Bibliography

- Adshead J, "The Application and Development of the Polluter-Pays Principle across Jurisdictions in Liability for Marine Oil Pollution: The Tales of the "Erika" and the "Prestige" (2018) 30 JEL 425
- Aguon J and Hunter J, 'Second Wave Due Diligence: The Case for Incorporating Free, Prior and Informed Consent into the Deep Seabed Mining Regulatory Regime' (2019) 38 Stan Envtl L J 3
- Albers J, Responsibility and Liability in the Context of Transboundary Movements of Hazardous Wastes by Sea (Springer-Verlag 2015)
- Allen J, 'Points of Law' in Cymie Payne and Peter Sand (eds), Gulf War Reparations and the UN Compensation Commission: Environmental Claims (OUP 2011) 141
- Ameye EM, 'United States and India: Two Nuclear States with Legislation that Truly Holds Responsible Parties Liable in Case of a Nuclear Accident' (2015) 18(8) Journal of Risk Research 1070
- Anderson C and de la Rue C, 'The Role of the P&I Clubs in Maritime Pollution Incidents' (2011) 85 Tul L Rev 1257
- Anton D, 'The Principle of Residual Liability in the Seabed Disputes Chamber of the International Tribunal for the Law of the Sea: The Advisory Opinion on Responsibility and Liability for International Seabed Mining (ITLOS Case No. 17)' (2012) 7(2) JSDLP-RDPDD 241
- Badia A, Piercing the Veil of State Enterprises in International Arbitration (Wolters Kluwer 2014)
- Bailey SH and Bowman MJ, 'The Policy/Operational Dichotomy A Cuckoo in the Nest' (1986) 45(3) CLJ 430
- Barboza J, The Environment, Risk and Liability in International Law (Brill 2011)
- Barrett J, 'The Antarctic Treaty System' in Karen N Scott and David L VanderZwaag (eds), Research Handbook on Polar Law (Edward Elgar 2020) 40
- Baslar K, The Concept of the Common Heritage of Mankind in International Law (Martinus Nijhoff 1998)
- Bentata P and Faure M, 'The Role of ENGOs in Environmental Litigation: A French Case Study' (2015) 25 EPG 459
- Bergkamp L, Liability and Environment: Private and Public Law Aspects of Civil Liability for Environmental Harm in an International Context (Kluwer Law International 2001)

- Berry DS, 'Unity or Fragmentation in the Deep Blue: Choices in Institutional Design for Marine Biological Diversity in Areas beyond National Jurisdiction' (2021) 8 Front Mar Sci 1
- Birnie P, Boyle A and Redgwell C, International Law and the Environment (4th edn, OUP 2021)
- Blokker N, 'International Organizations: The Untouchables?' (2013) 10 Int Organ Law Rev 259 'International Organizations or Institutions, Implied Powers' (last updated December 2021)
 - in Anne Peters and Rüdiger Wolfrum (eds), Max Planck Encyclopedia of Public International Law (OUP 2008)
- Blum J, The End of the Old Order in Rural Europe (Princeton University Press 1978)
- Blumm M and Guthrie R, 'Internationalizing the Public Trust Doctrine: Natural Law and Constitutional and Statutory Approaches to Fulfilling the Saxion Vision' (2012) 45 UC Davis L Rev 741
- Boon KE, 'Are Control Tests Fit for the Future? The Spillage Problem in Attribution Doctrines' (2014) 15 MJIL 1
- Bosselmann K, Earth Governance: Trusteeship of the Global Commons (Edward Elgar 2015) Bourrel M, Thiele T and Currie D, 'The Common Heritage of Mankind as a Means to Assess

and Advance Equity in Deep Sea Mining' (2018) 95 Mar Pol'y 311

- Bowman M and Boyle A (eds), Environmental Damage in International and Comparative Law: Problems of Definition and Valuation (OUP 2002)
- Boyle A, 'State Responsibility and Liability for Injurious Consequences of Acts Not Prohibited by International Law: A Necessary Distinction?' (1990) 39 ICLQ 1
 - 'Dispute Settlement and the Law of the Sea Convention: Problems of Fragmentation and Jurisdiction' (1997) 46(1) ICLQ 37
 - 'Remedying Harm to International Common Spaces and Resources: Compensation and Other Approaches' in Peter Wetterstein (ed), Harm to the Environment: The Right to Compensation and Assessment of Damages (OUP 1997) 83
 - 'Reparation for Environmental Damage in International Law: Some Preliminary Problems' in Michael Bowman and Alan Boyle (eds), Environmental Damage in International and Comparative Law: Problems of Definition and Valuation (OUP 2002) 17
 - 'Globalising Environmental Liability: The Interplay of National and International Law' (2005) 17 JEL 3
- Brans E, Liability for Damage to Public Natural Resources: Standing, Damage and Damage Assessment (Kluwer Law International 2001)
- Brent K, 'Solar Radiation Management Geoengineering and Strict Liability for Ultrahazardous Activities' in Neil Craik, Cameron SG Jefferies, Sara L Seck and Tim Stephens (eds), Global Environmental Change and Innovation in International Law (CUP 2018) 161
- Brondizio ES, Settele J, Díaz S and Ngo HT (eds), Global Assessment Report on Biodiversity and Ecosystem Services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES Secretariat 2019)
- Brown ED, The Area beyond the Limits of National Jurisdiction: Sea-Bed Energy and Mineral Resources and Law of the Sea (Martinus Nijhoff 1986) vol II
- Brunnée J, 'Of Sense and Sensibility: Reflections on Environmental Liability Regimes as Tools for Environmental Protection' (2004) 53 ICLQ 351
- Buck S, The Global Commons: An Introduction (Island Press 2012)
- Burdon P and Williams C, 'Rights of Nature: A Constructive Analysis' in Douglas Fisher (ed), Research Handbook on Fundamental Concepts of Environmental Law (Edward Elgar 2016) 196
- Burmester HC, 'Liability for Damage from Antarctic Mineral Resource Activities' (1989) 29 Va J Int'l L 621

- Buxbaum H, 'Foreign Governments as Plaintiffs in U.S. Courts and the Case against "Judicial Imperialism" (2016) 73 Wash Lee L Rev 653
- Calabresi G and Melamed AD, 'Property Rules, Liability Rules, and Inalienability: One View of the Cathedral' (1972) 85 Harv L Rev 1089
- Chao W, Pollution from the Carriage of Oil by Sea: Liability and Compensation (Kluwer Law International 1996)
- Charme J, 'Transnational Injury and Ultra-hazardous Activity: An Emerging Norm of International Strict Liability' (1989) 4 J L & Tech 75
- Chinkin C and Mackenzie R, 'Intergovernmental Organizations as "Friends of Courts" in Laurence Boisson de Chazournes, Cesare PR Romano and Ruth Mackenzie (eds), International Organisations and International Dispute Settlement: Trends and Prospects (Brill 2002) 135
- Chow PY, 'On Obligations Erga Omnes Partes' (2021) 52 Geo J Int'l L 469
- Churchill R, 'Facilitating (Transnational) Civil Liability Litigation for Environmental Damage by Means of Treaties: Progress, Problems, and Prospects' (2001) 12 Yrbk Int'l Env Law 3
- Churchill R and Ulfstein G, 'Autonomous Institutional Arrangements in Multilateral Environmental Agreements: A Little-Noticed Phenomenon in International Law' (2000) 94(4) AJIL 623
- Collins R and French D, 'A Guardian of Universal Interest or Increasingly Out of Its Depth? The International Seabed Authority Turns 25' (2019) 17(3) Int Org Law Rev 1
- Convey P and Peck LS, 'Antarctic Environmental Change and Biological Responses' (2019) 5 Science Advances 11
- Craik N, 'Recalcitrant Reality and Chosen Ideals: The Public Function of Dispute Settlement in International Environmental Law' (1997) 10 Geo Int'l Envtl L Rev 551
- Crawford J, The International Law Commission's Articles on State Responsibility: Introduction, Text and Commentaries (CUP 2002)
 - 'State Responsibility' in Rüdiger Wolfrum (ed), Max Planck Encyclopedia of Public International Law Online (OUP September 2006)
 - State Responsibility (CUP 2013)
 - Brownlie's Principles of Public International Law (9th edn, OUP 2019)
- Creutz K, State Responsibility in the International Legal Order: A Critical Appraisal (CUP 2020)
- Daugirdas K, 'How and Why International Law Binds International Organizations' (2016) 57 Harv Intl L J 325
- Davenport T, 'Responsibility and Liability for Damage Arising Out of Activities in the Area: Potential Claimants and Possible Fora' (Legal Working Group on Liability for Environmental Harm from Activities in the Area, Liability Issues for Deep Seabed Mining Series, Paper No 5, February 2019)
- de La Fayette L, 'The Concept of Environmental Damage in International Liability Regimes' in Michael Bowman and Alan Boyle (eds), *Environmental Damage in International and Comparative Law: Problems of Definition and Valuation* (OUP 2002) 149
 - 'International Liability for Damage to the Environment' in Malgosia Fitzmaurice, David M Ong and Panos Merkouris (eds), Research Handbook on International Environmental Law (Edward Elgar 2010) 320
- de Smedt K, Wang H and Faure M, 'Towards Optimal Liability and Compensation for Offshore Oil and Gas Activities' in Michael Faure (ed), Civil Liability and Financial Security for Offshore Oil and Gas Activities (CUP 2016)
- Doeker G and Gehring T, 'Private or International Liability for Transnational Environmental Damage The Precedent of Conventional Liability Regimes' (1990) 2(1) JEL 1

- Doelle M and Seck S, 'Introducing Loss and Damage' in Meinhard Doelle and Sara Seck (eds), Research Handbook on Climate Change Loss and Damage (Edward Elgar 2021) 1
- Dubois SM and Mayer B, 'Liability and Compensation for Marine Plastic Pollution: Conceptual Issues and Possible Ways Forward' (2020) 114 AJIL Unbound 206
- Duvic-Paoli L, The Prevention Principle in International Environmental Law (CUP 2018)
- Elliot L, International Environmental Politics: Protecting the Antarctic (Palgrave MacMillan 1994)
- Ellis J, 'Extraterritorial Excuse of Jurisdiction for Environmental Protection: Addressing Fairness Concerns' (2012) 25 LJIL 397
- Evans M, 'Parens Patriae and Public Trust: Litigating Environmental Harm Per Se' (2016) 12 (1) MJSDL 1
- Fasia E, 'No Provision Left Behind Law of the Sea Convention's Dispute Settlement System and Obligations Erga Omnes' (2021) 20 LPICT 519
- Fasoli E, 'The Possibilities for Nongovernmental Organizations Promoting Environmental Protection to Claim Damages in Relation to the Environment in France, Italy, the Netherlands and Portugal' (2017) 26(1) RECIEL 30
- Faure M, 'Attribution of Liability: An Economic Analysis of Various Cases' (2016) 91(2) Chi-Kent L Rev 603
- (ed), Civil Liability and Financial Security for Offshore Oil and Gas Activities (CUP 2016)
- Faure M and Vanden Borre T, 'Compensating Nuclear Damage: A Comparative Economic Analysis of the US and International Liability Schemes' (2008) 33 Wm & Mary Envtl L & Pol'y Rev 219
- Faure M, Jing L and Wang H, 'Analysis of Existing Regimes' in Michael Faure (ed), Civil Liability and Financial Security for Offshore Oil and Gas Activities (CUP 2016) 68
- Feichtner I, 'Community Interests' in Rüdiger Wolfrum (ed), Max Planck Encyclopedia of Public International Law (OUP 2007)
- Feldthusen B, 'Public Authority Immunity from Negligence Liability: Uncertain, Unnecessary, and Unjustified' (2014) 92(2) Can Bar Rev 211
- Ferreira PG, 'Arrested Development: The Late and Inequitable Integration of Loss and Damage Finance into the UNFCCC' in Meinhard Doelle and Sara Seck (eds), Research Handbook on Climate Law and Loss and Damage (Edward Elgar 2021) 127
- Fitzmaurice M, 'Liability for Environmental Damage Caused to the Global Commons' (1996) 5 RECIEL 305
- Fleming JG, 'Probabilistic Causation in Tort Law' (1989) 68(4) Can Bar Rev 661
- Foster C, "The ILC Draft Principles on the Allocation of Loss in the Case of Transboundary Harm Arising Out of Hazardous Activities: Privatizing Risk?" (2005) 14 RECIEL 265
 - Science and the Precautionary Principle in International Courts and Tribunals: Expert Evidence, Burden of Proof and Finality (CUP 2011)
 - 'New Clothes for the Emperor? Consultation of Experts by the International Court of Justice' (2014) 5 JIDS 139
- Fox H and Webb P, The Law of State Immunity (3rd edn, OUP 2015)
- Freestone D, 'International Governance, Responsibility and Management of Areas Beyond National Jurisdiction' (2012) 27 IJMCL 191
- Fry J, 'Attribution of Responsibility' in André Nollkaemper and Ilias Plakokefalos (eds), Principles of Shared Responsibility in International Law (CUP 2014)
- Gahlen S, Civil Liability for Accidents at Sea (Springer-Verlag 2015)
- Gaskell N, 'Compensation for Offshore Pollution: Ships and Platforms' in Malcolm Clarke (ed), Maritime Law Evolving (Hart Publishing 2013) 63

- 'Liability and Compensation Regimes: Pollution of the High Seas' in Robert Beckman, Millicent McCreath, J Ashley Roach and Zhen Sun (eds), *High Seas Governance: Gaps and Challenges* (Brill 2019) 229
- Glasby GP, 'Deep Seabed Mining: Past Failures and Future Prospects' (2002) 20(2) Marine Georesources & Geotechnology 161
- Goldie LFE, 'Liability for Damage and the Progressive Development of International Law' (1965) 14(4) ICLQ 1189
 - 'Concepts of Strict and Absolute Liability and the Ranking of Liability in Terms of Relative Exposure to Risk' (1985) 16 NYIL 175
- Handl G, 'Liability as an Obligation Established by a Primary Rule of International Law: Some Basic Reflections on the International Law Commission's Work' (1985) 16 NYIL 49
 - 'Marine Environmental Damage: The Compensability of Ecosystem Service Loss in International Law' (2019) 34 IJMCL 602
- Hanley N, 'The Economic Valuation of Environmental Damage' in Michael Bowman and Alan Boyle (eds), Environmental Damage in International and Comparative Law: Problems of Definition and Valuation (OUP 2002) 27
- Harden-Davies H and others, 'Rights of Nature: Perspectives for Global Ocean Stewardship' (2020) 122 Mar Pol'y 104059
- Harpwood VH, Modern Tort Law (7th edn, Routledge-Cavendish 2008)
- Harrison J, 'The Law of the Sea Convention Institutions' in Donald R Rothwell, Alex G Oude Elferink, Karen N Scott and Tim Stephens (eds), Oxford Handbook on the Law of the Sea (OUP 2014) 373
 - 'Key Challenges Relating to the Governance of Regional Fisheries' in Richard Caddell and Erik J Molenaar (eds), Strengthening International Fisheries Law in an Era of Changing Oceans (Hart Publishing 2019) 79
 - 'Checks and Balances on the Regulatory Powers of the International Seabed Authority' in A Ascencio Herrera and MH Nordquist (eds), The United Nations Convention on the Law of the Sea Part XI Regime and the International Seabed Authority: A Twenty-Five Year Journey (Brill 2022) 151
- Heller K, 'Specially-Affected States and the Formation of Custom' (2018) 112(2) AJIL 191
- Hemmings A, 'Liability Postponed: The Failure to Bring Annex VI of the Madrid Protocol into Force' (2018) 8(2) Polar J 315
- Hinteregger M, 'Environmental Liability' in Emma Lees and Jorge E Viñuales (eds), Oxford Handbook of Comparative Environmental Law (OUP 2019) 1025
- Hoyt S, Van Dover C, Smith S and Pendleton L, 'Closing the Liability Gap: A Review of Liability Alternatives for the Emerging Seafloor Mineral Extraction Industry' (2016) https://dukespace.lib.duke.edu/dspace/bitstream/handle/10161/11881/MP_FINAL.pdf?sequence=1>
- Huguenin M, Donlan M, van Geel A and Paterson R, 'Assessment and Valuation of Damage to the Environment' in Cymie Payne and Peter Sand (eds), *Gulf War Reparations and the UN Compensation Commission: Environmental Claims* (OUP 2011) 67
- Hylton K, Tort Law: A Modern Perspective (CUP 2016)
- Intergovernmental Panel on Climate Change, Special Report on the Ocean and Cryosphere in a Changing Climate (CUP 2019)
 - Special Report on the Ocean and Cryosphere in a Changing Climate (CUP 2022)
- Jaeckel A, Ardron J and Gjerde K, 'Sharing Benefits of the Common Heritage of Mankind Is the Deep Seabed Mining Regime Ready?' (2016) 70 Mar Pol'y 198

- Jaeckel A, The International Seabed Authority and the Precautionary Principle: Balancing Deep Seabed Mineral Mining and Marine Environmental Protection (Brill 2017)
- Jaeckel A, Gjerde K and Ardron J, 'Conserving the Common Heritage of Humankind Options for the Deep Seabed Mining Regime' (2017) 78 Mar Pol'y 150
- Jarrett M, Contributory Fault and Investor Misconduct in Investment Arbitration (CUP 2019) Jenks CW, 'The Scope and Nature of Ultra-Hazardous Liability in International Law' (1968) 117 Recueil de Cours 99
- Johnson M, 'Liability for Environmental Damage in Antarctica: The Adoption of Annex VI to the Antarctic Environmental Protocol' (2006) 19(1) Geo Int'l Envtl L Rev 33
- Joyner C C, 'Legal Implications of the Concept of the Common Heritage of Mankind' (1986) 35(1) ICLQ 190
 - 'The Antarctic Legal Regime: An Introduction' in Christopher C Joyner and Sudhir K Chopra (eds), The Antarctic Legal Regime (Martinus Nijhoff 1988) 2
 - Governing the Frozen Commons: The Antarctic Regime and Environmental Protection (University of South Carolina Press 1998)
- Kees A, 'Responsibility of States for Private Actors' in Rüdiger Wolfrum (ed), Max Planck Encyclopedia of Public International Law Online (OUP 2011)
- Kindje K and Faure M, 'Assessing Reparation of Environmental Damage by the ICJ: A Lost Opportunity?' (2019) 57 QILJ 5
- Klabbers J, 'Formal Intergovernmental Organizations' in Jacob Katz Cogan, Ian Hurd and Ian Johnstone (eds), *The Oxford Handbook on International Organizations* (OUP 2016) 133
- Klein P, 'Responsibility' in Jacob Katz Cogan, Ian Hurd and Ian Johnstone (eds), *The Oxford Handbook on International Organizations* (OUP 2016) 1026
- Laidlaw AK and Kang S, "The Dispute Settlement Mechanisms in Major Multilateral Treaties' NUS Centre for International Law Working Paper 18/02 (2018) https://cil.nus.edu.sg/wp-content/uploads/2018/10/NUS-CIL-Working-Paper-1802-The-Dispute-Settlement-Mechanisms-in-Major-Multilateral-Treaties.pdf>
- Lanovoy V, 'Causation in the Law of State Responsibility' (2022) British Yearbook Intl L 1 Lefeber R, *Transboundary Environmental Interference and the Origin of State Liability* (Kluwer Law International 1996)
 - 'The Liability Provisions of Regional Seas Conventions: Dead Letters in the Sea?' in Davor Vidas and Willy Østreng (eds), Order for the Ocean at the Turn of the Century (Kluwer Law International 1999) 507
- Leigh K, 'Liability for Damage to the Global Commons' (1992) 14 Aust YBIL 129
- Levin L and others, 'Defining "Serious Harm" to the Marine Environment in the Context of Deep-Seabed Mining' (2016) 74 Mar Pol'y 245
- Levin L, Amon D and Lily H, 'Challenges to the Sustainability of Deep Seabed Mining' (2020) 3 Nature Sustainability 784
- Lijnzaad L, 'Dispute Settlement for Marine Biodiversity beyond National Jurisdiction: Not an Afterthought' in Helene Ruiz Fabri, Erik Franckx, Marco Benatar and Tamar Meshel (eds), A Bridge over Troubled Waters: Dispute Resolution in the Law of International Watercourses and the Law of the Sea (Brill 2020)
- Loan J, 'The Common Heritage of Mankind in Antarctica: An Analysis in Light of the Threats Posed by Climate Change' (2004) 1 NZ Yearbook Intl L 149
- Lodge M, 'The Common Heritage of Mankind' (2012) 27 IJMCL 733
- Lohan D and Johnston S, Bioprospecting in Antarctica (UNU-IAS 2005) <www.cbd.int/financial/bensharing/g-absantarctic.pdf>
- Long R, 'Restoring Marine Environmental Damage: Can the Costa Rica v Nicaragua Compensation Case Influence the BBNJ Negotiations?' (2019) 28 RECIEL 244

- Long R and Sun Z (eds), Workshop Report: Biodiversity beyond National Jurisdiction: Towards the Development of a Balanced, Effective and Universal International Agreement (World Maritime University 2020)
- Mace MJ and Verheyen R, 'Loss, Damage and Responsibility after COP21: All Options Open for the Paris Agreement' (2016) 25 RECIEL 197
- Mackenzie R, Romano C, Shany Y and Sands P, The Manual on International Courts and Tribunals (2nd edn, OUP 2010)
- Malintoppi L, 'Methods of Dispute Resolution in Inter-state Litigation When States Go to Arbitration Rather than Adjudication' (2006) 5 LPICT 133
 - 'Fact-Finding and Evidence before the International Court of Justice (Notably in Scientific-Related Disputes)' (2016) 7 JIDS 421
- Marjanac S and Patton L, 'Extreme Weather Event Attribution Science and Climate Change Litigation: An Essential Step in the Causal Change' (2018) 36 (3) J Energy Nat Resources Law 265
- McCamus J, 'Necessitous Intervention: The Altruistic Intermeddler and the Law of Restitution' (1979) 11 Ottawa L Rev 297
- Messineo F, "The Invocation of Member State Responsibility before National and International Courts' (2015) 12 Int Org Law Rev 484
- Mickelson K, 'Rereading Trail Smelter' (1994) 31 Canadian YBIL 219
- Minnerop P and Friederike O, 'Climate Change and Causation: Joining Law and Climate Science on the Basis of Formal Logic' (2019) 27 Buff Env L J 49
- Mitchell C and Swadling W (eds), Restatement (Third) of Restitution and Unjust Enrichment (Bloomsbury Publishing 2013)
- Mollengarden Z and Zamir N, 'The Monetary Gold Principle: Back to Basics' (2021) 115(1) AJIL 41
- Morrison J, 'Global Approval Not Enough, Businesses Need Social License' (2014) YaleGlobal Online https://archive-yaleglobal.yale.edu/content/government-approval-not-enough-businesses-need-social-license
- Musiker D, France T and Hallenbeck L, 'The Public Trust and *Parens Patriae* Doctrines: Protecting Wildlife in Uncertain Political Times' (1995) 16 Pub Land L Rev 87
- Nandan S, Lodge MW and Rosenne S (eds), United Nations Convention on the Law of the Sea 1982: A Commentary, vol VI (Brill 2002)
- Nigar M, 'Environmental Liability and Global Commons: A Critical Study' (2018) 60(2) IJLMA 435
- Niner H. and others, 'Deep-sea mining with no net loss of biodiversity—an impossible aim' (2018) 5 Front Mar Sci 53
- Nollkaemper A, 'Internationally Wrongful Acts in Domestic Courts' (2007) 101(4) AJIL 760 Nollkaemper A and Jacobs D, 'Shared Responsibility in International Law: A Conceptual Framework' (2013) 34 Mich J Intl L 359
- Nollkaemper A and others, 'Guiding Principles on Shared Responsibility in International Law' (2020) 31 EJIL 15
- Nordquist MH, Rosenne S and Sohn L, United Nations Convention on the Law of the Sea 1982: A Commentary, vol V (Martinus Nijhoff 1989)
- Okowa P, State Responsibility for Transboundary Air Pollution in International Law (OUP 2000) 'Responsibility for Environmental Damage' in Malgosia Fitzmaurice, David M Ong and Panos Merkouris (eds), Research Handbook on International Environmental Law (Edward Elgar 2010) 303
- Oral N, 'The South China Sea Arbitral Award, Part XII of UNCLOS and the Protection and Preservation of the Marine Environment' in S Jayakumar, Tommy Koh, Robert

- Beckman, Tara Davenport and Hao Duy Phan (eds), *The South China Sea Arbitration:* The Legal Dimension (Edward Elgar 2018) 223
- Ostrom E, Governing the Commons: The Evolution of Institutions for Collective Action (CUP 1990)
 - 'From Domestic to Global? Recent Trends in Environmental Liability from a Multilevel and Comparative Law Perspective' (2015) 24(3) RECIEL 289
- Owens J, 'Comparative Law and Standing to Sue: A Petition for Redress for the Environment' (2001) 7 Envtl Law 321
- Pala C, 'Can Mining the Seabed Help save the Planet?' Foreign Policy, 7 November 2021 https://foreignpolicy.com/2021/11/07/seabed-mining-marine-life-climate-change-electric-cars-pacific-nauru/
- Pardo A, 'Law of the Sea Conference What Went Wrong' in Robert L Friedheim (ed), Managing Ocean Resources: A Primer (Westview Press 1979) 137
- Parsons C, 'Moral Hazard in Liability Insurance' (2003) 29 Geneva Papers on Risk and Insurance: Issues and Practice 448
- Pasquet L, 'Litigating the Immunities of International Organizations in Europe: The "Alternative Remedy" Approach and Its Humanizing Function' (2021) 36(2) Utrecht J Int Eur Law 192
- Payne C, 'Mastering the Evidence: Improving Fact Finding by International Courts' (2011) 41 Envtl L 1191
 - 'Negotiation and Dispute Prevention in Global Cooperative Institutions: International Community Interests, IUU Fishing and the Biodiversity Beyond National Jurisdiction Negotiation' (2020) 22 Int C L Rev 428
- Pedersen O, 'An International Environmental Court and International Legalism' (2012) 24 (3) JEL 547
- Pekkarinen V, Toussaint P and van Asselt H, 'Loss and Damage after Paris: Moving beyond Rhetoric' (2019) 13 CCLR 31
- Perry-Kessaris A, 'Corporate Liability for Environmental Harm' in Malgosia Fitzmaurice, David M Ong and Panos Merkouris (eds), Research Handbook on International Environmental Law (Edward Elgar 2010)
- Pfennigstorf W, 'Policy Considerations for Insurers Engaging in Environmental Liability Insurance' in H Bocken and D Ryckbost (eds), *Insurance of Environmental Damage* (Story-Scientia 1991) 269
- Plakokefalos I, 'Causation in the Law of State Responsibility and the Problem of Overdetermination: In Search of Clarity' (2015) 26(2) EJIL 471
 - 'Environmental Protection of the Deep Seabed' in André Nollkaemper and Ilias Plakokefalos (eds), *The Practice of Shared Responsibility in International Law* (CUP 2017) 380
- Plakokefalos I and Schechinger J, 'Liability for Transboundary Harm' in André Nollkaemper and Ilias Plakokefalos (eds), *The Practice of Shared Responsibility in International Law* (CUP 2017) 1051
- Peel J, 'New State Responsibility Rules and Compliance with Multilateral Environmental Obligations: Some Case Studies of How the New Rules Might Apply in the International Environmental Context' (2001) 10(1) RECIEL 82
- Peel J and Lin J, 'Transnational Climate Litigation: The Contribution of the Global South' (2019) 113(4) AJIL 679
- Ragazzi M, The Concept of International Obligations Erga Omnes (Clarendon Press 1997)
- Rao C and Gautier P, The International Tribunal for the Law of the Sea: Law, Practice and Procedure (Edward Elgar 2018)

- Ratliff D, 'The PCA Optional Rules for Arbitration of Disputes Relating to Natural Resources and/or the Environment' (2001) 14 LJIL 887
- Redgwell C, Intergenerational Trusts and Environmental Protection (Manchester UP 1999)

 'The Wrong Trousers: State Responsibility and International Environmental Law' in
 Malcolm Evans and Panos Koutrakos (eds), The International Responsibility of the
 European Union: European and International Perspectives (Hart Publishing 2013) 257
- Regalia J, 'The Public Trust Doctrine and the Climate Crisis: Panacea or Platitude?' (2021) 11(1) MJEAL 1
- Reid E, 'Liability for Dangerous Activities: A Comparative Analysis' (1999) 48 ICLQ 731
- Reinisch A, 'Privileges and Immunities' in Jacob Katz Cogan, Ian Hurd and Ian Johnstone (eds), *The Oxford Handbook on International Organizations* (OUP 2016) 1048
- Reis TH, Compensation for Environmental Damages under International Law: The Role of the International Judge (Wolters Kluwer 2011)
- Richardson B, Environmental Regulation through Financial Organizations (Kluwer Law International 2002)
- Robles Jr A, 'The 1994 Agreement on Deep Seabed Mining: Universality vs. the Common Heritage of Humanity' (1996) 12 World Bulletin 20
- Rojas AS and Philips FK, 'Effective Control and Deep Seabed Mining: Toward a Definition' Centre for International Governance Innovation, Liability Issues for Deep Seabed Mining Series, Paper No 7, February 2019
- Rosas A, 'Issues of State Liability for Transboundary Environmental Damage' (1991) 60 Nord J Intl L 29
- Rudall R, Compensation for Environmental Damage under International Law (Routledge 2020)
 Sachariew K, 'The Definition of Thresholds of Tolerance for Transboundary Environmental
 Injury under International Law: Development and Present Status' (1990) XXXVII NILR
 193
- Sand PH, 'The Rise of Public Trusteeship in International Environmental Law' (2014) 44(1) EPL 210
- Sands P and Peel J, Principles of International Environmental Law (4th edn, CUP 2018)
- Sax J, 'The Public Trust Doctrine in Natural Resource Law: Effective Judicial Intervention' (1969) 68 Mich L Rev 571
- Schisel-Meslin J, 'Out of the Club? Out of Luck: Complexities Facing Injured Third Parties Seeking Recovery from P&I Clubs' (2019) 43 Tul Mar L J 319
- Schuda R, 'The International Maritime Organization and the Draft Convention on Liability and Compensation in Connection with the Carriage of Hazardous and Noxious Substances by Sea: An Update on Recent Activity' (1992) 46 U Miami L Rev 1009
- Schwartz P, 'The Polluter-Pays Principle' in Ludwig Krämer and Emanuela Orlando (eds), Principles of Environmental Law (Edward Elgar 2018) 264
- Scott K, 'Geoengineering and the Marine Environment' in Rosemary Rayfuse (ed), Research Handbook on International Marine Environmental Law (Edward Elgar 2015) 451
- Scott K and VanderZwaag D, 'Polar Oceans and Law of the Sea' in Donald Rothwell, Alex Oude Elferink, Karen Scott and Tim Stephens (eds), *The Oxford Handbook of the Law of the Sea* (OUP 2015) 724
- 'Ocean Acidification: A Due Diligence Obligation under the LOSC' (2020) 35 IJMCL 382 Scott S, 'Australia's Decision to Initiate Whaling in the Antarctic: Winning the Case versus Resolving the Dispute' (2014) 68(1) Aust J Int'l Aff 1
- Scovazzi T, 'The Mediterranean Guidelines for Determination of Environmental Liability and Compensation: The Negotiations of the Instrument and the Question of Damage that Can Be Compensated' (2009) 13 Max Planck UNYB 183

- Shavell S, 'Strict Liability versus Negligence' (1980) 9 JLS 1
- Shibata A (ed), International Liability Regime for Biodiversity Damage: The Nagoya-Kuala Lumpur Supplementary Protocol (Routledge 2014)
- Siegele L, 'Loss and Damage (Article 8)' in Daniel Klein, María Pía Carazo, Meinhard Doelle, Jane Bulmer and Andrew Higham (eds), *The Paris Agreement on Climate Change: Analysis and Commentary* (OUP 2017) 224
- Soares G and Vargas E, 'The Basel Liability Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and Their Disposal' (2001) 12(1) Yearbook Int Environ Law 69
- Sohn L, 'The Stockholm Declaration on the Human Environment' (1973) 14 Harv Int'l L J 423 Solntsev AM, 'The International Environmental Court A Necessary Institution for Sustainable Planetary Governance in the Anthropocene' in Michelle Lim (ed), Charting Environmental Law Futures in the Anthropocene (Springer 2019)
- Steffen W, Richardson K, Rockström J and Cornell SE, 'Planetary Boundaries: Guiding Human Development on a Changing Planet' (2015) 347 (6223) Science 736
- Stephens T, International Courts and Environmental Protection (CUP 2009)
 - 'Environmental Litigation by Asia Pacific States at the International Court of Justice' (2021) 21 MJIL 653
 - "The Development of International Environmental Law by the International Court of Justice' in Douglas Fisher (ed), Research Handbook on Fundamental Concepts of Environmental Law (2nd edn, Edward Elgar 2022) 184
- Stiglitz J, 'Risk Incentives and Insurance: The Pure Theory of Moral Hazard' (1983) 8 GRIR 4 Stone C, 'Should Trees Have Standing – Toward Legal Rights for Natural Objects' (1972) 45 S Cal L Rev 450
- Tams C, Enforcing Obligations Erga Omnes in International Law (CUP 2005)
- Tanaka Y, 'Reflections on Locus Standi in Response to a Breach of Obligations Erga Omnes Partes: A Comparative Analysis of the Whaling in the Antarctic and South China Sea Cases' (2018) 17 LPICT 527
 - 'The Legal Consequences of Obligations Erga Omnes in International Law' (2021) 68(1) NILR 1
 - 'Temporal Elements in the Valuation of Environmental Damage: Reflections on the *Costa Rica v Nicaragua* Case before the International Court of Justice' (2021) 90 Nord J Intl L 257
- Tarver D, "Hunnuh Mus Tek Cyare da Root fa Heal da Tree": Saving the South Carolina Lowcountry from Overdevelopment through Judicial Application of a Modern Public Trust' (2017) 68 S C L Rev 1047
- Taylor P, 'The Concept of the Common Heritage of Mankind' in Douglas Fisher, (ed), Research Handbook on Fundamental Concepts of Environmental Law (Edward Elgar 2016) 306
- Taylor P and Stroud L, Common Heritage of Mankind: A Bibliography of Legal Writing (Fondation de Malte 2013)
- Telesetsky A, 'The 2010 Nagoya-Kuala Lumpur Supplementary Protocol: A New Treaty Assigning Transboundary Liability and Redress for Biodiversity Damage Caused by Genetically Modified Organisms' (2011) 14 ASIL Insight 2
- Telicki K, 'Developing a Communications and Engagement Strategy for the International Seabed Authority to Ensure Active Stakeholder Participation in the Development of a Minerals Exploitation Code' (2016) ISA Discussion Paper No 3
- Toussaint P, 'Loss and Damage and Climate Litigation: The Case for Greater Interlinkage' (2022) 30(1) RECIEL 16

- Trindade AAC, International Law for Humankind: Toward a New Jus Gentium (Martinus Nijhoff 2005)
- Turnipseed M and others, 'Reinvigorating the Public Trust Doctrine: Expert Opinion on the Potential of Public Trust Mandate in US and International Environmental Law' (2010) 52(5) Environment: Science and Policy for Sustainable Development 7
- UNEP-WCMC, 'Governance of Areas beyond National Jurisdiction for Biodiversity Conservation and Sustainable use: Institutional Arrangements and Cross-sectoral Cooperation in the Western Indian Ocean and the Southeast Pacific' (UN Environment World Conservation Monitoring Centre 2017)
- Urs P, 'Obligations Erga Omnes and the Question of Standing before the International Court of Justice' (2021) 34(2) LJIL 505
- Vanden Borre T, 'Shifts in Governance in Compensation for Nuclear Damage 20 Years after Chernobyl' in Michael Faure and Albert Verheij (eds), Compensation for Environmental Damage (Springer 2007) 262
- Van Dover CL and others, 'Biodiversity Loss from Deep Sea Mining' (2017) 10 Nat Geosci 464
- Vierucci L, 'NGOs before International Courts and Tribunals' in Pierre-Marie Dupuy and Luisa Vierucci (eds), NGOs in International Law: Efficiency in Flexibility? (Edward Elgar 2008)
- Vigni P, 'The Interaction between the Antarctic Treaty System and the Other Relevant Conventions Applicable to the Antarctic Area: A Practical Approach versus Theoretical Doctrines' in JA Frowein and Rüdiger Wolfrum (eds), Max Planck Yearbook of United Nations Law (Kluwer 2000) 481
- Vogler J, The Global Commons: A Regime Analysis (Wiley & Sons 1995)
 - The Global Commons: Environmental and Technological Governance (2nd edn, Wiley 2000)
- Vönecky S, "The Liability Annex to the Protocol on Environmental Protection to the Antarctic Treaty' in Doris König, Peter-Tobias Stoll, Volker Röben and Nele Matz-Lück (eds), International Law Today: New Challenges and the Need for Reform? (Springer 2007) 186
- Voyer M and van Leeuwen J, "'Social License to Operate" in the Blue Economy' (2019) 62 Resour Pol'y 102
- Weinrib EJ, 'Corrective Justice in a Nutshell' (2002) 52 UTLJ 349
 - The Idea of Private Law (rev edn, OUP 2012)
- Wetterstein P (ed), Harm to the Environment: the Right to Compensation and Assessment of Damages (OUP 1997)
 - 'Pure Environmental Damage' in Günther Handl and Kristoffer Svendsen (eds), Managing the Risk of Offshore Oil and Gas Accidents (Edward Elgar 2019) 305
- Wewerinke-Singh M and others, 'Bringing Climate Change before the International Court of Justice: Prospects for Contentious Cases and Advisory Opinion' in Ivano Alogna, Christine Bakker and Jean-Pierre Gauci (eds), Climate Change Litigation: Global Perspectives (Brill 2021) 393
- Wijk A, Amicus Curiae before International Courts and Tribunals (Nomos/Hart 2018)
- Wilde M, Civil Liability for Environmental Damage: A Comparative Analysis of Law and Policy in Europe and the United States (Kluwer Law International 2004)
- Wilder M, 'The Settlement of Disputes under the Protocol on Environmental Protection to the Antarctic Treaty' (1995) 31(179) Polar Rec 399
- Williams S, Woolaver H and Palmer E, *The Amicus Curiae in International Criminal Justice* (Hart Publishing 2020)
- Wolfrum R, 'Purposes and Principles of International Environmental Law' (1990) 33 GYIL 308

- 'Liability for Environmental Damage in Antarctica: Supplement to the Rules on State Responsibility or a Lost Opportunity?' in Isabelle Buffard (ed), *International Law* between Universalism and Fragmentation: Festschrift in Honour of Gerhard Hafner (Martinus Nijhoff 2008) 817
- Wood MC and Woodward IV CW, 'Atmospheric Trust Litigation and the Constitutional Right to a Healthy Climate System: Judicial Recognition at Last' (2016) 6 Wash J Envtl L & Pol'y 634
- Wouters J and Odermatt J, 'Assessing the Legality of Decisions' in Jacob Katz Cogan, Ian Hurd and Ian Johnstone (eds), *The Oxford Handbook on International Organizations* (OUP 2016) 1006
- Wright RW, 'Causation, Responsibility, Risk, Probability, Naked Statistics and Proof: Pruning the Bramble Bush by Clarifying the Concepts' 73 Iowa L Rev (1987–1988) 1001
- Wright G, Rochette J, Gjerde K and Seeder I, 'The Long and Winding Road: Negotiating a Treaty for the Conservation and Sustainable Use of Marine Biodiversity in Areas beyond National Jurisdiction' IDDRI Study No 18, August 2018 <www.iddri.org/sites/default/files/PDF/Publications/Catalogue%20Iddri/Etude/201808-Study_HauteMer-long%20and%20winding%20road.pdf>
- Xue H, Transboundary Damage in International Law (CUP 2003)
- Yang X, State Immunity in International Law (CUP 2012)
- Young M and Friedman A, 'Biodiversity beyond National Jurisdiction: Regimes and Their Interaction' (2018) 112 AJIL Unbound 123
- Zhang H, 'The Obligation of Due Diligence in Regulating the Marine Genetic Resources in Areas beyond National Jurisdiction' in Keyuan Zou (ed), *Global Commons and the Law of the Sea* (Brill Nijhoff 2018) 286