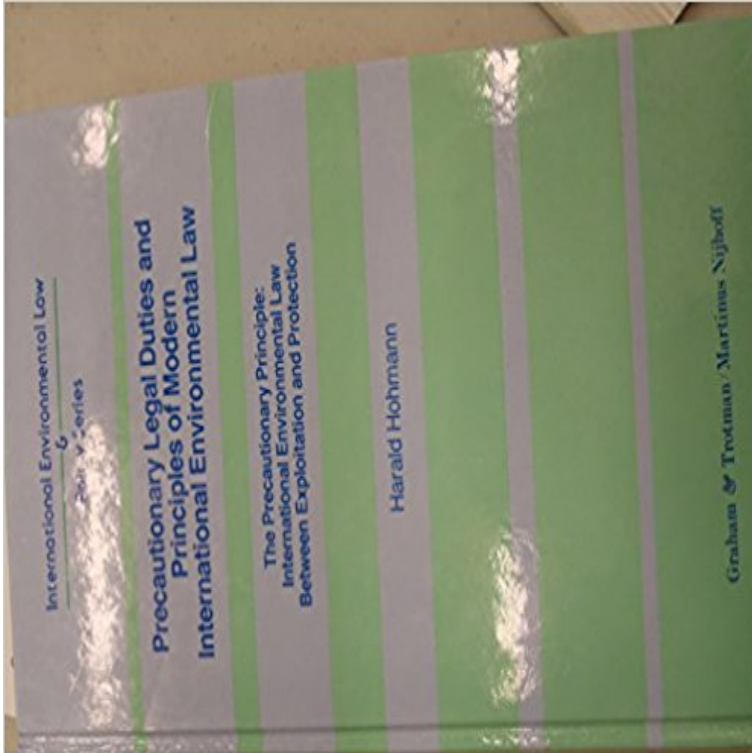


# Precautionary Legal Duties and Principles of Modern International Environmental Law: The Precautionary Principle: International Environmental Law ... (International Environmental Law & Policy)



This first monograph on the precautionary principle reviews the basic environmental declarations of the most important international environmental organizations (UNO/UNEP, EEC, OECD, Council of Europe, etc.) and bodies (ILA, IDI, ILC). It also analyses the basic international agreements for the protection of the environment (water, land/species, air/atmosphere). This analysis covers the basic documents of international environmental law issued from 1911 to 1993. Its aim is to specify to what extent the precautionary principle is established in current international environmental law (customary law and conventions) and what its impact is. The following precautionary duties or principles are analysed: sustainable use and protection of nature also for its own sake; a duty to act in case of mere potential concern (and not only in case of suspicion of concrete danger); a duty of ecomanagement (at least permit requirements, monitoring, pollution control and minimal planning); a duty of regional cooperation (information, notification, consultation, joint research, etc.); a duty of comprehensive planning and to prevent cross-media pollution; a duty of impact assessment and standard setting. Also included into the analysis are: intergenerational equity, right to decent environment, sustainable development, nondiscrimination, equal transboundary access to judicial redress, transfer of technology, financial incentives and treatment at the source. The different approaches of traditional and modern international environmental law are reviewed together with the legal relevance of central provisions of important environmental declarations.

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