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## Summary

I am a lawyer and an academic by profession. I am enrolled as a lawyer in the Indian Bar Council. My litigation training ranges in different areas of law from domestic to international legal matters. I am a Public International law scholar with a specialisation in International Environmental Law and having excellent litigation, mediation and research skills. Having worked for the international law firm in London I have good exposure to international arbitration disputes from a range of jurisdictions including Britain, the EU and the Middle East.

## Languages Proficiency

English full working proficiency  
Hindi full working proficiency  
Spanish (beginner)

## Educational Qualification

University of Leeds,<sup>1</sup> United Kingdom **April 2015 – February 2019**  
PhD in International Environmental Law, Title: 'Regulation of Freshwater and Access to Right to Water in India'.

University of Nottingham, United Kingdom **Sep 2012 – Dec 2013**  
LL.M (International Environmental Law) with Merit.

Department of Legal Studies and Research Bhopal University, India. **Jul 2006 – Jul 2011**  
B.A.LL. B (Hons) with **70.4% (Equivalent to UK first class honour)**

**Qualified as an Advocate from Bar Council of India:** Registered as a lifetime member of State Bar Council of Madhya Pradesh.

## Certifications and Short Courses

Indian Institute of Arbitration and Mediation, Cochin Kerala (**Accredited as Grade C/Level 1 Mediator**)  
**Diploma in Dispute Management**, 2011.

Certificate of Achievement from **SDGacademy 'WTR001: Water: Addressing the Global Crisis'** (Stockholm International Water Institute, 2019) [available at: <https://courses.edx.org/certificates/3b549d4e53c947768fb296504ad4ae42>].

Certificate of Completion from ADBInstitute in - **Achieving Sustainable Development Goals on Water and Sanitation**, 8 December 2020.

Certificate of Participation from M.S. Swaminathan Research Foundation for a – National level trainer's training programme on **River Health Monitoring and Restoration** held from 18-22 April 2022 at Pathanamthitta, Kerala, India (funded by Asia-Pacific Network for Global Change Research).

## Awards

- Won 'Young Scientist', an award in social science category in 8<sup>th</sup> International Congress of Environmental Research on 27-28 July 2016, held at Fachhochschule Lubeck University of Applied Sciences, Germany.
- I have won 'Best Paper Presentation', award in 8th International Congress of Environmental Research on 27-28 July 2016, held at Fachhochschule Lubeck University of Applied Sciences, Germany.

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<sup>1</sup> **University of Leeds** rank **91** as per Quacquarelli Symonds; **160<sup>th</sup>** as per the Times Higher Education and **101** as per the Academic Ranking of the World Universities of the Shanghai Jiao Tong University (Shanghai).

- **SCHOLARSHIP:** Participated in the Summer Courses on Public International Law from 10th July to 28th July 2017 held in The Hague Academy of International Law, The City of Hague, and generously funded by The City of Hague, Netherlands. Also participated in Directed Studies and Diploma Seminar (English) chaired by Prof. Diane Desierto.

## Job and Research Experience

- Acting as Assistant Professor (International Law) for School of Maritime Law, Policy and Administration in Gujarat Maritime University, Gujarat, India.
  - Additional responsibility: Acting as the Chair for the Centre for Maritime Security; acting as a member of Moderation Committee.
  - Dissertation Supervision for LLM Students of International Trade Law and Maritime Law; PhD Supervision (Environmental Law).
  - Acted as a Programme Coordinator for an Online Executive Development Programme on “Public Private Partnership (PPP) in the Maritime Sector” (For early to mid-career professionals working at the Major Ports, Maritime Boards and Private Ports) from our CENTRE of Executive Education, Gujarat Maritime University in July-August 2021.
  - Acted as a Programme Coordinator for a 2 Weeks Online Certificate Training Programme (30 Hours) on International Maritime and Trade law from April 25<sup>th</sup> to May 7<sup>th</sup> 2022.
- Involved as a guest faculty for master’s programme in 2020 Jan-May with the School of Planning and Architecture, Bhopal, India.
- I was working as a Research Associate/Consultant with ‘City International’ and ‘the London Foundation for International Law’ from January 2019 onwards. Part of my work requires legal research and the drafting of legal arguments and other supporting documents. Currently, I am involved in *Qatar vs UAE* (Racial Discrimination and Civil Aviation cases) pending before the International Court of Justice. < <http://city-consultancy.com/>>.  
 Another half of my work requires drafting the proposals and preparing and facilitating the training programmes in different aspects of International Law; making the presentation and delivering the tailor-made training or workshop as per the client requirement. < <http://londonfoundationforinternationallaw.co.uk/>>.
- An active member of International Water Research Association. Involved in Water Quality, Water Security and Early Young Career Professional task force since 2017, also heading Webinar sub-group of EYCP task force.
- Worked as a research assistant with Dr Conor O'Reilly, Associate Professor in Transnational Crime and Security, School of Law, University of Leeds and helped in the compilation of his book named “The Colonial Policing and the Transnational Legacy” (summer of 2016).

## Publications

### Book Chapters

- Amrisha Pandey, *Can Unilateral Sanctions and International Environmental Obligations of States Coexist?* in Surya P. Subedi (eds), *Unilateral Sanctions in International Law* (Hart Publishing, Oxford May 2021).
- Amrisha Pandey and Surya P. Subedi, ‘Enhancing State Responsibility from Environmental Implications of the South China Sea Dispute’ in R Barnes and R Long (ed), *Frontiers in International Environmental Law: Oceans and Climate Changes. Essay in Honour of David Freestone* (BRILL/ Nijhoff 18 April 2021) ISBN: 978-90-04-37287-0.

### Journal Publication

- Surya P. Subedi and Amrisha Pandey, ‘Legal Lamination to Transboundary Movement of Plastic Pollutants’, (2022) *Environmental Policy and Law – for Road to Stockholm+50* (2022) and Beyond (accepted for publication due June 2022).
- Amrisha Pandey and Surya P. Subedi, ‘Changing Notion of Sovereignty and Governance of Water in India: An Analysis of the Inter-State Water Disputes Tribunal’ (2020) 26 (4) *The Journal of Water Law* 167-181 ISSN 1478-5277.

- Amrisha Pandey, 'Discussing Human Right to Water in India: Genesis for Debate?' 37-47 (2017) WIT Transactions of Ecology and the Environment (online journal).
- Amrisha Pandey, 'The Vistas of Rights on Animals' 4 (1) (2015) published in International Journal of Innovative Research and Development 263. ISSN 2278 – 0211 (Online).
- Amrisha Pandey, 'Freshwater Management: An Approach to Address the 21<sup>st</sup> Century Water Crisis' 4 (2) (2015) International Journal of Innovative Research and Development 109. ISSN 2278 – 0211 (Online).

## Editorial Contributions

- Contributed to making of the report, published and available online as – Developing a Global Compendium on Water Quality Guidelines, 2018. This report was developed by the staff of the Executive Office of IWRA, with the support of ONEMA/ AFB and the World Water Council.
- Contributed to the making of the report, published and available online as – Water Reuse Within a Circular Economy Context: 2 GLOBAL WATER SECURITY ISSUES SERIES, (UNESCO / UNESCO i-WSSM 2020 ISBN UNESCO 978-92-3-100413-1).

## Academic Experience and Conferences.

- Delivered a webinar titled 'Environmental law and the SDG's 2030' to the ongoing series of lectures designed to invigorate the young minds in various legal and policy matters by the Law School of Jagran Lake University, Bhopal, M.P. on 5<sup>th</sup> May 2020.
- Presented paper titled as 'Transcending the Territorial Boundary of Sovereign States: To Improve Sustainable Environment in International Law through an Enlightened use of Principle of Reciprocity in a Presidential Session Part II "The Anthropocene and the Law in Asia" in Asian Law and Society Association 4<sup>th</sup> Annual Meeting in Osaka, Japan from 12-15 Dec 2019.
- Presented a paper titled as 'Rights, Rivers and Climate Change, in the Panel called Let's Give Nature Rights: The Role of Litigation, in 2018 IUCN Academy of Environmental Law Colloquium held in the University of Strathclyde, Glasgow, Scotland, UK. The Transformation of Environmental Law and Governance: Innovation, Risk and Resilience 4-6<sup>th</sup> July 2018.
- Participated in the Summer Courses on Public International Law from 10<sup>th</sup> July to 28<sup>th</sup> July 2017 held in The Hague Academy of International Law, The City of Hague, and generously funded by The City of Hague, Netherlands. Also participated in Directed Studies and Diploma Seminar (English) chaired by Prof. Diane Desierto.
- Presented a paper titled as 'Discussing the 'Human Right to Water in India': Genesis for debate?', in 4<sup>th</sup> International Conference on Water and Society held from 5-7<sup>th</sup> June 2017 in Seville, Spain.
- Presented a poster titled as 'Water Security"- through TechnoSustainable Mechanism', in XVI World Water Congress, International Water Resource Association (IWRA) held in Cancun, Mexico from 29<sup>th</sup> May to 2<sup>nd</sup> June 2017.
- Acted as the panellist for the Fairtrade Fortnight debate titled 'How Fair is Fairtrade', organised by Sustainability Services and Commercial Services on 9<sup>th</sup> March 2017 at the University of Leeds.
- I have delivered a Brown-bag Seminar titled 'How Green Is Justice in India', organised by the Centre for Business Law and Practice in School of Law, the University of Leeds on 21<sup>st</sup> Feb 2017.
- Presented a paper titled as 'Ignominious Property Rights Instigates Freshwater Crisis', in 8<sup>th</sup> International Congress of Environmental Research on 27-28 July 2016, held at Fachhochschule Lubeck University of Applied Sciences, Germany.
- I have delivered a seminar/presentation on 'Water in Urban Living- Need or Standard of Life?' in 3<sup>rd</sup> Contemporary Challenges of International Environmental Law Conference on 9-10 June 2016, held at Faculty of Law, University of Ljubljana, Slovenia.

- Presented a paper titled 'Ignominious 'Proprietary Rights to Freshwater' Absolute or Farcical' in 18th International Conference on International Environmental Law 25-26 Feb 2016, Dubai.
- Presented a poster titled 'Frantic freshwaters of the world!!' in annual PGR University Conference 2015, on 8<sup>th</sup> December 2015, held in University of Leeds, U.K.
- Delivered a presentation on 'Clean, fresh water and the role of law in delivering it'? in Centre for Business Law and Practice Postgraduate Research Conference on Wednesday 21st October, held at the school of law, University of Leeds, U.K.
- LLM in international environmental law and the dissertation topic was 'Freshwater Management' from the University of Nottingham, United Kingdom.

## **Professional Experience: Litigation**

Litigation in district court Shahdol with 'Thripathi Law Chambers'  
Involved in Civil, Criminal and Environmental matters.

**March- December 2014**

**Trainee with Senior Adv. Pramod Chaudhary**

**Aug 2011 – Apr 2012**

- Involved in both Criminal and Civil matters.
- Attended various Criminal trials, Civil suits, Bail applications, arguments and proceedings in district and session courts of Madhya Pradesh India
- Assisted counsels in drafting the petition, legal opinions and notices.
- Also involved in extensive legal research on various issues in disputes

**Madhya Pradesh Consumer Dispute Redressal Commission**

**15th Jan 2008 - 31st Jan 2008**

- Worked and studied various case laws submitted a report on cases and gone through consumer laws and their quasi-judicial bodies constituted under Consumer Protection act 1986.

**Madhya Pradesh Human Right Commission**  
**2008**

**17th June to 17th July on**

- Studied human rights law, complaint and order, observed the functioning of commission & court proceeding and prepared a report on FAMILY PLANNING

**Member of Paralegal force in District Legal Services Authority, Bhopal**

**2008 - 2009**

- Worked in a one-day Plea Bargaining camp held in Central Jail, Bhopal also worked as a volunteer in Lok-Adalats organised by District Legal Services Authority Bhopal India

**Organised by District Legal Services Authority, Bhopal India**

**2007-2008**

- Worked in a legal aid camp to promote legal awareness among the rural and urban population.

**Arbitration Tribunal Bhopal, M.P., India**

**2 Months**

- Worked as a trainee for two months under the guidance of Vice Chairman Justice S.K. Pandey (retired honourable justice of High Court (M.P.))

## **Miscellaneous**

- Judged - "Virtual Justice Dipak Misra International Moot Court Competition 2(11) of 2021" at Geeta Institute of Law (GIL), Panipat, Delhi-NCR as a "Judge" for the Quarters and Semi-final round to be held on 21st November, 2021
- Three years' experience in exam invigilation with University of Leeds, U.K. (2015-2018).
- Acted as the representative for the Post-Graduate Research Community in School of Law, University of Leeds (2015-16).
- Acted as the student ambassador for the Blackwell's University Bookshop in Leeds U.K. (three weeks in September 2016).
- Hobbies: Hindi poem writing: Category (social satire), reading and travelling.

# CHANGING NOTIONS OF SOVEREIGNTY AND GOVERNANCE OF WATER IN INDIA: AN ANALYSIS OF THE INTER-STATE WATER DISPUTES TRIBUNAL

AMRISHA PANDEY

*PhD candidate in School of Law, University of Leeds, UK*

SURYA P. SUBEDI

*Professor of international law in School of Law, University of Leeds, UK*

*The Constitution of India has distributed the powers to govern water resources and to legislate between the central government and the federal states. Since the Constitution provides only a framework for sharing and management of water between such states and adjudication of disputes, a great deal of effort has been made since the independence of India to flesh out the provisions of the constitution and to implement its provisions. However, these endeavours have remained inadequate, often giving rise to disputes at the provincial level as well as between two or more federal units, leading to the consequent politicisation of disputes.*

*This article intends to look beyond the proportional distribution of water among various stakeholders or between riparian states. The competence of the Inter-state Water Dispute Tribunal is investigated to point out its limitations in the resolution of the inter-state water disputes. The assumption is that the jurisdiction of the tribunal is restricted and does not possess the capacity to deal with multi-disciplinary concerns arising from inter-state water disputes. The article examines the issue of governance through the lens of sovereignty, using the theory of the 'separation of powers' and the 'granting of internal sovereignty' by the federal state to its local units for the governance of the resources. It argues that the notion of sovereignty should be understood in two ways in relation to the governance of water resources: first, as a responsibility of the state; and, secondly, as an obligation of the state, arising from the sovereign power of the state. Accordingly, it is suggested that for the efficient governance of water resources the means for the adjudication of disputes and their governance needs to rise to the challenge and must be competent to provide an holistic solution.*

## INTRODUCTION

The sharing of river water between the territory of two or more states and the conflict arising out of the sharing of river water has been high on the agenda of both central and federal states in India. The Constitution of India makes specific provisions to deal with the sharing of water between states, as well as the establishment of a tribunal to adjudicate disputes arising from the sharing of river water.

The constitution has distributed the powers to govern and legislate between the central government and the state governments based on a list of entries provided in Schedule 7 of the constitution.<sup>1</sup> According to this

Schedule, provincial states are authorised to regulate the water resources within their territory.<sup>2</sup> However, the parliament is authorised to regulate inter-state river water disputes.<sup>3</sup> For that purpose, a provision in Article 262 of the constitution empowers parliament to resolve any inter-state river water dispute. As a result, parliament has enacted the Inter-state River Water Dispute Tribunal Act,<sup>4</sup> which allows the central/federal government to constitute the tribunal for the adjudication of disputes between states, and expressly bars judicial intervention in the matter.<sup>5</sup> This arrangement was intended to resolve the dispute using political, diplomatic or the administrative means, without deliberately interfering with the sovereign power of states to govern water resources.

However, the situation in the present context is complicated, unsatisfactory and politically charged.<sup>6</sup> Changes in climatic conditions, increasing demand for limited resources and advances in understanding of the freshwater cycle are all pressing matters which are missing from the existing legal regime. It appears at present that neither the existing legal and political tools nor the legislative mechanism or the institutional units can accommodate the rising challenge of effective regulation of water resources. This has led to increased politicisation of inter-state water disputes. Against this background, this article considers the matter of inter-state river water disputes in India within a broader national and international legal framework and critically analyses the ability of the existing constitutional and institutional units involved in the task. It analyses the existing mechanisms and extends its investigation to the sharing of the freshwater resource, in general providing an holistic picture of the current situation. In doing so, it will consider the main causes of disputes arising from sharing of freshwater between states. Throughout this article, the federal units of the country are referred to as the provincial states, India is referred to as the federal state and the government at the national level is referred to as the central/union government. This

<sup>2</sup> *ibid* List II: Entry 17.

<sup>3</sup> *ibid* List I: Entry 56.

<sup>4</sup> Inter-state River Water Dispute Act 1956 (Government of India) (Act No 33 of 1956).

<sup>5</sup> Constitution of India (n 1) art 262.

<sup>6</sup> 'Karnataka election insights: the politics of the Cauvery water dispute' *Times of India* (9 May 2018) <https://timesofindia.indiatimes.com/india/karnataka-election-insights-the-politics-of-the-cauvery-water-dispute/>

## *Road to Stockholm+50 (2022) and Beyond*

# Legal Lamination to Transboundary Movement of Plastic Pollutants

Surya P. Subedi<sup>a,\*</sup> and Amrisha Pandey<sup>b</sup>

<sup>a</sup>Professor of International Law, University of Leeds, UK

<sup>b</sup>University of Leeds, UK

**Abstract.** The menace caused by plastic waste is one of the biggest challenges the world is facing today. It is established that plastic pollution and its accumulation in the world ocean is one of the greatest threats exacerbating all three planetary existential threats identified by the UN. The presence of plastic pollutants in the marine environment is due to its transboundary and cross-continental movement. Therefore, after five decades of the Stockholm conference, it seems necessary to explore how far the principles and objectives of the Stockholm Declaration can be utilized to accommodate the rising concerns and to address the existing environmental crises, including the plastic pollution. There is a need to develop a cooperative scheme that enables the international community of States to come together and find a solution using the expertise of the Basel Convention. Such an initiative – a sort of alliance of states, both members and non-member States to the Convention – could also pave the way for similar collaboration among States to tackle the issues associated with plastic and other forms of pollution.

**Keywords:** Plastic pollution, planetary existential threats, Stockholm Declaration, Basel Convention, Cooperative Approach, Alliance of members and non-members of the Convention

## 1. Introduction

Plastic, a synthetic or semi-synthetic hydrocarbon polymer, has managed to ensure its ubiquitous presence in all the four spheres of the earth – geosphere, hydrosphere, biosphere and atmosphere due to its chemically stable and non-biodegradable nature.<sup>1</sup> Ever since 1907,<sup>2</sup> when plastic was discovered it has become indispensable for humans. However, due to its chemically stable and non-biodegradable nature, it has posed a serious threat to the functioning of the marine ecosystem. Its presence is documented from polar regions to equatorial regions,

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1 H Ritchie and M Roser, 'Plastic Pollution', ('Our World in Data', 2018 published online); available at: <https://ourworldindata.org/plastic-pollution> (accessed on 9 February 2022).

2 American Chemistry of Life, 'Leo Hendrick Baekeland and the Invention of Bakelite National Historic Chemical Landmark', (Dedicated November 9, 1993, the National Museum of American History in Washington, D.C.).

## Enhancing State Responsibility from Environmental Implications of the South China Sea Dispute

*Amrisha Pandey and Surya P. Subedi*

### 1 Introduction

In response to the People's Republic of China's (PRC) assertion of sovereignty over certain islands and maritime features in the South China Sea and conduct in respect of these features, the Philippines resorted to the compulsory dispute settlement mechanism contained in the 1982 United Nations Convention on the Law of the Sea (LOSC)<sup>1</sup> against the People's Republic of China.<sup>2</sup> A Tribunal was constituted under Annex VII of the LOSC to hear the case.<sup>3</sup> Both the PRC and the Republic of China (Taiwan) refused to accept that the Tribunal had jurisdiction on the matters referred to it by the Philippines.<sup>4</sup> Ultimately, the Tribunal found it had jurisdiction<sup>5</sup> and delivered its decision on the merits on 12 July 2016, holding that the PRC had breached Articles 192 and 194(5) of the LOSC through its failure to protect and preserve the marine environment, including harm caused by activities carried out under the control of the State.<sup>6</sup> As a result of the PRC's non-participation in the proceedings and subsequent non-recognition of the decision, questions now arise concerning the implementation of the Tribunal's award and the implications that this has for the protection of the marine environment.

There is no mechanism under the LOSC for enforcing such awards, and general international law lacks any executive or execution agency that can enforce the rulings of international courts and tribunals. This is significant not only for

<sup>1</sup> 1833 UNTS 3 (LOSC).

<sup>2</sup> *In the Matter of an Arbitration between the Republic of the Philippines and the People's Republic of China*, Award on Jurisdiction and Admissibility of 29 October 2015 (PCA case No. 2013-19) (hereinafter the SCS Jurisdiction).

<sup>3</sup> *Ibid.*, para 12.

<sup>4</sup> *Ibid.*, para 89.

<sup>5</sup> *Ibid.*, para 412.

## DISCUSSING THE 'HUMAN RIGHT TO WATER IN INDIA': GENESIS FOR DEBATE?

AMRISHA PANDEY

School of Law, University of Leeds, UK

### ABSTRACT

The spontaneous and ethical answer to the question, is clean freshwater a '*basic human right*'? is affirmative in general, but unfortunately the legal response is unsettled. The *right to water* is highly debatable and has secured itself top priority in the agenda of national and international organizations. Due to the vitality of the resource and its overarching impact on various sectors of life, its categorization becomes daunting within the legal perspective. Its importance is undeniable and unanimously accepted at the global level, but the manner and technique to master the art of securing the '*human right to water for all*' is yet to be conquered. The realization of the '*right to water*' is unique, as its realization is restricted by the fact that the fair and equitable distribution of the resource depends on its availability that to in sufficient quality and quantity. Thus, the conservation and restoration of the resource needs to be governed in a manner so that the laws and policies dealing with the resource are coherent and sustainable. Therefore, this paper argues that the governance of the resource and the rights-based approach for its realization are complementary to one another. It will emphasize the judicial interpretation of *right to water* in India and will attempt to project the common links between the governance of the resource and the realization of the right by strengthening the commonalities observed in their evolutionary path and the manner in which they understand the resource.

*Keywords:* freshwater, governance, human right to water in India, International law, judicial interpretation of right to water in India, management and policy.

### 1 INTRODUCTION

The *right to water* is highly debatable and secures itself top priority in the agenda of the national and international organization's [1]. The situation in India is complicated as the *right to water* is not recognised as the right by the legislature in any statute or the constitution itself, but interpreted by the judiciary from the existing fundamental rights in different cases brought before it. Therefore, the status of the right, its legal standing and the means for its realisation could not be compartmented into the right and duties of the different departments or the institutions involved in governance of the resource. The importance of the right is undeniable and unanimously accepted at the global level [2] but the manner and technique for securing the '*human right to water for all*' is yet to be conquered. Although, recognition of the *right to water* could be translated as the obligations of the states to fulfil their positive obligations for the realisation of right and such realisation raises many concerns, which will be discussed in this paper. Additionally, the link between those concerns and the realisation of the right will be analysed to develop the holistic understanding of the matter in hand.

This paper is designed to explore the link between the management and governance of the resource with the realisation of the *right to water*. To examine the cause, this paper will investigate deeper into the ways the *right to water* has evolved internationally and in India. Because, the Indian judiciary had affirmed the *right to water* the status of *fundamental right* which will be discussed in Section 4 of this paper in detail. This paper will first examine the need and evolution of the *right to water* internationally and will briefly outline the journey for such development. In the following section, it will examine the manner of evolution of the right internationally and in India. By further digging deeper into the cause for such interpretations and evolutions in both the jurisdictions and what could be the possible

to be borne by businesses and consumers globally.<sup>148</sup> In maritime lawfare, the affected group is much wider than the targeted adversary, and therefore there are doubts on its effectiveness in accomplishing its policy goals.<sup>149</sup> More importantly, scholars have repeatedly termed unilateral sanctions as unlawful. So, any attempt to implement such sanctions by misinterpreting well-established principles of international maritime law must be vehemently resisted.

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## Can Unilateral Sanctions and International Environmental Obligations of States Coexist?

AMRISHA PANDAY

### I. Introduction

Respect for the rule of law enables the UN Charter to achieve its aim and objectives. Chapter VII of the Charter authorises the Council to undertake certain measures for the protection of the aims and objects of the Charter.<sup>1</sup> Article 39 of the Charter permits the Council to intervene in certain conditions; and in accordance with the provisions of Articles 41 and 42, the Council is allowed to intervene only after determining the existence of any threat to the peace, breach of peace or act of aggression which disrupts international peace and security.<sup>2</sup> These sanctions are multilateral in nature and one of the peaceful means offered to the Security Council for the preservation of its object and purpose.<sup>3</sup>

Similarly, in the recent past, a growing number of states have opted to impose unilateral sanctions for the protection of international peace and security. Although the legality of unilateral sanction is contested, states like the US find this measure attractive and use it frequently. Other Member States and regional organisations such as the EU and groups of African countries started using this provision outside the authority of the Council. This investigation confines itself to the impact of sanctions on the environment and the possible means offered by international law to contain that threat. Further, it analyses the manner in which unilateral sanctions are perceived in international law; the impact they cause directly or indirectly on the environment of the sanctioned country; the manner in which they interfere with the international obligation arising from the environmental treaties/conventions, and determines the consequences of such actions.

<sup>148</sup> Z. Fang, H. You, F. Lu and M. Feng, 'Maritime network dynamics before and after international event' (2018) 28 *Journal of Geographical Sciences* 937 used AIS data before and after implementation of economic sanctions to show effect on maritime network dynamics, which has important connections with maritime transport efficiency, maritime safety, and optimisation of the global maritime logistics network.

<sup>149</sup> For a discussion on the fallacies of unilateral sanctions see, H. Hakimian, 'Seven key misconceptions about economic sanctions' *World Economic Forum* (9 May 2019), available at [www.weforum.org/agenda/2019/05/seven-fallacies-of-economic-sanctions](http://www.weforum.org/agenda/2019/05/seven-fallacies-of-economic-sanctions).

<sup>1</sup> Chapter VII of the Charter of the United Nations and Statute of the International Court of Justice, 1945, 49 Original Members and 144 Members having been admitted in accordance with Art. 4, San Francisco, 26 June 1945.

<sup>2</sup> *Ibid.*, Art. 39.

<sup>3</sup> *Ibid.*, Art. 41.