

Award Winners from North and South

The 1998 and 1999 Elizabeth Haub Prizes for exceptional services to international environmental law were awarded on 16 November 2000 in Brussels to, respectively, Parvez Hassan of Pakistan and Johan Lammers of The Netherlands.

The Laudatio, given by the Rector of the Université Libre de Bruxelles (ULB), and the speech by Wolfgang Burhenne, Executive Governor of the International Council of Environmental Law (ICEL), are printed below.

The 1998 laureate read a paper on "Environment and Sustainable Development: A Third World Perspective," which is printed on page 36.

The first part of the paper by the 1999 Prize-winner on "International Responsibility and Liability for Damage Caused by Environmental Interferences" is printed on page 42 and will be continued in the next issue.

Laudatio by the Rector of ULB,

Pierre de Maret

Dr. Parvez Hassan is today recognised as one of the world leaders in Environmental Law. His activities cover the following fields:

First, as a leader of the Bar in Pakistan, he repeatedly defended the rule of law when it was threatened by the former military governments in his country; through his advocacy of environmental law in Pakistan he established precedents in the High Courts and Supreme Court and contributed to define the fundamental right to a sound environment. These legal victories are among the most advanced in any State, and are widely referred in courts inside and outside Asia.

Second, on an international level, the UN Environment Programme (UNEP) has cited his victories in its compendium of leading environmental law cases. He played a leading role in the definition of environmental rights when, together with Dr. Wolfgang E. Burhenne, he prepared the IUCN/ICEL* Draft Covenant on Environment and Development, launched in 1995. Recently, he managed to finalise the draft Covenant and other legal instruments as Chairman of the Ethics and Jurisprudence Working Group of the IUCN Commission on Environmental Law. During his Chairmanship of the

IUCN Commission on Environmental Law, Dr. Hassan led a four-year effort to revise the IUCN Statutes and Regulations, and the IUCN Rules of Procedure for its World Conservation Congress. The revisions were completed and adopted unanimously at the 1996 World Conservation Congress in Montreal. This revision of a treaty instrument was remarkable for its thoroughness and the degree of political acceptance that it met with. Dr. Hassan also pioneered the use of By-Laws for the IUCN Commissions; he personally prepared the By-Laws for the Commission on Environmental Law.

Moreover, at the level of Asian and Pacific nations, Dr. Hassan also directed a capacity-building project to produce the next generation of environmental lawyers in Asia and the Pacific. He arranged for the Asian Development Bank and the National University of Singapore to be placed at the head of a coalition of sponsors in charge of teaching Environmental Law at the University Level, UNEP and the UN University, to conduct a two-year training programme for law professors in 15 Asian and Pacific nations. As a result of Dr. Hassan's work, over 75 law professors were trained in 1998-99 who are now engaged in



The Elizabeth Haub Prize Medal
(Solid gold, 7cm)

developing environmental law curricula and the teaching of new environmental law courses.

Dr. Hassan is a recognised authority in international environmental law, as is evidenced by his article on the

IUCN draft Covenant in the Journal of the American Society of International Law. He is an acknowledged civic leader, having been recruited to head the Rockefeller Brothers Foundations LEAD programme in Pakistan.

As an expert, Dr. Hassan is also involved in the academic world as a lecturer in different universities in Lahore and Islamabad and as a member of the International Council of Environmental Law; and he is also a consultant in Environmental Law for multilateral lending agencies.

Last but not least, it is worth mentioning that Dr. Hassan obtained his professional degrees from prestigious universities, since he holds a Master of Law from Yale and a Doctor of Law from Harvard.

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Professor Johan Lammers is one of the international leaders working in the field of Environmental Law. Five areas of activity can be discerned in his many-faceted career which have enabled him to fulfil his mission:

First, Professor Lammers' activity as legal advisor to the Dutch Foreign Office has enabled him to make a notable contribution to negotiations leading to international conventions, protocols and agreements in relation to a series of important environmental questions. For instance

- the cross-frontier protection of streams, rivers and waterways;
- the cross-frontier movement of dangerous waste;
- nuclear damage;
- the marine environment, desertification, biodiversity and the problems concerning the ozone layer.

Second, we must mention his activity as an expert assisting international committees and commissions, with particular reference to long-range pollution and water resources. In particular, he is responsible for reporting to a group of specialists in environmental law attached to the prestigious United Nations World Commission on the Environment and Development (the Brundtland Commission).

The report of this Group has had a remarkable influence on the development of the main principles of international environmental law.

Third, we must emphasise Professor Lammers' contribution as the author of numerous scientific publications, particularly on his favourite topic: international waterways, the subject of his doctoral dissertation, which remains the reference book in these matters.

Fourth, let us mention Professor Lammers' activity as editor of *The Hague Yearbook of International Law* and *The Yearbook of International Environmental Law*, two world-famous series.

Finally, let us emphasise that all these activities have been undertaken in parallel with a university career. Professor Lammers is Holder of the Chair of International Environmental Law at the University of Amsterdam. He holds a Master of Law degree from Columbia University, and a Doctor of Law degree from Leyden.

Address by the Executive Governor of ICEL, Wolfgang E. Burhenne

It is always a pleasure for me to be here at the University of Brussels and congratulate laureates of the Elizabeth Haub Prize for environmental law. But today the pleasure is even greater for a number of reasons.

First, we have not been here for some time; second, we are in the fortunate situation of having two laureates to honour for two successive years of the Prize; third, we have an exceptionally good audience, in quantity as well as quality! All this naturally makes me doubly happy.

You will recall that the Elizabeth Haub Prize was created in 1974, and has been awarded every year since then. The 1999 Prize is the 25th in the history of the Prize, and so here is another reason to consider this ceremony a particularly important one.

This is also an occasion to reflect on the purpose of the Prize, and in a more general manner, on the subject of this Prize itself: environmental law. But let us do this later. First and foremost, I would like to congratulate the Prize-winners. This is indeed the most important task for today.

Parvez Hassan: I met you for the first time while, as a young man, you worked on a early assignment with the United Nations Economic and Social Commission for Asia and the Pacific: a paper reviewing environmental legislation in its Member States. It was a first for the region, but for you as well! The result of this work must have made a profound impression on you, because you have never lost sight of the environmental law field since then, and despite a demanding barrister career and numerous other functions at home, you continuously volunteered your time and expertise to build environmental law in your region as well as internationally.

When I asked you to become Deputy Chairman of the IUCN Commission on Environmental Law, way back in the 1980s, it was a momentous decision for me and the Commission to take, as it was an important stepping stone for you towards becoming the leader and Chair of the Commission.

At that time, many people approached me and expressed doubts about my choice. Ten years later, however, these same individuals pressed you to run for President of the IUCN as a whole. In the meantime, you had become the first person from a developing country to chair the IUCN Commission on Environmental Law and had led it successfully for six years, with great enthusiasm and care.

I have always been very grateful to you for all this, but I confess, particularly – of course – for proving me right!

There is no need, I believe, after what I have just said, for me to go into any further detail, except perhaps to say that I will continue to appreciate your company and expertise in the Post CEL Chair Club (PCCC) and hope that we will continue our successful association for as long as we can.

Let me now turn to you, Johan Lammers. In preparing

for this event my wife reminded me of the circumstances during which we heard your name for the first time. It was at a lunch hosted by Nagendra Singh, Chairman of the International Court of Justice, at his house in The Hague. There were a few international environmental law specialists around the table at the time, who happened to



From left to right: C. Hilty (representing the Haub family), F. Burhenne-Guilmin, W.E. Burhenne, P. Hassan, P. de Maret and J. Lammers

be pondering over a heavy volume – your thesis! They were all full of high praise for the author and concurred that he was a rising star in their field.

You, too, were to prove them right! And I know that some, especially Alex Kiss, have been delighted to see their prediction come true.

What is particularly impressive in your case is that you have continuously contributed to international environ-

mental law on two different levels, the theoretical and the practical, with equally high standards.

There has been much praise for your academic career and your scholarly writings. This is why I will like to insist on the other side of your medal – if I may say so!

As we all know, a large number of environmental treaties have been concluded during the past 25 years. They constitute the most important international environmental law acquis of our time. You have contributed to the negotiation of over 15 of the most important such treaties, and your contribution in each case was a very significant one, not only because of your environmental law expertise, but also because of your receptivity to new and progressive ideas. I know of only a few countries who have had the benefit of this kind of expertise during this crucial period for the development of environmental law. ‘Go to Lammers; he knows ... and will help,’ was a remark frequently heard at many intergovernmental negotiations.

The Royal Dutch Ministry of Foreign Affairs was and is lucky to have such knowledge at its disposal. It is also wise to use it strategically. But we all know about the sagacity of the Dutch!

Ladies and gentlemen, I want to close here, since I believe that you as much as I will be more interested in hearing what the Prize-winners themselves have to say. We have here two individuals with very different backgrounds: one from the South, and one from the North, but both share the same vision: a world in which sustainability is a reality, because without it, development in both the South and North will become an empty word.



Courtesy: ULB