

THE INTERNATIONAL LAW OF ENERGY

The world's energy structure underpins the global environmental crisis and changing it will require regulatory change at a massive level. Energy is highly regulated in international law, but the field has never been comprehensively mapped. The legal sources on which the governance of energy is based are plentiful but they are scattered across a vast legal expanse. This book is the first single-authored study of the international law of energy as a whole. Written by a world-leading expert, it provides a comprehensive account of the international law of energy and analyses the implications of the ongoing energy transformation for international law. The study combines conceptual and doctrinal analysis of all the main rules, processes and institutions to consider the past, present and likely future of global energy governance. Providing a solid foundation for teaching, research and practice, this book addresses both the theory and real-world policy dimension of the international law of energy.

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*To my friends and colleagues of the Cambridge Centre for
Environment, Energy and Natural Resource Governance
(C-EENRG) – I could not have hoped for a better intellectual
home in which to develop the ideas leading to this book.*

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PREFACE

There are many drivers of the epoch-defining environmental crisis that the biosphere – and humankind as part of it – faces today, as we embark on the critical 2020–2030 decade. The main one, by many accounts, is the reliance by one species, humans, on a certain form of energy, derived from fossil fuels, as the backbone of its modern conception of ‘civilisation’. Burning fossil fuels is not only at the roots of the environmental crisis but also at the foundation of how humans produce shelter, heat, food, transportation and most of their cultural products, including technology.

From the narrow lenses of the social practice we call international law, energy may appear as a sub-topic, alongside so many others. In reality, international law is but one aspect of a wider order shaped, since the dawn of the so-called Industrial Revolution in the late eighteenth century, by fossil fuel energy. This fossil fuel-based socio-technical regime is, however, not like its predecessors. Contrary to the latter, the fossil fuel-based order has come to encompass, by its Earth-shaping effects, the entire biosphere, including humanity. And we now understand that it challenges a much more profound layer of ‘regulation’, a resilient but threatened biospheric balance that was, for too long, taken for granted.¹

Energy, not *international law*, is the pivotal term around which an account of the international law of energy must be organised. It is, more specifically, the socio-technical regime, built upon certain forms of energy, fossil fuels and its ongoing transformation into a new socio-technical regime, which provides the backbone of the entire account. This account is intended to show that the international law of energy is the entirety of international law as it concerns ‘energy’ and that clarifying how it does so is important to understand the ongoing energy

¹ I have outlined this other layer in some previous work: J. E. Viñuales, ‘Two Layers of Self-Regulation’ (2020) 11 *Transnational Legal Theory* 16; J. E. Viñuales, *The Organisation of the Anthropocene: In Our Hands?* (The Hague: Brill Research Perspectives, 2018).

transformation, which may contribute to reversing – or not – the dire consequences of the fossil fuel-based energy order.

This explains why this account is presented as a monographic study, an analysis of energy and the energy transformation from the disciplinary lenses of international law. This disciplinary perspective deserves attention because international law has been instrumental in expanding the socio-technical energy order that has pushed the biospheric balance to the brink of ‘change’, which, for humans and so many other species, may mean collapse. By understanding how energy is governed in international law as a whole, I hope to shed light on how international law built and sustained the fossil fuel energy regime and failed to sufficiently restrain its adverse consequences; but my goal is also to show how international law may be playing a role in the emergence of a new energy regime which is less unsettling for the resilience mechanisms of the biosphere.

The discussion in the book is overall technical, with sufficient references to the relevant rules, case law and commentary, in the doctrinal tradition, blended with theoretical material, including an analytical framework introduced for this purpose. As a result, the book could be used as a textbook in a variety of academic and professional training contexts. Yet, the main reason to pay sufficient attention to the technical material is that, without sufficient command of the law, the understanding that I aim to provide in this book could never be empowering or contribute to the ongoing transformation.

ABBREVIATIONS

AB	Appellate Body of the WTO Dispute Settlement Body
AFDI	Annuaire français de droit international
African Commission	African Commission of Human and Peoples' Rights
African Court	African Court of Human and Peoples' Rights
AJIL	<i>American Journal of International Law</i>
ASILProc	American Society of International Law Proceedings
BIT	Bilateral Investment Treaty
BYIL	<i>British Yearbook of International Law</i>
CESCR	UN Committee on Economic, Social and Cultural Rights
CFR	US Code of Federal Regulations
COP (COPs)	Conference(s) of the Parties
ECT	Energy Charter Treaty
ECtHR	European Court of Human Rights
EJIL	<i>European Journal of International Law</i>
EPA	US Environmental Protection Agency
FTA	free trade agreement
GA (or UNGA)	United Nations General Assembly
GAOR	<i>United Nations General Assembly Official Records</i>
GATS	General Agreement on Trade in Services
GATT	General Agreement on Tariffs and Trade
GYIL	<i>German Yearbook of International Law</i>
HRC	United Nations Human Rights Committee
IAEA	International Atomic Energy Agency
ICJ	International Court of Justice
ICLQ	<i>International and Comparative Law Quarterly</i>
ICommHR	Inter-American Commission on Human Rights
ICSID	International Centre for Settlement of Investment Disputes
ICtHR	Inter-American Court of Human Rights
IDI	Institut de droit international
IEA	International Energy Agency
IEF	International Energy Forum

IIA(s)	international investment agreement(s)
IJMCL	<i>International Journal of Marine and Coastal Law</i>
ILM	international legal materials
IMO	International Maritime Organisation
IPR(s)	intellectual property right(s)
IRENA	International Renewable Energy Agency
ITLOS	International Tribunal for the Law of the Sea
JDI	<i>Journal du droit international</i>
JIDS	<i>Journal of International Dispute Settlement</i>
JIEL	<i>Journal of International Economic Law</i>
JWELB	<i>Journal of World Energy Law and Business</i>
MEA(s)	multilateral environmental agreement(s)
MPEPIL	<i>Max Planck Encyclopedia of Public International Law</i>
OAS	Organisation of American States
OECD	Organisation for Economic Co-operation and Development
OJ	<i>Official Journal of the European Union</i>
OLADE	Latin American Organization for Energy Cooperation
OPEC	Organization of the Petroleum Exporting Countries
PCA	Permanent Court of Arbitration
RCADI	Recueil des cours de l'Académie de droit international de La Haye
RGDIP	<i>Revue générale de droit international public</i>
RIAA	Reports of International Arbitral Awards
SC (or UNSC)	United Nations Security Council
SFDI	Société française pour le droit international
TFDD	Transboundary Freshwater Dispute Database, www.transboundarywaters.orst.edu
UN	United Nations
UNCITRAL	United Nations Commission on International Trade Law
UNCTAD	United Nations Commission on Trade and Development
UNECE	United Nations Economic Commission for Europe
UNEP	United Nations Environment Programme
UNTS	United Nations Treaty Series
WMO	World Meteorological Organization
WTO	World Trade Organization
YbILC	<i>Yearbook of the International Law Commission</i>

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4 October 1913	Convention entre la France et la Suisse pour l'aménagement de la puissance hydraulique du Rhône entre l'usine projetée de la Plaine et un point à déterminer en amont du pont de Pougny-Chancy	Rhône Agreement	251
20 April 1921	Convention and Statute on Freedom of Transit, 7 LNTS 11		95
9 December 1923	Convention relating to the Development of Hydraulic Power affecting more than one State, 35 LNTS 75		246
27 August 1926	Convention pour le règlement des rapports entre la Suisse et la France au sujet de certaines clauses du régime juridique de la future dérivation du Rhin à Kembs	Rhine/Kembs Agreement	249
19 November 1930	Convention entre la France et la Suisse concernant la concession de la chute du Chatelot sur le Doubs, signed at Paris		251

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25 February 1938	Agreement between the Governments of Brazil and Bolivia on the exportation and use of Bolivian petroleum, 51 UNTS 256	Brazil/Bolivia Agreement	271
12 October 1940	Convention on Nature Protection and Wild Life Preservation in the Western Hemisphere, 56 Stat. 1354, TS 981	Western Hemisphere Convention	168
6 February 1941	Convention on Construction of Oil Pipelines signed by Argentina, Bolivia, Brazil, Paraguay, and Uruguay	Oil Pipeline Convention	271
14 November 1944	Treaty between the United States of America and Mexico relating to the utilization of the waters of the Colorado and Tijuana Rivers, and of the Rio Grande (Rio Bravo) from Fort Quitman, Texas, to the Gulf of Mexico, and supplementary protocol, 3 UNTS 313	1944 US–Mexico Agreement	250
30 and 31 May 1949	Exchange of notes constituting an agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Egypt regarding the construction of the Owen Falls Dam		249

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18 June 1949	Accord entre la Suisse et l'Italie au sujet de la concession de forces hydrauliques du Reno di Lei, avec protocole additional	Reno di Lei Agreement	251
25 April 1950	State treaty between the Grand Duchy of Luxembourg and the Land Rhineland-Palatinate in the Federal Republic of Germany concerning the construction of a hydroelectric powerplant on the Sauer (Sure) at Rosport/ Ralingen		252
16 October 1950	Agreement between the Federal Government of the Republic of Austria and the Free State of Bavaria concerning the Österreichisch-Bayerische Kraftwerke AG (Austrian Bavarian Hydroelectric Company)	Österreichisch-Bayerische Kraftwerke Agreement	251
4 November 1950	Convention for the Protection of Human Rights and Fundamental Freedoms, 4 November 1950, 213 UNTS 221	ECHR	149, 172
18 April 1951	Treaty establishing the European Coal and Steel Community, 261 UNTS 140	ECSC Treaty	376

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12 January 1952	'Integrated economic development and commercial agreements', UN Doc. A/RES/523(VI)	Resolution 523 (VI)	24, 45, 351
13 February 1952	Agreement between the Government of Republic of Austria and the Government of the Federal Republic of Germany and of the Free State of Bavaria concerning the Donaukraftwerk-Jochenstein-Aktiengesellschaft (Danube Power-Plant and Jochenstein Joint-Stock Company)		251
25 April 1954	Agreement between the Government of India and the Government of Nepal on the Kosi project		249
12 May 1954	International Convention for the Prevention of Pollution of the Sea by Oil, 327 UNTS 3	OILPOL	
23 October 1956	Statute of the International Atomic Energy Agency, 276 UNTS 3	IAEA Statute	294–295, 303, 304, 309, 321–322, 324
27 October 1956	Convention entre la République fédérale d'Allemagne et la République française sur l'aménagement du cours supérieur du		249

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	Rhin entre Bâie et Strasbourg et protocole annexé à la convention		
25 March 1957	Treaty Establishing the European Atomic Energy Community, 298 UNTS 167	EURATOM Treaty	302
25 March 1957	Treaty establishing the European Economic Community, 298 UNTS 3	EEC Treaty	377
27 May 1957	Convention entre la Confédération suisse et la République italienne au sujet de l'utilisation de la force hydraulique du Spöl et protocole additionnel	Spöl Agreement	251
20 December 1957	Convention on the Establishment of a Security Control in the Field of Nuclear Energy, OECD/ LEGAL/0020		304
22 February 1958	Bahrain-Saudi Arabia Frontier Agreement, 1733 UNTS 3	Bahrain–Saudi Arabia Frontier Agreement	201
29 April 1958	Convention on the Continental Shelf, 499 UNTS 311	CCS	201
29 April 1959	Agreement between the Government of the Union of Soviet Socialist Republics, the Government of Norway and the	Kaitakoski Agreement	249

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	Government of Finland concerning the regulation of Lake Inari by means of the Kaitakoski hydroelectric power station and dam, 346 UNTS 192/167		
29 April 1959	Additional Protocol between the Union of Soviet Socialist Republics and Finland concerning compensation for loss and damage and for the works to be carried out by Finland in connection with the implementation of the Agreement of 29 April 1959 between the Government of the Union of Soviet Socialist Republics, the Government of Finland and the Government of Norway concerning the regulation of Lake Inari by means of the Kaitakoski hydroelectric power station and dam, 346 UNTS 212	Kaitakoski Protocol	249
1 July 1959	Agreement on the Privileges and Immunities of the IAEA, INFCIRC/9/Rev.2	IAEA Immunities	294

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1 December 1959	The Antarctic Treaty, 402 UNTS 71	Antarctic Treaty	168, 331
4 December 1959	Agreement between Nepal and India on the Gandak Project		253
23 January 1960	Agreement concerning the principles of geological co- operation between the Czechoslovak Republic and the Republic of Austria, 495 UNTS 99		207
29 July 1960	Convention on Third Party Liability in the Field of Nuclear Energy, 956 UNTS 251	Paris Convention	305
10–14 September 1960	Statute of the Organization of the Petroleum Exporting Countries (OPEC), adopted at the second conference, held in Caracas in January 1961, Resolution II.6	OPEC Statute	294, 352
19 September 1960	The Indus Waters Treaty concluded between India and Pakistan	Indus Water Treaty	252
14 December 1960	UN General Assembly Resolution 1514 (XV), 'Declaration on the Granting of Independence to Colonial Countries and Peoples', A/RES/ 1514 (XV)		48
17 January 1961	Treaty between Canada and the United States of America relating to cooperative	Columbia River Treaty	250

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	development of the water resources of the Columbia River basin, 592 UNTS 272		
14 December 1962	'Permanent sovereignty over natural resources', UN Doc. A/RES/1803 (XVII)	Resolution 1803 (XVII)	24, 45, 212, 352
31 January 1963	Convention Supplementary to the Paris Convention of 29 July 1960 on Third Party Liability in the Field of Nuclear Energy, 1041 UNTS 358 Supplementary Convention	Brussels	335
21 May 1963	Convention on Civil Liability for Nuclear Damage, 1063 UNTS 265	Vienna Convention	305
29 July 1963	Convention entre le Gouvernement de la République française et le Gouvernement espagnol relative a l'aménagement du cours supérieur de la Garonne, JORF of 29 May 1964, p. 4571	Garonne Agreement	249
23 August 1963	Convention entre la République française et la Confédération suisse au sujet de l'aménagement hydroélectrique d'Emosson (avec modification)	Emosson Agreement	251

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30 November 1963	Convention between the Government of the Socialist Federal Republic of Yugoslavia and the Government of the Romanian People's Republic concerning the execution of works for the Iron Gates water power and navigation system on the river Danube, 559 UNTS 364	Iron Gates Agreement	250 250
30 November 1963	Exchange of letters constituting an agreement between the Romanian People's Republic and the Socialist Federal Republic of Yugoslavia concerning the adjustment of the frontier on the Danube		252
10 February 1965	Convention on Transit Trade of Land-locked States, 597 UNTS 3		95
20 August 1966	Helsinki Rules on the Uses of the Waters of International Rivers, art IV; adopted by the International Law Association at its fifty- second conference, Helsinki		245
16 December 1966	International Covenant on Civil and Political Rights, 999 UNTS 171	ICCPR	48, 172
16 December 1966	International Covenant on Economic, Social and Cultural Rights, 993 UNTS 3	ICESCR	48, 172

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19 December 1966	Amended Agreement between His Majesty's Government of Nepal and the Government of India concerning the Kosi project	Kosi Project Agreement	249
14 February 1967	Treaty for the Prohibition of Nuclear Weapons in Latin America, 634 UNTS 281	Treaty of Tlatelcoco	318
1 July 1968	Treaty on the Non- Proliferation of Nuclear Weapons, 729 UNTS 161	NPT	295, 304–305, 308, 309, 310, 317, 319
15 September 1968 (revised 11 July 2003)	African Convention on the Conservation of Nature and Natural Resources, 1001 UNTS 3	African Conservation Convention	168
20 March 1969	Agreement between Qatar and Abu Dhabi on the settlement of maritime boundaries and ownership of islands (with declarations and map)	Qatar/Abu Dhabi Agreement	209
23 May 1969	Vienna Convention on the Law of Treaties, 1155 UNTS 331	VCLT	8
4 July 1969	Convention entre la République française et la République fédérale d'Allemagne au sujet de l'aménagement du Rhin entre Strasbourg/ Kehl et Lauterbourg/ Neuburgweier	Rhine/ Strasbourg/ Lauterbourg Agreement	251

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22 November 1969	American Convention on Human Rights, 1144 UNTS 123	ACHR	172
29 November 1969	Convention on Civil Liability for Oil Pollution Damage, 973 UNTS 3	CLC 69	189
29 November 1969	International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 970 UNTS 211	Intervention Convention	181
24 October 1970	UN General Assembly Resolution 2625 (XXV), 'Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations', Annex	Friendly Relations Declaration	48
2 February 1971	Convention on Wetlands of International Importance especially as Waterfowl Habitat, 996 UNTS 245	Ramsar Convention	138
16 December 1971	Agreement between the Government of the Socialist Republic of Romania and the Government of the Union of Soviet Socialist Republics on the joint construction of the Stinca-Costesti hydraulic engineering	Stinca-Costesti Agreement	250

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	scheme on the River Prut and the establishment of the conditions of its operation (with protocol), 890 UNTS 3		
17 December 1971	Convention Relating to Third Party Liability in the Field of Maritime Carriage of Nuclear Material, 944 UNTS 255		336
18 December 1971	International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1110 UNTS 57	FUND/71	189
16 June 1972	'Declaration of the United Nations Conference on the Human Environment', Stockholm, UN Doc. A/CONF 48/14/Rev.1, pp. 2ff.	Stockholm Declaration	62
23 June 1972	Convention entre la Suisse et l'Italie relative à l'aménagement hydraulique du torrent Breggia à la frontière italo—suisse		250
16 November 1972	Convention for the Protection of the World Cultural and Natural Heritage, 1037 UNTS 151	World Heritage Convention or WHC	170
29 December 1972	Convention for the prevention of marine	London Convention	155, 297

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27 August 1973	Crude Oil Pipeline Agreement between the Government of the Turkish Republic and the Government of the Iraqi Republic	Kirkuk-Ceyhan Agreement	271
14 September 1973	Agreement Between Belgium, Denmark, the Federal Republic of Germany, Ireland, Italy, Luxembourg, the Netherlands, the European Atomic Energy Community and the Agency in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, INFCIRC/193		318
2 November 1973	Protocol relating to Intervention on the High Seas in Cases of Marine Pollution by Substances other than Oil, 1313 UNTS		181
2 November 1973	Convenio Constitutivo de la Organización Latinoamericana de Energía [Agreement Establishing the Latin American Energy Organization], 1000 UNTS 129	Lima Agreement	388
3 December 1973	Treaty of Yacyretá between the Republic	Treaty of Yacyretá	250, 293

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29 January 1974	Convention between France and Spain on the delimitation of the territorial sea and the contiguous zone in the Bay of Biscay (Golfe de Gascogne/Golfo de Vizcaya) (with map)	Bay of Biscay Convention	209
30 January 1974	Agreement Between Japan and the Republic of Korea concerning joint development of the southern part of the continental shelf adjacent to the two countries (with map, appendix, agreed minutes and exchange of notes)	Japan/Korea Agreement	210
1 May 1974	'Declaration on the Establishment of a New International Economic Order', Res. 3201 (S-VI)		45
16 May 1974	Agreement between Sudan and Saudi Arabia relating to the joint exploitation of the natural resources of the sea-bed and sub-soil of the Red Sea in the Common Zone		210
17 September 1974	Council Resolution of 17 September 1974 concerning the new energy policy strategy for the Community		377

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1 November 1974	International Convention for the Safety of Life at Sea, 1185 UNTS 2	SOLAS Convention	306
18 November 1974	OECD Council Decision Establishing an International Energy Agency, OECD Document C(74)203 (Final)		358
18 November 1974	Agreement on an International Energy Program, 1040 UNTS 272	IEA Statute	294, 358
12 December 1974	'Charter of Economic Rights and Duties of States', UN Doc. A/ RES/3281/XXIX		45
13 February 1975	Council Directive 75/ 404/ EEC of 13 February 1975 on the restriction of the use of natural gas in power stations		377
14 April 1975	Directive 75/405/EEC of 14 April 1975 concerning the restriction of the use of petroleum products in power stations		377
20 May 1975	Council Directive 75/ 339/ EEC of 20 May 1975 obliging the Member States to maintain minimum stocks of fossil fuel at thermal power stations		377
15 October 1975	Memorandum of Understanding on the ASEAN Council on Petroleum, Jakarta, Indonesia		391

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15 October 1975	Declaration of the ASEAN Council on Petroleum, Jakarta, Indonesia		391
10 May 1976	Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Norway relating to the exploitation of the Frigg Field Reservoir and the transmission of gas therefrom to the UK, 1977 Great Britain TS 113	Norway/UK Frigg Agreement	219
16 May 1976	Crude Oil Pipeline Protocol between the Government of the Turkish Republic and the Government of the Iraqi Republic	Kirkuk-Ceyhan Protocol	271
12 June 1976	Convention on the Conservation of Nature in the South Pacific, available at: www.ecolex.org (TRE- 000540)	Apia Convention	168
28 January 1977	Agreement between the Government of Canada and the Government of the United States of America concerning transit pipelines, 28 UST 7449	Transit Pipelines Agreement	274
20 September 1977	Agreement between the United States of America and Canada	Northern Pipeline Agreement	271

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	on Principles Applicable to a Northern Natural Gas Pipeline, 29 UST 3581		
24 April 1978	Protocol concerning regional cooperation in combating pollution by oil and other harmful substances in cases of emergency		183
23 August 1978	Vienna Convention on the Succession of States in Respect of Treaties, 1946 UNTS 3	VCST	226, 253
21 February 1979	Memorandum of Understanding Between Malaysia and the Kingdom of Thailand on the Establishment of the Joint Authority for the Exploitation of the Resources of the Sea Bed in a Defined Area of the Continental Shelf of the two Countries in the Gulf of Thailand	Malaysia/ Thailand MOU	210, 294
19 September 1979	Convention on the Conservation of European Wildlife and Natural Habitats, E.T. S. No. 104	Bern Convention	168
19 October 1979	Agreement on Parana River projects (Argentina-Brazil- Paraguay), 19 ILM 615 (1980)		255

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13 November 1979	Convention on Long- Range Transboundary Air Pollution, 1302 UNTS 217	LRTAP Convention	162
18 December 1979	Convention on the Elimination of All Forms of Discrimination Against Women, 1249 UNTS 13	CEDAW	54–55
3 March 1980	Convention on the Physical Protection of Nuclear Material, 1458 UNTS 125	Physical Protection Convention	305
17 May 1980	Treaty between the Government of the Federative Republic of Brazil and the Government of the Argentine Republic for developing the shared water resources of the frontier sections of the Uruguay River and its tributary, the Pepiri- Guaçu (Pepirí-Guazú) River, 1333 UNTS 62	Uruguay River Agreement	250
27 June 1981	African Charter on Human and Peoples' Rights, 21 ILM 58 (1982)	African Charter	51, 172
22 October 1981	Agreement on the Continental Shelf between Iceland and Jan Mayen (Iceland/ Norway), 21 ILM (1982) 1222	Iceland/Norway Agreement	219

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10 December 1982	United Nations Convention on the Law of the Sea, 1833 UNTS 397	UNCLOS	46–48, 58, 95, 98, 101, 138–142, 145, 152–158, 164, 181, 187, 197, 207–208, 215, 220–228, 230–239, 260, 263, 266–269, 277, 278, 290
14 June 1983	International Convention on the Harmonized Commodity Description and Coding System, 1503 UNTS 167	HS Convention	19
13 September 1983	Agreement for Cooperation in Dealing with Pollution of the North Sea by Oil and Other Harmful Substances		182
28 September 1984	Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on the longterm Financing of the Cooperative Programme for Monitoring and Evaluation of the Long-Range Transport of Air Pollutants in Europe (EMEP), 1491 UNTS 167	EMEP Protocol	162
29 June 1985	Completing the Internal Market. White Paper from the Commission to the European Council, Milan, 28–29 June 1985, COM (85) 310 final		377

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8 July 1985	Protocol on the Reduction of Sulphur Emissions or their Transboundary Fluxes, 27 ILM 707	Sulphur Protocol I	163
9 July 1985	ASEAN Agreement on the Conservation of Nature and Natural Resources, 15 EPL 64	Kuala Lumpur Agreement	168
30 July 1985	Addendum to the Crude Oil Pipeline Agreement of 27 August 1973 between the Government of the Iraqi Republic and the Government of the Turkish Republic	Kirkuk-Ceyhan Addendum	271
6 August 1985	South Pacific Nuclear Free Zone Treaty, 1445 UNTS 177	Treaty of Rarotonga	318
17 February 1986	<i>Single European Act</i> , 17 February 1986, 1987 O.J. (L 169) 1		378
24 June 1986	Agreement on ASEAN Energy Cooperation Manila		392
24 June 1986	ASEAN Petroleum Security Agreement Manila		392
26 September 1986	Convention on Early Notification of a Nuclear Accident, 1439 UNTS 275	Convention on Early Notification	306, 333
26 September 1986	Convention on Assistance in Case of a Nuclear Accident or Radiological Emergency, 1457 UNTS 133	Convention on Assistance	306, 333
24 October 1986	Treaty on the Lesotho Highlands Water Project between the	Lesotho Highlands Agreement	250

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	Government of the Kingdom of Lesotho and the Government of the Republic of South Africa, available at : www.ecolex.org (TRE- 152232)		
23 July 1987	Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff		19
28 July 1987	Agreement relating to the Central African Power Corporation, 25 November 1963 and Agreement between the Republic of Zimbabwe and the Republic of Zambia concerning the utilization of the Zambezi River	Zambezi River Agreement	250
16 September 1987	Montreal Protocol on Substances that Deplete the Ozone Layer, 1522 UNTS 29	Montreal Protocol	164
13 November 1987	GATT, <i>Note by the Secretariat, Summary of Statements and proposals made concerning negotiations on natural resource-based products</i> , MTN.GNG/NG3/8	Negotiations on natural resource-based products	75
2 May 1988	The Internal Energy Market (Commission		377

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2 June 1988	Working Document), Brussels, 2 May 1988, COM (88) 238 final Convention on the Regulation of Antarctic Mineral Resource Activities	Wellington Convention or CRAMRA	168
8 September 1988	Agreement on the Establishment of the ASEAN – EC Energy Management Training and Research Centre Brussels, Belgium		393
27 September 1988	Joint Protocol Relating to the Application of the Vienna Convention and the Paris Convention, 1672 UNTS 293	Joint Protocol	336
31 October 1988	Protocol concerning the Control of Emissions of Nitrogen Oxides or their Transboundary Fluxes, 28 ILM 214	NOx Protocol	163
16 November 1988	Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights, O.A.S. Treaty Series No. 69	Protocol of San Salvador	55
22 March 1989	Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, 1673 UNTS 57	Basel Convention	331

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27 June 1989	Convention (No. 169) concerning Indigenous and Tribal Peoples in Independent Countries, 28 ILM 1382 (1989)	ILO Convention 169	151, 255, 432
19 October 1989	IMO Resolution A.672 (16), 'Guidelines and Standards for the Removal of Offshore Installations and Structures on the Continental Shelf and in the Exclusive Economic Zone'		157
9 December 1989	Treaty between Australia and the Republic of Indonesia on the zone of cooperation in an area between the Indonesian province of East Timor and Northern Australia, 9 December 1989, 29 ILM (1990) 469	Timor Gap Treaty	225
30 May 1990	Agreement Between the Government of Malaysia and the Government of the Kingdom of Thailand on the Constitution and Other Matters Relating to the Establishment of the Malaysia-Thailand Joint Authority	Malaysia/Thailand Agreement	210
29 June 1990	Council Directive 90/377/EEC of 29 June 1990 concerning a Community procedure		378

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29 October 1990	to improve the transparency of gas and electricity prices charged to industrial end-users Council Directive 90/547/ EEC of 29 October 1990 on the transit of electricity through transmission grids		378
30 November 1990	International Convention on Oil Pollution Preparedness, Response and Cooperation, available at www.ecolex.org (TRE-001109)	OPRC Convention	182
30 January 1991	Bamako Convention on the ban on the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa, 30 ILM 773	Bamako Convention	331
25 February 1991	Convention on Environmental Impact Assessment in a Transboundary Context, 1989 UNTS 310	Espoo Convention	142, 297
31 May 1991	Council Directive 91/296/ EEC of 31 May 1991 on the transit of natural gas through grids		378

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18 November 1991	Protocol concerning the Control of Emissions of Volatile Organic Compounds or their Transboundary Fluxes, 31 ILM 573	VOC Protocol	163
13 December 1991	Committee on Economic, Social and Cultural Rights, General Comment No. 4: The Right to Adequate Housing, E/1992/23		54
13 December 1991	Agreement between the Republic of Argentina, the Federative Republic of Brazil, the Brazilian- Argentine Agency for Accounting and Control of Nuclear Materials and the International Atomic Energy Agency for the Application of Safeguards, INFCIRC/ 435		315, 318
17 December 1991	Concluding Document of the Hague Conference on the European Energy Charter		69
7 February 1992	Treaty of Maastricht on European Union, 7 February 1992, <i>OJ C</i> 191, 29.7.1992, p. 1- 112. Now Treaty on	TEU	385

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13 March 1992	European Union, consolidated, 13 December 2007, 2008/ C 115/01 [TEU] Treaty on the development and utilization of the water resources of the Komati River Basin between the Government of the Kingdom of Swaziland and the Government of the Republic of South Africa	Komati Agreement	251
18 March 1992	Convention on the Protection and Use of Transboundary Watercourses and International Lakes, 1936 UNTS 269	UNECE Water Convention or Helsinki Convention	246
9 April 1992	Convention on the Protection of the Marine Environment of the Baltic Sea Area, available on www.ecolex.org (TRE-001153)		159
9 May 1992	United Nations Framework Convention on Climate Change, 31 ILM 849	UNFCCC	120, 163, 164, 415
5 June 1992	Convention on Biological Diversity, 1760 UNTS 79	CBD	
13 June 1992	'Rio Declaration on Environment and Development', UN Doc. A/CONF.151/26. Rev.1	Rio Declaration	62, 237, 343

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13 June 1992	Report of the United Nations Conference on Environment and Development, A/CONF.151/26/Rev.1 (Vol. 1), Resolution 1, Annex 2: Agenda 21	Agenda 21	342
17 June 1992	Pipeline Consortium Agreement between the Government of the Republic of Kazakhstan and the Government of the Sultanate of Oman, joined by Russia in July 1992	CPC Agreement	272
22 September 1992	Convention for the Protection of the Marine Environment of the North-East Atlantic, 2354 UNTS 67	OSPAR Convention	159
27 November 1992	Protocol amending the International Convention on Civil Liability for Oil Pollution Damage, available at: www.ecolex.org (TRE-001 177)	CLC/92	189–193
27 November 1992	Protocol to Amend the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, available at: www.ecolex.org (TRE-001 176)	FUND/92	189, 192

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30 April 1993	Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Ireland relating to the Transmission of Natural Gas by Pipeline between the United Kingdom of Great Britain and Northern Ireland and the Republic of Ireland	UK/Ireland Agreement	273
14 September 1993	North American Agreement on Environmental Cooperation, 32 ILM 1480 (1993)	NAAEC	124
14 September 1993	North-American Agreement on Labor Cooperation, 32 ILM 1499 (1993)	NAALC	124
12 November 1993	Maritime treaty between Jamaica and the Republic of Colombia (with chart)	Colombia/Jamaica Agreement	209
14 October 1993	Management and Cooperation Agreement between the Government of the Republic of Senegal and the Government of the Republic of Guinea-Bissau	Guinea-Bissau/Senegal Agreement	44, 210–211, 293

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15 April 1994	General Agreement on Trade in Services, Marrakesh Agreement Establishing the World Trade Organization, Annex 1B, 1869 UNTS 183	GATS	78, 123
15 April 1994	Agreement on Technical Barriers to Trade, 1868 UNTS 120	TBT Agreement	121
15 April 1994	Agreement on Subsidies and Countervailing Measures, 1867 UNTS 14	SCM Agreement	408
15 April 1994	Agreement on Trade-Related Investment Measures, Marrakesh Agreement Establishing the World Trade Organization, Annex 1A, 1868 UNTS 186	TRIMs or TRIMs Agreement	88, 408
15 April 1994	Agreement on Trade-Related Aspects of Intellectual Property Trade, 1869 UNTS 299	TRIPs or TRIPs Agreement	15
14 June 1994	Protocol to the LRTAP Convention on	Sulphur Protocol II	163

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17 June 1994	Further Reduction of Sulphur Emissions, 33 ILM 1540 Convention on Nuclear Safety, 1963 UNTS 293	CNS or Convention on Nuclear Safety	306
27 July 1994	Exchange of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Norway amending the Agreement relating to the Transmission of Petroleum by Pipeline from the Ekofisk Field and Neighbouring Areas to the United Kingdom	Ekofisk Amendment	271
28 July 1994	Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982, 1836 UNTS 3 Implementation Agreement	1994	141
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3 May 1996	European Social Charter (Revised), ETS No. 163	ESC	55
3 May 1996	International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances, amended by the Protocol of 30 April 2010, available at: www.ecolex.org (TRE-001 245)	HNS Convention 2010	297

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17 June 1999	Protocol on Water and Health to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes, 2331 UNTS 202	Protocol on Water and Health	246
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4 September 2002	'Plan of Implementation', Report of the World Summit on Sustainable Development at Johannesburg (South Africa), 26 August-4 September 2002. UN Doc. A/CONF.199/20 Implementation	Plan of	27, 369
26 November 2002	Committee on Economic, Social and Cultural Rights, General Comment No. 15 (2002), The Right to Water (Articles 11 and 12 of the International Covenant on Economic, Social and Cultural Rights), UN ESCOR DOC. E/C.12/ 2002/11	GC 15	
31 January 2003	ECOWAS Energy Protocol A/P4/1/03	ECOWAS Energy Protocol	68, 101
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- Oil Platforms case (Islamic Republic of Iran v. United States of America)*, ICJ Reports 2003, p. 161, 36, 185
- Pulp Mills on the River Uruguay (Argentina v. Uruguay)*, Judgment, ICJ Reports 2010, p. 14, 133, 134, 232, 251
- Railway Traffic between Lithuania and Poland*, 1931 PCIJ Series A/B No. 42, 232
- Sovereignty over Pulau Ligitan and Pulau Sipadan (Indonesia/Malaysia)*, Judgment, ICJ Reports 2002, p. 625, 225
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- Conciliation between The Democratic Republic of Timor-Leste and The Commonwealth of Australia*, PCA Case No. 2016-10, Press Release No. 9, 1 September 2017, 50
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- Land Reclamation in and around the Straits of Johor (Malaysia v. Singapore)*, ITLOS Case No. 12, Order (10 September 2003), 232
- MOX Plant Case (Ireland v. United Kingdom)*, Provisional Measures, ITLOS Case No. 10, Order (3 December 2001), 232
- Request for an Advisory Opinion Submitted by the Sub-Regional Fisheries Commission (SRFC)*, Advisory Opinion of 2 April 2015, ITLOS Case No 21, 62, 134, 232, 240
- Responsibilities and obligations of States sponsoring persons and entities with respect to activities in the Area*, ITLOS (Seabed Disputes Chamber), Case No. 17, Advisory Opinion (1 February 2011) 44, 135, 240

WTO Dispute Settlement Body

- Canada – Administration of the Foreign Investment Review Act*, Panel Report, L/5504 (7 February 1984), BISD 30S/140, 85
- Canada – Certain Measures Affecting the Renewable Energy Generation Sector*, Panel Report (19 December 2012), WT/DS412/R, 28
- Canada – Measures Relating to the Feed in Tariff Program*, WT/DS426/R, AB Report (6 May 2013), WT/DS412/AB/R and WT/DS426/ AB/R, 28
- Canada – Wheat Exports and Grain Imports*, AB Report (30 August 2004), WT/DS276/AB/R, 84
- China – Duties and other Measures concerning the Exportation of Certain Raw Materials - Request for the establishment of a panel by the European Union*, 27 October 2016, WT/DS509/6, 404
- China – Measures Concerning Wind Power Equipment*, DS419, Request for consultations (US), 22 December 2010; Request for consultations (Japan), 19 January 2011, 416
- China – Measures Related to the Exportation of Rare Earths, Tungsten, and Molybdenum*, AB Report, 7 August 2014, WT/DS431/AB/RWT/DS432/AB/RWT/DS433/AB/R, 404
- China – Measures Related to the Exportation of Various Raw Materials*, Panel Report, 5 July 2011, WT/DS394/R WT/DS395/R WT/DS398/R, 45, 119, 404
- China – Measures Related to the Exportation of Various Raw Materials*, AB Report (30 January 2012), WT/DS394/AB/R, WT/DS395/AB/R, WT/DS398/AB/R, 119, 404

- Colombia – Indicative Prices and Restrictions on Ports of Entry*, Panel Report, 27 April 2009, WT/DS366/R, 81
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- United States – Countervailing Duty Measures on Certain Products from China* (Complainant: China), Request for consultations, 25 March 2012, AB Report, 18 December 2014, WT/DS437/AB/R, AB Report on Article 21.5 DSU, 16 July 2019, WT/DS437/AB/RW, 416

- United States – Import Prohibition of Certain Shrimp and Shrimp Products*, Report of the Appellate Body (12 October 1998), WT/DS58/AB/R, 106, 112
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- United States – Standards for Reformulated and Conventional Gasoline*, AB Report (29 April 1996), WT/DS2/AB/R, 117

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- Alabama claims of the United States of America against Great Britain*, Decision of 14 September 1872, RIAA vol. 24, 125-134, 239
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- In the matter of the Indus Waters Kishenganga Arbitration before the Court of Arbitration constituted in accordance with the Indus Waters Treaty 1960 between the Government of India and the Government of Pakistan signed on 19 September 1960 (Islamic Republic of Pakistan v. Republic of India)*, PCA, Partial Award (18 February 2013) 133, 139, 241
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- Costa v E.N.E.L.*, Case 6-64, Judgment of the Court of 15 July 1964 (Not found) 81, 289
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- Municipality of Almelo v NV Energiebedrijf Ijsselmij*, ECJ Case C-393/92, Judgment of 27 April 1994 83, 289
- Société Arcelor Atlantique et Lorraine et al. V. Premier Ministre, Ministre de l'Economie, des Finances et de l'Industrie, Ministre de l'Ecologie et du Développement Durable*, ECJ Case C-127/07, Judgment (16 December 2008), 409

Domestic Case Law (by Country and Date)

- Canada: *Mesa Power Group LLC v. Government of Canada*, US District Court for the District of Columbia, 15 June 2017, Case 1:16-cv-01101-JDB, 419
- Canada: Supreme Court of Canada, *Nevsun Resources Ltd. v. Araya*, 2020 SCC 5, 175
- France: TGI, 11^e Chambre, 4^e section, Jugement du 16 janvier 2008, No. 9934895010, CA Pole 4, Chambre 11 E, Arrêt du 30 mars 2010, 191
- France: Cour de Cassation, Chambre criminelle, Arrêt n° 3439 du 25 septembre 2012, 191
- France: *Association Notre Affaire à tous et al v. S.A. Total*, Tribunal judiciaire de Nanterre, Ordonnance de mise en état (11 February 2021), N° RG 20/00915 – N° Portalis DB3R-W-B7E-VQFM, 177, 178
- Germany: Judgment of the Federal Constitutional Court (6 December 2016), BVerfGE, 143, 5, 412
- Netherlands: Friends of the Earth Netherlands/Milieudefensie and four Nigerians against Shell and its Nigerian subsidiary. See ECLI:NL:GHDHA:2021:132; ECLI:NL:GHDHA:2021:133; ECLI:NL:GHDHA:2021:134, 178
- Sweden: Swedish Supreme Court, Case No. T 853-18, Decision (23 January 2020), 53
- South Africa: Constitutional Court of South Africa, *Government of the Republic of South Africa and Others v Grootboom and Others* (CCT11/00) [2000] ZACC 19; 2001 (1) SA 46; 2000 (11) BCLR 1169 (4 October 2000), 55
- UK: Court of Appeal (E&W – UK) *Caparo Industries Plc v. Dickman* [1990] 2 AC 605, 178
- UK: *Chandler v. Cape*, [2012] EWCA Civ. 525, 177, 178
- UK: *AAA v Unilever plc* [2018] EWCA Civ 1532, 178
- UK: *Vedanta Resources PLC v Lungowe* [2019] UKSC 20, 178
- UK: Court of Appeal (E&W – UK) *Kadie Kalma & Ors. v. African Minerals Ltd And Ors* [2020] EWCA Civ 144, 176
- UK: *Okpabi and others (Appellants) v. Royal Dutch Shell plc and another (Respondents)*, UK Supreme Court, Judgment (12 February 2021), [2021] UKSC 3, 179
- US: *United States v. California*, 322 U.S. 19 (1947), 12
- US: *United States v. Texas*, 339 U.S. 707 (1950), 12

- US: *United States v. Louisiana*, 339 U.S. 699 (1950), 12
- US: *International Association of Machinists and Aerospace Workers (IAM) v Organization of the Petroleum Exporting Countries (OPEC)*, US District Court Central District of California (18 September 1979) 477 F Supp 553, 357
- US: *Filártiga v. Peña-Irala*, 630 F.2d 876 (2n Circ. 1980), 174
- US: *International Association of Machinists and Aerospace Workers (IAM) v Organization of the Petroleum Exporting Countries (OPEC)*, US Court of Appeals Ninth Circuit (6 July 1981) 649 F 2d 1354, 357
- US: *Prewitt Enterprises Inc v Organization of the Petroleum Exporting Countries*, US District Court Northern District of Alabama (2001) 2001 US Dist Lexis 414, 357
- US: *Prewitt Enterprises Inc v Organization of the Petroleum Exporting Countries*, Court of Appeals Eleventh Circuit (18 December 2003) 353 F 3d 916, 357
- US: *Sosa v. Alvarez-Machain*, 542 U.S. 692 (2004), 174
- US: *In re Refined Petroleum Products Antitrust Litigation*, United States District Court, S.D. Texas (9 January 2009), 649 F. Supp. 2d 572 (S.D. Tex. 2009), 357
- US: *Spectrum Stores, Inc. v. Citgo Petroleum Corp.*, Fifth Circuit Court of Appeals Fifth Circuit (8 February 2011), 632 F.3d 938, 357
- US: *Kiobel v. Royal Dutch Petroleum*, 569 U.S. 108 (2013), 174, 175