Foreword

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The idea of sustainable development has grown in recent decades into one of the leading goals and guidelines in shaping and applying the law, both domestically and internationally. Ever since the *Brundtland Report*, commissioned by the United Nations and issued in 1987, sustainable development has emerged as a goal and maxim increasingly informing and influencing politics and international relations. Triggered by environmental concerns and the depletion of the globe's limited resources during the process of industrialization, the concept gradually emerged into a triangle of balancing economic, social and ecological concerns in shaping policies, in law-making and eventually, in the administration and application of law by international courts and tribunals. While the broad contours of the triangle are well established, more detailed criteria to be taken into account and the methodologies to be applied are still at an infant stage. Attempts to create better coherence among different policy goals suffer from the existing fragmentation in international law and the heritage of specialised international organizations which reflect equal departmentalization within domestic governments and ministries, often pursuing sectorial, purposes approaches, lacking insights into the overall complexity of an issue and the implications and repercussions of policies adopted in their respective fields.

A wide variety of approaches and methods have been proposed in the literature, but so far few have found their way into practice which has remained very much a field of trial and error; for example, in seeking impact assessment of policies and regulations. Sustainable development poses extremely complex substantive and methodological issues. Traditional modes of law-making, both domestic and in particular international, are no longer able to properly deal with such complexities. The development of new methodologies is called for.

Elisabeth Bürgi Bonanomi makes a significant contribution in the process of shaping and realizing the maxim of sustainable development in international law-making. The book reflects a long-standing commitment to operationalizing sustainable development in international law

making with a particular focus on agriculture. It offers a comprehensive review of the development of the maxim and how it has been received and applied in the legal process. Foremost, it sets forth a complex methodology as to how conflicting and competing goals should best be made transparent and prepared for reconciliation in a world driven by competing goals and interests. Based on Gehne's approach, the author develops her own methodology of weighing and balancing different interests, much inspired by the school of topical jurisprudence. She concludes by introducing a number of relevant factors which future international negotiations and adjudication on the subject should take into account in realizing the maxim of sustainable development and the right to food upon which all humankind existentially depends. Her matrix will not replace interest-driven politics, but make them more transparent and more profoundly based upon a fully informed set of considerations which should be rationally taken into account under the umbrella and maxim of sustainable development.

Elisabeth Bürgi Bonanomi has been a staff member at the World Trade Institute (WTI) and the Centre for Development and Environment (CDE) and a lecturer in international economic law and sustainability at the University of Bern for many years. Liaising between the two centres, her work and efforts substantially contribute to shifting legal thinking to new dimensions which her book so ably expresses. We all have learned from Elisabeth and continue to do so.

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