The book reveals three principal trends with regard to the development of standards in environmental rights’ protection. First, the absence of specific environmental rights in statutory law does not preclude some courts and treaty bodies from extending the application of other, tangential rights to cover this gap – the process known as the ‘greening’ of rights. This ‘greening’ process can be observed at every level: for example, in the petitions and communications by the UN Human Rights Committee and the Committee on Economic, Social and Cultural Rights, that have been developing jurisprudence relating to the environment through the articulation of the rights of indigenous peoples, etc. (pages 22–36); the interpretation of the right to respect for private life and other non-explicitly environmental rights in the European Convention on Human Rights by the European Court of Human Rights to cover issues related to environmental degradation (pages 42–45); and the ‘greening’ of national constitutions, for example, the constitution of India, by courts, including the National Green Tribunal (223–227), as well as other examples identified throughout the book.

Second, the book clearly shows that the universal approach to environmental rights is still highly fragmented. A prominent example of this is the right to healthy environment, which, despite its near-global recognition at the national level, is not universally recognized at the regional and international levels. A possible explanation to this paradox is the absence of a universally agreed standard as to what constitutes (or ought to) a ‘healthy’ environment. The difference between national

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1 See e.g. Report of the Special Rapporteur David Boyd on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, No. A/74/161 (2019).


3 See Foreword by John Knox.


constitutions is another obvious example: while some national constitutions, such as those of Portugal and South Africa, explicitly recognize and protect environmental rights, including ‘the right to a healthy and ecologically balanced human living environment’, the right ‘to have the environment protected for the benefit of present and future generations’, etc. (pages 248–249 and 289–291), other constitutions (for example, the constitution of India and the US constitution) do not explicitly contain such rights, although as already mentioned above, this does not in itself pose critical obstacle to the protection of human interests from environmental degradation, since we can arguably use other human rights to obtain some form of environmental-related concession. However, when it comes to procedural rights, these differences in statutory law can indeed determine the level of protection. This is most apparent in cases of different standards on access to justice – the availability of public interest litigation, standing rules, etc., which are arguably particularly crucial when it comes to the protection of not only humans, but the environment itself, or, in other words, the rights of nature (pages 123–125, 344), who is reliant on her human guardians as defender of her rights.

Third, the book suggests that the general trajectory towards greater recognition of environmental rights – whether written, or unwritten – shows robust potential for mainstreaming environmental protection in the human rights agenda. Once again, this process is observed at the international (page 39) and regional levels (pages 82–91), including some major developments in the UN Human Rights Committee’s and the Inter-American Court of Human Rights’ jurisprudence shortly after the publication of this book, as well as the continuing development of higher standards at the national and subnational levels (pages 376–381), including in such a sensitive area as the rights of nature (pages 342–347). That said, there is still more than ample space for subsequent development, given the numerous, persisting as well as emerging challenges that environmental and human rights protection system must accommodate (pages 399–400).

Overall, I highly recommend this book; it provides an essential reading for academics, legal practitioners and researchers, and students alike, working on or studying the fascinating field of intersection between the environment and human rights.

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7 Norma Portillo Cáceres and others v. Paraguay, views adopted by the UN Human Rights Committee under Art. 5 (4) of the Optional Protocol, concerning communication No. 2751/2016 (20 Sept. 2019); Inter-American Court of Human Rights, Caso Comunidades Indígenas Miembros de la Asociación Lhaka Honhat (Nuestra Tierra) v. Argentina (6 Feb. 2020).