maximum use of natural resources towards priority for prevention. As for the latter approach, it is unmistakable that the renunciation of a mere coexistence law and a turn to solidarity now prevail (p. 407).

The book is based on the following scheme. In his introductory chapter I (pp. 19-34) Hohmann defines the concepts of environmentaluse and environmental protection (section 1). Section 2 deals with the change of paradigms in German environmental law, i.e., from 'teilen und nehmen der Weide' towards 'Pflegen der Weide' (p. 24). The next section raises the question whether international environmental law underwent a similar change.

Chapter II is devoted to international organisations and for for the development of customary international environmental law (pp. 35-263). It extensively describes traditional international environmental law (section 1), and the developments towards modern international environmental law (section 2). It concludes that the latter is largely preventive, but as yet it only preserves resources ('ressourcenschonend') relatively.

Chapter III analyses the agreements on the protection of the environment on land and sea as well as in the air (pp. 264-339). These agreements reveal similar characteristics to customary international environmental law: direct protection, increasing interdependence between States due to long-distance effects of transboundary pollution and shared responsibilities as a result therefrom. The present challenge is to meet the requirements of sustainable development inherent in intergenerational equity.

Hohmann has presented a thorough study of preventive legal duties and principles of modern international law, which is an enrichment of existing literature. It is a useful guide in understanding the common characteristics of the abundance of international and regional (quasi-)legislative efforts to cope with good management (governance) of the environment. The author, however, has paid, without explanation, little attention to the role of judicial decisions and arbitral awards to the (counter) development of customary law. It might have been helpful in that respect, even for the author himself, if the book had included an index of keywords. For then this gap might have become manifest at an earlier stage than in this review.

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W. LANG, H. NEUHOLD, K. ZEMANEK, Environmental Protection and International Law, M. Nijhoff Publ., Dordrecht 1991, X + 244 pp. ISBN 185333-611-4.

Recent years have seen a proliferation of books, periodicals and articles on international environmental law. This trend warrants a critical attitude towards a further expansion of the existing body of literature. The book under review easily sustains a critical analysis. Amidst the large number of other publications, it stands out for the broad range of issues it covers and, more in particular, the large number of creative and stimulating views it contains.

The book, which is a reflection of the conference in Vienna, October 1990, consists of eight substantial chapters followed by brief contributions by eight commentators. The

chapters address the scientific background of the major environmental issues (Bo R. Doös), an overall perspective on the development of international environmental law (Günther Handl), transboundary air-pollution (Lothar Gündling), pollution of international watercourses (Johan Lammers), the international waste regime (Winfried Lang), the ozone layer and climate change (Patrick Szell), State responsibility and liability (Karl Zemanek) and procedural obligations (Francesco Francioni). The commentaries are respectively provided by Luzius Wildhaber, Paul Fateaux, Gerhard Haffner, Yves van der Mensbrugghe, John Temple Lang, Alan Springer and Hanspeter Neuhold. These commentaries would not have to be mentioned separately, were it not that most of them, notwithstanding their brevity, in themselves constitute valuable contributions to the literature on the issues they cover.

Collections of papers such as this easily give rise to the criticism that, however adequate the papers in themselves can be, they do not necessarily form a good book. In this case such criticism does not apply. Even if this may not have been the objective of all contributors, the leading threads are sufficiently compelling to make the book more than the sum of the contributions.

The legal contributions are preceded by a useful analysis of the scientific background of the main environmental problems with international dimensions by Doös. Several issues are stressed which are particularly relevant to international environmental law, such as the interrelatedness of environmental problems (p. 3) and the fact that the results of preventive action only become visible after considerable time-lags. Although both issues may seem common sense, their consequences for international regulations are not always fully appreciated.

As far as the legal contributions are concerned, the value of the book resides in three interrelated aspects. First, the book gives a succinct overview of the present state of the law on some of the main substantive issues of international environmental law. Contributions by Lammers on international watercourses (which is a useful supplement to his 1984 *Pollution of International Watercourses*), Gündling on air pollution, Lang on the waste regime and Szell on the ozone layer and climate change bring the reader quickly up to date with recent legal developments on these issues.

Secondly, the book illustrates the ongoing pursuit of new and more effective regulatory legal tools to address the international environmental problems. In particular the contributions on air-pollution, the ozone layer and climate change and the waste regime and to a somewhat lesser extent the pollution of watercourses show that the development of international environmental law on these issues resembles very much a trial and error process, in which new legal techniques are explored, which sometimes prove successful, in other cases are quickly abandoned, in still other cases come to lead a meaningless existence and in many cases raise questions as to their relationship with pre-existing rules. The exploration of new techniques can best be seen in the contributions of Gündling and Fateaux with respect to the regime for air pollution, where the development and elaboration of the 1979 ECE Convention on Long-range Transboundary Air Pollution involves the pursuit of a balance between percentage reductions, application of best available technology and critical loads. This relationship between different rules addressing similar issues is in particular stressed by Lang, who points out that the variety of rules of the transboundary movement and disposal of waste call for a closer coordination (p. 160), and by Temple Lang, who deals with the relationship with environmental conventions and the pre-existing GATT regime.

Thirdly, the book underscores the reflection of the developments in international environmental law on the conceptual and theoretical level. On this point the contribution of Handl deserves special mention. His 'Environmental Security and Global Change: the Challenge to International Law', also reproduced in the first volume of the Yearbook of International Environmental Law, surely qualifies as one of the classic contributions to the study of international environmental law. In a most perceptive manner, Handl analyses the capability of the international legal system to meet the challenges posed by the changing scientific, economic and social context in which the global environmental crisis unfolds, the geographically expanding scope of the regulatory focus and increasing signs of irreversible and cumulative effects, in sum: its ability to 'ensure to this and future generations a modicum of environmental security in the face of rapid global change' (pp. 60-61). The analysis consists of two main parts. The first part addresses the developments in the field of legal instruments and law-making techniques (such as framework conventions, 'soft' law, asymmetrical rights and obligations and the interplay of local, regional and global environmental standard-setting) and implementation and enforcement. The second main part covers the changing nature and scope of States' entitlement to the use of environmental resources, addressing such issues as the precautionary principle, sustainable development and intergenerational equity, the north-south issue and the redefinition of sovereignty.

The adequacy of this analysis is underscored by the fact that these headings adequately indicate the main leading, although often somewhat implicit, threads of the other contributions. Indeed, whereas each of the developments of the law in each individual issue-area can be looked upon as a trial-and-error process without clear direction, viewed from a distance and taken in mutual relationship the trends in international environmental law forcefully come to the fore. Most of all this concerns the redefinition of national sovereignty. This is a core element of the trends toward precautionary environmental policies, sustainable development, as well as new law-making techniques, which in one way or another feature in almost all contributions in this book.

In sum, this is a book which at the same time brings the reader up to date with recent trends and developments in the various issue-areas of international environmental law and policy, and puts these issues in a broader perspective which deepens the calibre of the study of international environmental law. It is recommended.

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B. MENGOZZI, European Community Law, Graham & Trotman/ M. Nijhoff Publ., London/Dordrecht 1992, 344 pp. (hardback), £ 70.00/\$ 147.00.

Several new books on European Community law have recently been published. This one stands out among them since it is the very first book on European law to have reached your reviewer's desk which fully takes into consideration the developments towards