
Initially, the reader is introduced to an abbreviated account of the devastating effects that military operations have wrought on the environment during wars in the 1990’s and the new millennium. The book as a whole contains an overachieving analysis of the legal aspects of warfare in which the environment is a direct or indirect victim of armed conflict. This work evaluates the impact of armed conflict on civilians as well as the environment.

The work is divided into six parts. Part one garners a myriad of examples of just how the environment is affected, from preparation for armed conflict, the storage and disposal of hazardous waste, areas where military training takes place, projection of what would occur if nuclear weapons were used, based on accident data, the storage, testing and disposal of chemical and biological weapons relying on U.S. practices. The Gulf War of 1991 left lasting markers on domestic and wild animals, agricultural crops, forests, desert plants, farms, and irrigation systems. Water resources and atmospheric pollution also pay a heavy toll. Certain environmental harm follows the end of armed conflict. In this category, there is a description of the unexploded ammunitions, dead bodies left behind as well as landmines, the destruction of animal species and their habitats. Deforestation and man-made erosion can last for generations.

Part Two is devoted to an examination of environmental protection covered in international humanitarian law (IHL). The coverage is extensive and thorough. Here one finds both a general discussion and attention paid to the specific provisions in all treaty law and in customary rules of international law as well as the developments within soft international law. Al-Duaij points out the many shortcomings of present IHL to protect the natural environment, for example, in many cases the public might never gain access to information about what devastation has taken place. Solutions to overcome this deficiency are recommended. He also points out the
difficulty of applying IHL to revolutions, the disorder that follows conflict such as in the post-Saddam Hussein regime in 2003, and in controlling terrorism.

Al-Duaij excels in his analysis of all environmental law rules relative to armed conflict in Part Three. These include laws of universal application and regional application, both hard and soft international law. He uses a comparative survey of laws from Australia, Canada, India, etc. to illustrate how their environmental laws apply to military operations. His examination of national environmental rules involves an analysis of United States statutes, regulations and case law, and Kuwaiti laws, regulations and decrees.

The title of “Enviro-Humanitarian Rules” denotes Part Four. Enviro-humanitarian Law (HER) is an amalgam of both environmental law and IHL that has its own characteristics, different from the two areas... standing individually to the author. Each of these six characteristics receives ample analysis to inform the reader of these “other” rules. The first depends on the rules formulated by competent state organs, often under the supervision of military authorities, as for example, the 1996 Declaration on Arctic Military Environmental Cooperation, signed by the defense ministers of Norway, Russia and the United States. Arms and disarmament conventions constitute the main source of HER rules that are explained in great detail. This body of rules also includes brief descriptions of the existing regional nuclear weapons-free zone agreements and the specific need for such an agreement in the Middle East. Two bilateral agreements of more general application between the U.S. and the former Soviet Union, namely the 1972 Anti-Ballistic Treaty and the Strategic Arms Reduction Treaties begun in 1991, complete the discussion of this Part.

Part Five addresses the issue of responsibility for environmental damages caused by armed conflict. Al-Duaij advocates setting up an international enforcing authority, such as the U.N., once hostilities are over, as belligerents would operate as the enforcement authority during the conflict. A description of all aspects of how that responsibility would function is discussed including the difficulties with the current system of international criminal responsibility. Pitfalls involving national responsibility based on past actions are portrayed with references to environmental disasters as a result of warfare and during peacetime. Application of Kuwaiti legal provisions and some of their shortcomings are alluded to.

In Part Six, the author provides an extensive series of recommendations addressed to the international community, national governments and national societies as a whole, as well as non-governmental organizations.