
Leena Heinämäki*

The theme of the book is certainly one of the most pressing issues of the time that humanity has to face and deal with. The book is a well-written perhaps more theoretical than practically analytical but nevertheless, or perhaps exactly because of it, a very inspiring and a thorough study on different aspects of the relationship between human rights and the environment.

As the writer of the book, Linda Hajjar Leib, notes, to date, global environmental issues have largely been dealt with through the machinery of international environmental law. Human rights approach is thus introduced as one of the additional and valuable aims in seeking to protect human beings, especially the most disadvantaged and vulnerable communities of the world, from the devastating effects of environmental degradation. The writer identifies three major justifications for human rights approach to environmental protection. First, the realm of human rights has unique mechanisms and methods that help promote environmental protection by empowering states, peoples and individuals to defend the interests of both human rights and ecosystems. Second, environmental issues are increasingly becoming an important matter for human rights advocates, judges and other stake holders. The writer describes how environmental rights equip human rights activists, environmentalists and victims of environmental degradation with a powerful tool with which to overcome the “sovereignty wall" often raised as a barrier to any form of state liability. Third aspect to justify the human rights approach to environmental protection is that this approach is already gaining currency in both international and domestic law, as well as in legal practice of human rights monitoring bodies.

The book has three main objectives. First, it examines the genesis and development of environmental rights – or the right to environment – in international law and to discuss their philosophical, theoretical and legal underpinnings.

* Dr. Leena Heinämäki is a Research Fellow in the Northern Institute for Environmental and Minority Law, Arctic Centre, University of Lapland. Contact: leena.heinamaki@ulapland.fi
Second, it attempts to determine the scope and content of the ‘right to environment’ in the context of sustainable development and the notion of solidarity rights. Thirdly, and, according to the writer, most importantly, it explores the potential impact of emerging environmental rights on the international human rights system.

The first chapter of the book sets a scene for the topic in a fascinating way by focusing on historical and philosophical underpinnings of the environmental movement. It studies the roots of the environmental crisis, finding the basis in Judeo-Christian worldview of man’s mastery over the nature. It then moves to discuss the impacts of agricultural and scientific revolutions as well as capitalism and population growth and poverty on man-nature relationship and environmental condition. After this introduction, the book starts going through the emergence and development of environmentalism. The reader becomes familiar with the concepts of anthropocentrism, ecocentrism, animal liberation, holism and the Gaia Hypothesis as well as deep ecology and transpersonal ecology.

Then, after describing the philosophical viewpoints in order to understand the underlying values of environmental movement, the book moves from the philosophical arena to the legal arena. This part, which demonstrates the internationalization process of environmental issues, remains perhaps a bit too short and general, taking into account the legal nature of the book. It only shortly mentions the famous Stockholm Conference on Human Environment 1972, WCED report 1987 – Our Common Future – Rio Conference 1992 and its follow ups. Perhaps what the reader is missing to some extent would be a chapter that describes how the connections between human rights and environment have been articulated by different UN (and perhaps EU) organs. It could have been enlightening to get a comprehensive picture of the several attempts that there have been in international level during the last couple of decades in trying to create a right to a healthy or decent environment.

Some of the attempts are mentioned, however, later in the book, such as UN Special Rapporteur Ksentini’s report, including the Draft Declaration of Principles on Human Rights and the Environment in 1994 under the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities, and the UN Human Rights Council’s resolution in 2008 on human rights and climate change. However, these developments are mentioned only as a later part of the book as a part of another context, which serves a chosen purpose, since the writer has clearly wanted to tie certain events to particular theories she uses as a basis for the book. What makes, however, this no doubt highly merited book a bit difficult to comprehend at first is that different instruments and even related jurisprudence have been described as a part of a particular theoretical context, which does not easily open up at least without an intensive attention of the reader. On the other hand, however, one may say that there are already many practical and analytical studies made on the issue of a human right to environment,