 1991).

Jan Schnieder, World Public Order of the Environment: Towards an International Ecological Law and Organization (University of Toronto Press 1979).

C. Scott, The Global Environment (Toronto: University of Toronto, 1991).

Serwer, International Environmental Regulation: Means of Achieving Environmental Quality (UNITAR 1971).

Vanda Shiva & J. Bandyopadhyay, Ecology and Politics of Survival (New Dehli: Lokvani, 1990).

GUNNAN SJOSTEDT, UNO SVEDIN & BRITT ANIANSSON, INTERNATIONAL ENVIRONMENTAL NEGOTIATIONS: PROCESS, ISSUES, AND CONTEXTS (Stockholm: The Swedish Institute of International Affairs, 1993).

VACLAV SMIL, GLOBAL ECOLOGY (London: Routledge, 1993).

----- SOCIAL THEORY AND THE GLOBAL ENVIRONMENT, MICHAEL REDCLIFT & TED BENTON, EDS. (London: Routledge, 1994).

Allen L. Springer, The International Law of Pollution: Protecting the Global Environment in a World of Sovereign States (Quorum Books 1983).

H. Sprout & M. Sprout, Towards a Politics of the Planet Earth (Van Nostrand Reinhold 1972).

H. Sprout & M. Sprout, The Ecological Perspective on Human Affairs, With Special Reference to International Politics (Princeton University Press 1965).

----- Status of Multilateral Treaties in the Field of Environment and Conservation (Gland, Switzerland, IUCN Environmental Policy and Law Occasional Paper No. 1, undated).

Lloyd Timberlake, Action on the Environment: The Role of the United Nations (International Institute for Environment and Development/UNEP, 1989).

Alexandre Timoshenko, International Environmental Law: Evolving Legal Responses to Global Challenges (Transnational Publishers 1992).

----- Trends in Environmental Policy and Law, Michael Bothe, project coordinator, (Gland, Switzerland, IUCN 1980).

United Nations Association - USA/ Sierra Club, Uniting Nations for Earth[:] An Environmental Agenda for the World Community (UNA-USA 1990).

United Nations Environment Programme (UNEP), Environmental Law in the United Nations Environment Programme (Nairobi

UNEP, The Montevideo Programme for the Development and Periodic Review of Environmental Law (Nairobi 1982).

UNEP, The World Environment 1972 -1982 (Tycooly International Publishers 1982).

UNEP, Global Environmental Issues (Tycooly International Publishers 1982).

United Nations, The New Code Environment (New York: United Nations, UN Sales No. E.90.II.A.7, 1990).

A.E. Utton, Environmental Policy: Concepts and International Implications (Praeger 1973).

RODNEY R. WHITE, NORTH, SOUTH, AND THE ENVIRONMENTAL CRISIS (Toronto: University of Toronto Press, 1993).

Thomas W. Wilson, Jr., International Environmental Action: A Global Survey (Dunellen 1971).

K. Wolfke, International Environmental Law (____).

World Commission on Environment and Development, Our Common Future (Oxford University Press, Australian ed. 1987).

----- World Eco-Crisis: International Organizations in Response, David A. Kay & Eugene B. Skolnikoff, eds. (University of Wisconsin Press 1972).

----- THE WORLD ENVIRONMENT 1972-1992: TWO DECADES OF CHALLENGE (Mostafa K. Tolba & Osama A. El-Kholy, eds., Chapman & Hall, London (for UNEP), 1992).

O. Young, G. Demko & K. Ramakrishna, Global Environmental Change and International Governance (Dartmouth 1991).

C. Periodic Literature, Essays & Opinion

A.O. Adede, International Environmental Law from Stockholm to Rio -An Overview of Past Lessons and Future Challenges, 22 Environmental Policy and Law 88 (1992).

American Bar Association, Protection of the Global Environment[: Report to the House of Delegates], 26 International Lawyer 281 (1992).

American Society of International Law Panel Discussion, New Developments in International Environmental Law, 85 American Society of International Law Proceedings 401 (1991).

American Society of International Law Panel Discussion, Ten Years After Stockholm - International Environmental Law, 77 American Society of International Law Proceedings 411 (1983).

American Society of International Law Panel Discussion, The Environment: International Rights and Responsibilities, 74 American Society of International Law Proceedings 222 (1980).

American Society of International Law - Panal Discussion, Post-Stockholm: Influencing National Environmental Law and Practice

through International Law and Policy, 66 American Society of International Law Proceedings 1 (1972).

Frederick R. Anderson, Of Herdsmen and Nation States: The Global Environmental Commons, 5 American University Journal of International Law and Policy 217 (1990).

Hower G. Angelo, International Environmental Protection: Policy, Legal and Trade Aspects, [1977] American Society of International Law - Proceedings 48.

Wlodzimierz Aniol, Global Problems: An Ecological Paradigm, 25 Coexistence 213 (1988).

Anon, Making [International Environmental] Law Effective, Crosscurrents 8 (No. 5, 21-22 August 1991).

Mahnoush H. Arsanjani, The Diversity of Goals in International Environmental Codification, [1989] Canadian Council on International Law Proceedings 170.

Sverker Astrom, Global Consensus or Global Catastrophe?, 1 Ambio 2 (1972).

Christian Averous, An Uneven Track Record on the Environment, OECD Observer 8 (No. 168, feb/March, 1991).

The Baha'i International Community, Elements for Inclusion in the Proposed Earth Charter, (Statement circulated to Working Group III of the 2nd Session of the PREPCOM for UNCED, 5 April 1991).

Seymour Barfield, The International Viewpoint, 39 Journal of Environmental Health 380 (1977).

Emily Barker, Taking Environmental Law International, 13 American Lawyer 31 (June 1991).

A. James Barnes, The Growing International Dimension to Environmental Issues, 13 Columbia Journal of Environmental Law 389 (1988).

Michael Batisse, Can We Keep Our Planet Habitable?, 22 UNESCO Courier 4 (Jan. 1969).

W.F. Baxter, International Law and the Environment, 8 Stanford Journal of International Studies 1 (1973).

Juliet Behrens, Some Themes in International Environmental Law, 23 Development Bulletin 5 (April 1992).

R.E. Benedick, Global Environmental Change: The International Perspective, in Effects and Changes in Stratospheric Ozone and Global Climate 22, J. Titus, ed. (1985).

Wendell Berry, The Futility of Global Thinking, 279 Harpers 37 (No. 1672, Sept. 1989).

S. Bhatt, Ecology and International Law, 22 Indian Journal of

International Law 422 (1982).

S. Bhatt, Some Aspects of Law Relating to the Environment, 13 Banaras Law Journal 12 (1977).

S. Bhatt, Nehru's Contribution to the World Environment Movement, 37 Indian Quarterly 252 (1981).

Bickert, Vertes & Bourassa, Environmental Regulation and Pollution Control: Three Perspectives from Canada's North, 14 International Business Lawyer 337 (1986).

Richard B. Bilder, The Role of Unilateral State Action in Preventing International Environmental Injury, 14 Vanderbilt Journal of Transnational Law 51 (1984).

Richard B. Bilder, Remarks on The Environment: International Rights and Responsibilities, 74 American Society of International Law Proceedings 242 (1980).

Anne M. Blackburn, Steps Along the Path: The UNESCO/UNEP International Environmental Education Program, 3 The Environmentalist 269 (1983).

S.A. Bleicher, An Overview of International Environmental Regulation, 2 Ecology Law Quarterly 75 (1972).

L.M. Bloomfield, The International Pollution Problem, 21 University of Toronto Law Journal 182 (1971).

Klaus Boisseree, Chances and Problems of International Agreements on Environmental Pollution, 12 Natural Resources Journal 218 (1972).

K. Boisseree, Cooperation and Participation in the Protection of the Environment, 1 Environmental Policy and Law 22 (1975).

Boll & Potter, Toward a Global Emergency Plan for the Environment, 10 The Environmentalist 81 (No. 2, 1990).

M. Bothe, The Trends in Both National and International Politics for Achieving a Unification of Standards in Pollution Matters, 2 Zeitschrift fur Umweltpolitik 293 (1979).

Alan E. Boyle, Current Developments - Public International Law: Environmental Protection, 39 International and Comparative Law Quarterly 940 (1990).

Richard O. Brooks, A New Agenda for Modern Environmental Law, 6 Journal of Environmental Law and Litigation 1 (1991).

Brendan F. Brown, International Environmental Law and Natural Law, 18 Loyola Law Review 679 (1972).

E.D. Brown, The Conventional Law of the Environment, 13 Natural Resources Journal 202 (1973).

Lester R. Brown, The Illusion of Progress, in State of the World

1990 (Worldwatch Institute 1990).

Lester R. Brown, The New World Order, in State of the World 1991 (Worldwatch Institute 1991).

Lester R. Brown, Launching the Environmental Revolution, in State of the World 1992 174 (Worldwatch Institute, 1992)

Ian Brownlie, A Survey of International Customary Rules of Environmental Protection, 13 Natural Resources Journal 179 (1973), reprinted in, 4 International Relations 240 (1973)..

Janos Bruhacs, International Legal Problems of Environmental Protection, in 4 Questions of International Law[:] Hungarian Perspectives 31 (Budapest: Akademiai Kiado, 1988).

Gro Harlem Brundtland, Environment: A Decisive Battle, Council of Europe Forum 17 (Feb. 1989).

Gro Harlem Brundtland, Global Change and Our Common Future, 31 Environment 16 (no. 5, June 1989).

Gro Harlem Brundtland, The Global Transition: Outlook for the 1990s, [1991] Development[:] Journal of the Society of International Development 74 (No. 2).

Jutta Brunee, "Common Interest" - Echos from an Empty Shell? Some Thoughts on Common Interest and International Environmental Law, 49 Zeitschrift fur Auslaendisches Offentliches Recht und Volkerrecht 791 (1989).

Bryner, Implementing Global Environmental Agreements, 19 Political Studies Journal 103 (1991).

Buckley, International Environmental Issues, 82 Department of State Bulletin 57 (June 1982).

Wolfgang E. Burhenne, Law and Environment, 5 World Law Review 74 (1972).

W. Burhenne, Proposals for International Environmental Development Toward the Year 2000, 16 Environmental Policy and Law (Nos. 3 & 4 1986).

W. Burhenne, An International Environmental Law Information System, 5 Biological Conservation 309 (1973).

Francoise Burhenne-Guilmin, C. de Klemm, M. Forster & B. Lausche, Environmental Law - Progress and Problems, in Conservation With Equity, P. Jacobs & D.A. Munro, eds. (IUCN 1987).

Burhenne-Guilmin, de Klemm, Forster & Lausche, Legal Implementation of the W[orld] C[onservation] S[trategy] - Problems and Progress, 16 Environmental Policy and Law 189 (1986).

J.A. Busterud, International Environmental Relations, 7 Natural

Resources Law 325 (1974).

Lynton K. Caldwell, International Response to Environmental Issues: Retrospect and Prospect, 16 International Studies Notes 3 (1991).

Lynton K. Caldwell, The Geopolitics of Environmental Policy: Transnational Modification of National Sovereignty, 59 Revista Juridica de la Univesidad de Puerto Rico 693 (1990).

Lynton K. Caldwell, The Structure of International Environmental Policy, 5 Journal of Public International Affairs 1 (1984).

Lynton K. Caldwell, Concepts in Development of International Environmental Policies, 13 Natural Resources Journal 190 (1973).

L.K. Caldwell, The Changing Structure of International Policy: Needs and Alternatives, 12 Natural Resources Journal 153 (1972).

L.K. Caldwell, Law and Environment in an Era of Transition: Reconciling Domestic and International Law, 2 Colorado Journal of International Environmental Law and Policy 1 (1991).

David D. Caron, The Law of the Environment: A New Symbolic Step of Modest Value, 14 Yale Journal of International Law 528 (1989).

John E. Carroll, Introduction to International Environmental Diplomacy, in International Environmental Diplomacy, J. Carroll, ed. (1988).

Center for International Environmental Law, The Global Public Interest, 6 Environmental Forum 35 (Sept-Oct 1989).

B.D. Nag Chaudhure & S. Bhatt, Energy, Environment and World Order, 36 India Quarterly 336 (Nos. 3 & 4, 1980).

S. Cigoj, Law and Environment, 5 World Law Review 75 (1972).

William C. Clark, Managing Planet Earth, 261 Scientific American 114 (No. 3, 1989).

H.R.H Prince Claus, One World and Many, [1991] Development[:] Journal of the Society of International Development 7 (No. 2).

W. C. Clemens, Ecology and International Relations, 28 International Journal 1 (1973).

Michael McCloskey, Julia N. Hillis & Eugene V. Coan, Strategies for International Action: The Case for an Environmentally Oriented Foreign Policy, 14 Natural Resources Journal 87 (1974).

Maxwell Cohen, Convergence, Global Equilibrium and Disorder: The Environmental Priority, 15 Environmental Policy and Law 106 (1986).

Comment, Issues in the International Environment, 17 Stanford Journal of International Law 229 (1981).

Contini & Sand, Methods to Expedite Environmental Protection: International Ecostandards, 66 American Journal of International Law 37 (1972).

Costle, The Spread of an Idea: Environmentalism on the International Scene, 444 Annals of the American Academy of Political and Social Sciences 121 (1979).

Council on Environmental Quality, Global Future: Time to Act, 9 Boston College Environmental Affairs Law Review 261 (1981).

Yvonne Cripps, A New Frontier for International Law, 29 International and Comparative Law Quarterly 1 (1980).

John H. Cumberland, Establishment of International Environmental Standards - Some Economic and Related Aspects, in Problems of Transfrontier Pollution 213 (Paris: OECD, 1974).

J.H. Cumberland, The Role of Uniform Standards in International Environmental Management, in Problems of Environmental Economics 239 (OECD 1972).

Robert K. Dawson, Environmental Policy in the Real World, 5 The Environmental Forum ____ (No. 1, Mar/April 1988).

Katrien Debeuckelaere, International Environmental Law in 1992, The Courier 57 (No. 133, May/June, 1992).

Javier Perez de Cuellar, We Are in Need of a New Kind of Patriotism - Patriotism of the Man of the Earth, [1990] International Affairs (Moscow) ____ (March, 1990).

Dedijer, Good Menus and Fine Recipes for Absent Cooks, 203 Science 1195 (1979).

Ingrid Detter de Lupis, International Environmental Law, in Festschrift till Lars Hjermer: Studies in International Law 123 (Stockholm: Norstedts, 1990).

M. Magarinos de Mello, A General Theory of [International] Environmental Law, in Biodiversity and International Law 115, S. Bilderbeek, ed. (Amsterdam: IOS Press, 1992).

Philippe De Seynes, Prospectus for a Future Whole World, 26 International Organization 1 (1972), reprinted in, International Organization: Politics and Process 285, Goodrich and Kay, eds. (1973).

Philippe De Seynes, Material, Economic and Human Limits to the Activities of Mankind, in The Spirit of Uppsala 342 (Grahl-Madsen & Toman, eds. 1984).

Developments in the Law, International Environmental Law: I. Introduction, 104 Harvard Law Review 1484 (1991).

Developments in the Law, International Environmental Law: II. State Liability and Procedural Norms, 104 Harvard Law Review 1492 (1991).

Developments in the Law, International Environmental Law: III. The Creation of International Environmental Agreements, 104 Harvard Law Review 1521 (1991).

Developments in the Law, International Environmental Law: IV. Assent to and Enforcement of International Environmental Agreements, 104 Harvard Law Review 1550 (1991).

Developments in the Law, International Environmental Law: V. Institutional Arrangements, 104 Harvard Law Review 1580 (1991).

Developments in the Law, International Environmental Law: VI. Extraterritorial Environmental Regulation, 104 Harvard Law Review 1609 (1991).

H.L. Dickstein, International Law and the Environment: Evolving Concepts, 26 Yearbook of World Affairs 245 (1972).

Charles E. Di Liva, Trends in International Environmental Law: A Field with Increasing Influence, 21 Environmental Law Reporter 10076 (February 1991).

G.W. Dimbley, Restoring the Ecological Balance, 23 Yearbook of World Affairs 124 (1969).

G.E. Do Nascimento e Silva, Pending Problems on International Law of the Environment, in The Future of the International Law of the Environment 217, R. Dupuy, ed. (1985), reprinted in, 54-56 Yearbook of the Association of Attenders and Alumni of the Hague Academy of International Law 251 (1984-86).

Bo R. Doos, Environmental Issues Requiring International Action, in Environmental Protection and International Law 1, Lang, Neuhold & Zemanek, eds. (1991).

Robert Dorfman, Protecting the Global Environment: An Immodest Proposal, 19 World Development 103 (1991).

Gray L. Dorsey, A Proposed International Agreement to Anticipate and Avoid Environmental Damages, 6 Indiana Law Review 201 (1972).

Allen L. Doud, The Role of the United Nations in Environmental Problems, 12 Natural Resources Journal 482 (1972).

Allen Lowell Doud, International Environmental Developments: Perceptions of Developing and Developed Countries, 12 Natural Resources Journal 520 (1972).

William O. Douglas, Pollution: An International Problem Needing an International Solution, 7 Texas International Law Journal 1 (1971).

Joseph Downey, International Pollution: The Struggle Between States and Scholars Over Customary International Norms, 12 Southern Illinois University Law Journal 247 (1987).

Pierre-Marie Dupuy, Overview of the Existing Customary Legal

Regime Regarding International Pollution, in International Law and Pollution 61, D. Magraw, ed. (Univ. Penn. 1991).

Pierre-Marie Dupuy, Soft Law and the International Law of the Environment, 12 Michigan Journal of International Law 420 (1991).

P.M. Dupuy, Conclusions of the Workshop on the Future of the International Law of the Environment, in The Future of the International Law of the Environment, P. Dupuy, ed. (1985).

Rene-Jean Dupuy, Humanity and the Environment, 2 Colorado Journal of International Environmental Law 201 (1991).

Roseann Eshbach, A Global Approach to the Protection of the Environment: Balancing State Sovereignty and Global Interests, 4 Temple International and Comparative Law Journal 271 (1990).

Richard A. Falk, Toward a World Order Respectful of the Global Ecosystem, 1 Environmental Affairs 251 (1971).

Richard A. Falk, Environmental Policy as a World Order Problem, 12 Natural Resources Journal 161 (1972).

Richard A. Falk, The Global Environment and International Law: Challenge and Response, 23 Kansas Law Review 385 (1975).

Richard A. Falk, New Trends in International Law: The Challenges of the Ecological Age, 61 U.S. Naval War College International Law Studies 122 (1980).

Richard A. Falk, The Inability of Traditional Forms of Political Order to Adapt to Modern Problems of International Pollution, in the Proceedings on International and Interstate Regulation of Water Pollution 11 (Columbia Univ., 12-13 March 1970).

Richard A. Falk, Toward Equilibrium in the World Order System, 64 American Journal of International Law 217 (Proceedings 1970).

Richard A. Falk, The Capacity of International Law to Respond to the Environmental Challenge, [1989] Canadian Council on International Law Proceedings 35.

Erwan Fauere, Emerging Trends in International Environmental Agreements, in Environmental Diplomacy (J. Carroll, ed., 1988).

Blain Fielding, Global Environmentalism Comes of Age, 4 Environmental Forum 12 (July 1985).

Hilary F. French, Strengthening Global Environmental Governance, in State of the World 1992 155 (Worldwatch Institute 1992).

Shrimati Indira Gandhi, Life is One and the World is One, Environment[:] Stockholm 18 (UNCHE Newspaper, 1972), reprinted in, 28 Bulletin of the Atomic Scientists 35, also reprinted in, Evolving Environmental Perceptions: From Stockholm to Nairobi 97, M. Tolba, ed. (1988).

J.F. Garner, World Conservation Strategy, Journal of Planning and

Environment Law 580 (Sept. 1983).

Thomas Gehring, International Environmental Regimes: Dynamic Sectoral Legal Systems, 1 Yearbook of International Environmental Law 35 (1990).

L.F.E. Goldie, A General View of International Environmental Law: A Survey of Capabilities, Trends and Limits, in The Protection of the Environment in International Law, A. Kiss, ed., Academie De Droit International Colloque 1973 (Sijthoff 1975).

L.F.E. Goldie, Development of an International Environmental Law, in Law, Institutions and the Global Environment (L. Hargrove, ed., 1972).

Marshall I. Goldman, Pollution: International Complications, 2 Environmental Affairs 172 (1972).

Brian E. Gray, Some Thoughts on International Environmental Law from the Perspective of a Domestic Practitioner, 14 Hastings International and Comparative Law Review 749 (1991).

Forest L. Grieves, Classical Writers of International Law and the Environment, 4 Environmental Affairs 309 (1974).

Forest L. Grieves, International Law and the Environment Issue, 1 Environmental Affairs 826 (1971).

Lothar Gundling, Environment and Law, 22 Environmental Policy and Law 106 (1992).

Lothar Gundling, Environment, International Protection, in 9 Encyclopedia of International Law 119 (1986).

N. Gunningham, Power, Politics and Environment, 13 Banaras Law Journal 1 (1977).

Peter M. Haas, Making Progress in International Environmental Protection, in Progress in Postwar International Relations, E. Adler & B. Crawford (1991).

Peter M. Haas, Obtaining International Environmental Protection through Epistemic Consensus, 19 Millennium 347 (1990).

Robert W. Hahn & Kenneth R. Richards, The Internationalization of Environmental Regulation, 30 Harvard International Law Journal 421 (1989).

Edvard Hambro, Some Legal Problems Concerning the Protection of the Human Environment, 12 Israel Law Review 1 (1977).

Gunther Handl, The Environment: International Rights and Responsibilities, 74 American Society of International Law Proceedings 223 (1980).

Bill Hare, Achieving International Environmental Objectives, 20 Habitat Australia 12 (No. 1, February 1992).

Livingston Hartley, Challenge to the Environment: Some International Implications, 14 Orbis 490 (1970).

P. Hassan, Moving Towards a Just International Environmental Law, in Biodiversity and International Law 72, S. Bilderbeek, ed. (Amsterdam: IOS Press, 1992).

Roderich Hettwer, Ethical Factors in Environmental Negotiations, 11 Environmental Impact Assessment Review 197 (1991).

Johnathan Holliman, Environmentalism with a Global Scope, 37 Japan Quarterly 284 (1990).

Thomas Holstein, Measures of an International Character Directed Towards Environmental Problems, 5 World Law Review 553 (1972).

Frits Hondius, Protection of Nature in International Law, 37 Yearbook of the Association of Attenders and Alumni of the Hague Academy of International Law 145 (1967).

Humpstone, Pollution: Precedent and Prospect, 49 Foreign Affairs 325 (1971).

Janet Hunt, One Earth - Onew World?, 20 Habitat Australia 38 (No. 1, Feb. 1992).

International Law Association, Legal Aspects of the Conservation of the Environment, in Report of the 55th Conference Held in New York, 21-26 August 1972 468 (Great Brit: Cambrian News (Aberystwyth) Ltd., 1974).

International Law Association, Legal Aspects of the Conservation of the Environment, in Report of the 57th Conference Held in Madrid, 30 Aug.-4 Sept. 1976 (Great Brit: Cambrian News (Aberystwyth) Ltd., 1976).

Interparliamentary Conference on the Global Environment, Legislative Strategy Paper (April 29 - May 2, 1990), reprinted in, First Annual Summer School in Environmental Law: Course Documentation (Module III: International Law, 13 July 1990).

Jackson, Dimensions of International Pollution, 50 Oregon Law Review 242 (1971).

Jackson, A World Charter for Nature, 12 Ambio 133 (1983).

Sheila Jasanoff, Cross-National Differences in Policy Implementation, 15 Evaluation Review 103 (1991).

Philip C. Jessup, The Administration of Justice, 184 Annals of the New York Academy of Sciences 366 (1971).

Bo Johnson, International Environmental Conventions, 5 Ambio 55 (No. 2, 1976).

Douglas M. Johnston, Systemic Environmental Damage: The Challenge to International Law and Organization, 12 Syracuse Journal of International Law and Communication 255 (1985).

Douglas M. Johnston, International Environmental Law: Recent Developments, in Canadian Perspectives on International Law and Organization, MacDonald, Morris & Johnston, eds. (1974).

Douglas M. Johnston, International Environmental Law: A Canadian Perspective on Recent Developments, in Environmental Law in the 1980's: A New Beginning 207, Finkle & Lucas, eds. (1982).

F.J.E. Jordon, Recent Developments in International Environmental Pollution Control, 15 McGill Law Review 279 (1969).

Lawrence Juda, International Environmental Concern: Perspectives of and Implications for Developing States, in The Global Predicament: Ecological Perspectives on World Order 90, D. Orr & M. Soroos, eds. (Univ. N. Carolina 1979).

Mikhail Kaloshin, The Global Dimensions of Ecology, 1990 International Affairs (Moscow) 90 (April 1990).

Sheldon Kamieniecki, Political Mobilization, Agenda Building and International Environmental Policy, 44 Journal of International Affairs 339 (1991).

Atsuko Kanehara, *The Significance of the Japanese Proposal of "Pledge and Review" Process in Growing International Environmental Law*, 35 JAPANESE ANNUAL OF INTERNATIONAL LAW 1 (1992).

Peter L. Kapitza, Global Problems, International Solutions, 37 Bulletin of Atomic Scientists 40 (No. 1, January 1981).

Petra K. Kelly, The Need for Eco-Justice, 14 Fletcher Forum of World Affairs 332 (1990).

George Kennan, To Prevent a World Wasteland: A Proposal, 48 Foreign Affairs 401 (1970), reprinted in, [1971] Environment Law Review 757, and Environmental Protection 107, L. Jaffe & L. Tribe, eds. (1971).

Rahmatullah Khan, Environment Control and International Law, 11 Indian Journal of International Law 106 (1971).

Sadruddin Aga Khan, The Sword of Environmental Catastrophe Still Hangs, International Herald Tribune p. 7 (Letters to the Editor)(13 February 1992).

A. Kiss, Mechanisms of Supervision of International Environmental Rules, in Essays on the Development of the International Legal Order in Memory of Haro v. Panhuys 99, F. Kalshoven, P. Kuyper & J. Lammers, eds. (1980).

A. Kiss, International Protection of the Environment, in The Structure and Process of International Law: Essays in Legal Philosophy Doctrine and Theory (R. MacDonald & Douglas Johnston,

A. Kiss, Survey of Current Developments in International Environmental Law (IUCN Environmental Policy & Law Paper No. 10, 1976).

A. Kiss & P. Hassan, General Environmental Concerns [of Treaties], in 2 Agenda 21 and the UNCED Proceedings 1061, N. Robinson, ed. (1992).

M. Kokeyev, Possible Content of a Statement on Environmental Rights and Obligations (The "Earth Charter") Enshrining Fundamental Principles such as the Precautionary Approach, the Polluter Pays Principle, Public Access to Information and the Decision-Making Process (Undated "non-paper" circulated at PREPCOM III for UNCED).

Oleg A. Kolbasov, Modern Ecological Policy and the Utilization of a Global Environmental Protection Strategy, 5 Pace Environmental Law Review 445 (1988).

V. Kolvbine, World Principles, Naturopa 5 (No. 61, 1989).

Martti Koskenniemi, International Pollution in the System of International Law, 17 Oikeustiede Jurisprudentia 91 (1984).

Manfred Lachs, The Challenge of Environment, 39 International and Comparative Law Quarterly 663 (1990).

Johan G. Lammers, "Balancing The Equities" in International Environmental Law, in Academie De Droit International, The Future of the International Law of the Environment, R. Dupuy, ed. (1985).

Winfried Lang, Environmental Protection - The Challenge for International Law, 20 Journal of World Trade Law 489 (1986).

Ronnie D. Lipschutz, Bargaining Among Nations: Cultural History and Perceptions in Regime Formation, 15 Evaluation Review 46 (1991).

Livingston, Pollution Control: An International Perspective, 10 Scientist and Citizen 172 (1968).

Bill L. Long, Managing the Environment, OECD Observer 4 (No. 168, Feb/Mar. 1991).

Robert E. Lutz, Directions of Environmental Law in the International System: An Assessment of Tasks and Challenges for Lawyers, in Environmental Pollution and Individual Rights: An International Symposium 191, S. McCaffrey & R. Lutz, eds. (International Bar Association 1978).

R.E. Lutz, Remarks on Environment, Economic Development and Human Rights: A Triangular Relationship?, 82 American Society of International Law Proceedings 40 (1988).

Daniel B. Magraw, International Law and Pollution, in International Law and Pollution 3, D. Magraw, ed. (Univ. Penn., 1991).

Michael P. Malloy, Bumper Cars: Themes of Convergence in International Regulation, 60 Fordham Law Review 1 (May, 1992).

Francois A. Mathys, International Environmental Law: A Canadian Perspective, 3 Pace University Law School Yearbook of International Law 91 (1991).

Stephen C. McCaffrey, International Environmental Law and the Work of the International Law Commission, 77 American Society of International Law Proceedings 414 (1983).

S.C. McCaffrey, The Work of the International Law Commission Relating to the Environment, 11 Ecology Law Quarterly 189 (1983).

S.C. McCaffrey, An Update on the Contributions of the International Law Commission to International Environmental Law, 15 Environmental Law 667 (1985).

S.C. McCaffrey, Environment Related Work of the International Law Commission, 18 Environmental and Policy and Law 197 (1988).

Myers McDougal, Legal Bases For Securing the Integrity of the Earth - Environment and Society in Transition, 184 Annals of the New York Academy of Science 375 (1971), reprinted in, International Law in Contemporary Perspective: The Public Order of the World Community -Cases and Materials 761, M. McDougal & M. Reisman, eds. (1981).

M. McDougal & J. Schneider, The Protection of the Environment and World Public Order, 45 Mississippi Law Journal 1085 (1974), reprinted in, World Priorities 81, B. Preger, H. Lasswell & J. McHale, eds. (1977).

Mitchell, Developing Environmental Law, 3 Environmental Policy and Law 57 (1977).

G.L. Morris, The Dimensions of the International Environmental Problem, 21 University of Toronto Law Journal 177 (1977).

Shinya Murase, Remarks on International Environmental Lawmaking, 85 American Society of International Law Proceedings 409 (1991).

John F. Murphy, International Environmental Policy, 1 Kansas Journal of Law and Public Policy 14 (1991).

Edmund S. Muskie, The Global Environmental Crisis, 2 Environmental Affairs 172 (1972).

Norman and Dorthy Myers, How the Global Community Can Respond to International Environmental Problems, 12 Ambio 20 (1983).

Norman and Dorthy Myers, Increasing Awareness of Supranational Nature of Emerging Environmental Issues, 11 Ambio 196 (No. 4, 1982).

V.P. Nanda, International Preventive Law Needed to Halt Irreparable Damage to Earth, 8 Preventive Law Reporter 11 (December 1989).

V.P. Nanda, Trends in International Environmental Law, 20 California Western International Law Journal 187 (1990).

V.P. Nanda, Remarks on Ten Years After Stockholm - International Environmental Law, 77 American Society of International Law Proceedings 411 (1983).

V.P. Nanda & W.K. Rig, The Public Trust Doctrine: A Viable Approach to International Environmental Protection, 5 Ecology Law Quarterly 291 (1976).

Note, The Structure of International Environmental Policy, 5 University of Pittsburgh Journal of Public and International Affairs 1 (Winter, 1984).

Note, New Perspectives on International Environmental Law, 82 Yale Law Journal 1659 (1973), reprinted in, 1974 Environment Law Review 669 (1974).

Note, On the Brink of Ecological Calamity, 14 California Western International Law Journal 192 (1984).

Marilyn E. Orkin, International Environmental Laws and Regulations, 6 Corporate Counsel's Quarterly 42 (1990), reprinted in, 2 International Quarterly 1 (1990).

Monasterio F. Ortiz, Confronting Environmental Degradation: A Problem Without Borders, 20 Ceres: FAO Review 35 (1987).

Gail Osherenko, Developments in International Environmental Law, 58 Nordic Journal of International Law 321 (1989).

Bernard H. Oxman, The Duty to Respect Generally Accepted International Standards, 24 New York University Journal of International Law and Politics 109 (1991).

Olof Palme, Mankind on Our Limited Planet, in Evolving Environmental Perceptions: From Stockholm to Nairobi 51, M. Tolba, ed. (1988).

Geoffrey Palmer, New Ways to Make International Environmental Law, 86 American Journal of International Law 259 (1992).

D. Popescu, The Importance of Adopting International Ecostandards for Environmental Protection, 9 Revue Romaine D'etudes Internationales 41 (1975).

D.M. Poulantzas, Some Legal Problems Arising Out of Environmental Protection of the Earth, 47 Nederlands Juristenblad 227 (1972), reprinted in, Proceedings of the Fourteenth Colloquium on the Law of Outer Space 73, M. Schwartz, ed. (1972).

Michael Prieur, Protection of the environment, in International Law: Achievements and Prospects 1017, M. Bedjaoui, ed. (1992).

Gwyn Prins, Politics and the Environment, 66 International Affairs 711 (1990).

Pronk, A New International Ecological Order, 14 INTERNATIONAL SPECTATOR 728 (1991).

William J. Pudlo, Toward a World Pollution Treaty: A Proposal, 5 World Law Review 595 (1972).

R. Raftery, The International Law of Pollution: Protecting the Environment in a World of Sovereign States, 83 Michigan Law Review 1035 (1983).

Rauschnig, Legal Aspects of the Conservation of the Environment, 60 International Law Association Conference 74.

P. Rawlinson, International Problems Concerning Pollution and Environment, 4 Natural Resources Lawyer 804 (1971).

Steve Rayner, A Cultural Perspective on the Structure and Implementation of Global Environmental Agreements, 15 Evaluation Review 75 (1991).

John E. Read, The Trail Smelter Dispute, 1 Canadian Yearbook of International Law 213 (1963).

William K. Reilly, Public Health and Global Environmental Change: Giving Nature Some Space, 10 Environmental Impact Assessment Review 461 (1990).

J. Reynolds, The Role of Self-Interest in International Environmental Law, 6 Yale Studies in World Public Order 497 (1980).

David Robertson, The Global Environment: Are International Treaties a Distraction?, 13 World Economy 111 (1990).

Nicholas A. Robinson, Introduction: Emerging International Environmental Law, 17 Stanford Journal of International Law 229 (1981).

Robinson, Environmental Laws and Conventions: Toward Societal Compacts with Nature, in EARTHCARE: Global Protection of Natural Areas 513, E. Schofield, ed. (1978).

R.J. Rochon, Remarks on The Environment: International Rights and Responsibilities, 74 American Society of International Law Proceedings 234 (1980).

Bernard E. Rollin, Environmental Ethics and International Justice, in Problems of International Justice 124, Steven Luper-Foy, ed. (Boulder & London: Westview Press)

Rubin, Pollution by Analogy: The Trail Smelter Arbitration, 50 Oregon Law Review 259 (1971).

Peter Ruderman, Public Health and the Human Environment, in The International Law and Policy of Human Welfare 615, Macdonald, et al., eds. (Sijthoff 1978).

C. Russell & H. Landsberg, International Environmental Problems -a Taxonomy, 172 Science 1307 (1971).

Kamen Sachariew, Promoting Compliance with International

Environmental Legal Standards: Reflections on Monitoring and Reporting Mechanisms, 2 Yearbook of International Environmental Law 31 (1991).

Peter H. Sand, Institutions for Global Change: Whither Environmental Governance?, 19 Political Studies Journal 93 (1991).

Peter H. Sand, Innovations in International Environmental Governance, 32 Environment 16 (No. 9, Nov. 1990).

Peter H. Sand, The Creation of Transnational Rules for Environmental Protection, in Trends in Environmental Policy and Law 311, M. Bothe, ed. (IUCN Policy and Law Paper No. 15, 1980).

Peter H. Sand, Commentary [on Environmental Issues Requiring International Action, in Environmental Protection and International Law 54, Lang, Neuhold & Zemanek, eds. (1991).

Sandbrook, Towards a Global Environmental Strategy, in Environmental Policies, C. Park, ed. (1986).

Joseph L. Sax, The Law of a Liveable Planet, Paper to the LAWASIA International Conference on Environmental Law (Sydney, 1989).

Oscar Schachter, The Emergence of International Environmental Law, 44 Journal of International Affairs 457 (1991).

Oscar Schachter, The Greening of International Law, in Huamnitè et droit international 271 (Paris: Editons A. Pedone, 1991).

Oscar Schachter, New Directions in International Environmental Law, 49 Chicago-Kent Law Review 13 (1972).

Oscar Schachter, Goals and Strategies for Combatting International Pollution, in the Proceedings of the Conference on International and Interstate Regulation of Water Pollution 71 (Columbia Univ., 12-13 March 1970).

S. Jacob Scherr, Remarks on the Environment: International Rights and Responsibilities, 74 American Society of International Law Proceedings 238 (1980).

Eduard Shevardnadze, Ecology and Politics, 1990 International Affairs (Moscow) 3 (November 1990).

Eduard Schevardnadze, Ecology and Diplomacy, 20 Environmental Policy and Law 20 (1990).

Jan Schneider, State Responsibility for Environmental Protection and Preservation: Ecological Unities and a Fragmented World Public Order, 2 Yale Studies in World Public Order 32 (1975),

Jan Schneider, State Responsibility for Environmental Protection and Preservation, in International Law: A Contemporary Perspective 602 (R. Falk, et al., eds., 1985).

Jan Schneider, New Perspectives on International Environmental

Law, 82 Yale Law Journal 1659 (1973), reprinted in, [1974] Environmental Law Review 669.

Jan Schneider, Remarks on the Environment: International Rights and Responsibilities, 74 American Society of International Law Proceedings 239 (1980).

Jan Schneider, Comments on Ten Years After Stockholm - International Environmental Law, 77 American Society of International Law Proceedings 431 (1983).

Ignaz Seidl-Hohenveldern, The Role of Comparative Law in the International Protection of the Environment, 1 Comparative Law Yearbook 195 (1977).

Daniel Serwer, International Cooperation for Pollution Control, UNITAR Research Reports No. 9, reprinted in Law, Institutions, and the Global Environment, L. Hargrove, ed., (1974).

A. Sharkov, Environmental Protection and International Cooperation, International Affairs (Moscow) 63 (June 1976).

George W. Sherk, Comment on Ten Years After Stockholm - International Environmental Law, 77 American Society of International Law Proceedings 430 (1983).

L.P. Shields & M.C. Ott, The Environmental Crisis: International and Supranational Approaches, 4 International Relations 645 (1974).

Shimizu, Legal Principles and Recommendations for Environmental Protection and Sustainable Development, 14 Nippon Seikyo Kenkyusho-Kiyo 13 (1990).

Silva, Pending Problems on International Law of the Environment, in The Future of the International Law of the Environment 217, R. Dupuy, ed. (Academie de Droit International 1984).

Nagendra Singh, A World Charter for Nature, 3 Environmental Policy and Law 24 (1977).

Zednek J. Slouka, International Environmental Controls in the Scientific Age, in Law, Institutions and the Global Environment (L. Hargrove, ed., 1974).

Henri Smets, Environmental Legal Principles Adapted by the OECD Council, 9 Environmental Policy and Law 110 (1982).

Don W. Smith, Environmental Law, in Proceeding of the Conference on International Law: Critical Choices for Canada 1985 -2000 (1986).

George P. Smith, Toward an International Standard of Environment, 2 Pepperdine Law Review 28 (1974).

Michael Smith, International Environmental Law: Recent Issues and Current Negotiations, Australian Environmental Law News 33 (No. 1, March 1992).

Turner T. Smith, The Global Environment: Challenges, Choices and Will, 16 Environmental Law Reporter 10255 (September 1986).

Frederick E. Snyder, International Legal Studies in the Century of the Earth, 9 Hofstra Law Review 1127 (1981).

Soedjatmoko, Managing the Global Commons, 2 The Environmentalist 213 (1982), reprinted in, 6 Mazingira 32 (No. 2, 1982).

Louis B. Sohn, The Other 1992: New Challenge for Environmental Lawyers, [1989] Canadian Council on International Law Proceedings 117.

Marvin S. Soroos, Global Environmental Politics, in Peace and World Order Studies: A Curriculum Guide 501, Daniel C. Thomas & Michael T. Klare, eds. (Boulder/San Francisco/London: Westview Press, 1989).

Allen L. Springer, Stockholm Principle 21 Revisited, in International Environmental Diplomacy, J. Carroll, ed. (1988).

Allen L. Springer, Towards a Meaningful Concept of Pollution in International Law, 26 International and Comparative Law Quarterly 531 (1977).

A. Springer, International Aspects of Pollution Control, in International Handbook of Pollution Control, E. Kormondy, ed. (1989).

Harold & Margret Sprout, The Ecological Viewpoint - And Others, in 4 The Future of the International Legal Order 569 (Cyril Black & Richard Falk, eds., 1972).

Rochelle L. Stanfield, Greenhouse Diplomacy, National Journal 510 (4 March 1989).

R.E. Stein, Remarks on The Environment: International Rights and Responsibilities, 74 American Society of International Law Proceedings 244 (1980).

R.E. Stein & John L. Hargrove, Policy and Legal Aspects [of International Environmental Protection], 71 American Society of International Law Proceedings 48 (1977).

Ninian Stephen, The Growth of International Environmental Law, 8 Environmental and Planning Law Journal 183 (1991).

Ninian Stephen, International Protection of the Environment, 61 Australian Foreign Affairs and Trade 521 (No. 8, 1990).

Ninian Stephen, Signpost for the Future: A New World Pragmatism, 61 Australian Foreign Affairs and Trade 122 (No. 3, 1990).

Ninian Stephen, Our Common Future: Pathways for Environmental Protection, 61 Australian Foreign Affairs and Trade 626 (No. 9, 1990).

Maurice F. Strong, Environment: An International View, 16 American Review 33 (No. 4, 1972).

S. Sumitra, Environmental Law: From Nation-States to Individuals, 13 Cochin University Law Review 37 (1989).

Symposium, Tenth Annual Symposium on International Legal Practice: International Environmental Law - Global Trends and Policies, 14 Hastings International and Comparative Law Review 749-1040 (1991).

Symposium, The Greening of World Politics, 45 International Journal 1-137 (Winter 1989-90).

Paul C. Szasz, The Role of International Law: Formulating International Legal Instruments and Creating International Institutions, 15 Evaluation Review 7 (1991).

Alberto Szekely, Innovative Solutions to North American Environmental Problems: The Mexico-United States Solutions, [1989] Canadian Council on International Law 432.

Lee M. Talbot, The World's Conservation Strategy, 7 Environmental Conservation 268 (1980), reprinted in, Sustaining Tomorrow - A Strategy for World Conservation and Development 10, F. Thibodeau & H. Field, eds. (1984).

A.D. Tarlock, Land Use Choice: National Prerogative vs. International Policy, 13 Natural Resources Journal 343 (1973).

Dan Tarlock & Pedro Tarak, An Overview of Comparative Environmental Law, 13 Denver Journal of International Law and Policy 85 (1983).

Howard J. & Rita F. Taubenfeld, Modification of the Human Environment, in 4 The Future of the International Legal Order[:] The Structure of the International Environment 124, Black & Falk, eds. (Princeton 1972).

Prue Taylor, The Failure of International Environmental Law, 4 Our Planet 14 (No. 3, 1992).

Ludwik A. Teclaff, The Impact of Environmental Concern on the Development of International Law, 13 Natural Resources Journal 357 (1973).

Ludwik A. Teclaff & Eileen Teclaff, International Control of Cross-Media Pollution - An Ecosystem Approach, 27 Natural Resources Journal 21 (1987).

Thacher, International Agreements and Cooperation in Environmental Conservation, 15 Evaluation Review 27 (1991).

U. Thant, The United Nations and the Planetary Concept, 1 World 24 (No. 2, 18 July 1972).

Bo Johnson Theutenberg, The International Environmental Law - Some Basic Viewpoints, in Academie De Droit International, The

Future of the International Law of the Environment 233, R. Dupuy, ed. (1985).

Alexander S. Timoshenko, International Environmental Law: Fundamental Aspects, 59 Revista Juridica Universidad de Puerto Rico 653 (1990).

Jan Tinbergen, Assigning World Priorities, in Environment and Society in Transition, Albertson & Barnett, eds. (N.Y. Academy of Science 1975).

Mostafa K. Tolba, Heeding Nature's Tug: An Environmental Agenda for International Relations, 14 Fletcher Forum 239 (1990).

Mostafa K. Tolba, Striking the Global Bargain, Speech (UNEP Speech 1990/13)(Statement to the National Press Club - Washington, D.C., 12 June 1990).

Mostafa K. Tolba, The Quiet Revolution, Speech (UNEP Speech 1991/25)(Statement to ECOSOC - Geneva, 16 July 1991).

Trail Smelter Arbitration: Oral Proceedings, 50 Oregon Law Review 283 (1971).

Train, A Perspective on World Environmental Problems, EPA Journal 2 (Jan/Feb. 1985).

Sergei Trofimenko, To Preserve Our Earth, 17 Coexistence 169 (1980).

Albert E. Utton, International Aspects of Environmental Policy, 11 Natural Resources Journal 513 (1971).

Albert E. Utton, Managing the International Environment, 16 Natural Resources Journal 451 (1976).

P. Van Heijnsbergen, The "Pollution" Concept in International Law, 5 Environmental Policy and Law 11 (1979).

Barend van Niekerk, Environmental Pollution - The New International Crime, 93 South African Law Journal 68 (1976).

Barend van Niekerk, The Ecological Norm in Law or the Jurisprudence of the Fight Against Pollution, 92 South African Law Journal 78 (1975).

Stephen J. Vasek, International Environmental Damage Control: Some Proposals for the Second Best of All Worlds, 59 Kentucky Law Journal 672 (1971).

Arpad Von Lazar & Joanne Kauffman, [International Environmental Law], in Peace and World Order Studies: A Curriculum Guide 512, D. Thomas & M. Klare, eds. (1989).

Ingo von Muench, International Environmental Law: Some Remarks, 23 Indian Journal of International Law 210 (1983).

M.K. Wali & R.L. Burgess, The Interface of Ecology and Law:

Science, the Legal Obligation, and Public Policy, 12 Syracuse Journal of International Law and Commerce 185 (1985).

Edith Brown Weiss, *International Environmental Law: Contemporary Issues and the Emergence of a New World Order*, 81 GEORGETOWN LAW JOURNAL 675 (1993).

Edith Brown Weiss, Environmental Disasters in International Law, [1986] Anuario Juridico Interamericano 141.

Richard L. Williamson, Building the International Environmental Regime: A Status Report, 21 University of Miami Inter-American Law Review 679 (1991).

R. Wilson, A Comprehensive Approach to Global Environmental Problems, in Biodiveristy and International Law 126, S. Bilderbeek, ed. (Amsterdam: IOS Press, 1992).

T.W. Wilson, Environmental Policy and International Law, in Environmental Policy 103, Nagel, ed. (1974).

Wolfke, Some Reflections on International Environmental Law: Making and Enforcement, [1976] Polish Yearbook of International Law 33.

Rudiger Wolfrum, Purposes and Principles of International Environmental Law, 33 German Yearbook of International Law 308 (1990).

A. Wolman, Pollution as an International Issue, 47 Foreign Affairs 164 (1968).

Harold W. Wood, The United Nations World Charter for Nature: The Developing Nations' Initiative to Establish Protections for the Environment, 12 Ecology Law Quarterly 977 (1985).

World Resources Institute, Compact for a New World, Prepublication Report (12 August 1991).

J.B. Yates, Unilateral and Multilateral Approaches to International Environmental Problems, 21 University of Toronto Law Journal 177 (1971).

Kaya Yoichi, Threats to the Global Ecosystem, 17 Japan Echo 65 (No. 1, 1990).

Oran R. Young, Global Environmental Change and International Governance, 19 Millennium 337 (1990).

Oran R. Young, The Politics of International Regime Formation: Managing Natural Resources and the Environment, 43 International Organization 349 (1989).

Isidoro Zanotti, Regional and International Activities [in Environmental Protection], 12 Lawyer of the Americas 599 (1980).

II. THE DUTY TO COOPERATE AND ASSIST

A. International Instruments and Other Documents

1. **Treaties**

Nordic Agreement on Co-operation Over National Territorial Boundaries with the Aim of Preventing or Limiting Damage to Man or Property or the Environment in the Events of Accidents (Stockholm), done 20 January 1982, reprinted in, International Protection of the Environment I/A:20-0189.

Agreement Between the United States and the U.S.S.R. for Cooperation in the Field of the Environment (Moscow), done 24 May 1972, reprinted in, 11 International Legal Materials 761 (1972).

Agreement Between the Federal Republic of Germany and the United States on Cooperation in the Field of Environmental Protection, done 9 May 1974, reprinted in, 13 International Legal Materials 598 (1974).

United States-Japan Agreement on Cooperation in the Field of Environmental Protection, done 5 August 1975, 26 United States Treaty Series 2534.

Agreement Between France and the Federal Republic of Germany on Mutual Assistance in Case of Accidents, done 3 February 1977, reprinted in XXIX International Protection of the Environment 227 (1982).

Treaty for Amazonian Cooperation (Brasilia), done 3 July 1978, reprinted in 17 International Legal Materials 1045 (1978).

European Outline Convention on Transfrontier Co-operation Between Territorial Communities or Authorities (Madrid), done 21 May 1980, reprinted in, 20 International Legal Materials 315 (1981).

Agreement Between Canada and Denmark on cooperation Relating to the Marine Environment, done 6 August 1983, reprinted in, 23 International Legal Materials 269 (1984).

United State-Mexico Agreement for Cooperation on Environmental Programs and Transboundary Problems, done 14 August 1983, reprinted in, 23 International Legal Materials 1025 (1983).

Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency (Vienna), done 26 September 1986, reprinted in 25 International Legal Materials 1377 (1986).

Agreement Between Mexico and the United States on Cooperation for the Protection and Improvement of the Environment in the Border Area, done 12 November 1986, reprinted in, 26 International Legal Materials 16 (1987).

2. **United Nations Resolutions and Documents**

United Nations General Assembly, Declaration on Principles of International Law Concerning Friendly Relations and Co-operation Among States in Accordance with the Charter of the United

Nations, G.A. Res. 2625 (XXV)(24 October 1970).

United Nations General Assembly, International Co-operation in the Monitoring, Assessment and Anticipation of Environmental Threats and in Assistance in Cases of Environmental Emergencies, G.A. Res. 44/___ (1989), reprinted in, 20 Environmental Policy and Law 35 (1990).

United Nations General Assembly, International Co-operation in the Field of the Environment, G.A. Res. 37/217 (1982), reprinted in, XXI United Nations Resolutions 367, Dusan J. Djonovich, ed. (1982-83).

United Nations General Assembly, Cooperation Between States in the Field of the Environment, G.A. Res. 2995 (XXVII), reprinted in, XIV United Nations Resolutions 278 (1972-74).

United Nations General Assembly, Declaration on the Right to Development, G.A. Res. 41/128, G.A.O.R., 41st Sess., Supp. 53, at 186.

UNECE, Principles Regarding Cooperation in the Field of Transboundary Waters (Geneva), done 10 April 1987.

UNEP, Provisions for Cooperation Between States on Weather Modification (Nairobi), done 29 April 1980.

UNEP Governing Council, Principles of Conduct in the Field of the Environment for the Guidance of States in the Conservation and Harmonious Utilization of Natural Resources Shared by Two or More States, decision 6/14, U.N. Doc. UNEP/IG12/2 (1978), reprinted in, 17 International Legal Materials 1097 (1978).

UNEP, Report of the Executive Director on Cooperation in the Field of the Environment Concerning Natural Resources shared by Two or More States, U.N. Doc. UNEP/GC/44 (20 Feb. 1975).

3. Other Documents

OECD Recommendation for Strengthening International Cooperation on Environmental Protection in Transfrontier Regions, C(78)77(Final), reprinted in, 17 International Legal Materials 1530 (1978).

European Council on Environmental Law, Principles Concerning International Cooperation in Environmental Emergencies Linked to Technological Development, reprinted in, 12 Environmental Policy and Law 79 (1984).

The Bellagio Declaration on the Environment, reprinted in, 19 Boston College Environmental Affairs Law Review 499 (1992).

B. Texts, Treatises & Anthologies

Robert Axelrod, The Evolution of Cooperation (Basic Books 1984).

W. Friedmann, International Law of Cooperation: Regional Grouping

in the Changing Structure of International Law (1964).

A. Groom & P. Taylor, Frameworks for International Cooperation (Francis Pinter Publisher 1989).

Peter M. Haas, Saving the Mediterranean: The Politics of International Environmental Cooperation (1991).

Johnston & Finkle, Acid Precipitation in North America: The Case for Transboundary Cooperation (Canadian Institute for Resource Law 1983).

D. Le Maquand, International Rivers: The Politics of Cooperation (1978).

Kenneth A. Oye, Cooperation Under Anarchy (Princeton University Press 1986).

----- Principles of International Law Concerning Friendly Relations and Cooperation, M. Sahovic, ed. (1972).

Peter Sand, International Cooperation: The Environmental Experience (Baltimore: WRI Publications, 1990).

----- Strengthening Environmental Cooperation Within Developing Countries (OECD 1989).

Oran Young, International Cooperation: Building Regimes for Natural Resources and the Environment (Cornell Univ. 1989).

C. Periodic Literature, Essays & Opinion

R. Axelrod, The Emergence of Cooperation Among Egoists, 75 American Political Science Review 306 (1981).

R. Axelrod & R. Keohane, Achieving Cooperation Under Anarchy: Strategies and Institutions, 38 World Politics 226 (1985).

R. Axelrod & D. Dion, The Further Evolution of Cooperation, 242 Science 1385 (1988).

Richard B. Bilder, Controlling Great Lakes Pollution: A Study in U.S.-Canadian Environmental Cooperation, 72 Michigan Law Review 469 (1972), reprinted in, Law, Institutions and the Global Environment 294, L. Hargrove, ed. (Oceana 1972).

M. Bothe, Environmental Policy in a Context of Divided Jurisdiction, 13 ZUPUR 331 (1990).

Bradeana, Protection of the Environment and International Cooperation in this Sphere, 22 Revue D'Etudes Internationales 106 (1973).

G. Bundschuh, Transfrontier Pollution - Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region - Agreement Involving Collective Response to

Marine Pollution Incidents and Long Range Environmental Planning, 14 Georgia Journal of International and Comparative Law 201 (1984).

L.K. Caldwell, Beyond Environmental Diplomacy: The Changing Structure of International Cooperation, in International Environmental Diplomacy (J. Carroll, ed., 1988).

L.K. Caldwell, Cooperation and Conflict: International Response to Environmental Issues, Environment 6 (Jan./Feb. 1985).

F.X. Cameron, International Cooperation and Acid Rain Pollution, 18 International Journal of Environmental Studies 129 (1982).

C.E. Di Liva, et al., Development and International Cooperation: Environment, Illegal Traffic in Toxic and Dangerous Products and Wastes: Report to the Secretary General, U.N. Doc A/44/362 (1989).

P.M. Dupuy & H. Smets, Cooperation in Frontier Regions, 5 Environmental Policy and Law 175 (1979).

Clyde Eagleton, The Pressure of Interdependence, in International Governance 7 (3rd ed. 1957).

Eldin, The Need for International Cooperation and Coordination Regarding the Environment, 50 OECD Observer 3 (Feb. 1971).

D.P. Emond, Cooperation in Nature: A New Foundation for Environmental Law, 22 Osgood Hall Law Journal 323 (1984).

D.P. Finn, Ocean Disposal of Radioactive Wastes: The Obligation of International Cooperation to Protect the Marine Environment, 21 Virginia Journal of International Law 621 (1981).

C.A. Fleischer, An International Convention on Environmental Cooperation Among Nations: Proposed Draft, Policies and Goals, 7 Texas International Law Journal 73 (1971).

Fancesco Fancioni, International Cooperation for the Protection of the Environment: The Procedural Dimensions, in Environmental Protection and International Law 203, W. Lang, H. Neuhold & K. Zemanek, eds. (1991).

W. Friedmann, International Law of Coexistence and International Law of Cooperation: General Course on Public International Law, 127 Recueil Des Cours 39 (1970).

Gardner, Cooperation in Outer Space, 41 Foreign Affairs 344 (1963).

I. Gorey, The World Ocean and Problems of International Cooperation, International Affairs (Moscow) 61 (3 March 1982).

Scott A. Hajost, U.S.-Mexico Environmental Cooperation: Agreement Between the United States of America and the United Mexican States on Cooperation for the Protection and Improvement of the Environment in the Border Area, Environmental Law Quarterly

Newsletter 1 (Spring 1984).

Peter Hardi, For a Breakthrough in Ecological Cooperation, 1990 International Affairs (Moscow) 113 (March 1990).

Ernest Haseler, Energy in Decline: A Cause of Conflict - or Forcing International Cooperation?, 6 International Relations 374 (____).

Diane Hoffman, Agreement Between the United States and Mexico on Cooperation for the Protection and Improvement of the Environment in the Border Area, 25 Harvard International Law Journal 239 (1984).

Todd Howland, Chernobyl and Acid Rain: An Analysis of the Failure of European Cooperation to Protect the Shared Environment, 2 Temple International and Comparative Law Journal 1 (1987).

Piet-Hein Houben, Principles of International Law Concerning Friendly Relations and Cooperation Among States, 61 American Journal of International Law 703 (1967).

A. Kiss, International Cooperation for the Control of Accidental Marine Pollution, 23 German Yearbook of International Law 231 (1981).

F. Kratochwil, On the Notion of Interest in International Relations, 36 International Organization 1 (1982).

Kyba, Environmental Cooperation to Meet Political Objectives, International Perspectives 11 (July/Aug 1977).

A.V. Leont'eva, Cooperation of Socialist Countries in Environmental Protection, 4 Connecticut Journal of International Law 479 (1989).

V. Lowe, The Role of Equity in International Law, 12 Australian Yearbook of International Law ____ (1992).

A. Manos, The Convention and Regional Cooperation for the Protection of the Mediterranean Sea Against Pollution, in Essays on the New Law of the Sea (Sveucilisna Naklada Liber 1985).

Edward McWhinney, "Peaceful Coexistence" and Soviet-Western International Law, 56 American Journal of International Law 951 (1962).

E. McWhinney, The New Countries and the New International Law: The United Nations Special Conference on Friendly Relations and Cooperation Among States, 60 American Journal of International Law 1 (1966).

Hans-Joachim Mertens & Erich Schanze, Co-operation in Natural Resources - A Legal/Economic Perspective, 3 Reports of the Deutsche Forschungsgemeinschaft 12 (1979).

A.J. Miller, Doomsday Politics: Prospects for International Cooperation, 28 International Journal 121 (1972-73).

Hanspeter Neuhold, Commentary [on International Co-operation for the Protection of the Environment: The Procedural Dimension], in Environmental Protection and International Law 221, W. Lang, H. Neuhold & K. Zemanek, eds. (1991).

M. Olson, Increasing Incentives for International Cooperation, 25 International Organization 866 (1971).

Kenneth A. Oye, Explaining Cooperation Under Anarchy: Hypotheses and Strategies, 38 World Politics 1 (1985).

Joel R. Paul, Comity in International Law, 32 Harvard International Law Journal 1 (1991).

N. Pelzer, The Nature and Scope of International Cooperation in Connection with the Peaceful Uses of Nuclear Energy, and its Limits - and Assessment, Nuclear Law Bulletin ____ (No. 27, ____).

M.C.W. Pinto, The Duty of Cooperation and the United Nations Convention on the Law of the Sea, in Realism in Law-Making 131, A. Bos & H. Siblesz, eds. (1986).

William K. Reilly, International Cooperation on the Environment: The Cleanup of Eastern Europe, 19 Boston College Environmental Affairs Law Review 501 (1992).

Nicholas A. Robinson & Gary R. Waxmonsky, The U.S.-U.S.S.R. Agreement to Protect the Environment: 15 Years of Co-operation, 18 Environmental Law 403 (1988).

Peter H. Sand, International Cooperation: The Environmental Experience, in Preserving the Global Environment: The Challenge of Shared Leadership, J.T. Matthews, ed. (Norton 1991).

Myron L. Scott, Two Models for International Environmental Cooperation, 22 Environmental Law 349 (1992).

Daniel Serwer, International Cooperation for Pollution Control, UNITAR Research Reports No. 9, reprinted in Law, Institutions, and the Global Environment, L. Hargrove, ed., (1974).

A. Sharkov, Environmental Protection and International Cooperation, International Affairs (Moscow) 63 (June 1976).

Mark A. Sinclair, The Environmental Cooperation Agreement Between Mexico and the United States: A Response to the Pollution Problems of the Borderlands, 19 Cornell International Law Journal 87 (1986).

J. Sommer, Transboundary Cooperation Between Poland and Its Neighbors, in Transboundary Air Pollution - International Legal Aspects of the Cooperation of States 205, Flinterman, Kwiatowska & Lammers, ed. (1986).

Steed, Global Cooperation, Note Unilateral Action, 5 Environmental Forum 15 (July/Aug 1988).

Symposium, The Co-operative Movement and the Environment, 83 Review of International Cooperation 79 (No. 2, 1990).

Symposium, Co-operatives and the Environment, 83 Review of International Cooperation 43 (No. 4, 1990).

P. Thacher, Multilateral Cooperation and Global Change, 44 Journal of International Affairs 433 (1991).

P. Thacher, International Agreements and Cooperations in Environmental Conservation, 15 Evaluation Review 27 (1991).

Leonard J. Theberge, Unilateralism: The Direct Challenge to International Law, 9 California Western International Law Journal 553 (1979).

R.E. Train, A New Approach to International Environmental Cooperation: The NATO Committee on the Challenges of Modern Society, 22 University of Kansas Law Review 167 (1973).

Steve Weber, Cooperation and Interdependence, 120 Daedalus 183 (No. 1, 1991),

Woodliffe, A New Dimension to International Cooperation: The OECD International Energy Agreement, 24 International and Comparative Law Quarterly 541 (1975).

III. THE DUTY TO NOTIFY AND INFORM

A. International Instruments and Other Documents

1. Treaties

IAEA Convention on Early Notification of a Nuclear Accident or Radiological Emergency (Vienna), done 26 September 1986, reprinted in 25 International Legal Materials 1370 (1986).

2. United Nations Resolutions and Documents

UNEP, London Guidelines for the Exchange of Information on Chemicals in International Trade (Nairobi), done 17 June 1987, U.N. Doc. UNEP/GC.15/9/Add.2/Supplement 3, appendix, reprinted as amended in, 19 Environmental Policy and Law 125 (1989).

3. Other Documents

OECD Council Decision on the Exchange of Information Concerning Accidents Capable of Causing Transfrontier Damage, C(88)84(Final), reprinted in, 28 International Legal Materials 249 (1989).

OECD Council Decision-Recommendation Concerning the Provision of Information to the Public and Public Participation in Decision-Making Process Related to the Prevention of, and Response to, Accidents Involving Hazardous Substances, reprinted in, 28 International Legal Materials 278 (1989).

OECD Environmental Committee, Report on the Application of Information and Consultation Practices for Preventing Transfrontier Pollution, in Transfrontier Pollution: The Role of States 8 (Paris: OECD, 1981).

B. Texts, Treatises & Anthologies

----- Corporate Disclosure of Environmental Risks: U.S. and European Law, Michael S. Baram & Daniel G. Partan, eds. (Salem, NH: Butterworth Legal Publishers, 1990).

----- The International Law and Practice of Early-Warning and Preventive Diplomacy: The Emerging Global Watch (Dordrecht: Martinus Nijhoff, 1991).

Frederic L. Kirgis, Prior Consultation in International Law[:] A Study of State Practice (Charlottesville: University of Virginia Press, 1983).

----- PARTICIPATION AND LITIGATION RIGHTS OF ENVIRONMENTAL ASSOCIATIONS IN EUROPE: CURRENT LEGAL SITUATION AND PRACTICAL EXPERIENCE, M. FUHR & G. ROLLER, EDS. (1991).

United Nations, Transnational Corporations and Industrial Hazards Disclosures (New York: United Nations, U.N. Sales No. E.91.II.A.18, 1991).

C. Periodic Literature, Essays & Opinion

Austin, Environmental Pollution Information - Disclosure and Access, 4 Connecticut Journal of International Law 413 (1989).

M.S. Baram, Risk Communication and Implementation Issues in the United States and the European Community, 6 Boston University International Law Journal 1 (1988).

R. Bernhardt, The Corfu Channel Case, 2 Encyclopedia of Public International Law 61 (1983).

Ulrich Beyerlin & Birgit Süß, Prior Information/Consultation/Environmental Impact Assessment, 2 Yearbook of International Environmental Law 72 (1991).

William Birtles, The European Directive on Freedom of Access to Information on the Environment, Journal of Planning and Environment Law 607 (July 1991).

H.J. Bordwin, Efforts to Prevent Misuse of Pesticides Exported to Developing Countries: Progressing Beyond Regulation and Notification, 12 Ecology Law Quarterly 675 (1985).

W. Burhenne, An International Environmental Law Information System, 5 Biological Conservation 309 (No. 4, 1973).

P.D. Cameron, The Vienna Conventions on Early Notification and Assistance, in Nuclear Energy Law After Chernobyl 19, Cameron, Hancher & Kuhn, eds. (1988).

H. Gleckman, Proposed Requirements for Transnational Corporations to Disclose Information on Product and Process Hazards, 6 Boston University International Law Journal 89 (1988).

Dietrich Gorney, The European Environment Agency and the Freedom of Environmental Information Directive: Potential Cornerstones of European Community Environmental Law, 14 Boston College International and Comparative Law Review 301 (1991).

Lothar Gundling, Prior Notification and Consultation, in Transferring Hazardous Technologies and Substances: The International Legal Challenge, G. Handl & R. Lutz, eds. (1989).

Halter, Regulating Information Exchange and International Trade in Pesticides and other Toxic Substances to Meet the Needs of Developing Countries, 12 Columbia Journal of Environmental Law 1 (1987).

Herczeg, Provisions of Space Treaties on Consultation, in 17th Colloquium on the Law of Outer Space 144 (1975).

Hostie, The Corfu Channel Case and International Liability of States, in Liber Amicorum of Congratulations for Algot Bagge 89 (1964).

IUCN, The Environmental Law Information System, 10 Environmental Policy and Law 89 (1983).

J. Mervyn Jones, Corfu Channel Case - Jurisdiction, 35 Transactions of the Grotius Society 91 (1950).

Martin & Sella, Earthwatch on a Macroscale, 10 Environmental Science and Technology 230 (1976).

Sharon McBrayer, Chernobyl's Legal Fallout - The Convention on Early Notification of a Nuclear Accident, 17 Georgia Journal of International and Comparative Law 303 (1987).

C. Mehri, Prior Informed Consent: An Emerging Compromise for Hazardous Exports, 21 Cornell International Law Journal 365 (1988).

Heather Mitchell, The Right to Know: A Need for Access to Information, 4 Environmental Policy and Law 87 (1978).

M. Pallemaerts, Export Notification: The EC Approach in the International Legal Context, 1 European Environment Review 25 (1987).

Daniel G. Partan, The Duty to Inform in International Environmental Law, 6 Boston University International Law Journal 43 (1988).

W.M. Reisman, Dissemination of Information by International Organizations: Reflections on Law and Policy, 17 Victoria University of Wellington Law Review 53 (1987).

James N. Rosenau, Field and Environmental Approaches to World Politics: Implications for Data Archives, 14 Journal of Conflict Resolution 513 (1970).

Ignaz Seidl-Hohenveldern, [The Conventions on Notification and Assistance in the Case of a Nuclear Accident], 1 Lieden Journal of International Law 212 (1988).

Henri Smets, The Right to Information on the Risks Created by Hazardous Installations at the National and International Levels, in International Responsibility for Environmental Harm 449, F. Francioni & T. Scovazzi, eds. (1991).

Stefan Weber, *Environmental Information and the European Convention on Human Rights*, 12 HUMAN RIGHTS LAW JOURNAL 177 (1991).

Wright, The Corfu Channel Case, 43 American Journal of International Law 491 (1949).

R.A. Wyman, Control of Toxic Substances: The Attempt to Harmonize Notification Requirements of the U.S. Toxic Substances Control Act and the European Community Sixth Amendment, 20 Virginia Journal of International Law 417 (1980).

IV. THE DUTY TO CONSULT AND NEGOTIATE

A. International Instruments

ILC Draft Articles on the Law of the Non-Navigational Uses of International Watercourses, Article 26, Report of the International Law Commission on the Work of its Forty-Third Session, 46 UN GAOR Supp. (No. 10), U.N. Doc. A/46/10 (1991), Chapt. III, 152, 161-72, reprinted in, 21 Environmental Policy and Law 246 (1991).

OECD Decision on Multilateral Consultation and Surveillance Mechanism for Sea Dumping of Radioactive Waste, reprinted in, 17 International Legal Material 445 (1978).

OECD Resolution on a Procedure of Notification and Consultation on Measures for Control of Substances Affecting Man and His Environment, C(71)73(Final).

B. Texts, Treatises & Anthologies

F. Kirgis, Prior Consultation in International Law: A Study of State Practice (Univ. Virginia 1983).

C. Periodic Literature, Essays & Opinion

C.B. Bourne, Procedure in the Development of International Drainage Basins: The Duty to Consult and to Negotiate, 10 Canadian Yearbook of International Law 212 (1972), reprinted in, 22 University of Toronto Law Journal 172 (1972).

Lothar Gundling, Prior Notification and Consultation, in

Transferring Hazardous Technologies and Substances: The International Legal Challenge, G. Handl & R. Lutz, eds. (1989).

Bill Henningham, The Environment - Intergovernment Cooperation and Public Consultation Vital to Halt Environmental Degradation (Unpublished Paper).

Symposium, Multinational Corporations and Their New Responsibilities to Disclose and Communicate Risk Information, 6 Boston University International Law Journal 43 (Spring, 1988).

Albert E. Utton, International Environmental Law and Consultation Mechanisms, 12 Columbia Journal of Transnational Law 56 (1973).

V. THE POLLUTER PAYS PRINCIPLE

A. International Instruments and Documents

OECD Council Recommendation on Application of the Polluter-Pays Principle to Accidental Pollution, C(89)88(Final), reprinted in, 28 International Legal Materials 1320 (1989).

Council of Europe Recommendation on the Application of the Polluter-Pays Principle, reprinted in, 13 International Legal Materials 234 (1974).

B. Texts, Treatises & Anthologies

OECD, The Pollutor Pays Principle[:] Definition, Analysis, Implementation (OECD 1975).

C. Articles, Essays & Opinion

Alan E. Boyle, Making the Polluter Pay? Alternatives to State Responsibility in the Allocation of Transboundary Environmental Costs, in International Responsibility for Environmental Harm 363, F. Francioni & T. Scovazzi, eds. (1991).

Dale Bryk, Polluter Pays Principle (CIEL Draft Talking Points, July 1990).

Sanford E. Gaines, The Polluter-Pays Principle: From Economic Equity to Environmental Ethos, 26 Texas International Law Journal 463 (1991).

K.H. Hansmeyer, "Polluter Pays" v "Public Responsibility," 6 Environmental Policy and Law 23 (1980).

K.H. Hansmeyer, Cost Apportionment Principles in Environmental Protection, in Trends in Environmental Policy and Law 52 (1980).

VI. THE PRECAUTIONARY PRINCIPLE AND RISK ASSESSMENT

A. International Instruments

Convention on Biological Diversity, U.N. Doc. UNEP/Bio.Div/CONF/L.2 (22 May 1992).

Resolution LDC.44(14), The Application of a Precautionary Approach in Environmental Protection within the Framework of the London Dumping Convention, Fourteenth Consultative Meeting on the London Dumping Convention, reprinted in, U.N. Doc. A/CONF.151/PC/31/Add.1 (1991).

Montreal Protocol on Substances that Deplete the Ozone Layer (Montreal), done 16 September 1987, reprinted in, 26 International Legal Materials 1541 (1987).

Final Act of the Conference of Plenipotentiaries on the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena), done 24 March 1983.

Final Ministerial Declaration, Second World Climate Conference (Geneva), done 7 November 1990.

The ASEAN Workshop on Scientific, Policy and Legal Aspects of Global Climate Change, done 20 September 1990.

Bergen Ministerial Declaration on Sustainable Development in the ECE Region (Bergen), done 16 May 1990.

Ministerial Declaration, Third International Conference on the Protection of the North Sea (The Hague), 8 March 1990.

UNEP Governing Council, Decision 15/27 (25 May 1989).

B. Texts

John L. Casti, Searching for Certainty: What Scientists Know About the Future (1990).

C. Periodic Literature, Essays & Opinion

Anderson, Scientific Developments in Risk Assessment: Legal Implications, 14 Columbia Journal of Environmental Law 411 (1989).

Bazon, Science and Uncertainty: A Jurists View, 5 Harvard Environmental Law Review 209 (1981).

Michael J. Bean, We Don't Know the Benefits Side of the Equation, 7 Environmental Forum 30 (No. 4, July & Aug. 1990).

Martin H. Belsky, Environmental Policy Law: Shifting the Burden of Proof, 12 Ecology Law Quarterly 1 (1984).

J.K. Bentil, Environmental Quality Measures - Prevention is Better than Care, Journal of Planning and Environment 638 (October 1980).

Black & Niehaus, How Safe is "Too" Safe?, 22 International Atomic Energy Bulletin 40 (1980).

Daniel Bodansky, Remarks [on the Precautionary Principle], 85 American Society of International Law Proceedings 413 (1991).

Brodeur, *Annals of Chemistry: In the Face of Doubt*, 62 New Yorker, (9 June 1986).

James Cameron & J. Werksman, *The Precautionary Principle: A Policy for Action in the Face of Uncertainty*, CIEL Background Paper on International Environmental Law (No. 1/ 1991).

James Cameron & Juli Abouchar, *The Precautionary Principle: A Fundamental Principle of Law and Policy for the Protection of the Global Environment*, 14 Boston College International and Comparative Law Review 1 (1991).

Edward Christie, *The Eternal Triangle: The Biodiversity Convention, Endangered Species Legislation and the Precautionary Principle*, 10 ENVIRONMENTAL AND PLANNING LAW JOURNAL 470 (1993).

Colglazier, *Scientific Uncertainties, Public Policy and Global Warming: How Sure is Sure Enough?*, 19 Political Studies Journal 61 (1991).

Comment, *EPA and Biotechnology Regulation: Coping With Scientific Uncertainty*, 95 Yale Law Journal 553 (1986).

Commoner, *The Hazards of Risk Assessment*, 14 Columbia Journal of Environmental Law 365 (1989).

Loren C. Cox, *Facts and Uncertainties*, 12 Energy Journal 1 (No.1, 1991).

D. Crawford-Brown & N. Pearce, *Sufficient Proof in the Scientific Justification of Environmental Actions*, 11 Environmental Ethics ___ (1989).

C.J. Daggett, R.E. Hazen & J.A. Shaw, *Advancing Environmental Protection through Risk Assessment*, 14 Columbia Journal of Environmental Law 315 (1989).

A. D'Amato, *Legal Uncertainty*, 71 California Law Review 1 (1983).

D. Doniger, *The Gospel of Risk Management: Should We Be Converted*, 14 Environmental Law Reporter 10190 (1984).

Feldman & Mann, *Policy Analysis and the Management of Climate Change: Institutional Adaptability in the Face of Scientific Uncertainty*, 19 Political Studies Journal 43 (1991).

Finkel, *Is Risk Assessment Really too Conservative? Revising the Revisionists*, 14 Columbia Journal of Environmental Law 427 (1989).

Daniel J. Fiorino, *Environmental Risk and Democratic Process*, 14 Columbia Journal of Environmental Law 501 (1989).

David Freestone, *The Precautionary Principle*, in International Law and Global Climate Change 21, R. Churchill & D. Freestone,

eds. (1991).

Sanford E. Gaines, Science, Politics, and the Management of Toxic Risks Through Law, 30 Jurimetrics 271 (1990).

Goldstein, Risk Assessment and the Interface Between Science and Law, 14 Columbia Journal of Environmental Law 343 (1989).

Graedel, Regional and Global Impacts on the Biosphere: A Methodology for Assessment and Prediction, Environment 8 (Jan/Feb. 1989).

Gray, Statistics and the Precautionary Principle, 21 Marine Pollution Bulletin 174 (1990).

Harold P. Green, The Resolution of Uncertainty, 12 Natural Resources Journal 182 (1972).

Greenpeace International, Protection of the Environment through the Precautionary Approach (Unpublished Paper).

Greenpeace International, Precaution: A Scientifically Rigorous Approach (Submission to the 13th Meeting of the London Dumping Convention Scientific Group on Dumping, 23-27 April 1990).

Lothar Gundling, The Status in International Law of the Principle of Precautionary Action, 5 International Journal of Estuarine and Coastal Law 23 (1990), reprinted in, The North Sea: Perspectives on Regional Environmental Cooperation 23, D. Freestone & T. IJlstra, eds. (London: Graham & Trotman, Ltd., 1990).

Geoffrey C. Hazard, The Role of the Legal System in Response to Public Risk, 119 Daedalus 229 (No. 4, 1990).

Ellen Hey, The Precautionary Concept in Environmental Policy and Law: Institutionalizing Caution, 4 Georgetown International Environmental Law Journal 303 (1992).

Ellen Hey, The Precautionary Approach: Implications of the Revision of the Oslo and Paris Conventions, 15 Marine Policy 224 (1991).

Highland, Perceived Problems in the Application of Risk Assessment Analysis, 14 Columbia Journal of Environmental Law 593 (1989).

Oliver A. Houck, The "Institutionalization of Caution" Under [Section] 7 of the Endangered Species Act: What Do You do When You Don't Know?, 12 Environmental Law Reporter 15001 (1982).

P. Johnston & M. MacGarvin, 0-2000[:] Assimilating Lessons from the Past (Greenpeace Paper No. 28 to the 3rd North Sea Conference).

J. Krier, Environmental Litigation and the Burden of Proof, in Law and the Environment 110, H.F. Baldwin & J.K. Page, eds. (Walker 1970).

Lester B. Lave, Formulating Greenhouse Policies in a Sea of Uncertainty, 12 Energy Journal 9 (No. 1, 1991).

Lave, Risk Assessment and Regulatory Priorities, 14 Columbia Journal of Environmental Law 307 (1989).

Scott M. Matheson, Uncertainty and Risk: A Public Policy Approach to Acid Rain, 6 Journal of Energy Law and Policy 297 (1985).

Andre Nollkaemper, The Precautionary Principle in International Environmental Law 22 Marine Pollution Bulletin 107 (1991).

James M. Olson, Shifting the Burden of Proof: How the Common Law can Safeguard Nature and Promote a Earth Ethic, 20 Environmental Law 891 (1990).

G. Peet, The Anticipation Principle as a Basis for Policy?, in Environmental Protections of the North Sea 503, P.J. Newman & A.R. Agg, eds. (1988).

George L. Priest, The New Legal Structure of Risk Control, 119 Daedalus 207 (No. 4, 1990).

Frank C. Reed, Acid Precipitation and Scientific Uncertainty[:] Problems in Probability, 18 International Journal of Environmental Studies 77 (1982).

Mark Reeve, Scientific Uncertainty and the National Environmental Policy Act - the Council on Environmental Quality's Regulation 40 C.F.R. sec. 1502.22, 60 Washington Law Review 101 (1984).

Ruckelshaus, Risk in a Free Society, 14 Environmental Law Reporter 10190 (1984), reprinted in, 3 Risk Analysis 157 (1984).

Robert A. Saar, Understanding the Uncertainty of Environmental Data, 204 New York Law Journal 1 (5 October 1990).

K. Sachariew, The Definitions of Thresholds of Tolerance for Transboundary Environmental Injury Under International Law: Development and Present Status, 37 Netherlands International Law Review 193 (1990).

Stever, The Use of Risk Assessment in Environmental Law, 14 Columbia Journal of Environmental Law 549 (1989).

Joyce Tait & Les Levidow, Proactive and Reactive Approaches to Risk Regulation: The Case of Biotechnology, 24 Futures (No. 3, 1991).

Wassersug, The Role of Risk Assessment in Developing Environmental Policy, 12 International Environment Reporter 33 (1989).

Wollen, Reformation of the Burden of Proof, 26 Natural Resources Journal 377 (1986).

VII. ENVIRONMENTAL IMPACT ASSESSMENT

A. International Instruments and Other Documents

1. **Treaties**

Convention on Environmental Impact Assessment in a Transboundary Context (Espoo), done 25 February 1991, *reprinted in*, 30 International Legal Materials 800 (1991).

2. **United Nations Resolutions and Documents**

UNEP Governing Council, Goals and Principles of Environmental Impact Assessment, Decision 14/25 (17 June 1987), U.N. Doc. UNEP/GC.14/17, annex III, endorsed by the General Assembly in, G.A. Res. 42/184 (11 Dec 1987), *reprinted in*, International Environmental Protection I/D/19-06-87; 17 Environmental Policy and Law 36 (1987).

UNEP, Environmental Impact Assessment (Guideline Series No. 9).

UN Economic Commission for Europe, Policies and Systems of Environmental Impact Assessment (New York: United Nations 1991).

3. **Other Documents**

EEC Council Directive on the Assessment of the Effects of Certain Projects on the Environment, 85/337/EEC, Official Journal of the European Community, L 175 (27 June 1985).

OECD Recommendation on Measures Required to Facilitate the Environmental Assessment of Development Assistance Projects and Programmes, O.E.C.D. Doc. C(86)26 (23 October 1986).

OECD Recommendation on Environmental Assessment of Development Assistance Projects and Programmes, O.E.C.D. Doc. C(85)104 (20 June 1985), *reprinted in*, O.E.C.D., OECD and the Environment 30 (1986).

OECD Recommendation on the Assessment of Project with Significant Impact on the Environment, C(79)116(Final)(1979).

OECD Recommendation on the Analysis of Environmental Consequences of Significant Projects, C(74)216 (1974).

B. Texts, Treatises & Anthologies

Yusuf J. Ahmad & George K. Sammy, Guidelines to Environmental Impact Assessment in Developing Countries (London/Sydney/Auckland/Toronto: Hodder & Stoughton for UNEP, 1988).

Asit K. Biswas & Au Geping Chu, Environmental Impact Assessment for Developing Countries (Tycolly 1987).

W. Burch & D. DeLuca, Measuring the Social Impact of Natural Resource Policies (1984).

L.W. Canter, The Status of Environmental Impact Assessment for Developing Countries (Tycooly 1987).

Centre for Environmental Management and Planning, The European Economic Community Environmental Assessment Directive: Towards Implementation (Aberdeen 1986).

----- Environmental Impact Assessment: Analysis of the Environmental Consequences of Significant Public and Private Projects (Paris: OECD, 1979).

----- Environmental Impact Assessment: Proceedings of a Seminar of the U.N. Economic Commission for Europe (Oxford 1981).

Environmental Resources Limited, Environmental Assessment Procedures in the United Nations System (1990).

----- Perspectives on Environmental Impact Assessment, B. Clark, A. Gilad, R. Bisset & P. Tomlinson, eds. (Reidel 1984).

UNEP Regional Office for Asia and the Pacific, Environmental Impact Assessment: Basic Procedures for Developing Countries (Bangkok 1988).

C. Periodic Literature, Essays & Opinion

W.F. Barber & R.V. Bartlett, Matrix Organization Theory and Environmental Impact Analysis: A Futile Union?, 27 Natural Resources Journal 605 (1987).

Ulrich Beyerlin & Birgit Süß, Prior Information/Consultation/Environmental Impact Assessment, 2 Yearbook of International Environmental Law 72 (1991).

John E. Bonine, Environmental Impact Assessment - Principles Developed, 17 Environmental Policy and Law 5 (1987).

B. Bowonder, Environmental Risk Management in the Third World, 18 International Journal of Environmental Studies 41 (1981).

Eugene Brooks, Technological and Legal Aspects of Environmental Monitoring, 1 Journal of Space Law 6 (1973).

A. Brown, R. Hindmarsh & G. McDonald, Environmental Assessment Procedures in the Pacific Basin, 11 Environmental Impact Assessment Review 143 (1991).

Devuyst & Hems, Environmental Impact Assessment in Belgium: An Overview, 13 Environmental Professional 166 (1991).

D.V. Ellis, A Decade of Environmental Impact Assessment at Marine and Coastal Mines, 6 Marine Mining 385 (1987).

D.W. Fischer, Environmental Impact Assessment as an Instrument of Public Policy for Controlling Economic Growth, 6 International Journal of Environmental Studies 233 (1974).

J.W. Futrell, Environmental Assessment: The First Step in Successful Environmental Strategies, 10 U.C.L.A. Pacific Basin Law Review 224 (1991).

Julia Gardner, Decision Making for Sustainable Development: Selected Approaches to Environmental Assessment and Management, 9 Environmental Impact Assessment Review 337 (1989).

L.F.E. Goldie, International Impact Reports and the Conservation of the Ocean Environment, in International Environmental Law (Teclaff & Utton, eds., 1974), reprinted from, 13 Natural Resources Journal 256 (1973).

L.F.E. Goldie, "Impact Reports:" A Domestic Law Analogy for International Legislation, 1 Syracuse Journal of International Law and Commerce 39 (1972).

L.F.E. Goldie, International Impact Statements and the Conservation of the Ocean Environment in a Deep Seabed Hard Mineral Regime, Hearings on S. 1134, the Deep Seabed Hard Mineral Resources Bill, 93rd Cong., 1st Sess., at 545 (1973).

Malcolm Grant, Implementation of the European Community Directive on Environmental Impact Assessment, 4 Connecticut Journal of International Law 463 (1989).

Nigel Haigh, The EEC Directive on Environmental Assessment, Journal of Planning and Environment Law 585 (September 1983).

Hanebury, Environmental Impact Assessment in the Canadian Federal System, 36 McGill Law Journal 962 (1991).

V.J. Hartje, Environmental Impact Assessment for Development Projects: Institutional Constraints and International Development Cooperation, 5 Journal of Public and International Affairs 49 (1985).

J.D. Head, Federal Agency Responsibility to Assess Extraterritorial Environmental Impacts, 14 Texas International Law Journal 425 (1979).

J. Horberry, International Organization and Environmental Impact Assessment in Developing Countries, 7 Environmental Impact Assessment Review ____ (1986).

E. Hyman & B. Stiftel, The International Development of Environmental Impact Assessment, 8 The Environmentalist 143 (1988).

Will Irwin, Impact Assessment - First Session of the International Working Group of Legal Experts, 13 Environmental Policy and Law 51 (1984).

Steven L. Kass & Michael B. Gerrard, International Impact Assessment, 206 New York Law Journal 3 (25 October 1991).

William V. Kennedy, The [EC] Directive on Environmental Impact Assessment, 8 Environmental Policy and Law 84 (1982).

Carol Klien-Chesivoir, Avoiding Environmental Injury: The Case for Widespread Use of Environmental Impact Assessments in International Development Projects, 30 Virginia Journal of International Law 517 (1990).

E.J. Krauland, NEPA, Nukes and Nonproliferation: Clarifying the Transnational Impact Statement Mandate in Nuclear Export Licensing, 4 International and Comparative Law Review 201 (1981).

Gill Chin Lim, From Negligence to Prevention: Environmental Impact Assessments in Developing Countries, 9 Urban Law and Policy 421 (1988).

Lohani, Legislative and Institutional Status of Environmental Impact Assessment in the Asia Pacific Basin Region, 7 Environmental Professional 186 (1985).

W.H. Mansfield, Shaping Environmental Assessment for Use in International Activities, in Environmental Impact Assessment: Proceedings of A Seminar of the U.N. Economic Commission for Europe 319 (Oxford 1981).

S.K. McCollum, Environmental Impact Procedures: A Critique of the Canadian Proposal, 1 Earth Law Journal 275 (1975).

Thomas C. Meredith, Environmental Impact Assessment, Cultural Diversity, and Sustainable Rural Development, 12 Environmental Impact Assessment Review 125 (1992).

Mertz, The EEC Directive on Environmental Assessment, Journal of Planning and Environmental Law ____ (1989).

William Morrison-Bell, EC Environmental Auditing Procedures: An Overview, 19 International Business Lawyer 539 (1991).

Mulvilhill & Keith, Institutional Requirements for Adaptive EIA: The Kativik Environmental Quality Commission, 9 Environmental Impact Assessment Review 399 (1989).

Ofori, Environmental Impact Assessment in Ghana: Current Administration and Procedures - Towards an Appropriate Methodology, 11 The Environmentalist 45 (1991).

J. Palmisano, Environmental Auditing: Past, Present and Future, 1 Environmental Auditor 7 (1989).

Y.D. Pendse, Environmental Impact Assessment Methodologies: Shortcomings and Appropriateness for Water Resources Projects in Developing Countries, 5 International Journal of Water Resources Development 252 (1989).

William E. Rees, A Role for Environmental Assessment in Achieving Sustainable Development, 8 Environmental Impact Assessment Review 273 (1988).

Nicholas A. Robinson, International Trends in Environmental Impact Assessment, 19 Boston College Environmental Affairs Law

Review 591 (1992).

C. Roque, Environmental Impact Assessment in the Association of Southeast Asian Nations, 5 Environmental Impact Assessment Review 257 (1985).

Bob Stensholt, The Need for and Role of Environmental Assessment and Conditions in Foreign Aid, paper given at the Second NELA/LAWASIA International Conference on Environmental Law (Bangkok, 4-7 August 1991).

Alexander S. Timoshenko, The Problem of Preventing Environmental Damage to the Environment in National and International Law: Impact Assessment and International Consultations, 5 Pace Environmental Law Review 475 (1988).

Tolentino, The Philippine Strategy for Sustainable Development: Policy Implications and Relations to Environmental Impact Assessment, 59 Revista Juridica de la Universidad de Puerto Rico 877 (1990).

Wathern, The EC EIA Directive: Two Initiatives, One Issue, 7 Environmental Impact Assessment Review 103 (198_).

Rohan H. Wickramasinghe, Environmental Impact Assessment and Developing Countries, 11 Marga 32 (No. 1, 1990).

David A. Wirth, Environmental Impact Assessment and International Technology Transfer, in Transferring Hazardous Technologies and Substances: The International Legal Challenge, G. Handl & R. Lutz, eds. (1989).

Wood, Environmental Assessment - the E.C. Directive, Journal of Planning Law 4 (1986).

Nicholas C. Yost, Can Environmental Assessment Help Avoid or Reduce Transboundary Pollution?, in Common Boundary/Common Problems: Environmental Consequences of Energy Productions 91 (CBA/ABA, 1982).

VIII. NONDISCRIMINATION AND EQUAL RIGHT OF ACCESS TO INFORMATION AND REMEDY

A. International Instruments and Other Documents

Nordic Environmental Protection Convention (Stockholm), done 19 February 1974, reprinted in, 13 International Legal Materials 591 (1974).

ASEAN Agreement on the Conservation of Nature and Natural Resources, Article 16 (Kuala Lumpur), done 9 July 1985, reprinted in, 15 Environmental Policy and Law 64 (1985).

Convention on Fishing and Conservation of the Living Resources of the High Seas (Geneva), done 29 April 1958, 555 United Nations Treaty Series 285, reprinted in, 52 American Journal of International Law 851 (1958).

ILC Draft Articles on the Law of the Non-Navigational Uses of International Watercourses, Article 32, Report of the International Law Commission on the Work of its Forty-Third Session, 46 UN GAOR Supp. (No. 10), U.N. Doc. A/46/10 (1991), Chapt. III, 152, 161-72, reprinted in, 21 Environmental Policy and Law 246 (1991); 30 International Legal Materials 1575 (1991).

OECD Decision/Recommendation Concerning Provision of Information to the Public and Public Participation in Decision-Making Processes Related to the Prevention of, and Response to, Accidents Involving Hazardous Substances, O.E.C.D. Doc. C(88)84(Final), reprinted in, 28 International Legal Materials 277 (1989).

OECD Recommendation on the Implementation of a Regime of Equal Right of Access and Nondiscrimination in Relation to Transfrontier Pollution, O.E.C.D. Doc. C(77)28(Final), reprinted in, 4 Environmental Policy and Law 53 (1978); 16 International Legal Materials 977 (1977); Legal Aspects of Transfrontier Pollution 29 (Paris: OECD, 1977)..

OECD Recommendation on Equal Right of Access in Relation to Transfrontier Pollution, O.E.C.D. Doc. C(76)55(Final), reprinted in 2 Environmental Policy and Law 106 (1976); 15 International Legal Materials 1218 (1976); Legal Aspects of Transfrontier Pollution 19 (Paris: OECD, 1977).

OECD Environmental Committee, Report on Equal Right of Access in Relation to Transfrontier Pollution, in Legal Aspects of Transfrontier Pollution 23 (Paris: OECD, 1977).

OECD Secretary General, Report on the Implementation of a Regime of Equal Right of Access and Non-Discrimination in Relation to Transfrontier Pollution, in Legal Aspects of Transfrontier Pollution 37 (Paris: OECD, 1977).

OECD Secretariat, Survey Report on Equal Right of Access in Matters of Transboundary Pollution in OECD Member Countries, in Legal Aspects of Transfrontier Pollution 54 (Paris: OECD, 1977).

EEC Council Directive on Freedom of Access to Information on the Environment, 90/313/EEC, Official Journal of the European Community, L 158 (1990).

CSCE Meeting on the Protection of the Environment, Report on Conclusions and Recommendations of the Meeting on the Protection of the Environment of the Conference on Security and Cooperation in Europe, CSCE/SEM.36/Rev.1 (3 November 1989).

American Bar Association and Canadian Bar Association Draft Treaty for Equal Access and Remedy (1979).

B. Texts and Treatises

----- Equal Right of Access in Relation to Transfrontier Pollution (Paris: OECD, 1976).

A.V. Freeman, International Responsibility of States for Denial

of Justice (New York: Banks Law Publishers, 1938).

----- Het recht op informatie inzake leefmilieu/Le droit à l'information en matière d'environnement/The Right to Environmental Information, M. Pallemmaerts, ed. (Brussels: E. Story-Scientia, 1991).

C. Periodic Literature, Essays and Opinion

Jean-Marc Bischoff, The Territorial Limits of Public Law and their Implications in Regard to the Principles of Non-Discrimination and Equal Right of Access as Recognised in Connection with Transfrontier Pollution, in Legal Aspects of Transfrontier Pollution 128 (Paris: OECD, 1977).

Herbert W. Briggs, Codification Treaties and Provisions on Reciprocity, Non-Discrimination or Retaliation, 56 American Journal of International Law 475 (1962).

Burton, Access to Environmental Information: The Legal Position in the United Kingdom, in The Right to Environmental Information 97, M. Pallemmaerts, ed. (1991).

Penelope Canan, Citizen Participation: Protecting the Democratic Approach to Environmental Disputes, 9 Environmental Impact Assessment Review 333 (1989).

James A. Caputo, Equal Right of Access in Matters of Transboundary Pollution, 14 California Western International Law Journal 192 (1984).

Kent Cooper, The Right To Know, 10 Free World 53 (Sept. 1945).

M. Despax, Collective Defence of the Environment and Admissibility of Proceedings in Relation to Transfrontier Pollution, in Environmental Protection in Frontier Regions 200 (OECD, 1979).

Joel A. Gallob, Birth of the North American Transboundary Environmental Plaintiff: Transboundary Pollution and the 1979 Draft Treaty for Equal Access and Remedy, 15 Harvard Environmental Law Review 85 (1991).

Gurlit, The Right to Information in German Environmental Law, in The Right to Environmental Information 79, M. Pallemmaerts, ed. (1991).

B. Pacteau, Principle of Equal Right of Access of Foreigners in Cases of Transfrontier Pollution and Prospects of Its Incorporation into French Law, in Legal Aspects of Transfrontier Pollution 226 (Paris: OECD, 1977).

A. Rosencranz, The Uniform Transboundary Pollution Reciprocal Access Act, 15 Environmental Policy and Law 105 (1985), reprinted in, Comment, Who'll Stop the Rain: Resolution Mechanisms for U.S.-Canadian Transboundary Pollution Disputes, 12 Denver Journal

of International Law and Policy 51, 87-88 (1982).

Philippe Sands & Laura Bulatao, International Procedural Aspects of Atmospheric Protection: Environmental Assessment and Access to Information (CIEL Background Paper, No. 2/1991, January, 1991).

Thomas M. Shoemith, Transfrontier Pollution: OECD Council Recommendation on Implementing a Regime of Equal Rights of Access and Non-Discrimination in Relation to Transfrontier Pollution, 19 Harvard International Law Journal 407 (1978).

H. Smets, The Right of Information on the Risks Created by Hazardous Installation at the National and International Levels, in International Responsibility for Environmental Harm 449, R. Francioni & T. Scovazzi, eds. (1991).

Smith, Access to Environmental Information in the United States Through Open Government Laws, in The Right to Environmental Information 61, M. Pallemmaerts, ed. (1991).

Stefan Weber, Environmental Information and the European Convention on Human Rights, 12 Human Rights Law Journal 177 (1991).

Weber, The European Convention on Human Rights and a Right to Environmental Information, in The Right to Environmental Information 41, M. Pallemmaerts, ed. (1991).

E. Wilhelm, Private Remedies for Transfrontier Environmental Damage: A Critique of OECD's Doctrine of Equal Right of Access, 7 Australian Yearbook of International Law 174 (1981).

D. Wilkes, International Administrative Due Process and Control of Pollution - The Canadian Arctic Waters Example, 2 Journal of Maritime Law and Commerce 499 (1971).

Robert R. Wilson, International Law and Proposed Freedom of Information, 39 American Journal of International Law 790 (1945).

IX. ABUSE OF RIGHTS (Sic Utere Iure tuo ut Alterum non Laedas)

A. International Instruments

Charter of the United Nations, Article 74.

Treaty of Guadelupe-Hidalgo - International Law, 21 Op. Att'y Gen. 274, 281-83 (1895)(Harmon Doctrine).

Palmerston's Dispatch to Lord Bloomfield (St. Petersburg), 6 October 1849, 38 British Foreign State Papers 1295.

B. Articles

Ahmed & Scheer, Do Unto Others, 3 Amicus 34 (1981).

J. Austin, Canadian-United States Practice and Theory Respecting the International Law of International Rivers: Study of the History and Influence of the Harmon Doctrine, 37 Canadian Bar Review 393 (1959).

H.C. Gutteridge, Abuse of Rights, 5 Cambridge Law Journal 22 (1933).

B.O. Illuyomade, Scope and Content of a Complaint of Abuse of Right in International Law, 16 Harvard International Law Journal 47 (1975).

Subhash C. Jain, Shared Natural Resources and the Concept of Appreciable or Significant Damage in International Law, 36 Indian Journal of International Law 138 (1986).

A. Kiss, Abuse of Rights, 7 Encyclopedia of Public International Law 1 (1984).

O'Sullivan, Abuse of Rights, 8 Current Legal Problems 61 (1955).

Georg Schwarzenberger, Uses and Abuses of the 'Abuse of Rights' in International Law, 42 Transactions of the Grotius Society 147 (1956).

Wright, Territorial Propinquity, 12 American Journal of International Law 519 (1918).