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INSTITUTIONALIZING INTERNATIONAL ENVIRONMENTAL LAW

By Bharat H. Desai

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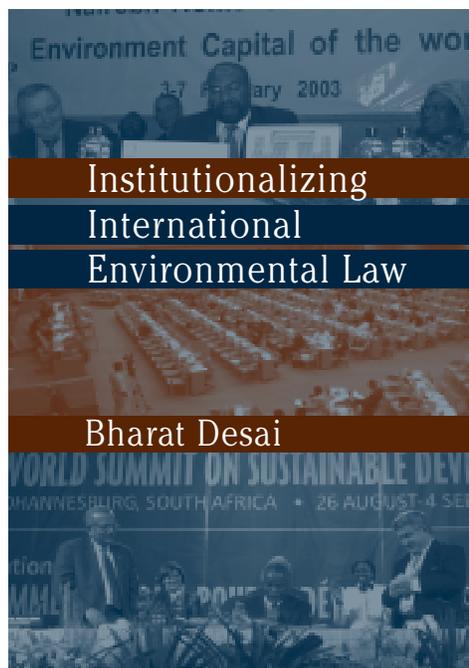
This is a study of the law-making process and the linkage between international environmental law and international environmental institutions.

International regulation of state behavior poses special challenges for the conservation of natural resources and the protection of the environment. The corpus of international environmental law churned out by this new challenge has necessitated institutional structures. "Institutionalization" has kept pace with the development of this nascent branch of international law, and the institutionalization of international environmental law has become an integral part of the intergovernmental effort to establish a threshold for state behavior.

While international environmental institutions are the result of the need for international cooperation, they acquire their own momentum in catalyzing international environmental law once they have been set up. They are a product as well as a contributor to the development of international environmental law.

Institutions are the result of a complex process of good intentions and compromise; they engage in norm-building in various areas of interdependence. This study also shows that international institution building is an organic process directly geared to the needs of states. It underscores the contemporary reality that institutions are essentially tools, operating within legal parameters, for states to address common problems, such as national and transborder environmental threats.

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