Index

academic honesty 15
accountability 149, 152, 165
accreditation and reporting schemes 61
administrative dependence 122
administrative dispute resolution 187
administrative law and criminal law, combining 123
administrative sanctions 117–20
African Ministers for Agriculture 302
African Union (AU) 302, 303
Convention (1969) 253, 254
Agenda 21 86, 267
air pollution 8, 10–11, 12, 64
Alberini, A. 6
Alinder, J. 31
alternative dispute resolution 187
anti-monopoly law 276
appropriative rights (private property) 179, 181–5, 189
architectural design of environmental governance xxiii–xxiv
Argyrou, V. 87
Austin, D. 6
Australia: Ramsar Wetlands 193–215
Alanvale Pty Ltd v Southern Rural Water (2010) 212
Anvil Hill Project Watch Association Inc v Minister for the Environment & Water (2008) 201
Arnold v Minister Administering Water Management Act 2000 (NSW) (2010) 199
China-Australia Migratory Bird Agreement (CAMBA) 193–4, 195, 208
climate change 193–4, 212–13
Commonwealth Environmental Water Holder (CEWH) 211–12
Commonwealth Scientific and Industrial Research Organization (CSIRO) 194
Constitutional Framework 197–9
critical human needs 209
CSIRO Murray-Darling Basin Sustainable Yields Project 210
Environment Minister 205
Environment Protection and Biodiversity Conservation Regulations (2000) 201
Environmental Water Holdings Special Account 211
environmental water for wetlands and waterfowl 193–5
Gwydir River Case (Nature Conservation Council of NSW Inc v The Minister Administering the Water Management Act (2005) 210
ICM Agriculture Pty Ltd v The Commonwealth of Australia (2009) 199, 213
landholder rights 203
licensing decisions 212
Macquarie Marshes 194, 200
Murray-Darling Basin 194, 199, 202–203, 206, 208, 210–212
Agreement 202–203, 207
Authority 208, 212
Cap 207
Commission 207
‘Lower Lakes’ 193–4
Ministerial Council 207
Plan 203, 207–10, 211, 212
National Water Commission 206
NSW 211, 213
Project Blue Sky Inc v Australian Broadcasting Authority (1998) 210
R v Tang (2009) 198
Ramsar Convention on Wetlands of International Importance 193–4, 195–7, 200, 208
Integrated Framework 195–7, 198, 209
reasonable use 199
South Australia 211
strict/no fault liability scheme 213
Sugarloaf Pipeline proposal 202
sustainable level of take 209–10
sustainable yield 206
_Tasmania v Commonwealth (1983)_ 198
Victoria 211, 213
_Victoria v Commonwealth of Australia (1996)_ 198
Victorian Environmental Water Holder (VEWH) 205
water access entitlement (WAE) 203–204, 206, 211
Water Act (1989) 205, 213
Water Amendment (Non Water User Limit) Act (2009) 211
Water Amendment (Victorian Environmental Water Holder) Act (2010) 205
Water Management Act (2000) 213
Water Minister 205
water resources law reforms and environmental flows 202–12
environmental water allocations (EWA) statutory provision 204–205
over-allocated and overused systems 206
plan areas 208
trading environmental water 210–12
water access rights 203–204
see also Murray-Darling Basin above
Australia: rural landscape governance 46–70
accreditation and reporting schemes 61
behavioral systems approaches 67, 68
benefit/cost assessment 56
biodiversity regulation 47
carbon emission markets and regulation 64
catchment management 61
Certification Schemes 61
challenges of resource governance law 52–7
climate change issues 52
co-regulation 55, 60–61
concepts and definitions 48–9
connectivity 49, 52
consumer and producer-led voluntary responsibility schemes 60
Corporate Social Responsibility (CSR) 60
Cotton Australia’s Best Management Practice system 61
development and testing of next-generation approach 66–9
economic efficiency 67
education 53
Environmental Management Systems (EMS) 60
environmental and production hazards from conservation areas into farmland 51
fairness 67
fire spreading 51
food safety 61
fragmentation 49, 52, 60
funding and works programs 62
grazing/farming/biodiversity relationship 49–52
habitat requirements spanning land tenure boundaries 50–51
implementation capacity 56
incentives 53
industry codes 61
information flows 65
institutional innovation centrality 57–9
institutions 48
instruments 48, 53
invasive species management 51
Land and Water Management Plan 61
market efficiency theory 58
market instruments 53
multi-attribute approaches 49, 67
multi-instrumental design approaches 67
National Water Initiative 52
natural resource governance system 48, 59
natural resource management (NRM) strategy 49, 60, 63
new institutional alignments 61–2
not-for-profit and for-profit corporate programs 61–2
political economy 55
Primary Industries and Natural Resource Management Ministerial Councils 63
private land management agreements 51
private regulation 53
public and private lands relationship 49
public regulation 53
regulatory cost 64
regulatory risk assessment 56
risk analysis and management concepts 67
risk-based regulation 59, 64–5
salinity 52
second best solutions 58
self-regulation 60–61
Senate Inquiry into Food Production 52
‘smart regulation’ 62–6
State of the Environment Report 65
tradable rights 62
transaction costs 55, 63–4, 67
transactions focused approaches 49, 68
water buybacks 58–9

Bali Action Plan 267
Bali Strategic Plan 241
Barrett, J.J. 14
Beattie, M. 33
Becker, G.S. 12, 40
behavioral crimes 107–108
behavioral systems approaches 67, 68
behavioral theories 53
Belgium 12–13
Belgrade Process 234

benefit/cost assessment 56
bilateral agreements 261, 269
bilateral international legal obligations 193
Binder, S. 8, 17
biodiversity regulation/protection 47, 155, 292
Blackman, A. 10
Blackstone, W. 27
Bongaerts, J. 9
Buchanan, J. 9
Cappelletti, M. 137
carbon dioxide emissions 11, 12, 64
Cartagena (OAS) Declaration (1984) 237, 253, 256
Certification Schemes 61
Chayes, A. 235, 238, 240
China xxv–xxvii, 5, 8, 10
China: constitutionalism and the environment 81–101
Administrative Courts 92–3
Administrative Litigation Law (ALL) 92
Administrative Review Law (ARL) 92
Administrative Review Panels 92–3
All China Environment Federation (AFED) 91, 95
Constitution (1982) 92, 96, 98–9, 100
disclosure rules 91
ecological change 81–4
Ecological Civilization policy/principle 82–3, 86–8, 100
Environmental Impact Assessments (EIAs)/Law 90–91
Environmental Protection Administration Permission Measures 90–91
Environmental Protection Bureaus (EPBs) 91
Environmental Protection Law (1989) 86, 89
environmental responsibility system 89
foundational principles 83
‘freedom from nature’ 84–5
human health 94–5
Ministry of Environmental Protection (MEP) 90–91
Ministry of Justice 92
modernist paradigms 84–5, 100
National Human Rights Action Plan (2009–10) 83, 89, 100
National People’s Congress (NPC) 87, 90, 100
non-governmental organizations (NGOs) 86, 90, 91
Open Environmental Information Measures 91
Public Interest Litigation (PIL) 95
Public Participation in Environmental Appraisals Law (2006) 91
Public Participation in Environmental Impact Assessment Measures 91
resource curse 96, 99
rule of law and human rights 83, 88–99
environmental citizenship 88–90
environmental justice 91–6
‘Go West’ development policies 96–8, 99
information access and participation 90–91
protection, unequal 98–9
Social Organization Rules 90
specialized environmental courts and tribunals 93–5, 99
State Council 97–8
State Council Decision Concerning Environmental Protection (1996) 90
sustainable development as freedom 99–101
toxic pollution 94–5
Trial Court of Environmental Protection 93–4
water pollution 94–5
China: drinking water security 218–28
Civil Procedure Law 225
civil relief for water pollution victims 224–6
class actions 225–6
command-and-control instruments 224
Communist Party National Conference 220
Criminal Law 219
critical justice issue 219–21
drinking water quality/pollution 219–20
Environmental Impact Assessment (EIA) 223
Environmental Protection Law Amendment (1989) 225
General Principles of Civil Law 225
health impacts and hazards 220
infectious disease/contamination 219
information and monitoring data 226
Law on Prevention and Control of Water Pollution (LPCWP) (1984) 219, 221, 225
Amendments (1996 and 2008) 221–4, 225–6
legal aid 226
National People’s Congress 220
new evidence rule 225
no-fault liability principle 225
Protection of Drinking Water Sources and Other Special Waters 223
State Environmental Protection Administration (SEPA) 223, 226
Three Simultaneousness requirements 223
water pollution incidents 218–19, 221
China: environmental criminal law 104–31
abstract endangerment crimes 120–21, 126, 127
‘in accordance with’ 115
administrative and criminal law combined 123
administrative dependence 122
administrative duties 120
administrative law 104, 109, 113–14, 116, 117, 120–22, 124, 126–8
Administrative Sanctions against Environmental Offences Measures (2009) 117
‘by analogy with’ 115–16, 125
behavioral crimes 107–108
circumstantial crime 110–11
concrete endangerment crimes 121–2, 124, 127
consequential crime 108–10, 123–4
Criminal Law (1979) 106
emissions, unlawful 104, 121–2, 126
Environmental Protection Law 106, 112
fines 118–22
intent 111–12, 124, 127
licence revocation 118
main structure and sources 105–106
major environmental pollution accident 104, 122, 124, 126–7
mens rea 111–12, 124, 127
Mineral Resources Law (1996) 115
negligence 111–12, 127
permits 120
plant closures 118
Prevention and Control of
Atmospheric Pollution Law (2000) 120
Prevention and Control of Noise Pollution Law 106, 113–14
Prevention and Control of Water Pollution Law (2008) 115–16, 118–19, 121–2
recklessness 112
reform proposals 125–7
rule of law 124–5
sanctions/penalties 109–10, 116–22, 124–6, 128
subsidiary environmental law 112–16, 122, 123, 125, 127
waste disposal 121
China: environmental e-governance and government-citizen interaction 148–67
accessibility and accountability 149, 152, 165
Application for Information Disclosure 156–7, 159
biodiversity protection 155
blogs 162
citizen-oriented 160–64
ICTs and public sphere 160
organized (Green-web) 161
semi-organized (Xiamen anti-PX Protest) 161–2, 165
unorganized (suspicious cobalt-60 leakage in Henan) 163, 165
‘Construction of environmental management information systems in selected cities’ 154
coordination facilitation 149, 162
core 151–2
cost-benefit effectiveness 149
costs reduction 162
Dbase II 154
demand-side analysis unavailability 159
discharge permits 155
disclosure 165
editorial control 162
emergence 152–3
energy saving, GHG emissions reduction and natural resource preservation 153
environmental awareness, rights to know and public participation 153, 159
Environmental Impact Assessment (EIA) 156
Environmental Protection Bureau (EPB) 154, 155–6, 157–8
features 150–51
geographic barriers elimination 149–50
GIS 154
‘Golden Projects’ 152
Government Online Project 152
government-oriented 153–9
content analysis 154–8
environmental information provision 155–6
interaction 155, 157–8
online consultation 155, 156
online service 155, 156–7
overview 153–4
‘untold stories’ 158–9
influence and participation issues
150–51
information 155–6, 163
Information Centers 154
Information and Communication
Technologies (ICTs) 148, 153
internet-based news organizations
163
Ministry of Environmental
Protection 155, 157
monitoring 153
networking and interactions 149,
150–51
online forums 162, 163
Open Government Information
Regulations 157
participation 165
planning and resource conservation
153
QQ 162
reaction and support 163
regional gaps 158
scope 149–50
secrecy 162
SMS 162
State Environmental Protection
Administration (SEPA) 154,
155–6, 157
structural analysis and future
directions 164–5
transparency 152, 156–7
trust issues 151, 159, 163
Watershed Management 155
website layout deficits 159
China: public interest litigation 135–46
Administrative Procedure Law
141–2, 143–4
basis of people’s procuratorates
135–8
civil and administrative cases
143, 144
Civil Procedure Law 141, 143–4
conditions 141
Criminal Procedure Law/Rule 144
criminal procedures 143, 144
Environmental Protection Agency
135–6
Environmental Public Interest
Procedure Rule 144
functional departments 142
functions and power of procuratorates
141, 143
history of prosecutorial organizations
138–40
human resources 142
Instituting Criminal and Subsidiary
Civil Action 144
Interim Provision of the People’s
Court 144
legal support, lack of 141–2
legislative arrangements
improvement 143–4
Maritime Authority 135, 136
Organic Law of the People’s
Procuratorates 141, 143
Payment Means of Expense in
Litigation 144
people’s procuratorates 140–43
personnel allocation and caseloads
142
prosecutorial funds, lack of 142–3
scope, procedure and approach 144
specialist resources, lack of 142
subsidiary civil action 144
Supreme People’s Procuratorate 144
China-Australia Migratory Bird
Agreement (CÂMBA) 193–4, 195,
208
circumstantial crime 110–11
class actions 225–6
Clean Development Mechanism (CDM)
267
climate change 261
Australia 52, 193–4, 212–13
China 82, 98
see also climate change and
technology transfer
clean change and technology transfer
266–85
Clean Development Mechanism
(CDM) 267
common but differentiated
environmental responsibilities
principle 271
Compliance Committee 272
cooperation 266, 271, 278–9
Copenhagen Summit 269, 272, 278
economic sovereignty 276, 277
Enforcement Branch 272
Facilitative Branch 272
good faith 278
government failure 269–70
implementation 270, 272
Kyoto Protocol 267, 271, 272
market barriers 274–5
market failure 269
market mechanism 268
Montreal Protocol 272
MRV criteria 267, 271
multilateral environmental agreements (MEAs) 266–7, 272, 277
national law barriers 273–5
North-South transfer 270, 271, 273, 274, 278
private sector and transnational corporations 275–8
public sector legal barriers 270–73
Research & Development 275
restrictive business practices 275–6, 278
trade liberalism 276–7
United Nations Framework Convention on Climate Change (UNFCCC) 271–3, 277, 278
World Trade Organization (WTO) 272–3
corporation 55, 60–61
Coase, R.H. 175
codes of conduct, mandatory or voluntary 61
command-and-control instruments 8–9, 12, 16–17, 224
common but differentiated environmental responsibilities principle 271
common pool resources 175, 180–81
compensation mechanisms 6–7
Comprehensive Africa Agriculture Development Programme (CAADP) 302–303
compulsory insurance 6
consequential crime 108–10, 123–4
constitutionalism see China
corporation 266, 271
coordination 149, 162
Copenhagen Accord/Summit 260–61, 269, 278
Corporate Social Responsibility (CSR) 60, 277–8
‘crowding out’ 12
Da Zhu 8
Davies, M. 28
Deng, F.M. 257
deterrence hypothesis 12
Dewees, D.N. 7
Dewey, J. 148
discharge fee programmes 10
disclosure 91, 165
Divan, S. 15
diversity (property) and sustainability (landscape) 24–43
Californians Organized to Acquire Access to State Tidelands (COAST) 29
cash equalisation payments 36
Coastal Commissions 29–30
environmental groups 32–3
fragmentation 41
governance body 33–4
gridlocked system 41
Hillend Station 37–8
Land Act (1948) 35
‘look-but-don’t-touch’ inaccessible landscape 30
New Zealand: high country of South Island 26, 35–9
Northern Forest Lands Council 34
Northern Forest (New England, United States) 25–6, 31–5, 40, 41
pastoral tenure 35
property mosaic 25, 26–8, 33, 35, 39
Proposition 20 29
public/private dichotomy 26, 28–9, 31, 33, 36, 38–9, 40
rivet hypothesis 40–41
Sea Ranch (Sonoma County, California) 25, 28–31, 39, 40, 41
social awareness 40–41
state and federal involvement 33–5, 41
tenure review 36, 37, 38–9
‘Draft Resolution on Strengthening the Environmental Activities in the UN System’ 241
Duff, D. 7

Ecological Civilization policy/principle 82–3, 86–8, 100
economic sovereignty 276, 277
ecosystem protection 292
effluent charge 9
Ehrlich, A. 24, 40
Ehrlich, P. 24, 40
emission standards 9
Emissions Trading Scheme 8, 9, 10–11, 15
emissions, unlawful 104, 121–2, 126
endangerment crimes 120–22
energy security 274
energy tax, perverse 10
enforcement 12–14
environmental citizenship 88–90
environmental e-governance see China: e-governance
Environmental Impact Assessments (EIAs) 90–91, 156, 223
‘Environmental Kuznets Curve’ 4–5
Environmental Management Systems (EMS) 60
environmental migration 248–64
admission of migrants 249, 252, 259
African Union Convention (1969) 253, 254
bilateral agreements 259, 261
Cartagena (OAS) Declaration (1984) 253, 256
climate change 261
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (1979) 250
Copenhagen Accord 260–61
Declaration on the Human Rights of Individuals Who are not Nationals of the Country in which They Live (1985) 251–2
detention of rejected asylum seekers 251
EU Directives 253, 255–6
European Court of Human Rights 252
existential threat 249
external 249, 251
forced 249, 257, 261
Geneva Convention 255
human rights law 252, 257
human-made disasters 254
illegal 251
internal displacement law 261, 262
internally displaced persons (IDPs) 249, 257–8
International Covenant on Civil and Political Rights (ICCPR) (1966) 250
International Covenant on Economic, Social and Cultural Rights (ICESCR) (1966) 250
international environmental law 260–61, 262
international human rights law 250–52, 262
international migration law 258–60
international refugee law 252–8, 262
Kampala Convention (2009) 258
Kyoto Protocol 260–61
labour migration 258–60, 261
mass influx situation 256
Migrant Workers Convention (1990) 259
migration law 262
mitigation and adaptation initiatives 261, 262
natural disasters 249, 254, 257
non-refoulement principle 251–2, 255
non-returnables 251
Pact on Security, Stability and
International Environmental Governance (IEG) system 234, 235, 236, 237–8, 240, 241, 242–3, 244, 245
international environmental law 260–61, 262
international human rights law 250–52, 262
international legal obligations, bilateral 193
international migration law 258–60
international refugee law 252–8
internet users 89
see also China: environmental e-governance

Japan 87, 272
Jiang Ru 8
justice 91–6

Kagombe, J. 292, 297
Kampala Convention (2009) 258
Kennan, F. 235, 238
Kenya: stewardship in land use law 288–309
Agriculture Act (1955) 290, 308
Common Action Plan 295
Common Interest Groups (CIGs) 295
Community Forest Associations (CFAs) 292
Constitution (2010) 307
District Stakeholders Forum 295
Divisional Stakeholders Forum 295
ecosystem and biodiversity protection 292
extension function 293–7
African Union Treaty and soft law position 300–303
agricultural 293–6
communication focus 293, 300
education focus 293, 297, 300
forestry 296–7
organization 293, 294
production 294
publicly funded government 294
specialized commodity 294
and stewardship 298–300
sustainability 308–309
Forests Policy 291
Intensified Social Forestry Project (ISFP) 297
Kenya Forest Service 291, 296–7
knowledge, technology and skills transfer 289, 290, 304
Ministry of Agriculture 294
National Agriculture and Livestock Extension Programme (NALEP) 295–6
Non-Resident Cultivation (NRC) 291–2
Plantation Establishment and Livelihood Improvement Scheme 292
poverty, environmental degradation and sustainability objectives 288, 289–93
Presidential decree (1987) 291
Presidential decree (2003) 292
sectoral ministries 295
shamba system 288, 291–3, 297, 298, 300, 308
training and visit (T&V) system 294
World Bank 294
Kettle, D.F. 153
Kimalu, P. 289
knowledge, technology and skills transfer 289, 290, 304
Korea 276
Kothari, A. 289
Kraemer, R.A. 9
Kuik, O. 11
Kuznets, S. 4
Kyoto Protocol 11, 260–61, 267, 271, 272
land use law see Kenya: stewardship in land use law
Latin America 254
lawsuits see litigation
Leahy, Senator P. 34
legal innovations, local and international xxix–xxxiii
Leopold, A. 27, 299, 300
lex certa principle 127
liability 6–7, 16, 213, 225
Lian Yue 162
licence revocation 118
Index

litigation 15, 89, 274
   see also China: public interest litigation
littoral rights 177
Lockwood, M. 289
Lyndon, D. 31
Maathai, W. 292
McCormick, R.E. 7
Maloney, M.T. 7
Maputo Declaration on Agriculture and Food Security in Africa 301, 302, 303
market barriers 274–5
market efficiency theory 58
market-based instruments 8–9, 12, 14–15, 16–17
Marx, K. 84
Matthews, K. 212
Mbithi, D. 289
media coverage 89
mens rea 111–12, 124, 127
Montreal Protocol 272
MRV criteria (measurable, reportable and verifiable) 267, 271
multilateral environmental agreements (MEAs) 236, 238–9, 243, 244, 266–7, 272, 277
multiple consultative process (MCP) 272
Nash, J.R. 8
natural flow rule 177
natural resource management (NRM) strategy 48, 49, 59, 60, 63
negligence 111–12, 127
Netherlands 9, 10, 13
Neumayer, E. 8, 17
New International Economic Order (NIEO) Declaration 271
New Partnership for African Development (NEPAD) Agency 302, 303
New Zealand: high country of South Island 35–9
no-fault liability principle 213, 225
non-governmental organizations (NGOs) 8, 17, 41, 86, 89, 90, 91
non-refoulement principle 251–2, 255
Obama administration 267
O’Connor, D. 10
Official Development Assistance (ODA) 275
Oosterhuis, F. 11
Ostrom, E. xxviii
Parker, D. 39
penalties see sanctions/penalties
people’s procuratorates see China: public interest litigation
Perino, G. 12
permits 120, 155, 186–9
Pigovian taxes 9
pluralist school 24
political economy 55
pollution 5
   accident, major 104, 122, 124, 126–7
   air 8, 10–11, 12, 64
   permits 9
   toxic 94–5
   water 9, 94–5, 218–19, 220, 221, 224–6
Porter, M.E. 5, 17
private interest theory of regulation 11
pro rata sharing 179, 180
property rights 26–7
prosecuting attorneys 136
prosecution rates 13
protection, unequal 98–9
protestionism 137, 274
protests 89
public choice school 7–8
public good 27
public interest 30–31
   litigation see China: public interest litigation
public property rights 31
public/private dichotomy 26, 28–9, 31, 33, 36, 49
reasonable use 177–9, 181, 185, 186–7, 199
recklessness 112
redundancy (driver-passenger) hypothesis 24
Regional Economic Communities (RECs) 303
regional protectionism 137
‘regulatory chill’ 274
regulatory risk assessment 56
Research & Development 275
resistance to shock and resilience after a crisis 35, 41
resource curse 96, 99
restrictive business practices 275–6, 278
Revesz, R.L. 8
Revised African Convention on the Conservation of Nature and Natural Resources 300–301
Richter, T. 112
Rio+20 meeting 243, 245
Rio Earth Summit see United Nations Conference on Environment and Development
riparianism 177–81, 185–9
risk analysis and management concepts 67
risk pooling 183
risk-based regulation 59, 64–5
rivets hypothesis 24, 40–41
Robbins, T. 173–4
Rose, C.M. 26, 27
Rosencranz, A. 15
Rousseau, S. 13
rule of law 5, 124–5
see also under China: constitutionalism and the environment
rural landscape governance see Australia
Russia 272
sanctions/penalties 13, 109–10, 116, 117–22, 124, 125–6, 128
Sax, J. 26, 31
Scott, A. 162
second best solutions 58
self-regulation 60–61
Sen, A. 100
sentencing guidelines 14
Sexton, R. 29
‘shaming’ and loss of reputation 13
Shavell, S. 7
‘smart regulation’ 62–6
social marketing 68
socialability 27
‘soft approach’ 13, 270
solidarity assistance obligations 271
Steiner, A. 82
stewardship 27, 31
see also Kenya
Stockholm Declaration 85, 86
Street, J. 162
subsidiary environmental law 112–16, 122, 123, 125, 127
sulphur dioxide emissions 8, 10–11
sustainable development 99–101, 276–7
taxation 9–10, 17
technology transfer see climate change and technology transfer
tradable rights 62
trade liberalism 276–7
tragedy of the commons 176, 180–81
transaction costs/approaches 49, 55, 63–4, 67, 68
Trebilcock, M. 7
TRIPS Agreement 273
trust issues 151, 159, 163, 187
Tullock, G. 9
United Kingdom 12–13
United Nations 257
Conference on Environment and Development (UNCED) 86
Convention to Combat Desertification (UNCCD) 260
Development Programme (UNDP) 243
Environment Programme (UNEP) 233, 234–40, 241, 242, 243, 244–5
changing environment and changing perspective 236–8
original design 235–6
Environmental Organization (UNEO) 241, 243
Food and Agriculture Organization (FAO) 302
Framework Convention on Climate Change (UNFCCC) 260–61, 267, 271–3, 277, 278
United States 9, 14, 17, 128
United States: global climate disruption and water law reform 171–90, 621
administrative/appropriative dispute resolution 187
appropriative rights 179, 181–5, 189
common pool resources 175, 180–81
Janmoeck v. City of New London 177
dual system 185
free riders 175
Harris v. Brooks 178–9
indivisibility and publicness of
public goods 175
littoral rights 177
mandated planning and protections
188
marginal productivity 183
miners’ rule: first in time, first in
right principle 182–3
models of property in water 172–3
natural flow rule 177
permits 186–9
pro rata sharing 179, 180
public goods 175, 176
public interest 187
public trust doctrine 187
reasonable use rule 177–9, 181, 185,
186–7
Regulated Riparian Model Water
Code (Model Code) 186–7, 188
riparian rights 177–81, 185–90
risk pooling 183
special characteristics of water
173–7
tragedy of the commons 176, 180–81
vigilance committees/law 182
water use fees 187
United States:
Attorney General 139
Clean Air Act 10–11
Department of Agriculture 148
Environmental Protection Agency
136
environmental regulations 139
Forest Service 148
Land Grant universities 68
Michigan Environmental Protection
Act (1970) 139
Northern Forest (New England)
31–5, 40, 41
Organic Labeling Rule (1997) 148
Roadless Area Conservation Rule
(2000) 148
Sea Ranch (Sonoma County,
California) 28–31, 39, 40, 41
Universal Declaration of Human Rights
(UDHR) (1948) 250
use rights 26–7
Vanclay, F. 304
violations 12–13
voluntary responsibility schemes 60
water disposal 121
water:
buybacks 58–9
law reform see United States:
global climate disruption and
water law reform
laws: economics and social
justice xxviii–xxix
pollution 9, 94–5, 218–19, 220,
221, 224–6
see also Australia: Ramsar
Wetlands; China: drinking
water security
Weller, R. 85, 86–7
Williams, J. 57
World Bank 294
World Environment Organization (WEO)
233–45
Bali Strategic Plan 241
chief scientist 241
CSD 245
current and future debate 240–43
‘Draft Resolution on Strengthening
the Environmental Activities
in the UN System’ 241
Economic and Social Council 240,
245
Global Environmental Financial
Tracking System 241
GMEF 242–3, 245
Governing Council 242–3, 245
Informal Consultative Process on
the Institutional Framework
240–42
International Environmental
Governance (IEG) system 234,
235, 236, 237–8, 240, 241,
242–3, 244, 245
Joint Inspection Unit 242
Medium-Term Strategy 242
Multilateral Environmental
Agreements (MEAs) 236,
238–9, 243, 244
<table>
<thead>
<tr>
<th>Term</th>
<th>Page(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Options Paper</td>
<td>240–41</td>
</tr>
<tr>
<td>Rio+20 meeting</td>
<td>243, 245</td>
</tr>
<tr>
<td>United Nations Development Programme (UNDP)</td>
<td>243</td>
</tr>
<tr>
<td>United Nations Environmental Organization (UNEO)</td>
<td>243</td>
</tr>
<tr>
<td>Voluntary Indicative Scale of Contributions</td>
<td>239</td>
</tr>
<tr>
<td>World Summit on Sustainable Development (WSSD)</td>
<td>240</td>
</tr>
</tbody>
</table>

*see also* United Nations Environment Programme

World Summit on Sustainable Development (WSSD) 240

World Trade Organization (WTO) 272–3

Xiamen anti-PX Protest 161–2

Zhongmei, L.V. 137

Zhou Xhenxian 219