

**Tort and Insurance Law**  
**Vol. 5**

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**Michael Faure (ed.)**

**Deterrence, Insurability,  
and Compensation  
in Environmental Liability**

**Future Developments  
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# Deterrence Insurability And Compensation In Environmental Liability

**Georges Dionne**



## **Deterrence Insurability And Compensation In Environmental Liability:**

**Deterrence, Insurability, and Compensation in Environmental Liability** Michael Faure, 2003-03-06 The authors took the European Commission 2000 White Paper on Environmental Liability as the occasion for a critical analysis of the efficiency and insurability of various environmental liability regimes Traditional insurance is examined but also alternative arrangements for financial security such as compensation funds In addition various case studies present the availability of financial or insurance coverage for natural resource damage Combining economic insights with an analysis of the practice in various countries like Austria Germany Italy Spain and the USA empirical evidence is provided for the way in which insurance and financial markets respond to environmental liability regulations This is the first study discussing the criteria for insurability of environmental harm in a systematic manner both from a legal and an economic insurance perspective

Managing Environmental Risks through Insurance Katarzyna Malinowska, Dorota Maśniak, 2024-04-08 This book identifies the role of insurance in a comprehensive system for managing environmental risks at the local regional and global level National and international legal instruments regulating environmental protection especially aspects like pollution are not precisely reflected in insurance concepts intended to cover environmental risks As such there is a need to identify environmental risks and to propose a taxonomy of environmental risks for various types of insurance coverage The authors refer to the issues of liability in environmental protection the scope of insurance coverage and comment on specific issues the importance of which has been noticed by the legislator or insurance practice The book examines these issues horizontally and vertically from various standpoints focusing on insurance as a means of managing environmental risks In this regard it mainly concentrates on 1 identifying and analyzing environmental risks and methods for managing them via private and public instruments and 2 insuring these risks The book is intended for all those interested in the field of insurance and environmental risk regimes including lawyers academics and legal professionals

## **Policy Issues in Insurance Environmental Risks and Insurance A Comparative Analysis of the Role of Insurance in the Management of**

**Environment-Related Risks** OECD, 2003-10-31 This report focuses on the role of insurance and reinsurance companies in the management of environmental risks environmental pollution risk and natural catastrophe risk in particular

**Tort Law and Economics** Michael Faure, 2009-01-01 The central goal of this book is to provide a state of the art overview of the literature with respect to the economic analysis of tort law It sure meets the challenge offering with great expertise a comprehensive presentation of tort law in both economic and comparative perspectives The clarity of the text unusual in the law and economics literature makes the book accessible to a broad readership of economists with a limited legal background and lawyers with limited economic skills Olivier Moreteau Louisiana State University US Tort Law and Economics ed Michael Faure provides a highly useful economic overview of the most important topics of tort law The authors clearly show the main developments of the discussion examining the results of recent studies and stating their own opinions Detailed bibliographies

are included The volume has to be warmly recommended to friends and foes of economic analysis who are provided with a comprehensive update in this field while also indicating areas which critics have to focus on Helmut Koziol European Centre of Tort and Insurance Law Austria This volume provides a state of the art overview of the literature on the economic analysis of tort law In sixteen chapters the specialist authors guide the reader through the often vast literature in each domain providing a balanced and comprehensive summary Particular attention is paid to the evolution of the field further refinements to economic models and relevant conclusions and lessons for the policymaker Tort Law and Economics is part of the Encyclopedia of Law and Economics and enables readers some not familiar with law and economics to obtain an insight in the relevant economic literature concerning tort law and economics This book will be of interest to lawyers and economists practitioners and academics interested in accident law tort law insurance and regulation It will also appeal to students in economic analysis of law and policymakers working on prevention of accidents tort law or compensation of accident victims

**Research Handbook on Law, Environment and the Global South** Philippe Cullet, Sujith Koonan, 2019 This comprehensive Research Handbook offers an innovative analysis of environmental law in the global South and contributes to an important reassessment of some of its major underlying concepts The Research Handbook discusses areas rarely prioritized in environmental law such as land rights and underlines how these intersect with issues including poverty livelihoods and the use of natural resources challenging familiar narratives around development and sustainability in this context and providing new insights into environmental justice **The Regulatory Function of European Private Law** Fabrizio Cafaggi, Horatia Muir Watt, 2009-01-01 In twelve topical papers written by renowned experts in distinct areas of the law the reader will find out how private law and private international law instruments can serve public policy goals such as the protection of the environment product safety or services of general economic interest and how these instruments interact with regulation in the proper sense A must for those who want to explore the borderline if it exists between public and private law in the EU Jules Stuyck Leuven University Belgium In the context of the current debate on the desirability and process of forming European private law EPL this book considers one fundamental question addressing its descriptive and normative dimension does and should EPL pursue regulatory objectives beyond market integration The editors argue that because national categories are of little help in grasping the characteristics of a multi level regulatory system it is necessary to link three perspectives private law regulation and conflict of laws This book explores this interaction in four distinct fields product liability environmental protection public utilities and e commerce The results show that EPL is highly regulatory and that the implications of this change have not been adequately considered by institutions and by scholars **The Regulatory Function of European Private Law** will be of great interest to academics of law as well as to private and public lawyers and European policymakers **Environmental Law and Economics** Michael G. Faure, Roy A. Partain, 2019-10-10 A detailed overview of the law and economics methodology developed and employed by environmental lawyers and policymakers

Commercial and Maritime Law in China and Europe Shengnan Jia, Lijun Liz Zhao, 2022-12-26 Both China and Europe have a long tradition of commercial and maritime law and this new book examining various topics from their particular perspectives is both timely and important. It links the vital component of maritime law with commercial law, financial law and trade policy. The book has performed a remarkable task in making connections between China and Europe through the lenses of substantive and procedural laws covering a wide range of areas including commercial law, insurance law, salvage, EU maritime law and Brexit carriage of goods by sea, arbitration, mediation, litigation, the recently formed China International Commercial Court and different liability regimes as well as a brief look forward into new initiatives and artificial intelligence in the digital age. In these challenging times we all have much to learn from each other in seeking to find answers to what are often difficult problems. This book provides a welcome opportunity for anyone interested in commercial and maritime law to engage in that learning exercise and looking ahead thereby to help solve such problems as may arise in the future in a practical and fair manner. It is therefore of great relevance to both the academic field and the legal practice field in China and Europe.

**New York Court of Appeals. Records and Briefs.** New York (State)., **Kentucky Journal of Equine, Agriculture, and Natural Resources Law**, 2011 **Symposium, Climate Change Liability and the Allocation of Risk**, 2007 *Handbook of Insurance* Georges Dionne, 2013-12-02 This new edition of the Handbook of Insurance reviews the last forty years of research developments in insurance and its related fields. A single reference source for professors, researchers, graduate students, regulators, consultants and practitioners, the book starts with the history and foundations of risk and insurance theory followed by a review of prevention and precaution, asymmetric information, risk management, insurance pricing, new financial innovations, reinsurance, corporate governance, capital allocation, securitization, systemic risk, insurance regulation, the industrial organization of insurance markets and other insurance market applications. It ends with health insurance, longevity risk, long term care insurance, life insurance, financial products and social insurance. This second version of the Handbook contains 15 new chapters. Each of the 37 chapters has been written by leading authorities in risk and insurance research; all contributions have been peer reviewed and each chapter can be read independently of the others.

**European Legal Book Index**, 2003 **Yearbook of European Environmental Law**, 2005 Insurance in the Baltic Countries Organisation for Economic Co-operation and Development, 2004 Reform of the pension regime and developments in the insurance market and its regulation are continually evolving in the Baltic countries and will surely continue to be a priority on the political agenda in coming years. The OECD has been monitoring and analysing these changes in the framework of the Baltic Regional Programme that is administered by the Centre for Co-operation with Non-Members (CCNM). The aim of this project, which also includes a private pensions publication, is to provide Baltic policy makers and market players with accurate analysis on their insurance and pension markets and assist them in drafting or improving their regulatory and supervisory frameworks. This publication contains individual country reports with comparative analysis from a

regional perspective and examines key policy issues in the private pension and insurance sectors A companion volume to this book is Pension Reform in the Baltic Countries Private Pensions Series No 5 OECD Website **Columbia Law Review**,1997 **The Institutional Framework of European Private Law** Fabrizio Cafaggi,2006 This volume explores the relationship between constitutional and regulatory questions on the one hand and private law on the other hand examining how European private law has developed under the influence of regional legal traditions and the EU *acquis communautaire* It focuses on the multiple actors and institutions that today contribute to legal and cultural integration within a multi level framework involving Member States and subnational actors together with EU Institutions It underlines the different roles of legislators regulators and judges in building an integrated market which is consistent with fundamental rights and social policies It also highlights the principles and institutions that may preserve national legal identities in the context of European legal and political integration striking a difficult balance between harmonization and differentiation Within this framework the volume questions the current boundaries of European private laws and proposes a coordinated perspective which examines competition regulation and private law alike The book focuses in particular on competition and consumer law and on tort and regulation Attention is also drawn to the strategic role to be played by private international law It is argued that the distinction between private and public law should be redefined by acknowledging a new balance between public institutions and private parties The collection contains several proposals for furthering the process of Europeanization of private law without losing the richness of existing western legal traditions as they have developed in previous centuries It calls on European and national institutions to involve practitioners in devising new patterns of legal integration and in transforming European legal education This book is an original contribution to the scholarly and policy debates about the desirability and modes of Europeanization of private law in a context in which the pressures of globalization and of national identities seem to question the chosen path of integration **Current Law Index**,2006 *Annual Survey of American Law*,1992 **The Writers Directory**,2013

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