

2007

## Book Review of E-Cycling: Linking Trade and Environmental Law in the EC and the U.S.

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### Repository Citation

Sekula, Jennifer, "Book Review of E-Cycling: Linking Trade and Environmental Law in the EC and the U.S." (2007). *Library Staff Publications*. 1.

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***E-Cycling: Linking Trade and Environmental Law in the EC and the U.S.***  
By Harri Kalimo. Ardsley, New York: Transnational Publishers, 2006. Pp. ix,  
757. ISBN 1-57105-356-5. US\$165.00

“Recycling is here to stay,” proclaims the author of this substantial tome that developed out of an earlier dissertation. Of course, the collaborative principles of free trade are firmly entrenched as well. This book explores the intersection and harmonization of the oft-competing interests of environmental protection and barrier-free economic growth through an in-depth examination of the policies and processes concerning electronics recycling in the European Community and the United States. The author's central point is that increased environmental protection does not have to be won at the expense of free trade, and vice versa.

By focusing on the methods that deal with the end-of-life treatment of electronics and electrical components, the author presents a case study that differs from most works that cover trade and the environment. Kalimo keeps

his analysis trained on this narrow topic in order to more fully flesh out the legal, economic, social, and even constitutional/federalism issues that arise when mature economies with established legal systems implement recycling requirements. He looks for ways in which both environmental and economic interests have been reconciled and advanced, a desirable circumstance that he describes as pareto-preferable, or at its best, pareto-optimal. He includes some analysis that contrasts the EC and U.S experiences, but unlike many comparative works that seek to explain the reasons for similarities and differences between jurisdictions, the purpose of Kalimo's comparisons is to present the reader with a larger set of controversies and solutions than could be found by limiting his analysis to one jurisdiction alone.

The book begins with a thorough introduction that suffices to orient most readers, even those with only a passing knowledge of environmental or trade law concepts. The second part of the book discusses the fields of trade and environmental law as well as the practical and regulatory processes of recycling electronics. Harmonization and preemption schemes are given a fair amount of consideration from both the American and European legal perspectives. The third part of the book goes into great detail about the various legislative and regulatory frameworks available for use in the EC and U.S. One such framework is that of "extended producer responsibility," under which the manufacturer is held responsible for its product after it becomes waste (an idea that has worked in some instances in Europe and Japan, but will strike some Americans as highly improbable, as the concept has received extensive opposition from industry in the U.S.). The use and features of market-based incentives and programs, such as tradable pollution permits, are examined as well. Finally, the fourth section of the book ties together the preceding chapters and offers pathways to the optimal solutions that provide for both growth and protection.

In addition to covering hundreds of secondary sources, letters, interviews, and other documents, an expansive bibliography at the end of the book also includes a list of cases and a useful table of legislation, regulations, and reports from the EC and its individual member countries as well as from federal and state governments in the U.S. An index, albeit short, adequately covers the topics addressed in the book.

Don't be fooled by the book's narrow focus into believing that it is only for niche collections. In the end, it is a well-researched examination of a problem that is situated at the intersection of two major areas of law, the elucidation of which entails not only the use of traditional legal analysis, but also the employment of analytical tools found in other disciplines such as economics, political science, and applied technology. Furthermore, the concepts within can be applied to other regulatory systems that affect two or more sectors that have generally competing interests. This book belongs in

most academic law libraries, especially those with strong environmental or law and economics collections.

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***Statelessness, Human Rights and Gender: Irregular Migrant Workers from Burma in Thailand.*** By Tang Lay Lee. Leiden; Boston: Martinus Nijhoff Publishers, 2005. Pp. xi, 285. ISBN 90-04-14648-2. €95.00; US\$136.00.

The continued existence of stateless populations throughout the world over the past half century has proven to be a persistent and vexing problem for those concerned with refugee, migration, and humanitarian issues. While a large number of the relevant international law instruments addressing the question of statelessness were drafted in the aftermath of the great upheaval and displacement in Europe following the Second World War, the aspirations of the international community at that time to completely eradicate the scourge of statelessness has proven in retrospect to be a much more difficult task than first imagined. Indeed, the re-emergence of statelessness as a significant humanitarian and human rights concern over the past decade has dramatically underscored the need to refocus attention on this basic human right. As a result of events such as the breakup of the former Soviet Union, the former Yugoslavia, and the former Czechoslovakia as well as the unintended consequences of globalization and worldwide economic instability, sizable stateless populations have once again emerged throughout the world. While definitive statistics on the total number of stateless individuals are difficult to obtain, in 2006 the U.N. High Commissioner for Refugees (UNHCR) reported that those nations keeping reliable statistics estimated their stateless populations at 5.8 million, although the UNHCR believes worldwide populations to be closer to 15 million persons.<sup>69</sup>

Given this robust resurgence of statelessness, fresh perspectives on the international law defining their legal status are essential for non-governmental organizations, policy makers, and legislators tasked with drafting laws that will more effectively meet the exigencies of an increasingly interdependent world. Porous borders and economic migrants have created a

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<sup>69</sup> U.N. HIGH COMMISSIONER FOR REFUGEES. 2006 GLOBAL TRENDS: REFUGEES, ASYLUM-SEEKERS, RETURNEES, INTERNALLY DISPLACED AND STATELESS PERSONS 14 (2007) at <http://www.unhcr.org/statistics/STATISTICS/4676a71d4.pdf>.