

CONTENTS

	List of illustrations	page 1x			
	List of tables	xi			
	List of contributors	xiii			
	Acknowledgements	xvii			
	Foreword by Klaus Toepfer	xix			
	Introduction	1			
	JAY E. AUSTIN AND CARL E. BRUCH				
	Part I · General principles				
	Introduction	13			
	CARL E. BRUCH				
1.	The environment in wartime: an overview	16			
	CHRISTOPHER D. STONE				
	Part II · The legal framework				
	A · Existing and emerging wartime standards				
	Introduction	39			
	CARL E. BRUCH				
2.	The law of war and environmental damage	47			
	ADAM ROBERTS				
3.	War and the environment: fault lines in the prescriptive				
	landscape	87			
	MICHAEL N. SCHMITT				

V



Contents

4.	The inadequacy of the existing legal approach to environmental protection in wartime RICHARD FALK	137				
5.	United States Navy development of operational—environmental doctrine CAPTAIN JOHN P. QUINN, CAPTAIN RICHARD T. EVANS, AND LT. COMMANDER MICHAEL J. BOOCK	156				
6.	In furtherance of environmental guidelines for armed forces during peace and war ARTHUR H. WESTING	171				
	B · Lessons from other legal regimes					
	Introduction JAY E. AUSTIN	183				
7.	Peacetime environmental law as a basis of state responsibility for environmental damage caused by war SILJA VÖNEKY	190				
8.	Environmental damages under the Law of the Sea Convention THOMAS A. MENSAH	226				
9.	The place of the environment in international tribunals DAVID D. CARON	250				
10.	Civil liability for war-caused environmental damage: models from United States law JEFFREY G. MILLER	264				
Part III · Assessing the impacts – scientific methods and issues A · Ecological and natural resource impacts						
	Introduction JESSICA D. JACOBY	297				
11.	Scientific assessment of the long-term environmental consequences of war	303				

vi



Contents

12.	The Gulf War impact on the terrestrial environment of Kuwait: an overview SAMIRA A. S. OMAR, ERNEST BRISKEY, RAAFAT MISAK, AND ADEL A. S. O. ASEM	316
13.	War-related damage to the marine environment in the ROPME Sea Area MAHMOOD Y. ABDULRAHEEM	338
14.	War and biodiversity: an assessment of impacts JEFFREY A. MCNEELY	353
	B · Public health impacts	
	Introduction JESSICA D. JACOBY	379
15.	Tracking the four horsemen: the public health approach to the impact of war and war-induced environmental destruction in the twentieth century JENNIFER LEANING	384
16.	Defoliants: the long-term health implications	402
17.	The impact of military preparedness and militarism on health and the environment VICTOR W. SIDEL	426
18.	War and infectious diseases: international law and the public health consequences of armed conflict DAVID P. FIDLER	444
	Part IV · Valuing the impacts – economic methods and issues	
	Introduction ERIC FELDMAN	469
	A · Ecological and natural resource damages	
19.	Restoration-based approaches to compensation for natural resource damages: moving towards convergence in US and international law	477

vii



Contents

B · Public health damages

20.	Valuing public health damages arising from war	501
21.	Valuing the health consequences of war w. KIP VISCUSI	530
	Part V · Prospects for the future	
	Introduction JAY E. AUSTIN	559
22.	Protecting specially important areas during international armed conflict: a critique of the IUCN Draft Convention on the Prohibition of Hostile Military Activities in Protected Areas	567
23.	The Chemical Weapons Convention: a verification and enforcement model for determining legal responsibility for environmental harm caused by war	579
24.	International legal mechanisms for determining liability for environmental damage under international humanitarian law JEAN-MARIE HENCKAERTS	602
25.	Waging war against the world: the need to move from war crimes to environmental crimes MARK A. DRUMBL	620
	Epilogue Carl e. Bruch and Jay e. Austin	647
	Index	665