

El desafío del desarrollo sostenible. By Ángel J. Rodrigo (Madrid, Marcial Pons, 2015) 210 pp.

The adoption of the 2030 Agenda in 2015 saw sustainable development become one of the priorities for the United Nations and a goal for the international community as a whole. It is also a formidable challenge, and how it is overcome will determine the future of our planet and all of us who inhabit it. This in itself is sufficient proof of the interest, usefulness and scope of the topic to which this book is dedicated, in this case further enhanced by the magnificent power of analysis and learning displayed by Professor Rodrigo, who approaches the subject from his academic background in international law as a researcher and lecturer on postgraduate courses specialising in sustainable development. All the above-mentioned features combine to make this monograph an essential work of reference in our discipline.

The book is divided into two major sections, comprising a total of 10 chapters preceded by an Introduction and succeeded by Conclusions, References, the Jurisprudence cited and a series of Annexes containing some of the most iconic texts on the subject matter.

The core notions defended in the book are briefly expounded in the Introduction, and move in two different directions. On the one hand, sustainable development is revealed to be at one and the same time a political objective, a legal concept and a methodological framework, whilst on the other it is argued that the role of international law with regard to sustainable development is two-fold, being both constituent and instrumental. Emphasis is placed on the fundamental nature of the latter, in that it provides a series of principles, rules and legal institutions that are able to make a valuable contribution to sustainable development.

Part I, which bears the title “The Concept of Sustainable Development in International Law”, consists of three chapters. In the first of these, the author reviews the origins and evolution of the idea of sustainable development from its antecedents to the post-2015 Development Agenda, taking in the Brundtland Report and the milestones reached between the 1992 and 2012 Rio Conferences—the 1997 Earth Summit+5, the 2002 World Summit on Sustainable Development and the 2005 World Summit—on the way. On the subject of the 2012 Rio Conference in particular, a number of points of interest are analysed, one of them being the fact that it was the outcome of two processes that converged from different starting points; the first being the evolution of the major summits on the environment, and subsequently on sustainable development, and the second being an assessment of the progress made in reaching the Millennium Development Goals and the drawing up of a new UN development agenda for 2015 onwards. Specific attention is paid to the characteristics of this new sustainable development agenda (which is universal, transformative—as reflected in its very name, *Transforming our World: the 2030 Agenda for Sustainable Development*—and comprehensive), its contents and the Sustainable Development Goals as a synthesis of the United Nations’ development policy.

Chapter Two takes an in-depth look at the notion of sustainable development itself, starting by examining its three-fold nature: universal, dynamic and contextual. Universal, because “it is no longer a recipe book that developed nations offer those in the process of development”, but a set of principles of “objectives, goals, policies and legal norms” with “people and the planet at their core” (p. 46); dynamic, because far from being static, it is intrinsically evolutionary; and contextual, in that it does not aim to impose a uniform solution on all states, instead offering a “margin for national legislation” (p. 47). It then goes on to examine its three dimensions, namely economic development, social development and environmental protection. Although Professor Rodrigo acknowledges the existence of proposals to extend them to other aspects, such as good governance, culture, peace and security, he contends that rather than being dimensions in their own right, the latter constitute “essential prerequisites” for attaining sustainable development (p. 60).

The third and final chapter of Part I deals with the notion of sustainable development, analysing its condition as a political objective, a legal concept and a methodological framework. In the case of the first of these, the author also examines its use as an integrated, comprehensive and cooperative approach to economic, social and political processes; in that of the second, he shows how its prescriptive value can manifest itself in a variety of forms, namely as a principle of international law, as an interstitial legal concept, as a primary rule from which a duty of behaviour is derived and/or as a human right. Professor Rodrigo, however, does not necessarily uphold all of the above views and in some cases refutes the reasoning used by other authors to justify them. Finally, when considering its nature as a methodological framework for creating and applying public policies and rules of international law, he focuses on a number of aspects that need to be examined in depth, such as the language and terminology used, the principles and rules of a substantive nature, the procedural tools developed and the hermeneutic resources available.

Part II is divided into seven chapters in which Professor Rodrigo analyses a series of principles of international law relating to sustainable development, thus giving the book its subtitle—*Principles of International Law relating to Sustainable Development*. Given the potentially large number of such principles and the lack of any agreement as to those that might “yield the best return”, in the sphere of sustainable development, the author has chosen to analyse those included in the 2002 ILA New Delhi Declaration, a set of principles enjoying significant doctrinal authority (p. 93). More specifically, this volume looks at the following: the duty of States to ensure sustainable use of natural resources (Chapter Four); the principle of inter- and intra-generational equity (Chapter Five); the principle of common but differentiated responsibilities (Chapter Six); the principle of the precautionary approach (Chapter Seven); the principle of public participation and access to information and justice (Chapter Eight); the principle of good governance (Chapter Nine); and the principle of integration and interrelationship in relation to social, economic and environmental objectives (Chapter Ten). In each case, the author examines the content of the principle in question, its legal status and its contribution to sustainable development.

In its final section, the monograph furnishes the reader with a wealth of conclusions, although the content of many of them will logically have been revealed as the book progresses. Two ideas in

particular are worthy of comment, the first being the author's defence of the capacity of the principle of integration, which "can nowadays be taken as a general rule of international law with which all States have the duty to comply" (and from which a duty of behaviour is derived) to perform the "role of an intersystemic gangway" between the various international regimes regulating the three dimensions of sustainable development" (p. 150). The second is the importance of buttressing sustainability, which "is emerging as one of the core values of the international community for international relations in the twenty-first century". This in turn has brought with it the "increasingly more pressing challenge" of putting the full theoretical, legal and conceptual framework of sustainable development into practice in order to meet the need to provide better responses "in a non-traditional way". Although it is clear that this challenge places a heavy burden on politicians and policy-makers, it is no less true that it is "also a challenge for legal scholars, since it demands a sufficient degree of legal imagination, operational talent and social responsibility on their part for legal principles and rules, together with international procedures and institutions, to be facilitators of sustainable development" (pp. 177-178). Since lack of space makes it impossible to comment on all of the valuable ideas put forward by the author, one of the main goals of this review is thus to strongly encourage readers to discover them for themselves by reading the book from cover to cover.

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