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Education:

Yale Law School, 1974-76; JSD, 1978.

Cambridge University (Darwin and Emmanuel Colleges) 1971-74; LL.B. 1973.

University of Graz (Austria), 1964-69; Dr.jur., 1968; Dipl.Dolm., 1969.

Employment History:

Academic

Eberhard Deutsch Professor of Public International Law, Tulane University School of Law, since 1996.

Professor of Law/Associate Professor of Law, Wayne State University, 1982-95.

Associate Professor of Law, University of Tulsa, College of Law, Tulsa, Oklahoma, 1977-80.

Research Assistant and Assistant Lecturer, Institut f. Völkerrecht und internationale Beziehungen, University of Graz, 1968-71.

Other Teaching Positions

United Nations Regional Course in International Law, Addis Ababa, April 2013.

Hague Academy of International Law, Seminar for Advanced Studies in Public and Private International Law, January 2012

University of Graz, Faculty of Law, June 2002; Nov.-December 2005; May 2008

University of Salzburg, Faculty of Law, summer 2005

Chuo University, Faculty of Law, Tokyo, Nov.-December 2004

University of Toronto, Faculty of Law, (Distinguished Visiting Professor), October 2001.

Tulane University School of Law, fall semester 1994

University of Munich, Faculty of Law, summer semester 1994.

University of Colorado, School of Law, spring semester 1994.

University of Michigan School of Law, spring semester 1992 & fall semester 2002

Duke University School of Law, fall semester 1991.

University of Utrecht, Faculty of Law, spring semester 1986.

University of Texas, School of Law, 1979-80.

Cornell Law School, 1978-79.

Courses Taught

Public International Law; Law of International Institutions; International Environmental Law; Law of the Sea; Human Rights Law.

Other Positions/Appointments

Senior Project Consultant, National University of Singapore, Energy Studies Institute/ Center of International Law: "Policy and Law for Nuclear Safety and Security," 2016-2018

Member, National Academy of Science -Naval Studies Board, Committee on "Maritime Security Partnerships," 2007-08

Adviser, Austrian Ministry of Foreign Affairs, Law of the Sea and International Environmental Law, 2005-06

Special International Law Adviser, Legal Adviser's Office, Austrian Ministry of Foreign Affairs, July 1, 1998 - December 31, 1998 (for the duration of Austria's presidency of the Council of the European Union).

Major Consultancies

United Nations Environment Programme, Division of Environmental Law and Conventions, 2007-10:
Guidelines for the Development of National Legislation on Environmental Liability and Compensation

World Bank, 2001-02: Lake Ohrid Conservation Project (Albania/Macedonia): Principal legal adviser on the Project's legal and institutional component, including the draft Agreement on

the Protection and Sustainable Development of Lake Ohrid and its Watershed.

United Nations Institute of Training and Research, 1996-98: Programme of Training for the Application of Environmental Law (topic of "Trade and Environment").

Asian Development Bank, Environment Division, 1994-98: International Environmental Law and the Bank's Operations in Developing Member Countries (analysis of international environmental law applicable to the operations of the Bank).

United Nations Environment Programme, Environmental Law and Institutions Unit, Nairobi and Geneva, 1989-1992: General assistance with the multilateral environmental agreements administered by UNEP. Rapporteur, first articles for a Protocol on Liability and Compensation to the Basel Convention on the Transboundary Movement and Disposal of Hazardous Waste; special rapporteur for the first session, and consultant at subsequent sessions of Group of Legal and Technical Experts).

Secretariat for the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal

1993: Author of Secretariat paper on "State Liability and Its Relationship to Civil Liability (and a Compensation Fund) in the Basel Convention's Protocol on Liability and Compensation;" assistance with conference proceedings.

1994-95: Author of Secretariat paper on "Monitoring Implementation of, and Compliance with, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Other Wastes and Their Disposal."

1997-98: Adviser to the chairman of the meeting of the Group of Technical and Legal Experts on the Protocol on Liability and Compensation

Organisation for Economic Co-operation and Development, Nuclear Energy Agency

1980-81: Author of NEA position paper, and adviser to the Legal Affairs Division on legal issues related long-term management of nuclear wastes

1988: Consultant to the Legal Affairs Division on the revision of Paris Convention on Nuclear Liability.

Organisation for Economic Co-Operation and Development, Environment Directorate

1977-81: Author of several Directorate position papers on transfrontier pollution issues; and adviser to Directorate

1988-90: Author of Directorate position paper on economic analysis of certain compensation schemes for transboundary environmental injury.

Austrian State Governments of Vorarlberg and Styria

1986-88: Author of studies on international and domestic legal aspects of transboundary effects of nuclear energy installations.

Other International Legal Work

Government of Haiti: Claim for Restitution of Post-Independence Payments to France, 2003-4.

World Health Organization: Legal Expert Consultation on liability and compensation under the

proposed Framework Convention on Tobacco Control, 2001.

Professional Activities and Associations:

Chair/Co-Chair, Committee on International Environmental Law, American Branch of the International Law Association, 1998-2012.

Member, Environmental Law Commission, IUCN: World Conservation Union.

Founder & Editor-in-Chief (1990-97), *Yearbook of International Environmental Law*.

Adviser, Austrian Delegation to the United Nations Conference on Environment and Development, Rio de Janeiro, June 3-14, 1992.

Advisory Editor/Editorial Board Member: Chairman, Editorial Advisory Board, *Yearbook of International Environmental Law*; International Environmental Law and Policy Series, Martinus Nijhoff/Graham & Trotman; *Colorado Journal of International Environmental Law & Policy*; *Indian Journal of International Law*; *Review of European Community & International Environmental Law*.

Chair, American Society of International Law, Interest Group on International Environmental Law, 1984-92.

Awards & Scholarships:

Elizabeth Haub Prize, 1997

Ford Foundation fellowship, 1993.

Alexander von Humboldt-Stiftung, July-August 1984, University of Munich; December 1980-December 1981, Max-Planck-Institut f. Völkerrecht, Heidelberg.

Hague Academy of International Law, Centre for International Legal Studies and Research fellowship, 1982.

Max-Planck-Gesellschaft fellowship, September 1980-December 1980, Max-Planck-Institut f. Völkerrecht, Heidelberg.

Yale Law School fellowships, 1974-76.

Francis Deák prize, American Society of International Law, 1976.

Emmanuel College research studentship, 1973-74, Cambridge University.

British Council scholarships, 1971-73, Cambridge University.

Società Dante Alighieri, fellowship, October-December 1967, Rome.

Languages:

German, English, Italian (fluent); French, Spanish (working knowledge); Dutch (reading knowledge).

Publications:

Books

Managing the Risk of Offshore Oil and Gas Accidents: The International Legal Dimension (co-editor with K. Svendsen) (Edward Elgar Publishing, 2019)

Beyond Territoriality: Transnational Legal Authority in an Age of Globalization (co-editor with J. Zekoll & P. Zumbansen) (Brill Publisher, 2012)

Multilateral Development Banking: Environmental Principles and Concepts Reflecting General International Law and Public Policy, (Kluwer International, 2001).

Grenzüberschreitendes nukleares Risiko und völkerrechtlicher Schutzanspruch (Berlin: Duncker & Humblot, 1992).

Transferring Hazardous Technology or Substances: The International Legal Challenge (co-editor with Robert Lutz) (Martinus Nijhoff Publishers, 1989).

Yearbook of International Environmental Law, editor-in-chief, 1990-1997, (Graham & Trotman/Martinus Nijhoff vols. 1-3; Oxford University Press, vols. 4-7).

Chapters/Articles/Reports

“Allocating Transboundary Loss from Offshore Oil and Gas Accidents,” IN GUNTHER HANDL & KRISTOFFER SVENDSEN, EDS., *MANAGING THE RISK OF OFFSHORE OIL AND GAS ACCIDENTS: THE INTERNATIONAL LEGAL DIMENSION* ____ (2019)

“The Human Right to a Clean Environment Rights of Nature: Between Advocacy and Reality” in K. VON DER DECKEN, A. VON ARNAULD & M. SJSI, *THE CAMBRIDGE HANDBOOK ON NEW HUMAN RIGHTS. RECOGNITION, NOVELTY, RHETORIC* ____ (2019).

“High Seas Governance Gaps: International Accountability for Nuclear Pollution,” in ROBERT C. BECKMAN, MILLICENT MCCREATH, J. ASHLEY ROACH, AND ZHEN SUN (EDS.), *HIGH SEAS GOVERNANCE: GAPS AND CHALLENGES* 195 (2019)

“The Integration of Environmental Principles into the Policy and Practice of Multilateral Development Banks,” in L. KRAEMER & E. ORLANDO, EDS., *ENCYCLOPEDIA OF ENVIRONMENTAL LAW: PRINCIPLES OF ENVIRONMENTAL LAW* 627 (2018)

“Nuclear Off-Site Emergency Preparedness and Response: Some International Legal Aspects,” in J. BLACK-BRANCH & D. FLECK, EDS., *NUCLEAR NON-PROLIFERATION IN INTERNATIONAL LAW, VOLUME III: LEGAL ASPECTS OF THE USE OF NUCLEAR ENERGY FOR PEACEFUL PURPOSES* 311 (2016).

“Preventing Transboundary Nuclear Pollution: A post- Fukushima Legal Perspective,” in S. JAYAKUMAR, T.

KOH, R. BECKMAN & H. DUY PHAN, EDS. TRANSBOUNDARY POLLUTION: EVOLVING ISSUES OF INTERNATIONAL LAW AND POLICY 190 (2015).

“Flag State Responsibility for Illegal, Unreported and Unregulated Fishing in Foreign EEZs,” 44 ENVIRONMENTAL POLICY & LAW 158 (2014).

“Declaration of the United Nations Conference on the Human Environment (Stockholm Declaration), 1972 and the Rio Declaration on Environment and Development, 1992,” United Nations Audiovisual Library of International Law, at <http://untreaty.un.org/cod/avl/historicalarchives.html#envir>

“Le droit à la santé dans le contexte du droit de l’environnement,” in JEAN-MARC THOUVENIN & ANNE TREBILCOCK, EDS., MANUEL DE DROIT INTERNATIONAL SOCIAL 1596 (Bruylant, 2013).

“Extra-Territoriality and Transnational Legal Authority,” in BEYOND TERRITORIALITY: TRANSNATIONAL LEGAL AUTHORITY IN AN AGE OF GLOBALIZATION (co-editor with J. Zekoll & P. Zumbansen) 3 (Brill Publisher, 2012)

“Responsibilities and Obligations of States Sponsoring Persons and Entities with Respect to Activities in the Area: The International Tribunal of the Law of the Sea’s Recent Contribution to International Environmental Law,” 20 REVIEW OF EUROPEAN AND INTERNATIONAL ENVIRONMENTAL LAW 208 (2011).

“International Legal Implications and Responses to the Deepwater Horizon/Macondo Oil Spill,” in “International Law and the Liability for Catastrophic Environmental Damage,” [2011] PROCEEDINGS, AMERICAN SOCIETY OF INTERNATIONAL LAW 35.

“The Nuclear Non-Proliferation Regime: Towards Acceleration or Reversal of its Declining Effectiveness?” 19 TULANE J. INT’L & COMP. L. 1 (2010)

“In Re South African Apartheid Litigation and Beyond: Corporate Liability for Aiding and Abetting under the Alien Tort Statute,” 53 GERMAN YEARBOOK OF INTERNATIONAL LAW 435 (2010); also posted at <http://ssrn.com/abstract=1677638>.

“American-Mexican Boundary Disputes and Cooperation,” in R. Wolfrum (ed.), *The Max Planck Encyclopedia of Public International Law*, Oxford University Press, 2010, online edition, [www.mpepil.com]; updated and reprinted in MPEPIL, INTERNATIONAL DEVELOPMENT LAW ___ (2019)

“Northwest Passage (Canadian-American Controversy),” in R. Wolfrum (ed.), *The Max Planck Encyclopedia of Public International Law*, Oxford University Press, 2009, online edition, [www.mpepil.com]

“Derechos humanos y medio ambiente,” in C. Medina & J. Zalaquett (eds.), *Derechos Humanos Hoy: Balance Internacional* 171 (2008)

“Maritime Security Partnerships: The International Legal Framework,” in National Research Council/ Naval Studies Board, *Maritime Security Partnerships* 164 (The National Academies Press, 2008).

“International Accountability for Transboundary Environmental Harm Revisited: What Role for State Liability?” 37 *Environmental Policy and Law* 116 (2007), Nos. 2-3.

“Transboundary Impacts,” in D. Bodansky, J. Brunnée & E. Hey, eds., *Oxford Handbook of International Environmental Law* 531 (Oxford University Press, 2007).

"*Trail Smelter* in Contemporary International Environmental Law: Application to Nuclear Energy," in R. Bratspies & R. Miller, eds., *Transboundary Harm in International Law: Lessons from the Trail Smelter Arbitration* 143 (Cambridge University Press, 2006)

"International 'Lawmaking' by Conferences of the Parties and Other Politically Mandated Bodies," in R. Wolfrum & V. Röben, eds., *Developments of International Law in Treaty Making* 127 (2005).

"The IAEA Nuclear Safety Conventions: An Example of Successful 'Treaty Management'?" 72 *Nuclear Law Bulletin* 7 (December 2003).

"Indigenous Peoples' Subsistence Lifestyle as an Environmental Valuation Problem," in M.J. Bowman & A. Boyle, eds., *Environmental Damage in International and Comparative Law* 85 (Oxford University Press, 2002).

"Human Rights and Protection of the Environment," in A. Eide, C. Krause & A. Rosas, eds., *Economic, Social and Cultural Rights: A Textbook* 303 (2nd revised ed., Martinus Nijhoff Publishers, 2001)

"The *Pinochet* Case, Foreign State Immunity and the Changing Constitution of the International Community," in W. Benedek, ed., *Development and Developing of International and European Law, Essays in Honour of Professor Konrad Ginther on the Occasion of his 65th Birthday* 59 (1999).

"The Present State of International Environmental Law: Some Cautionary Observations," 29 *Environmental Policy and Law* 28 (1999).

"The Legal Mandate of Multilateral Development Banks as Agents for Change toward Sustainable Development," 92 *American Journal of International Law* 642 (1998); reprinted in S.A. Bronkhorst, ed., *Liability for Environmental Damage and the World Bank's Chad Cameroon Oil Pipeline Project* 62 (2000).

"Regional Arrangements Having Effects on Third State Vessels: Is the *Pacta Tertiis* Principle Being Modified?" in H. Ringbom, ed., *Competing Norms in the Law of Marine Environmental Protection - Focus on Ship Safety and Pollution Prevention* 217 (1997).

"Compliance Control Mechanisms and International Environmental Obligations," 5 *Tulane Journal of International & Comparative Law* 29 (1997).

"Nuclear Waste Disposal: International Cooperation and Regulation," in R. Bernhardt, ed., 3 *Encyclopedia of Public International Law* 738 (1997)

"Monitoring Implementation of, and Compliance with, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Other Wastes and Their Disposal," Report for the Secretariat of the Basel Convention on Transboundary Movements of Wastes, Doc. UNEP/SBC, 1995.

"Sustainable Development: General Rules versus Specific Obligations," in W. Lang, ed., *Sustainable Development and International Law* 35 (1995).

"Human Rights and Protection of the Environment: A Mildly Revisionist View," in A. Cançado Trindade, ed., *Human Rights and Environmental Protection* 117 (1992, 2nd ed. 1995)

"Controlling Implementation of and Compliance with International Environmental Law: The Rocky Road from Rio," 5 *Colorado Journal of International Environmental Law and Policy* 305 (1994).

"International Environmental Law: Promises and Perils of Agenda 21", in *Inter-American Development Bank*,

Agenda 21 and Latin America: The Challenge of Implementing Environmental Law and Policy 51 (1994).

"Towards A Comprehensive System of Compensation of Transboundary Nuclear Damage: Reflections on the Relationship of Civil Liability and States' International Liability," in *Nuclear Accidents: Liabilities and Guarantees, Proceedings of the NEA/OECD Symposium, Helsinki, 31 August-3 September 1992*, 497 (1993).

"The International Law Commission's Draft Articles on the Law of International Watercourses (General Principles and Planned Measures): Progressive or Retrogressive Development of International Law?," 3 *Colorado Journal of International Environmental Law and Policy* 123 (1992).

Remarks ("The Concept of "Sustainable Development" and the 1992 United Nations Conference on Environment and Development"), in *Contemporary International Law Issues: Sharing Pan-European and American Perspectives, Proceedings of the Joint ASL/NVIR Symposium, July 4-6, 1991*, 39 (1992).

"Das völkerrechtliche Gebot der Gleichbehandlung von Auslandsbewohnern im Atomenergierrecht," in N. Pelzer, ed., *Deutsches Atomenergierrecht im internationalen Rahmen* 55 (1992).

"Environmental Security and Global Change: The Challenge to International Law," in 1 *Yearbook of International Environmental Law* 3 (1990); published also in W. Lang, H. Neuhold & K. Zemanek, eds., *Environmental Protection and International Law* 59 (1991)

"Paying the Piper for Transboundary Nuclear Damage: State Liability in a System of Transnational Compensation," in D. Magraw, ed., *International Law and Pollution* 150 (1991).

"Economic Arguments for Certain Accident Compensation Schemes," OECD Doc. ENV/ECO/90.12 (1990).

(with Carolyn Cary) "Northwest Passage (Canada-United States) Dispute," in R. Bernhardt, ed., 12 *Encyclopedia of Public International Law* 264 (1990).

"International Measures to Protect the Global Atmosphere: A Case of Too Little, Too Late?" 1 *European Journal of International Law* 250 (1990).

"International Law and Protection of the Atmosphere," [1989] *American Society of International Law, Proceedings* 62; reprinted in 71 *Economic Impact* 36, 1990/2; published also as "La Ley y la Protección de la Atmósfera," in 71 *Perspectivas Económicas* 36 (1990).

"The 1989 Basel Convention on the Transboundary Movement of Hazardous Waste: A Preliminary Assessment," [1989] *Proceedings, Canadian Council of International Law* 367.

"Internationalization of Hazard Management in Recipient Countries: Accident Preparedness and Response," in G.Handl & R.Lutz, eds., *Transferring Hazardous Technology and Substances: The International Legal Challenge* 106 (1989).

(with Robert Lutz) "The Transboundary Trade in Hazardous Technologies and Substances from a Policy Perspective," in G.Handl & R.Lutz, eds., *Transferring Hazardous Technology and Substances: The International Legal Challenge* 40 (1989); also published in 30 *Harvard Journal of International Law* 351 (1989).

"'Soft Law' and the International Legal Order: Some Preliminary Observations," [1988] *American Society of International Law, Proceedings* 371.

"Environmental Protection and Development in Third World Countries: Common Destiny - Common Responsibility," 20 *New York University Journal of International Law and Politics* 603 (1988).

(with Bruno Simma) "Grenzüberschreitende Auswirkungen von Kernkraftanlagen und Völkerrecht," 39

Österreichische Zeitschrift für öffentliches Recht und Völkerrecht 1 (1988).

"Après Tchernobyl: Quelques réflexions sur le programme législatif multilatéral à l'ordre du jour," 92 *Revue général de droit international public* 5 (1988); also published as "Transboundary Nuclear Accidents: The Post-Chernobyl Multilateral Legislative Agenda," 15 *Ecology Law Quarterly* 203 (1988).

"Acid Rain in United States-Canadian Relations: The Politics of Procrastination and International Law," [1987] *Proceedings, Canadian Council of International Law* 131.

"International Responsibility for Man-Made Disasters," [1987] *American Society of International Law, Proceedings*.

"National Uses of Transboundary Air Resources: The Entitlement Issue Reconsidered," 26 *Natural Resources Journal* 405 (1986).

"Transboundary Air Resources in North America: Prospects for a Comprehensive Management Regime," in C. Flinterman, B. Kwiatkowska, J. Lammers, eds., *Transboundary Air Pollution: International Legal Aspects of the Cooperation of States* 63 (1986).

"Liability as an Obligation Established by a Primary Rule of International Law: Some Basic Reflections on the International Law Commission's Work," 16 *Netherlands Yearbook of International Law* 49 (1985).

"Some International Legal Implications of the Transfer of Hazardous Technology," [1985] *American Society of International Law, Proceedings* 318.

(with Bruno Simma) "Der österreichisch-tschechoslowakische Vertrag über grenznahe Kernanlagen im Lichte des völkerrechtlichen Nachbarrechts," in 40 *Juristische Blätter* 174 (1985).

"Problems of the Durability of Institutional Controls," (advisory report) published in shortened and modified form in *OECD, Nuclear Energy Agency, Long-Term Management of Radioactive Waste: Legal, Administrative and Financial Aspects* 35 (1984).

"The Struggle for the Internationally Shared Environment: The United States Abdicates its Leadership Role," [1983] *American Society of International Law, Proceedings* 418.

"American-Canadian Boundary Disputes and Co-operation," in R. Bernhardt, ed., 6 *Encyclopedia of Public International Law*, 1 (1983).

"International Liability of States for Marine Pollution," 21 *Canadian Yearbook of International Law* 85 (1983); also published as "Responsabilità internazionale dello stato per inquinamento marino," in V. Starace, ed., *Diritto internazionale e protezione dell'ambiente marino* 137 (1983).

"Gut Dam Claims," in R. Bernhardt, ed., 2 *Encyclopedia of Public International Law* (1981).

"Managing Nuclear Wastes: The International Connection," 21 *Natural Resources Journal* 267 (1981).

"The Environment: International Rights and Duties," [1980] *American Society of International Law, Proceedings* 223.

"International Liability of States for Private Activities Causing Transnational Environmental Injury," 74 *American Journal of International Law* 525 (1980).

"The Principle of 'Equitable Use' as Applied to Internationally Shared Natural Resources: Its Role in Resolving Potential International Disputes over Transfrontier Pollution," 14 *Revue belge de droit international* 40 (1978-)

79); also published in *OECD, Transfrontier Pollution and the Role of States* 98 (1981).

"The Case for Mexican Liability for Transnational Pollution Damage from the IXTOC I Oilspill," 2 *Houston Journal of International Law* 229 (1979).

"Hazardous Economic Activities in Frontier Areas," OECD Doc. ENV/TFP/78.14 (1978).

"An International Legal Perspective on Abnormally Dangerous Activities in Frontier Areas: The Case of Nuclear Power Plant Siting," 7 *Ecology Law Quarterly* 1 (1978).

"Balancing of Interests and Liability for the Pollution of International Watercourses: Customary Principles of Law Revisited," 13 *Canadian Yearbook of International Law* 156 (1975); published also as "Interessenausgleich und völkerrechtliche Haftung für die Verunreinigung internationaler Wasserläufe," in W. Posch, ed., *Wertung und Interessenausgleich im Recht, Festschrift Walter Wilburg* 225 (1975).

"Territorial Sovereignty and the Problem of Transnational Pollution," 69 *American Journal of International Law* 50 (1975).

Contributions to *International Law Reports*, vol. 47.

"Zur Frage der Vereinbarkeit von Rüstungsbeschränkung und dauernder Neutralität," 9 *Österreichische Zeitschrift f. Aussenpolitik* 211 (1969).