

Principle of Sovereignty Over National Resources

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Principles Of Sovereignty Over Natural Resources

G. Elia



Principles Of Sovereignty Over Natural Resources:

The Principle of Sovereignty Over Natural Resources G. Elia, 2024-08-26 **Permanent Sovereignty Over Natural Resources in International Law** Kamal Hossain, Subrata Roy Chowdhury, 1984 **Permanent Sovereignty over Natural Resources** Marc Bungenberg, Stephan Hobe, 2015-04-15 Fifty years after the adoption of the Declaration on Permanent Sovereignty over Natural Resources by the General Assembly of the United Nations in December 1962 this volume assesses the evolution of the principle of permanent sovereignty over natural resources into a principle of customary international law as well as related developments International environmental and human rights law leave unresolved questions regarding the limitations of this principle e g extraterritorial and international influences such as the applicable criminal and tort law as well as the extraterritorial and international promotion of good governance including transparency obligations

Principles of International Environmental Law Philippe Sands, 2003-10-09 This second edition of Philippe Sand s leading textbook on international environmental law provides a clear and authoritative introduction to the subject revised to December 2002 It considers relevant new topics including the Kyoto Protocol genetically modified organisms oil pollution chemicals etc and will remain the most comprehensive account of the principles and rules relating to environmental protection and the conservation of natural resources In addition to the key material from the 1992 Rio Declaration and subsequent developments Sands also covers topics including the legal and institutional framework the field s historic development and standards for general application This will continue to be an invaluable resource for both students and practitioners alike **Principles of International Environmental Law I** Philippe Sands, 1995 This post UNCED account of the frameworks standards and implementation of the international environmental law is intended for undergraduates and academics in the fields of international law politics geography economics and environmental studies It can be used on its own as a reference or course text or in conjunction with its companion collections of documents **The Concept of the**

Common Heritage of Mankind in International Law Kemal Baslar, 2024-02-06 The concept of the common heritage of mankind is one of the most extraordinary developments in recent intellectual history and one of the most revolutionary and radical legal concepts to have emerged in recent decades The year 1997 marks the thirtieth anniversary of the advent of the concept in the domain of public international law Ever since its emergence it has become evident that no other concept notion principle or doctrine has brought as much intensive debate controversy confrontation and speculation as the common heritage phenomenon did This is because it is a philosophical idea that questions the regimes of globally important resources regardless of their situation and requires major changes in the world to apply its provisions In other words the application and enforcement of the common heritage of mankind require a critical reexamination of many well established principles and doctrines of classical international law such as acquisition of territory consent based sources of international law sovereignty equality resource allocation and international personality This book aims to explore the legal theory and implications of the

concept of the common heritage of mankind It addresses almost all aspects of the concept in the light of the experience of three decades The author takes into account the elements of the common heritage concept in the fields of jurisprudence outer space law the law of the sea the law of Antarctica international environmental law human rights and general principles of public international law It tries to develop a normative framework through which the concept may offer alternatives for the governance of the global commons

Principles of International Energy Transition Law Frédéric Gilles Sourgens, Leonardo Sempertegui, 2023 *Principles of International Energy Transition Law* provides a succinct treatment of the legal principles that govern the transition to green energy The book positions energy transition in a broader energy context and outlines the interactions between different legal disciplines giving direction on how they can be reconciled

International Environmental Law Pierre-Marie Dupuy, Jorge E. Viñuales, 2018-06-07 *International Environmental Law* offers a concise conceptually clear and legally rigorous introduction to contemporary international environmental law and practice The book covers all major environmental agreements paying particular attention to their underlying structure main legal provisions and practical operation It blends legal and policy analysis making extensive reference to the jurisprudence and scholarship and addressing the interconnections with other areas of international law including human rights humanitarian law trade and foreign investment The material is structured into four sections foundations substantive regulation implementation and influence on other areas of international law which help the reader to navigate the different areas of international environmental law Each chapter includes charts summarising the main components of the relevant legal frameworks and provides a detailed bibliography Suitable for practicing and academic international lawyers who want an accessible up to date introduction to contemporary international environmental law as well as non lawyers seeking a concise and clear understanding of the subject

Confronting the Shadow State Henri Decoeur, 2018-04-20 This book examines the rules and mechanisms of international law relevant to the suppression of state organized crime and provides a normative justification for developing international legal mechanisms specifically designed to address this phenomenon State organized crime refers to the use by senior state officials of the resources of the state to facilitate or participate in organized crime in pursuit of policy objectives or personal profit This concept covers diverse forms of government misconduct including strategic partnerships with drug traffickers the plundering of a country's resources by kleptocrats and high level corruption schemes The book identifies the distinctive criminological characteristics of state organized crime and analyses the applicability potential and limits of the norms and mechanisms of international law relevant to the suppression of state organized crime In particular it discusses whether the involvement of state organs or agents in organized crime may amount to an internationally wrongful act giving rise to the international responsibility of the state and highlights a number of practical and normative shortcomings of the legal framework established by relevant crime suppression conventions The book also sketches proposals to develop an international legal framework designed to hold perpetrators of state organized crime

accountable It presents a normative justification for criminalizing and suppressing state organized crime at the international level proposes draft provisions for an international convention for the suppression of state organized crime and discusses the potential role of the UN Security Council and of international criminal courts and tribunals respectively in holding perpetrators accountable Providing the first comprehensive analysis from the perspective of international law of a phenomenon so far mainly studied by criminologists this study would appeal to researchers social activists and policy makers alike

International Investment Law and Gender Equality Sangwani Patrick Ng'ambi, Kangwa-Musole George Chisanga, 2020-03-27 This book analyses the impact that stabilization clauses have on the development of human rights and gender laws in resource rich nations Given the fact that stabilization clauses freeze the law for as long as the contract subsists there has been debate on the negative impact stabilization clauses have on the progressive development of human rights in the host State Firstly the book examines the mechanisms investors utilise in protecting themselves from host State prerogatives It then explores the theoretical basis on which stabilization clauses are applied and upheld by arbitral tribunals and assesses how they can be drafted in a way that protects human rights particularly in relation to gender discrimination without forcing the resource rich nations to lose momentum in attracting foreign direct investment Using Zambia and the Gender Equity and Equality Act of 2015 as a case study the book explores the compatibility of the legislation with the stabilization clauses contained in the country's Development Agreements The book will be of interest to practitioners scholars and students of international investment law human rights law and contract law

Commentary on the Energy Charter Treaty Rafael Leal-Arcas, 2023-12-11 This thoroughly revised edition of the Commentary on the Energy Charter Treaty presents a comprehensive overview of the latest trends surrounding this important international agreement Providing a unique article by article textual analysis updated chapters cover the full breadth of topics and developments of the Energy Charter Treaty ECT situated in the broader context of international economic law and governance This edition also offers detailed coverage of the modernization process of the ECT and carefully analyses important criticisms of the instrument

Questions of International Law György Haraszti, 1977 Adapting Watercourse Agreements to Developments in International Law Maria A. Gwynn, 2019-05-13 In *Adapting Watercourse Agreements to Developments in International Law* The Case of the Itaipu Treaty Maria A Gwynn offers an account of the need to align watercourses agreements to the current standards and principles of international law thereby increasing prospects for achieving sustainable development As a case study the author focuses on the most important hydroelectrical energy treaty in the South American region and astutely explores its implementation together with states practices regarding the non navigational uses of watercourses and their commitments to environmental protection The analysis offers a unique opportunity to assess the value of the UN Watercourses Convention in recommending states adapt their agreements to the provisions of the convention promoting equitable and reasonable uses of watercourses an interest not only for the treaty partners but also for river basin states and

the international community as a whole *A Digest of WTO Jurisprudence on Public International Law Concepts and Principles* Graham Cook, 2015-07-02 In its first twenty years the WTO dispute settlement system generated over 350 decisions totalling more than 60 000 pages These decisions contain many statements by WTO adjudicators regarding the law of treaties state responsibility international dispute settlement and other topics of general public international law This book is a collection of nearly one thousand statements by WTO adjudicators relating to admissibility and jurisdiction attribution of conduct to a State breach of an obligation conflicts between treaties countermeasures due process evidence before international tribunals good faith judicial economy municipal law non retroactivity reasonableness sources of international law sovereignty treaty interpretation and words and phrases commonly used in treaties and other international legal instruments This comprehensive digest presents summaries and extracts organized systematically under issue specific sub headings making this jurisprudence easily accessible to students and practitioners working in any field of international law

Netherlands Yearbook of International Law 2021 Daniëlla Dam-de Jong, Fabian Amtenbrink, 2023-04-27 This book engages with international legal responses to the global environmental crisis Humanity faces a triple planetary crisis consisting of the interlinked problems of climate change depletion of biological diversity and pollution The chapters in this volume of the Netherlands Yearbook of International Law address important questions of how and to what extent these environmental concerns have been integrated into international law who or what drives these developments and what all of this tells us about international law s ability to tackle the challenges that a deteriorating environment brings for the future of life on Earth The strength of the volume is that it brings together a wide range of perspectives on the greening phenomenon in international law It includes perspectives from international environmental law human rights law investment law financial law humanitarian law and criminal law Moreover it raises important questions regarding the validity of the predominant approach in international law to the protection of nature By providing such a wide range of perspectives on international legal responses or lack thereof to the environmental crisis the volume seeks to engage scholars and practitioners from a variety of disciplines It invites readers to compare the state of the art across disciplines and to reflect on ways to strengthen international law s responses to the environmental crisis Furthermore as has become standard for the Netherlands Yearbook of International Law the second part consists of a section on Dutch practice in international law The Netherlands Yearbook of International Law was first published in 1970 It offers a forum for the publication of scholarly articles in a varying thematic area of public international law Chapter 3 is available open access under a Creative Commons Attribution 4.0 International License via link.springer.com **Environmental Process and Production Methods (PPMs) in WTO Law** David Sifonios, 2018-01-30 This book examines the conditions under which PPM measures may be adopted under WTO law *de lege lata* and *de lege ferenda* It analyses in detail the complex case law in this field and its evolution in the last 25 years as well as the many doctrinal debates around PPM measures and their relevance in the light of the evolution of case law both under the

GATT and the TBT Agreement Further it also suggests an original approach to the interpretation of the relevant provisions of the GATT and the TBT Agreement in the context of PPM measures The PPM issue has been one of the most debated topics in the trade and environment debate Even though the US Shrimp case showed that PPM measures are not prohibited per se under the GATT many questions remain unanswered when it comes to the precise conditions under which environmental PPM measures are justifiable under WTO law for example in the field of trade measures relating to climate change mitigation efforts natural resources management policies and biodiversity conservation measures Principles of International Development Law Milan Bulajic,2023-10-09 The growing population of Europe needs adequate and wholesome food at reasonable prices and a sufficient supply of pure drinking water Accommodating this need and the many other pressures on land while maintaining biodiversity ecosystems and cultural landscapes is a matter of continuing concern and debate in Europe The changing nature of agriculture concerns about agricultural subsidies and surpluses food and water quality issues and discussion of the future of the European Union EU s Common Agricultural Policy have all increased the intensity of this debate in recent years Through its discussion of how best to achieve sustainable land use Agriculture and Sustainable Land Use in Europe tackles this wide range of issues examining problems faced by the EU concerning the future of rural communities the maintenance of an attractive and diverse countryside and more This work comprises papers presented at two conferences organised by groups of European Environmental Advisory Councils These papers offer the reader access to a broad range of experience and points of view making Agriculture and Sustainable Land Use in Europe a contribution of particular value to the debate on these issues **The Politics of Genetic Resource Control** A. Stenson,T. Gray,1999-06-23 The question of how genetic resources ought to be owned and controlled has become a controversial international political issue The authors examine this issue from a normative perspective discussing the four principles that govern the debate over genetic resource control These four principles are proprietary intellectual property rights the dominant principle reflecting Western influences communitarian intellectual property rights a principle bound up with the rights of indigenous peoples national sovereignty the principle at the heart of international law and common heritage of mankind the most recent principle reflecting Third World demands **Trade and Environmental Law** Panos Delimatsis and Leonie Reins,2021-12-14 This extensive volume of the Elgar Encyclopedia of Environmental Law probes the essential concepts contemporary research and key elements of law at the intersection of international trade and international environmental law Its succinct structured entries provide a definitive and comprehensive assessment of the interactions between these fields written by internationally renowned and recognized experts Equitable Principles of Maritime Boundary Delimitation Thomas Cottier,2015-04-30 Equity emerged as a powerful symbol of aspired redistribution in international relations Operationally it has had limited impact in the Westphalian system of nation states except for maritime boundary delimitations This book deals with the role of equity in international law and offers a detailed case study on

maritime boundary delimitation in the context of the enclosure movement in the law of the sea It assesses treaty law and the impact of the United Nations Convention on the Law of the Sea It depicts the process of trial and error in the extensive case law of the International Court of Justice and arbitral tribunals and expounds the underlying principles and factors informing the methodology both in adjudication and negotiations Unlike other books the main focus is on equity and its implications for legal methodology in particular offering further guidance in the field of international economic law

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