

ENVIRONMENTAL LAW

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ESSAYS

- IUCN as Catalyst for a Law of the Biosphere: Acting Globally
and Locally..... 249
Nicholas A. Robinson

In this Essay, Professor Robinson discusses the International Union for the Conservation of Nature and Natural Resources (IUCN), a *sui generis* international organization of environmental scientists and lawyers who work to develop transnational solutions to global environmental problems. Highlighting along the way the importance of using comparative law techniques to develop creative solutions to these global environmental problems, Professor Robinson explains IUCN's involvement in drafting and implementing various key environmental treaties over the years, and he describes IUCN's unique constitution in terms of international law. Finally, Professor Robinson calls upon the legal community to embrace and to help develop the sorts of creative solutions to global environmental change that IUCN has conceived over the past 50 years.

- Eminent Domain for Private Sports Stadiums: Fair Ball or Foul? 311
Philip Weinberg

Should local governments use public funding or the eminent domain power to build sports stadiums for private franchises? In this Essay, Professor Weinberg explores those issues as well as the constitutionality of the use of eminent domain for essentially private uses, such as stadiums operated by private teams or industrial parks, as in *Kelo v. New London Development Corp.*, a case currently before the United States Supreme Court. Professor Weinberg concludes that it is time for the Court to limit the eminent domain power to genuinely public uses, as the Fifth Amendment provides.

COMMENT

Controlling Flags of Convenience: One Measure to Stop Overfishing
of Collapsing Fish Stocks..... 323
Jessica K. Ferrell

International law vests exclusive jurisdiction over a ship in the state that registers and flags it. If the flag state fails to monitor its ships or enforce international agreements, then its ships can engage in illegal activity with little or no consequence—especially on the high seas. In this Comment Ms. Ferrell argues that, as a result of lenient registration requirements and poor flag state monitoring and enforcement, these ships contribute to illegal fishing and threaten collapsing fish stocks worldwide. She concludes by recommending methods for responsible fishing and flag states to eliminate the ways illegal fishers operate so profitably on the high seas.

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