

neutrality's post-war 'after-life', spark a curiosity for more research into this area. The book provides an opportunity for additional scholarship in this field and a solid basis on which to work. The insight Abbenhuis brings to neutrality should trigger further research, especially since Abbenhuis herself admits that 'the connections that existed among the cultural elements of nineteenth-century neutrality and its twentieth century counterparts were essential and deserve much more research and attention' (p. 243). Despite these slight weaknesses, it is hard to dismiss this well-written and extremely informative piece of work. Abbenhuis, without a doubt, makes a significant contribution to the much-neglected neutrality as much more than a mere concept. The book is therefore interesting not only for historians and political scientists, but also international lawyers.

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Shawkat Alam, Sumudu Atapattu, Carmen G. Gonzalez and Jona Razzaque, *International Environmental Law and the Global South*, Cambridge University Press, New York, 2015, 623 pp, ISBN: 978-1107055698 (hb), \$155.00
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This new book, *International Environmental Law and the Global South*, is a timely, unique and significant contribution to the field of international and comparative environmental law, by four distinguished scholars.

The book is about the big issue in the transition to sustainability – the need to forge greater co-operation between developed, industrialized and technologically advanced states (the 'North') and the developing, least developed and technologically impoverished states (the 'South'), in order to effectively address global threats to the environment. No longer is it tolerable to develop environmental instruments and solutions that neglect or marginalize the genuine realities, aspirations and needs of Southern countries, where many of the poorest and most vulnerable people on earth live. As the United Nations Human Right Council recognized in its resolution 16/11 of 2011, 'environmental damage is felt most acutely by those segments of the population already in vulnerable situations'.¹ To be practical and effective, international environmental governance must emphasize the priorities and perspectives of the poor and vulnerable regions and nations. Despite the increased recognitions of conflicts, divisions and gaps in international environmental governance that stifle the abilities of the global South to effectively take part in, and influence, environmental treaty negotiations, scholars, for many years, failed to offer a rigorous,

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¹ United Nations Human Rights Council, *Human rights and the environment*, UN Doc. A/HRC/RES/16/11, 12 April 2011, preamble. See also the Report of the Independent Expert on the question of human rights and extreme poverty, United Nations, *Human rights and extreme poverty A/65/259* (para. 37), 'Environmental degradation disproportionately affects those living in extreme poverty'.

book-length and in-depth exploration of the nature, historical causes and solutions to such gaps.

International Environmental Law and the Global South has filled this void in a most novel, stimulating and compelling way. Sweeping in its coverage, this 29-chapter book, comprising contributions from scholars based in five continents, examines the historical context, theoretical foundations, and contemporary manifestations of the prevailing divide in international environmental law between the North and South. The book explores how bifurcations, political divisions, entrenched alignments and bargaining coalitions between the North and South have, over the last two decades, weakened the overall efficacy and efficiency of international environmental law. Not only do the contributors trace this North-South divide to colonial and postcolonial economic law and policy, they also specifically illustrate in the respective chapters of the book the contemporary manifestations of this divide in a range of issues, including food justice, water conflicts, climate change, biodiversity, indigenous rights, trade, investment, extractive industries, human rights, land grabs, hazardous waste, and climate change. The underlying thesis of this book is crystal clear: due to historical power imbalances, conflicting environmental needs/priorities, and persistent mistrust between the North and South, international environmental law has misplaced, and may continue to misplace, urgent concerns and needs of vulnerable groups and states of the global South.

The book begins in Part I, with an introduction and overview of the nature, basis and contemporary manifestations of deadlocks, contentions and divides between the North and South. Chapter 2 provides an analysis of the historical and theoretical underpinnings of the North-South divide in international law. By carefully highlighting historical events, systems and approaches that have contributed to the skewing of international law to the North, Chapter 2 rightly demonstrates that the root of the North-South divide lies in the very nature, features and orientation of international law itself. Chapters 3, 4 and 5 provide a general explanation of key concepts in international environmental law and describe how the development of these principles reinforces the North-South divide. Beginning with a description of the historical evolution of the concept of sustainable development, these chapters unpack the core principles that govern environmental issues and debates surrounding their adoption and application. The authors interweave descriptive material and critical perspectives that highlight the emergence of the North-South divide in environmental governance as far back as the Stockholm Conference of 1972. Chapters 6 and 7 examine how the composition and structure of extant international environmental institutions and governance structures further exacerbate the North-South divide. While the authors generally discuss some of the defects and lopsidedness in the composition and mandates of international environmental institutions that stifle North-South cooperation, they could have perhaps done more to provide focused and detailed discussions of the specific manifestations of such institutional weaknesses and how they can be addressed. Given the importance of institutional arrangements in international environmental law, a fuller exploration of practical approaches for mainstreaming North-South cooperation in the international governance architecture seems warranted.

Part II of the book provides a compendium of useful materials. It introduces specific examples and apparent manifestations of the North-South tensions. Chapter 8 analyzes the contentious issue of the linkages between environmental protection and human rights. It rightly demonstrates that although attempts to develop a universal and consistent understanding and approach to environmental rights have remained vague, the courts of the global South have developed innovative jurisprudence reinforcing the notion that environmental rights can, in fact, be defined and enforced. Chapter 9 articulates the manifestations of the North-South divide in the implementation of access to benefit sharing under the convention on biodiversity. It exhaustively unpacks key legal and institutional challenges facing the North and South in the implementation of the Nagoya protocol. One of the more contentious topics that clearly depict the problem of getting to 'yes' in international environmental law is climate change. Chapter 10 analyzes how the rise and influence of the BASIC group (Brazil, South Africa, India, and China) exacerbates North-South tensions and the problems of consensus building in international climate negotiations. Despite its breadth, this chapter is clear, well organized, informative, and engaging. Chapter 11 provides an excellent and detailed examination of how forceful land grabs by foreign corporations in poor regions of the South, for bioenergy or agricultural projects, festers North-South distrust and conflicts. The chapter concludes with an evaluation of the weaknesses and gaps of the Principles for Responsible Agricultural Investment (PRAI) framework as a normative framework for addressing land grabs in bioenergy projects. The chapter, however, curiously, fails to engage in any comparative consideration of alternatives to PRAI, such as other rights-based land use planning approaches, or procedures for mainstreaming human rights impact assessments in the implementation of bioenergy projects. Building on the thread of distrust in Chapter 11, Chapter 12 offers a very thorough account of how the transboundary transfer of hazardous wastes from North to South, in total disregard of national laws in Southern countries, underscore the elusive nature of environmental justice in international environmental law. Chapter 13 appraises efforts aimed at constitutionalizing water rights in the Global South. It rightly notes that compared to the North, the global South has evolved more innovative approaches for recognizing and enforcing water rights, especially through expansive interpretations of socioeconomic rights.

Part III of the book discusses the manifestation of the North-South divide in international trade, project finance, sovereign wealth funds (SWFs), and transnational investments in extractive industries. Chapters 14, 15 and 16 exhaustively trace the linkages between trade and environment, and highlight policies and trade restrictions that pose monumental challenges to Southern participation in Northern markets. These chapters also discuss the impact of the global economic order on human rights and the environment, specifically the need to mitigate human rights and social risks in transnational projects and investments. Chapter 16 specifically offers a thorough analysis of the role of financial institutions in ensuring that the projects they finance respect human rights and minimize harmful environmental impacts. Chapter 17 offers a detailed discussion of the need to integrate accountability and sustainable development standards into the design and implementation of

SWFs. The chapter provides an overview of the rise of SWFs as tools for economic investment in emerging economies, and how such investments, if not underpinned by human rights and social responsibility norms, may result in negative impacts in the global South. Chapter 18 examines the cutting edge issue of the roles of responsible business culture in transnational investments in the extractive industries. It evaluates gaps in extant transnational governance frameworks aimed at integrating environmental justice perspectives in mineral development.

The thread running through the book is environmental justice – the concept of embedding human rights norms in the design, finance and implementation of energy and environmental actions and projects. Part IV devotes attention to this issue. It unpacks the disproportionate impacts of environmental actions, policies and projects on indigenous peoples, small island states and vulnerable groups. Chapter 19 rightly argues that extant corporate dominated global food system perpetuates food injustice, i.e., unsustainable food production, inequitable access to, and inadequate control over, food resources. The chapter provides one of the most detailed articulations, in present-day scholarship, of the need for a justice-centered approach to global food governance, to address prevailing North-South inequality in food production, land use, and food distribution. Chapter 20 analyses the grave impacts of climate-induced slow-onset events on small island developing states (SIDS), and the failure of the international legal regime to protect adequate remedies for SIDS. It provides interesting insights on how class action litigation may provide a viable alternative for SIDS in their search for legal solutions and remedies. However, while the chapter promises to take stock of and recommend viable legal and political avenues available to SIDS, it focuses almost exclusively on litigation. By not evaluating the strengths and weaknesses of what the chapter describes as ‘other several options’, for example compensation and rehabilitation mechanisms, the chapter misses a great opportunity to provide a balanced assessment of the pathways to achieving international legal protection for SIDS. Chapter 21 offers detailed analysis of the unique vulnerabilities of indigenous peoples to the impacts of climate change. Chapters 22, 23, 24 and 25 provide further analysis and discussion on the need to reflect justice perspectives in water management, disaster response and management, forestry management, and energy access. The respective chapters in Part IV undoubtedly offer helpful materials that aggregate, and move forward, debates on social justice issues and human rights risks in the design and implementation of energy and environmental actions and projects.

Part V of the book offers thorough analytical insights and proposals on how the North-South divide can be addressed, specifically how the South can be better integrated into the overall international environmental law architecture. Chapter 26 examines the importance, potentials and paradoxes of South-South Cooperation (SSC). It offers useful proposals on how SSC can provide a basis for the South to forge stronger alliances in realizing the United Nations Sustainable Development Goals. Chapter 27 discusses the topical issue of the roles of non-state actors and the civil society in international environmental governance. It identifies gaps in international law that stifle civil society participation, and then discusses practical approaches for addressing these barriers and gaps. Chapter 28 analyzes how the

North-South divide exacerbates concerns regarding the weak remedial regimes of international environmental law. The chapter's analytical evaluation of strategies adopted in the South, to access remedies for corporate environmental pollution offers timely warnings on the complex obstacles that remain, before international environmental regime can effectively deliver justice to victims of environmental harm. Finally, Chapter 29 evaluates the value and potentials of the green economy paradigm as a policy framework for achieving sustainable development. It provides an overview of the scope and content of the green economy principle, and then offers practical recommendations on how policy implementation to promote sustainable development can be re-evaluated and enhanced to bridge the North-South divide.

Evidently, *International Environmental Law and the Global South* is not just another book. It provides a unique, comprehensive and clear presentation of the contemporary issues facing global consensus building in international environmental governance. Coming at a time of real need when the international community is looking to policy makers to transcend political bickering, divisions and alignments, and develop holistic solutions to pressing global problems such as climate change, ozone depletion, biodiversity amongst others, this book provides timely and practical insights that will be relevant for a long time to come.

With full appreciation for the editors' thoughtful and ambitious undertaking in providing such a comprehensive volume, there are some noteworthy gaps in the book's coverage. One significant weakness of the book is its failure to fully analyze and address, in Chapters 2 and 3 (or in a stand-alone chapter), the complicity of the South in exacerbating the divide and conflicts in international environmental governance. For example, what are the roles of incompatible or archaic laws, bureaucratic national institutions, corrupt political leadership, and uncoordinated environmental structures, found in many Southern states, in emboldening land grabs, environmental injustice, corporate irresponsibility, human rights violations, and inequality in the South. Such a discussion would be extremely helpful to students, scholars, and practitioners – to gain a balanced understanding of the interactions of national regimes with the overall efficiency of international environmental law.

Second, the book inexplicably omits some of the key priority concerns and issues that perennially top the agenda of the global South in environmental negotiations. For example, it does not discuss gaps in international environmental law that stifle the transfer of environmentally sustainable technologies to the South; it does not extensively address political considerations and questions on environmental finance and funding from North to South; neither does it examine the contentious issue of gender justice and the marginalization of women in climate, agricultural and environmental decision making. Given the relevant and recurrent nature of these priority themes in international environmental negotiations, these omissions are surprising.

Third, the book devotes insufficient attention to the cutting-edge issue of how lack of accountability in the international environmental regime poses a threat to environmental justice in the South. While the authors do discuss, in Chapters 6 and 7, efforts aimed at reforming international environmental institutions to bridge the North-South divide, they could have perhaps done more at this point to return to

their theoretical framework, and examine how accountability mechanisms, such as a project inspection panels, could be introduced at the international level to promote environmental justice. The book could have moved beyond mere evocations of the need to reform institutions at the international level, so as to engage more deeply with practical and logistical implications of such reforms.

Similarly, while Chapter 28 comprehensively analyzes international avenues for victims of environmental harm in the global South to access remedies, the chapter was too brief in its examination of the many approaches proposed in the literature to address this concern. Given the rise in calls for an international court for the environment, or a special tribunal or international forum where victims of environmental harm can directly access remedy, a fuller exploration of the potentials or paradoxes of such proposals seems warranted.² The book could have, perhaps in a stand-alone chapter, added detail on some of the legal obstacles to the creation of international environmental dispute resolution bodies and panels, and their role in a spectrum of approaches for promoting greater access to environmental justice.

Notwithstanding these gaps, *International Environmental Law and the Global South* emerges as a comprehensive international environmental law book, with far more strengths than weaknesses. At 623 pages, it is a substantial work containing a remarkable wealth of materials and knowledge for students, scholars, policy makers and practitioners, as well as for newcomers to the field of international environmental law. What is perhaps most powerful about the book is that its problematization of the contentions and divide between the North and South, the analysis of its contemporary manifestations, and the proposals for addressing the gaps, are achieved, not at some high level of abstraction, but through practical and real life accounts that recognize the day-to-day realities of international law making. By so doing, the book offers practical and compelling insights on why it is important and possible to bridge the North-South divide in international environmental law, and a solid foundation for further reflections on how best to do so.

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² See, for example, International Bar Association, Climate Change Justice and Human Rights Task Force Report, *Achieving Justice and Human Rights in an Era of Climate Disruption* (International Bar Association 2014) 147, arguing that an additional way of enhancing climate change justice would be the creation of an International Court for the Environment.

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