

# Index

Abbreviations: CAP – Common Agricultural Policy; CTBT – Comprehensive Test Ban Treaty; EU – European Union; GATS – General Agreement on Trade in Services; GATT – General Agreement on Tariffs and Trade; LDC – less developed countries; LRTAP – Convention on Long-Range Transboundary Air Pollution; NPT – Nuclear Non-Proliferation Treaty; PLO – Palestine Liberation Organization; RAINS – Regional Acidification Information and Simulation; UN-ECE – United Nations Economic Commission for Europe

- 30 Per Cent Club, and acid rain negotiations 63–4, 68
- Abatement Strategies, UN-ECE Working Group on 82
- Abbas, Mahmoud (Abu Mazen) 146
- acid rain, effects of 60–1
- acid rain, nature of problem 60–1
- acid rain negotiations, European, and:
  - basic distributive issues 57–8;
  - Convention on Long-Range Transboundary Air Pollution (1979) 29, 55, 59, 61–2, 63, 67–8, 71, 72, 74, 75; fruits of LRTAP 62; critical loads criteria 59, 82, 84, 85; European Union 79; EU Large Combustion Plant Directive 79–81; factors affecting 96–7; goal of 96, 218; Helsinki Protocol 63–71; influence of justice and fairness considerations 58–9, 96–9; Oslo Protocol 81–91; effectiveness and fairness of Oslo Protocol 91–6; overview of 57–60; nature of acid rain problem 60–1; commencement of negotiations 61; resource transfers 97–8; role of science 21, 68, 72, 77–8, 82, 92; shared norms 97; Sofia Protocol Negotiations 71–8; *see also* Helsinki Protocol, Oslo Protocol, Sofia Protocol
- Acidification, Eutrophication and Ground-Level Ozone, Protocol to Abate (1999) 62, 91, 98
- affirmative action 46 n11
- agenda setting, and international negotiations 29–31
- agreements, erosion of legitimacy of 49–50; implementation of 32–3, 49–50
- agriculture, international trade in, reform under GATT 110–17; disputes over reform of 111–12; and protectionist policies 110–111
- air pollution, negotiations over, *see* acid rain negotiations
- Akao, Nobutoshi 128, 135, 217
- Akram, Munir 202, 208
- ‘Ala Abu 166, 168, 169, 171, 175
- Algiers Declaration of Palestinian Independence (1988) 149
- Al-Sharif, Nabil 160
- Arafat, Yassir 50, 144, 151, 175–6, 179; and Palestinian water rights 158; weakness of bargaining position 152, *see also* Israel–PLO interim talks
- arms control negotiations, and:
  - characteristics of 183; Cold War 184–6; comparative responsiveness 185; compliance 184; conventional 182–3; equality 186; implementation 187–8; justice and fairness issues

Cambridge University Press

0521793289 - Justice and Fairness in International Negotiation

Cecilia Albin

Index

[More information](#)*Index*

- 183–8; national security 183–4;  
nuclear 181–2; reciprocity 184–5, 186;  
verification 187–8; *see also* Nuclear  
Non-Proliferation Treaty, and  
Nuclear Non-Proliferation Treaty  
Review and Extension Conference
- Austria, and: acid rain negotiations 63, 72;  
NPT Review and Extension  
Conference (1995) 191; Oslo Protocol  
negotiations 85, 86, 87
- balance, as an element of justice 48,  
129–30, 205, 219, 222, 223–4; *see also*  
justice, and balanced settlement of  
conflicting claims
- Barak, Ehud 147–8, 179
- bargaining processes, and: agenda setting  
29–31; power inequalities 142;  
principles of fairness and justice  
35–8
- Barry, Brian 4 n7, 8, 15, 16, and:  
compliance with agreements 18;  
justice as impartiality 12
- Basel Convention (1988) 56
- BAT, *see* best available technology
- BATNA, *see* best alternative to a  
negotiated agreement
- Beilin, Yossi 146, 157, 166
- best alternative to a negotiated agreement  
(BATNA) 5, 8–9, 12, 45, 142
- best available technology (BAT), and acid  
rain negotiations 63, 79; and Oslo  
Protocol 86–7
- Biodiversity Convention 33
- Biological Weapons Convention 187–8;  
Fourth Review Conference (1996) 187
- Björkbohm, Lars 54 n1, 76, 92, 95, 97–8, 215,  
219, 221
- Blair House Accord, and Uruguay Round  
of the GATT 116
- Braithwaite, R. B. 9
- Brazil, and the Uruguay Round of the  
GATT 119, 128–9
- Brezhnev, Leonid 68
- Brodet, David 175
- Bulgaria, and acid rain negotiations 65;  
and ratification of Oslo Protocol 95
- burden (cost) sharing, and acid rain  
negotiations 59–60, 83–4, 90, 92–3,  
94, 219
- Cairns Group, composition of 112 n15;  
and EU's Common Agricultural  
Policy 124–6; and Uruguay Round of  
the GATT 112, 114–15, 116
- Cairo (Gaza–Jericho) Agreement (1994)  
144, 155, 156–7; and Paris Protocol on  
Economic Relations 171; and water  
rights 165, *see also* Israel–PLO interim  
talks
- Camp David talks 42
- Canada, and: acid rain negotiations 63, 67,  
73; agricultural policy 111; NPT 212;  
NPT Review and Extension  
Conference (1995) 192, 202; Oslo  
Protocol negotiations 86, 87
- CAP, *see* Common Agricultural Policy
- Chemical Weapons Convention (1993)  
182, 187
- child custody disputes 28, 43
- China, and NPT Review and Extension  
Conference (1995) 197, 209
- Clean Air Act (1970), United States 69
- Climate Change Convention (1992) 59
- coercion (force), use of 12, 16–17, 25, 34,  
47, 141, 144, 146, 150, 183, 222–3
- Cold War, and environmental negotiations  
68–9
- Common Agricultural Policy (CAP)  
102–3, 111, and: fairness issues 124–6;  
reform of 116, 125–6; United States  
102–3, 112–17, 124–6; Uruguay  
Round of GATT 112–13, 114
- comparative advantage, doctrine of 103–4
- comparative responsiveness, and arms  
control negotiations 185
- compensation 11, 46–7, 47 n13
- compensatory justice, and negotiations 3,  
46; and principles of distributive  
justice 11
- compliance 18, 109, 184, 195, 223, and:  
NPT Review and Extension  
Conference 219–220
- Comprehensive Test Ban Treaty (1996)  
181, 213, 228
- Conference on Disarmament 31–2, 183,  
186, 187
- Conference on Security and Cooperation  
in Europe 183, 186
- contextual criteria, and justice of  
agreements 8–9; and outcome of  
negotiations 44–5
- Convention on Long-Range  
Transboundary Air Pollution 29, 55,  
59, 61–2, 63, 67–8, 71, 72, 74, 75; *see  
also* acid rain negotiations
- cost sharing, *see* burden sharing
- critical loads criteria, and acid rain  
negotiations 59, 82, 84, 85
- CTBT, *see* Comprehensive Test Ban Treaty

## Index

- Declaration of Principles, Israel–PLO (1993) (Oslo Accords) 22, 26, 31, 50, 143, 145, 147, 151, 156, 162–3, 174, 177, 178, 179 and: Israeli–Palestinian economic cooperation 166–7; issues of justice and fairness, interpretation and implementation 148–9; Netanyahu’s criticisms of 146; Palestinian grievances over 149–50; terms of 144; water resources agreement 154–5, *see also* Israel–PLO interim talks
- Denmark, and acid rain negotiations 63; and Oslo Protocol negotiations 86
- desert, concept of and principles of distributive justice 10–11
- Dhanapala, Jayantha 181 n1, 190, 196, 198, 203, 204, 205, 210–11
- differentiated obligations (differentiated treatment), and justice, 77–8, 79–81, 93–4
- Disarmament, Conference on 31–2
- distributive issues, and European acid rain negotiations 57–8
- distributive justice 4, 9–11, 57–8, 149
- distributive (‘win–lose’) processes, and negotiation analysis 1 n3
- divide-and-choose method 42
- domestic (internal) politics, influence in negotiations 95, 106, 136–7, 172, 179, 225
- Druckman, Daniel 184, 185
- Dunkel, Arthur 116, 126
- Earle, Ralph 186, 191, 210–11, 215 n1, 221, 228
- EC, *see* European Union
- Economic Cooperation Committee, Israeli–Palestinian 167
- economy, growth of global 100–1
- effectiveness, efficiency and fairness 91–6
- Egypt, and NPT 214; and NPT Review and Extension Conference (1995) 193, 196, 197, 202, 207–8
- El-Araby, Nabil 193, 202, 204, 207, 208
- environmental negotiations: development of 54; features of 55–6; growth in 54–5; justice and fairness issues 56–7; *see also* acid rain negotiations, European
- environmental security 55 n2
- equal opportunities 11, 56
- equality, and: arms control negotiations 186; distributive justice 9–10; as facilitator of agreements 142–3; Helsinki Protocol negotiations 67–8; Israel–PLO interim talks 163; negotiations 35–6, 45–6; NPT Review and Extension Conference 202–3
- ethnic conflicts, in post-Cold War era 141; and difficulties to negotiate 141; typical features of 141
- EU, *see* European Union
- European Bank for Reconstruction and Development 90
- European Free Trade Association, and GATT 105
- European Programme for Monitoring and Evaluation of Transboundary Air Pollution 86; Protocol on financing (1984) 62
- European Union 57 n5; and: acid rain negotiations 79; Common Agricultural Policy 102–3, 111, 125–6; dispute with the United States over reform of international trade in agriculture 112–17; GATT 105; Large Combustion Plant Directive (1988) 79–81; Oslo Protocol 87; reform of trade in services in Uruguay Round of the GATT 118, 120, 121, 122, 130; Uruguay Round of the GATT 102–3, 125–6; *see also* Common Agricultural Policy
- external criteria, and justice of negotiated agreements 9–11; and outcome of negotiations 45–7
- fair behaviour, and negotiating process 33–4
- fair chance, and procedural issues of negotiations 42–3
- fair competition 29, 104, 125
- fair division, and procedural issues of negotiations 42
- fair hearing, and negotiating process 33
- fair play, and negotiating process 33–4
- fair trade 104, 106, 138, 227, *see also* GATS, and GATT
- fairness, and: bargaining process 34–8; outcome of negotiations 16, 74–9; *see also* justice and fairness
- fairness, relative, and Israel–PLO interim talks 164–5, 178
- Falkenberg, Karl 121, 132, 134, 217, 222
- Final Act (of the Uruguay Round of the GATT) 110, 116–17, 227
- Finland, and acid rain negotiations 63, 67
- focal points, and negotiating process 35
- France, and: acid rain negotiations 63, 65,

Cambridge University Press

0521793289 - Justice and Fairness in International Negotiation

Cecilia Albin

Index

[More information](#)*Index*

- 72–3; Chemical Weapons Convention 186–7; disarmament 212; Oslo Protocol negotiations 86, 87, 88; reform of CAP 136
- free riders, and free riding 3, 18, 41, 49, 51–2, 102, 121, 124, 131, 136, 138, 223
- free trade, as engine of economic growth 102; future of 139–40; incorporation of norms of into GATT 104–7; theory of 103–4
- GATS 105, 119–120, 123; and justice and fairness issues 128–33; terms of 123–4
- GATT 46: aims of 107; Antidumping Code (1979) 106; conflict between established norms and; conceptions of fairness 102–3; establishment of 107; incorporation of free trade norms 104–7; influence of United States 107; LDCs 106; Multifiber Agreement 109, 109 n12; national treatment norm 105; most-favoured nation clause 102–3, 105; negotiating rounds 107; reciprocity 22, 29, 41, 105–6, 125, 130–1, 138; transparency 105
- GATT, Uruguay Round of the 3, 22, 30, 41, 49, 102–3, and: establishment of World Trade Organization 110; Final Act 110, 116–17, 227; Group of Negotiations on Services 119, 122; LDCs 108; most-favoured nation clause 119, 120, 121–22, 122–23, 131, 132; norms 3, 104–7, 128–9, 133–4; objectives 108, 124, 218; organisation of 108; pre-negotiations 107–8; reciprocity 41, 130–1, 138; reform of agricultural trade 110–17; reform of trade in services 117–24; start of 108; Trade Negotiations Committee 119, 122; *see also* GATS
- GATT, Uruguay Round of the, and justice and fairness issues 108–9, and: agricultural talks 124–8; domestic politics 136–7; economic interests 134–5; influence of conceptions of 137–9; institutional structure and procedures 133–4; relative power 137; services talks 128–33
- Gauthier, David 6–7, 9, 28, 39
- General Agreement on Tariffs and Trade, *see* GATT
- General Agreement on Trade in Services, *see* GATS
- Geneva Protocol on the control of VOC emissions (1991) 62, 81
- Germany, Federal Republic of, and: acid rain negotiations 63, 69, 72; Large Combustion Plant Directive 80; opposition to LRTAP 61–2; Oslo Protocol negotiations 85, 86, 87, 88
- Ghose, Arundhati 200, 202, 203
- global climate change, and international negotiations 2–3
- globalisation, economic 100–1
- Goosen, Peter 195, 213, 216
- Greece, and: acid rain negotiations 65; Oslo Protocol negotiations 85, 86
- Gross Stein, Janice 29 n3
- Gulf War (1990–1) 182, 208
- Hamas 50
- Har Homa settlement 147
- Hawes, David 121, 122, 124, 128, 129, 134, 135, 136, 222, 227
- Heavy Metals, Protocol on (1998) 62
- Hellström, Mats 114, 124–5, 126, 137, 139, 221
- Helsinki Conference on Security and Cooperation (1975) 61
- Helsinki Protocol on reduction of SO<sub>2</sub> emissions (1985) 62, and: benefits of 70; drawbacks of terms 70–1; economic influences on negotiations 69–70; fulfilment of 66; justice and fairness issues in negotiations 66–7, 70; political influences on negotiations 68–9; principle of uniform reductions 67–8; scientific uncertainty 68; terms of 65; *see also* acid rain negotiations, Oslo Protocol, and Sofia Protocol
- Helsinki Rules on the Uses of the Water of International Rivers (1966) 161, 163
- Hirschfeld, Yair 157, 166
- Hobbes, Thomas, moral theory of 5–6, 6 n10
- Hulleileh, Samir 167, 171, 175, 176
- Husseini, Faisal 165, 179
- IAEA, *see* International Atomic Energy Agency
- Ibrahim, Izhar 204–5, 205 n16
- impartial criteria, and justice of negotiated agreements 11–12, 16–17; and outcome of negotiations 47
- implementation of agreements 49–50; and Israel–PLO interim talks 175–6, 178–9

Cambridge University Press

0521793289 - Justice and Fairness in International Negotiation

Cecilia Albin

Index

[More information](#)*Index*

- India, and: Conference on Disarmament 31–2; NPT 200; NPT Review and Extension Conference (1995) 202, 203, 209; nuclear weapon testing 181; Uruguay Round of the GATT 119, 128–9
- institutions (institutional setting), influence on justice and fairness in international negotiation 32, 133–4, 225–6
- integrative ('win-win') processes, and negotiation analysis 1 n3; and negotiations 37–8
- Intellectual Property Rights, Agreement on Trade-Related Aspects of 105
- interest, self and national, and: negotiation 1, 5–8, 87, 96, 134–5, 139, 151, 171–2, 177, 209, 221, 225, 228; justice and fairness 4–5, 12, 15, 19, 47, 57, 67, 76, 156, 183–4, 200
- internal criteria, and justice of agreements 8–9; and outcome of negotiations 44–5
- International Atomic Energy Agency 189
- International Court of Justice 200, 200n13
- International Institute for Applied Systems Analysis ix, 82
- International Monetary Fund 168
- international negotiations, *see* negotiations, international
- Iran, and NPT Review and Extension Conference (1995) 197, 198, 208
- Iraq, and NPT Review and Extension Conference (1995) 195, 208
- Ireland, and: acid rain negotiations 65; Large Combustion Plant Directive 79; NPT Review and Extension Conference (1995) 191; Oslo Protocol negotiations 85, 86
- Israel 22–3, 26, and: NPT 199; NPT Review and Extension Conference (1995) 193, 208; opposition to granting Palestinians water rights 153–4, 155; nuclear weapons programme 193; alleged violations of Oslo Accords 149; water resources 153; *see also* Israel–PLO interim talks
- Israel–PLO Declaration of Principles (1993), *see* Declaration of Principles, Israel–PLO
- Israel–PLO Interim Agreement, *see* Tabá Agreement
- Israel–PLO interim talks 49, and: goal of 218; historical reference points 149–50; implementation problems 178–9; Israeli approach to 177–8; Israeli security motivations 151; Israeli settlements during 150; Israeli view of 151; justice and fairness issues 148–53, 177–8; overview of 144–8; Palestinian Council 145; Palestinian grievances 150; Palestinian divisions 150; Palestinian weaknesses 149, 151–2; power inequalities 149–50, 151–2; relative fairness 178; terrorism 50, 146, 149, 175, 176, 178; *see also* Declaration of Principles, Israel–PLO
- Israel–PLO interim talks, economic relations 165–77, and: Arab boycott of Israel 167–8; customs union 167, 168, 169; implementation problems 175–6; Israeli approach to 171–2; Israeli strength 172; justice and fairness issues 173–5; labour issues 169; Palestinian approach to 172–3; Palestinian calls for renegotiation of Paris Protocol 175–6; Palestinian central bank 168–9; Palestinian weaknesses 172–3; Paris Protocol on Economic Relations 170–1; Peres' view of 166
- Israel–PLO interim talks, water rights: negotiations over 153–65, and: agreement 154–5, 159–60; Cairo Agreement 156–7; disputes over agreement 160; forces shaping agreement 163–5; international standards 161; Israeli position 161–2; Israeli recognition of Palestinian 158; Israeli divisions over Palestinian 157; Israeli view 156, 157–8; justice and fairness issues 161–5; Palestinian position 162–3; Palestinian view 156, 157; power inequality 163–4; relative fairness 164–5
- Italy, and acid rain negotiations 65; and Oslo Protocol negotiations 85
- Jamaica, and Uruguay Round of the GATT 115, 127
- Japan, and reform of international trade in agriculture 111, 114; and Uruguay Round of the GATT 115, 128, 135
- Jaramillo, Felipe 119, 120, 121–2, 128, 131, 217
- Jerusalem, in Israeli–Palestinian conflict 144, 145–6, 146–7, 149, 150, 179–80
- Jilek, Pavel 94–5
- Johnston Plan (1954) 160–1

Cambridge University Press

0521793289 - Justice and Fairness in International Negotiation

Cecilia Albin

Index

[More information](#)*Index*

- Jordan, and NPT Review and Extension Conference (1995) 193
- justice, and: balanced settlement of conflicting claims 15–19, 25, 30, 33, 34, 50, 51, 70, 73, 78, 217, 219, 220, 221, 222, 223, 229; influences on bargaining process 34–8; compliance with agreements 18, 49–50; criteria for judging negotiated agreements 8–12; distributive 4, 9–11, 57–8, 149; impartiality 12, 16–17; issues of as causes of conflict 1; mutual advantage 6–7, 37, 39, 48, 81, 215–16, 220, 221–2, 225; procedural notions of 221; perception of and successful outcomes 13; power inequalities 143; Rawls' theory of justice as fairness 11–12; reciprocity 39–40; role in interpersonal and intrasocietal negotiations 4; theories of 4 n7, 4–8, 224; tactical use in negotiations 19–20; variable influence of considerations of 14, *see also* justice and fairness issues, and tactical uses of arguments about ethics, justice or fairness
- justice and fairness issues, and: acid rain negotiations 58–9, 96–9, 216, 217–18, 220, 224; arms control 183–8; factors affecting role of in international negotiations 224–7; Helsinki Protocol 66–7, 70; Israel–PLO interim talks 148–53, 173–5, 177–8, 216, 217, 221, 223, 225, 226; NPT Review and Extension Conference (1995) 200–10, 216, 217, 221, 222–3, 224, 225; Oslo Protocol 92–6; Sofia Protocol 71, 73–4, 76, 77; Uruguay Round of the GATT 108–9, 124–8, 128–39, 216, 217, 220–1, 222, 223, 224–5, 225–6
- Kakebeeke, William 58, 76, 227
- Kantor, Shmuel 159, 161
- Katz-Oz, Avraham 157
- Keiser, Volkert 94, 220
- Kinarti, Noah 155, 157, 161, 164
- labour, and talks on services in the Uruguay Round of the GATT 130
- Large Combustion Plant Directive (1988) 79–81; and differentiating obligations 79–81; factors affecting successful outcome of negotiations 80–1; terms of 80
- Law of the Sea negotiations 42; and divide-and-choose technique 42
- Law of the Sea Treaty 33
- LDCs, *see* less developed countries
- leadership, role of 52, 107, 225–6, 230
- Ledogar, Stephen 183, 217, 229
- legitimacy of agreements, erosion of 49–50
- less developed countries 22, 30, 46, and: arms control 187; GATT 105, 106; justice and fairness issues in agricultural talks of Uruguay Round of the GATT 126–8; preferential treatment 3; reform of international trade in agriculture 111–12, 113; reform of trade in services in Uruguay Round of the GATT 118, 119, 120–1, 128–9, 130; talks on labour in Uruguay Round of the GATT 130; Uruguay Round of the GATT 114, 137
- linkage of issues 29–31
- Long-Range Transboundary Air Pollution, Convention on (1979) 29, 55, 59, 61–2, 67–8; Executive Body of 63, 71; Working Group on NO<sub>x</sub> 71, 72
- LRTAP, *see* Long-Range Transboundary Air Pollution, Convention on
- Mazen, Abu *see* Abbas, Mahmoud
- mediators, and structure of negotiations 29
- Meir, Meir Ben 141 n1, 156, 159, 161–2
- Mexico, and NPT 212, 214
- Montreal Protocol on Substances that Deplete the Ozone Layer (1987) 3, 38, 59
- moral ambiguity 4–5, 97, 224
- morality, and international negotiation 5
- most-favoured nation clause, *see* GATT, most-favoured nation clause, and *see* GATT, Uruguay Round of the, and most-favoured nation clause
- motivation, for behaving justly 4, 12, 15, 215–17, 218–20, 224, 228, 229
- Multifiber Agreement, and GATT 109, 109 n12
- mutual gains (advantages/benefits), and justice of agreements 6–7, 184, 221–2, 225
- NAM, *see* Non-Aligned Movement
- Nash, John F. 9
- Nashashibi, Muhammad 176
- natural rights, and Hobbesian theory 5–6

Cambridge University Press

0521793289 - Justice and Fairness in International Negotiation

Cecilia Albin

Index

[More information](#)*Index*

- needs, and negotiations 11; and principles of distributive justice 10, 11, 48, 108, 119, 120–1, 162
- negotiation analysis, and distributive and integrative processes 1 n3
- negotiations, international, and: analytical framework for examining justice and fairness issues 24–5, 53; balance 223–4; bargaining process 34–8; choice of criteria 48–9; coercion 141, 144, 146, 183, 222–3; compliance with agreements 18, 109, 184, 195, 223; criteria for judging just agreements 8–12; definition 1; economic regulation 101–2; equality 142–3; expertise 227; external criteria 9–11, 45–7; factors affecting role of justice and fairness issues 224–7; ‘fair behaviour’ 33–4; fair chance 42–3; fair division 42; impartial criteria 11–12, 16–17, 47; influence of justice and fairness issues 2–3, 14, 215–16, 216–20, 220–4, 227–8, 228–31; institutional context 32, 133–4, 225–6; internal (contextual) criteria 8–9, 44–5; domestic politics 95, 106, 136–7, 172, 179, 225; justice as balanced settlement of conflicting claims 15–19, 217, 220; larger political environment 226–7; mutual benefits 184, 221–2, 225; national security 228; nature of 1–2; need for cooperation 224–5; non-state participants 26–7; organisational and physical issues 32; outcomes 13, 44–9; parties to negotiations 26–9; post-agreement phase 25, 49–50, 53; post-Cold War expansion of 2; power 5, 227; power inequalities 5, 28, 137, 141–2; procedural issues 25, 39–49, 53, 220; purpose of 218; Realist analysis 4–5; reciprocity 39–41, 221–2; relative power 227; rules 31–2; self-interest 96, 134–5, 139, 151, 171–2, 177, 209, 221, 225, 228; structure of 25–32; tactical use of concepts of justice and fairness 15, 19–20, 33–4, 76, 219, 228; theories on role of justice 4–8
- Netanyahu, Benjamin 50, 146, 150, 176
- Netherlands, and acid rain negotiations 64, 72, 83; and Large Combustion Plant Directive 79–80; and Oslo Protocol negotiations 85, 86, 87, 88, 93
- NGOs, *see* non-governmental organisations
- NNWS, *see* Non-Nuclear Weapon States
- no harm, principle of, 96; and European acid rain negotiations 58–9
- Non-Aligned Movement 187 and: export controls under NPT 198; Review and Extension Conference (1995) 191, 192, 194; assurances under NPT 197; support for indefinite extension of NPT 195–6, *passim* 181–214
- non-governmental organisations, as participants in international negotiations 27
- Non-Nuclear Weapon States 181–2, 188, 189, *passim* 181–214
- norms, definition 7 n11, 103 n6
- North America Air Quality Agreement 87
- North American Free Trade Area, and GATT 105
- North Korea, and NPT Review and Extension Conference (1995) 195; and nuclear weapons programme 182
- Norway, and acid rain negotiations 63, 67, 70 n16; and NPT Review and Extension Conference (1995) 191; and Oslo Protocol negotiations 86, 87, 88
- Novik, Nimrod 146, 171, 176
- NPT, *see* Nuclear Non-Proliferation Treaty, and *see* Nuclear Non-Proliferation Treaty Review and Extension Conference (1995)
- Nuclear Non-Proliferation Treaty (1968) 18, 23, 181, 188–9; criticisms of terms and principles 201–3; review conferences 189–90; *see also* Nuclear Non-Proliferation Treaty Review and Extension Conference (1995)
- Nuclear Non-Proliferation Treaty Review and Extension Conference (1995) 31, 49, 181, 190; accession of new states to NPT 193; compliance with NPT 195; disarmament 191, 194–5, 202, 211; equality 202–3; Final Report 198; implementation of NPT 203–6, 210–11; indefinite extension of NPT 191–2; justice and fairness issues 200–10; moral and ethical concerns 200–1, 208–9; Non-Aligned Movement 191, 194, 195–6, 209; nuclear export controls 193–4, 197–8, 206; objectives 190, 218; participants 190; peaceful uses of nuclear energy, 193–4, 206; principal issues 190–1; ‘Principles and Objectives’ document 198–9; review process 199, 211–13; security assurances for NNWS 192–3,



Cambridge University Press

0521793289 - Justice and Fairness in International Negotiation

Cecilia Albin

Index

[More information](#)*Index*

- 197, 206–7; structure of 190; terms and principles of the NPT 201–3; universality of NPT 196–7, 207–8; voting method 190, 194, 196
- Nuclear Weapon States 181–2, 188, 189, *passim* 181–214
- NWS, *see* Nuclear Weapon States
- OECD, *see* Organization for Economic Cooperation and Development
- organisational and physical features of negotiations, and fairness 32
- Organization for Economic Cooperation and Development, and acid rain 61
- Oslo, secret Israel–PLO talks 144, 154, 154–5, 166
- Oslo Accords (1993), *see* Declaration of Principles, Israel–PLO
- Oslo Declaration of Principles (1993), *see* Declaration of Principles, Israel–PLO
- Oslo peace process, Israeli–PLO 144, 146, 147–8, 149, 150, 157, 166, 177, 178, 180
- Oslo Protocol on further SO<sub>2</sub> emissions (1994) 62, 88–9, and: background to 81–2; burden (cost) sharing 59–60, 84, 90, 92–3, 94; critical loads criteria 59, 82, 84, 85; differentiating obligations 93–4; economic ability of signatories 59; ethical considerations and joint implementation 95; implementation of 87–8, 89, 90–1; influences on negotiations 95–6; justice and fairness issues 92–6; negotiation phases 84–5, 86, 87; political context of 91–2; RAINS 82–3; ratification of 89–90, 94–5; scientific basis 82, 92; shortcomings 94; signatories to 88–9; significance of 91; terms of 89, *see also* acid rain negotiations, Helsinki Protocol, and Sofia Protocol
- Ottawa Treaty (1997) 182
- outcome of negotiations, and justice and fairness issues 13, 16, 25, 44–9, 53, 109
- Pakistan, and: CTBT talks 228; NPT 200; NPT Review and Extension Conference (1995) 202, 209; nuclear weapon testing 181
- Palestine Liberation Organization 22–3, 27–8; *see also* Israel–PLO interim talks
- Palestinian Authority 170, and, fragility of support 152; violation of Oslo Accords 149; water rights 156–7
- Palestinian Council 144, 145
- Palestinian economy, weakness of 165–6
- Palestinian Monetary Authority 170
- Paris Protocol on Economic Relations (1994) 170–1, 173–5; implementation problems 175–6; *see also* Israel–PLO interim talks,
- Partial Test Ban Treaty 185
- parties to negotiations, and justice and fairness 26–9
- Peres, Shimon 146, 150, 157, 158, 158–9, 166
- Persistent Organic Pollutants, Protocol on (1998) 62, 91
- PLO, *see* Palestine Liberation Organization
- Poland, and acid rain negotiations 65, 66, 67, 69, 70 n16, 73, and: Sofia Protocol 74 n20; support for cost-sharing in acid-rain negotiations 83
- polluter pays principle 93, 94, 220
- post-agreement phase, and justice and fairness issues 25, 49–50, 53
- power, and international negotiation 5, 27, 28–9, 137, 141–3, 227; definitions of 5, 142
- power inequalities (asymmetries) 5, 28, 137, 141–2, 143 and: fairness of negotiating process 34; Israel–PLO interim talks 149–50, 151–2, 160–5
- pragmatism, and justice and fairness issues 36, 57, 96–7, 163, 171
- precautionary principle 87, 89
- preferential treatment 3, 22, 106, 108, 111–12, 113, 126–7, 132–3, 216, 226
- principles, definition of 103 n6
- prior informed consent, principle of 56
- problem-solving, and negotiations 37–8
- procedures of negotiation, and justice and fairness issues 25, 39–49, 53, 220
- process of negotiation, and justice and fairness issues 25, 32–8, 53, 108–9
- proportionality, and negotiations 46; and principles of distributive justice 10–11
- Protocol on Further Reduction of Sulphur emissions, *see* Oslo Protocol
- Pundik, Ron 157, 163
- Punta del Este Declaration (1986) 108, 111, 129; and reform of international trade in services 118–19, *see also* GATT, Uruguay Round of the
- Q'Awash, Fadel 156, 160
- Rabin, Yitzhak 144, 150, 156, 175–6



Cambridge University Press

0521793289 - Justice and Fairness in International Negotiation

Cecilia Albin

Index

[More information](#)*Index*

- RAINS, *see* Regional Acidification Information and Simulation model
- random methods as fair chance procedures 43
- Rawls, J. 10, 25; and theory of justice as fairness 11–12; and divide-and-choose 42
- realism, and international negotiation 4–5
- reciprocity 221–2, and: arms control 184–6; diffuse reciprocity 40–1; GATT 29, 105–6; international trade in agriculture 125; negotiation process 39–41; different patterns of 40; procedural issues of negotiations 39–41; specific reciprocity 40–1; Uruguay Round of GATT 22, 41, 105–6, 125, 130–1, 138
- regime, concept of 7 n11
- Regional Acidification Information and Simulation model 82–3, 84, 85, 92
- relative fairness, and Israel–PLO interim talks 160, 165, 171, 178, 219
- representation, and fairness of international negotiations 3, 24, 27–8
- resource transfers, and acid rain negotiations 97–8; and Sofia Protocol 73–4, 75–6
- Ricardo, David 103–4
- Rio 'Earth' Summit (1992) 27
- rules in negotiations, and fairness 31–2, *see also* procedures of negotiations
- Russia, and ratification of Oslo Protocol 95; support for cost-sharing in acid rain negotiations 83, *see also* Soviet Union
- Sayigh, Yezid 152, 163
- Scanlon, Thomas 12
- Seattle, WTO summit in (1999) 139
- Self, Richard 121, 122, 130, 132, 134, 137, 138, 222, 225, 226
- self-interest, *see* interest
- services, international trade in, and Uruguay Round of the GATT 117–24, 128–9, 129–30
- Sha'ath, Nabil 168
- Sharm el-Sheikh Agreement (1999) 148
- Shohat, Avraham 168, 169, 170, 171, 174, 221
- Shue, Henry 12, 30, 47
- Sinclair, Don 192, 207, 211
- Singer, Joel 151, 162, 216
- siting of hazardous facilities 3, 26, 30, 43, 54, 55
- Sjöstedt, Gunnar 124, 129, 134, 139
- skeletal remains, negotiations over use of 26–7
- Sofia Protocol on control of NO<sub>x</sub> emissions (1988) 62, and: adoption of 74; compromises in 76–7; differences during negotiations 72; differentiating obligations 77–8; flexibility of 77–8; incorporation of scientific criteria 77–8; justice and fairness issues 71, 73–4, 76, 77; negotiations 72–3; results of 75–6; scientific uncertainties 72; significance of 78; Technical Annex to 74–5; technology transfers 73–4, 75–6; terms of 74–5; uniform obligations 77, *see also* acid rain negotiations, Helsinki Protocol, and Oslo Protocol
- South Africa, and NPT 214; and NPT Review and Extension Conference (1995) 192, 195, 202, 210
- Soviet Union, and: acid rain negotiations 63, 64, 65, 67, 72, 73; arms control negotiations 184–5; environmental negotiations 61, *see also* Russia
- Spain, and: acid rain negotiations 65; Large Combustion Plant Directive 79, 80; Oslo Protocol negotiations 85, 86
- Stockholm Conference on the Acidification of the Environment (1982) 63
- Strategic Arms Limitation Talks, SALT I 185; SALT II 185, 186
- structure of negotiations, and justice and fairness issues 24, 25–32, 53, 108–9
- Sulphur Protocol, Second (1994) 14, 22
- Sweden, and: acid rain negotiations 61, 63, 67, 69, 72; NPT Review and Extension Conference (1995) 191, 192; Oslo Protocol negotiations 85, 86
- Switzerland, and: acid rain negotiations 63, 70 n16, 72; NPT Review and Extension Conference (1995) 192, 197; Oslo Protocol negotiations 87
- Syria, and NPT Review and Extension Conference (1995) 193, 208
- Taba Agreement (1995) 144, 145–6, 155, 159; and Paris Protocol on Economic Relations 171; and water rights 165, *see also* Israel–PLO interim talks
- tactical uses of arguments about ethics, justice or fairness 15, 19–20, 33–4, 76, 219, 228

Cambridge University Press

0521793289 - Justice and Fairness in International Negotiation

Cecilia Albin

Index

[More information](#)*Index*

- Task Force on Economic Aspects of Abatement Strategies 90
- terrorism 50, 146, 149, 175, 176, 178
- Thompson, Jan 86
- threats, use of 31–2, 183, 200–1
- toxic waste, international trade in 56–7
- trade, growth in international 101; and international negotiation 101–2
- Tran, Van-Thinh 124, 135, 215–16, 221
- Tsur, Gideon 156, 157, 158
- Tsur, Yaakov 158, 162, 216
- UNCED, *see* United Nations Conference on Environment and Development
- UN-ECE, *see* United Nations Economic Commission for Europe
- United Kingdom, and: acid rain negotiations 63, 64, 67, 69, 72–3; Helsinki Protocol 65–6, 68; Large Combustion Plant Directive 79, 80; NPT 212; NPT Review and Extension Conference (1995) 202, 207; opposition to LRTAP 61–2; Oslo Protocol negotiations 85–6, 87
- United Nations Conference on Environment and Development (1992) 27, 55
- United Nations Conference on the Human Environment (1972) 30, 54, 61
- United Nations Economic Commission for Europe (UN-ECE) 14, 57, 59, 61, and: acid rain talks 57, 58, 59, 61, 62, 76, 78, 79, 83, 84, 91, 99; Executive Body of 82; LRTAP 61–2; Task force on Economic Aspects of Abatement Strategies, and cost-sharing 83–4; Working Group on Abatement Strategies 82, 84
- United Nations Environment Programme (UNEP) 56–7
- United Nations General Assembly Resolution 194, 150
- United Nations Security Council 193; Resolution 242 (1967) 149, Resolution 984 (1995) 197, 207
- United States, and: acid rain negotiations 63, 64, 67, 69, 73; arms control negotiations 184–5, 191, 212; EUs Common Agricultural Policy 102–3, 112–17, 124–6; Chemical Weapons Convention 186–7; concept of fairness in Uruguay Round of the GATT 135; creation of GATT 107; domestic influences on in Uruguay Round of the GATT 136–7; Helsinki Protocol 65–6, 68; implementation of agreements 33; Israel–PLO interim talks 168; NO<sub>x</sub> emissions 73 n18; NPT Review and Extension Conference (1995) 196, 202; Oslo Protocol negotiations 86, 87; reciprocity in Uruguay Round of GATT 41, 130–1; reform of trade in services in Uruguay Round of the GATT 118–22, 129, 130–2; rejection of CTBT 181, 213; Sofia Protocol 76; Uruguay Round of the GATT 102–3
- Uruguay Round of the GATT, *see* GATT, Uruguay Round of the
- war, and issues of justice 1
- waste, international trade in toxic 56–7
- Water Authority, Palestinian 157, 160
- water resources, and Israel–PLO interim talks 153–65
- Weston, Michael 207, 210–11, 212, 223
- World Bank 90
- World Trade Organization 3, 46, 102; establishment 110; failure of Seattle summit (1999) 139
- WTO, *see* World Trade Organization
- Wye River Agreement (1998) 147, 148, 176–7, 179
- Yeutter, Clayton 112, 115, 127, 128, 136, 217, 222
- Young, H. Peyton x, 14, 17
- Zartman, I. William x, 4, 9, 142, 184, 185
- Zutshi, B. K. 100, 122, 129, 132, 135, 221