Environmental Law and Policy in Developing Countries
Annotated Bibliography

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I

ECONOMIC DEVELOPMENT

COOPER, C. ECONOMIC EVALUATION AND THE ENVIRONMENT: A METHODOLOGICAL DISCUSSION WITH PARTICULAR REFERENCE TO DEVELOPING COUNTRIES (London: Hodder & Stoughton, 1981). This study, prepared for the United Nations Environment Programme, assesses techniques—especially cost-benefit analysis—for evaluating the economic and social consequences of environmental harm. Central to the author’s thesis is the notion that the implementation of environmental controls should not be delayed until a country is prosperous, in part because short term improvements in material wealth brought by “dirty” industries may be accompanied by lasting harm.


Gibson, Possible Impacts of U.S. Domestic Environmental Policies on Less Developed Countries’ Trade Investment and Foreign Aid, 3 ENVTL. AFF.

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109 (1974). Explores policies that both improve the United States environment and aid international economic development. Argues that the United States must incorporate the potential for adverse impact of domestic environmental programs on foreign economies into its developmental assistance programs for developing countries.


Nicholls, Y., ed. *Source Book: Emergence of Proposals for Recompensing Developing Countries for Maintaining Environmental Quality* (Morges, Switz.: International Union for Conservation of Nature and Natural Resources, 1973). Compiles extracts from primary documents such as United Nations resolutions and reports concerning how the international community might aid developing countries that seek to combine economic development with environmental protection.


Ranganathan, V. *Environmental Policies and Their Implications for Trade and Development: A Case Study of India* (Geneva: United Nations Conference on Trade and Development, 1977). Examines pollution problems in India, the legislation enacted to alleviate these problems, and the impact of such legislation on India's exports.

Riddell, R. *Ecodevelopment: Economics, Ecology, and Development—An Alternative to Growth Imperative Models* (Westmead, Eng.: Gower, 1981). Argues for a development strategy in developing countries centered on "soft" energy options such as harnessing solar power, hydro-potential, and vegetable alcohol production. The author's program for progress in lieu of growth has three objectives: economic equity, social harmony, and environmental balance.

Rubin, S. & T. Graham, eds. *Environment and Trade: The Re-
LATION OF INTERNATIONAL TRADE AND ENVIRONMENTAL POLICY (Totowa, N.J.: Allanheld, Osmun, 1982). Presents studies from legal and economic viewpoints that address whether the maintenance of certain growth rates is compatible with a regard for the environment.


UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT, IMPLICATIONS FOR THE TRADE AND INVESTMENT OF DEVELOPING COUNTRIES OF UNITED STATES ENVIRONMENTAL CONTROLS. U.N. Doc. TD/B/C.2/150/Add.1/Rev.1 (1976). Empirical study by Charles Pearson of the School of Advanced International Studies of Johns Hopkins University. Indicates that only certain industries will bear heavy environmental control costs, and that exports from developing countries of products from these industries will increase. Results tentatively suggest that developing countries should consider trade impacts when establishing environmental standards.

WARD, B. PROGRESS FOR A SMALL PLANET (New York: W.W. Norton, 1979). Discusses, within the context of national and international policy formulation and the world economic order, how sustainable development may best be achieved by examining interrelations between energy provision, materials and food supply, and the process of urbanization.

II
EXPORT OF HAZARDOUS WASTE AND CHEMICALS

Linder, Discretion and the Nuclear Regulatory Commission: The Need To Assess Foreign Environmental Effects of American Nuclear Exports, 5 STAN. ENVTL. L. ANN. 73 (1983). Urges that the Nuclear Regulatory Commission consider congressional intent and importing countries' interests in assessing the environmental effects of American nuclear exports to foreign countries.

III
HEALTH AND THE ENVIRONMENT

developing strategies to protect individual health and prevent environmental deterioration in disaster-stricken areas, and proposes that planners restore conditions to pre-disaster levels before attempting to make improvements.


IV
INTERNATIONAL ENVIRONMENTAL LAW

Barros, J. & D. Johnston. The International Law of Pollution (New York: Free Press, 1974). Reviews various national and international laws pertaining to the protection of the environment and controlling pollution, both generally and in specific contexts. Contains the texts of selected international treaties and provides reading lists.

Bilder, International Law and Natural Resource Policies, 20 Nat. Resources J. 451 (1980). Examines the diversity of international views on fundamental legal concepts (such as equity and national property rights) and their importance for international environmental issues. Advocates good faith bargaining on practical questions, rather than ideological debate, as the best way to resolve international natural resource disputes.

Caldwell, L. International Environmental Policy: Emergence and Dimensions (Durham, N.C.: Duke University Press, 1984). Surveys the worldwide movement for protection of the human environment and provides a history and chronology of international cooperation on environmental issues. Includes an appendix with representative listing of international organizations and programs concerned with environmental issues, and a chronology of international events of significance for protection of the biosphere, for the period 1945-83.

University of Arizona Press, 1974). Partially annotated survey of environment-related legal, political, and scientific literature. Also describes international agencies and organizations involved in environmental affairs and the scope and dimensions of their environmental work.


Notes the emerging mandate for international environmental law and the concurrent problems of implementation. Focuses on two applications of the new mandate: the United States-Panama Joint Environment Commission for the Panama Canal, and the proposed role of the United Nations Environment Programme in developing a system of global environmental hazard alerts.

SPRINGER, A. THE INTERNATIONAL LAW OF POLLUTION: PROTECTING THE GLOBAL ENVIRONMENT IN A WORLD OF SOVEREIGN STATES (Westport, Conn.: Quorum Books, 1983). Discusses environmental problems that may be satisfactorily addressed by an evolving international legal order and suggests the forms of organization that are most appropriate for international cooperation on significant environmental problems. Contains an illustrative study of a proposal to build an oil refinery with potential for transboundary damage.

V
MARINE ENVIRONMENT

Brewer, Deep Seabed Mining: Can an Acceptable Regime Ever Be Found?, 11 OCEAN DEV. & INT'L L.J. 25 (1982). Discusses the range of problems that have frustrated the development of an international accord governing deep seabed mining and suggests that the benefits of deep seabed mining may not outweigh the attendant political costs.


VI
NATURAL RESOURCES MANAGEMENT


BAKER, M., L. BASSETT & A. ELINGTON. WORLD ENVIRONMENT HANDBOOK: A DIRECTORY OF GOVERNMENT NATURAL RESOURCE
MANAGEMENT AGENCIES AND NON-GOVERNMENTAL ENVIRONMENT ORGANIZATIONS IN 145 COUNTRIES (New York: World Environment Center, 1985). Summarizes the nature of the resources and the policy approach taken towards the environment for each country listed. Includes addresses for nongovernmental organizations and governmental offices.

Brown, The Relationship Between the State and the Multinational Corporation in the Exploitation of Resources, 33 INT'L & COMP. L.Q. 218 (1984). Asserts that instable market conditions in hard-rock mining and petroleum exploration weaken the position of host governments in their negotiations with multinational corporations. Suggests that multinationals should not use their bargaining position to change the character of agreements that have evolved during the past decade of negotiations between host countries and multinationals because such action might lead to retribution by host countries.

DESERTIFICATION CONTROL BULLETIN (Nairobi: United Nations Environment Programme, semi-annual). Describes present and planned activities on the international, national, and regional levels that relate to implementation of the United Nations Plan of Action to Combat Desertification. Includes results of the activities as they become available.

Gillis, Evolution of Natural Resource Taxation in Developing Countries, 22 NAT. RESOURCES J. 619 (1982). Discusses efforts by developing countries to tax nonrenewable resources to receive fair value for the extraction of irreplaceable products. Analyzes effects of changes in objectives of tax policy on loss of natural resources, and how countries are trying to minimize externalities of extraction through the tax mechanism.

LESNICK, M. & J. CROWFOOT. A BIBLIOGRAPHY FOR THE STUDY OF NATURAL RESOURCE AND ENVIRONMENTAL CONFLICT (Chicago, Ill.: CPL Bibliographies, 1981). Asserts that the new methods of environmental conflict resolution raise numerous practical and theoretical questions, which in turn raise difficult value issues as well as create a need for sophisticated conceptualizations and research data.


Train, Sustainability: Conservation and Development in the Third World,
AMICUS J., Fall, 1983, at 26. Discusses the need for conservation programs to meet both the subsistence and the development aspirations of developing countries and asserts that programs that do not meet both objectives will fail and may cause ecological disruptions. Russell Train was Administrator of the Environmental Protection Agency under President Nixon and was president of the World Wildlife Fund when he wrote the article.

VII
ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT

ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT. ENVIRONMENT AND ECONOMICS: RESULTS OF THE INTERNATIONAL CONFERENCE ON ENVIRONMENT AND ECONOMICS, 18TH-21ST JUNE 1984 (Paris: OECD, 1985). Concludes that technological innovation will allow both environmental improvement and sustained economic growth. The conference participants included leading ministers for the environment from eight OECD countries.

ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT. ENVIRONMENT POLICIES FOR THE 1980's (Paris: OECD, 1980). Presents the background papers and the outcome of the second meeting of the OECD Ministers of Environment, which declared a commitment to the integration of environmental concerns into social and economic decisions.

ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT. MACRO-ECONOMIC EVALUATION OF ENVIRONMENTAL PROGRAMMES (Paris: OECD, 1978). Presents and compares econometric models evaluating the effects of environmental programs in Italy, Japan, the Netherlands, and the United States. The report is a follow-up of a similar 1974 study assessing the implications of pollution control.

VIII
POLITICAL AND LEGAL ASPECTS OF ECONOMIC DEVELOPMENT


Gorz, A. Ecology as Politics (Boston, Mass.: South End Press, 1980) (P. Vigderman & J. Cloud, trans.). Argues that the ecological movement should be seen as part of a larger social movement to check the abuses of capitalism and foster development of a socialist society.

Grady, Commonwealth of Puerto Rico v. S.S. Zoe Colocotroni: State Actions for Damage to Non-Commercial Living Natural Resources, 9 B.C. ENVTL. AFF. L. REV. 397 (1980). Discusses the common law basis of a state's right to recover damages for the destruction of natural resources and explores the problems of evaluating damages to resources which have no market value.

Leonard & Morell, Emergence of Environmental Concern in Developing Countries: A Political Perspective, 17 STAN. J. INT'L L. 281 (1981). Presents a brief history of the growing awareness of environmental problems in developing countries and considers the extent to which this awareness is translated into effective remedial action.


Prieto, I. & R. Nocedale, eds. Legal Protection of the Environment in Developing Countries (Mex.: Universidad Nacional Autonoma de Mexico, 1976). Examines the emerging role of environmental law in determining the rational use and management of natural resources in developing countries. Consists of a series of articles, a significant portion of which are written in French.

Regional Studies

Agarwal, A., R. Chopra & K. Sharma, eds. The State of India’s Environment 1982: A Citizen’s Report (New Delhi, India: Centre for Science and Environment, 1982). Presents an overview of the state of India’s rivers, dams, forests, air, soil, plants, animals, towns, villages, and health and energy problems. Attempts to explain how environmental changes in all of these areas are affecting the lives of India’s people. The report is a nongovernmental publication, contributed to by a variety of individuals and voluntary organizations. Contains charts, graphs, and statistical information relating to India’s environment.


Conference on the Human Environment in the South Pacific (Noumea, New Caledonia: South Pacific Commission, 1982). Discusses methods to manage, harvest, and protect the sea. Emphasizes the importance of environmental management on a regional scale, particularly through the South Pacific Regional Environment Program.

Coswell, The Promised Land: Analysis of Environmental Factors of United States Investment in and Development of the Amazon Region of Brazil, 4 NW. J. INT’L L. & BUS. 517 (1982). Focuses on the conflict in the Amazon River basin between economic development and preservation. Argues that the conflict is an international problem requiring rational, regulated management of the jungle’s resources, and concludes that the United States should play a significant role, both as an advocate and as a leader, in encouraging governmental environmental control.

Environment Africa (Nairobi: U.N. Environment Programme, Regional Office for Africa, 1980-present). Quarterly magazine published to promote environmental awareness and concern, and to encourage the African countries to cooperate among themselves to ensure environmentally sound and suitable economic and social development.
FRANKENHOFF, C. ENVIRONMENTAL PLANNING AND DEVELOPMENT IN THE CARIBBEAN (Río Piedras, P.R.: Editorial Universitaria, Universidad de Puerto Rico, 1977). Presents the topics addressed at a 1974 environmental planning workshop sponsored by the Graduate School of Planning of the Universidad de Puerto Rico and funded by the United States Office of Education. The workshop sought to identify the human impact on the environment in the Caribbean and to delineate the need and role for environmental planning as a component of development planning and policy. Contains charts tracing world petroleum movements, the United States oil supply, and water pollution caused by oil.

HANSON, A. ENVIRONMENTAL CONSIDERATIONS IN FOREIGN-DONOR-SUPPORTED PROJECTS: SOME EXPERIENCES IN INDONESIA (Honolulu, Hawaii: East-West Environment and Policy Institute, 1981). Analyzes the changing structure of governmental units responsible for environmental concerns and their relationship with international agencies. Discusses the cost of research and the implementation of environmental impact statements, suggesting improvements in the informational and educational inputs of foreign agencies in development projects. A. Hanson is a former Project Specialist in Environmental Planning for the Ford Foundation in Jakarta, Indonesia.

Haynes & Whittington, International Management of the Nile—Stage Three?, 71 GEOGRAPHICAL REV. 17 (1981). Focuses on the water problems in the Nile, arguing that a new standard of international cooperation is required to manage and protect the Nile. Advocates increased international efforts emphasizing water quality over water quantity. Recommends modeling to understand the complexities of a water resource system and to promote intelligent decisions on urban policy, cropping patterns, land reclamation, strategies for industrial development, and priorities for reuse of water.

MORAN, E., ED. THE DILEMMA OF AMAZONIAN DEVELOPMENT: WESTVIEW SPECIAL STUDIES ON LATIN AMERICA AND THE CARIBBEAN (Boulder, Colo.: Westview Press, 1983). Explores the impact of development of the Amazon River region by applying combined approaches of anthropology, geography, ecology, economics, and sociology. Emphasizes the need to consider all such factors in future planning and development.


WIRAATMADJA, N. & P. NORTH, EDS. NATIONAL DIRECTORY, ENVIRONMENTAL INFORMATION SOURCES (Jakarta, Indonesia: Indonesian Institute of Sciences, 1982). Identifies sources of information and environmental activities in Indonesia. Each source is described according to its main activities, information capabilities, and availability.

X
UNITED NATIONS


Struthers, The United Nations Environment Programme After a Decade: The Nairobi Session of a Special Character, May 1981, 12 DEN. J. INT'L L. & POL'Y 269 (1983). Describes the purpose and structure of UNEP, and focuses on the Nairobi Conference, the conference's evaluation of the past decade of UNEP activity, and prospects for the next decade. Concludes that, although UNEP's impact on the condition of the global ecological system is difficult to measure, UNEP aided the spread of information and identified common problems of nations.
UNITED NATIONS ENVIRONMENT PROGRAMME. AN ENVIRONMENTAL BIBLIOGRAPHY: PUBLICATIONS ISSUED BY UNEP, OR UNDER ITS AUSPICES, 1973-1980 (Nairobi: UNEP, 1981). Compiles materials on a wide variety of environmental issues including the physical environment, the human situation, and efforts for environmental protection.

UNITED NATIONS ENVIRONMENT PROGRAMME. THE WORLD ENVIRONMENT 1972-1982: A REPORT (Dublin, Ir.: Tycooly International Publishing, 1982). Presents studies which attempt to analyze and interpret changes in the physical environment, the human situation, and human activities affecting the environment. Includes contributions from authors and scientists around the world. Incorporates extensive charts and statistical information on various environmental issues.

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