

International Climate Change Law

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Justice for Future Generations - Peter Lawrence 2014-04-25

Peter Lawrence's *Justice for Future Generations* breaks new ground by using a multidisciplinary approach to tackle the issue of what ethical obligations current generations have towards future generations in addressing the threat of climate change. This

Principles of International Environmental Law - Philippe Sands 2003-10-09

Revised edition includes all new developments since 1994, including all international case-law and international legislation.

Due Diligence in the International Legal Order - Heike Krieger 2021-02-03

This book provides a comprehensive analysis of the content, scope, and function of due diligence across various areas of international law.

Looking at current tendencies towards proceduralisation and more proactive risk management, it reveals the promises and limits of due diligence as a concept for enhancing accountability and compliance.

Law and Economics of International Climate Change Policy - R. Schwarze 2001-06-30

International climate change policy can be broadly divided into two periods: A first period, where a broad consensus was reached to tackle the risk of global warming in a coordinated global effort, and a second period, where this consensus was finally framed into a concrete policy. The first period started at the "Earth Summit" of Rio de Janeiro in 1992, where the United Nations Framework Convention on Climate Change (UNFCCC) was opened for signature. The UNFCCC was subsequently signed and ratified by 174 countries, making it one of the most accepted international treaties ever. The second period was initiated at the 3 Conference of the Parties (COP3) to the UNFCCC in Kyoto in 1997, which produced the Kyoto Protocol (KP). Till now, eighty-four countries have signed the Kyoto Protocol, but only twelve ratified it. A major reason for this slow ratification is that most operational details of the Kyoto Protocol were not decided in Kyoto but deferred to following conferences. This deferral of the details, while probably appropriate to initially reach an agreement, is a major stepping stone for a speedy ratification of the protocol. National policy makers and their constituencies, who would ultimately bear the cost of Kyoto, are generally not prepared to ratify a treaty that could mean anything, from an unsustainable strict regime of international control of greenhouse gases (GHGs) to an "L-regime" of loopholes, or from a pure market-based international carbon trading to a regime of huge international carbon tax funds.

Adjudicating Climate Change - William C. G. Burns 2009-07-27

Courts have emerged as a crucial battleground in efforts to regulate climate change. Over the past several years, tribunals at every level of government around the world have seen claims regarding greenhouse gas emissions and impacts. These cases rely on diverse legal theories, but all focus on government regulation of climate change or the actions of major corporate emitters. This book explores climate actions in state and national courts, as well as international tribunals, in order to explain their regulatory significance. It demonstrates the role that these cases play in broader debates over climate policy and argues that they serve as an important force in pressuring governments and emitters to address this crucial problem. As law firms and public interest organizations increasingly develop climate practice areas, the book serves as a crucial resource for practitioners, policymakers and academics.

Climate Change Law - Coplan, Karl S. 2021-12-10

This timely and incisive book combines an introduction to the core legal and policy issues presented by climate change with a deeper analysis of decisions that will define the path forward. Offering a guide to key terms, concepts, and legal principles in the field, this book will help readers develop a sophisticated perspective on issues central to climate change law and policy.

Non-Governmental Actors in International Climate Change Law - Marzia Scopelliti 2021-07-28

Focusing on how to improve the participation of non-governmental actors in the making of international climate change laws, this book is a conversation on the relevance of a human rights-based approach to international climate change law-making. The book considers a possible reform of the United Nations Framework Convention on Climate Change institutional arrangement, inspired by the practice and model of participation of Arctic Indigenous Peoples in the Arctic Council. Different non-State entities play a fundamental role in the development and enforcement of the climate change regime by enhancing the knowledge base of decision-making, keeping States in line with their commitments, and engaging in private initiatives aimed at mitigating the impacts of global warming. Albeit non-governmental and subnational actors increasingly work alongside States in the making of a climate change regime, the category of observers through which they participate in intergovernmental negotiations only gives them limited rights and their participation in international norm-making has at times been impaired. The relevance of a human rights-based approach consists in recognising the status of individuals and groups as rights-holders under human rights law, a paradigm that was first established by Arctic Indigenous Peoples when claiming their participatory rights in the Arctic Council, the main forum of governance of the Arctic region. This book argues that, in the absence of a globally binding treaty regulating procedural rights in intergovernmental negotiations, the emerging relationship between human rights and climate change could serve as a legal basis for the enhancement of non-governmental actors' procedural rights, establishing the right to participation as a right in itself and which can benefit the governance of climate change. Due to the relevance of the addressed subject, the book is destined to a broad readership and will be of use to academic researchers, law practitioners, policy-makers and non-governmental organisations' representatives.

The Third Pillar of International Climate Change Policy - Morten Broberg 2021-06-08

During the negotiations in 2015 that led to the adoption of the Paris Agreement, one of the most contentious issues was the introduction of a dedicated provision in Article 8 on what is known as 'loss and damage'. The adoption of this new article, however, left many questions unanswered. What is the distinction between 'loss and damage', and 'adaptation'? What are the legal implications of the inclusion of loss and damage as an article in a legal treaty? How can financial assistance and compensation best be channelled to victims of climate change loss and damage? What gaps remain in the loss and damage governance system? *The Third Pillar of International Climate Change Policy: On 'Loss and Damage'* after the Paris Agreement addresses these questions, and numerous others, and explores the present and future of loss and damage in the era of the Paris Agreement. This book provides an up-to-date analysis of 'loss and damage' which is often described as the third pillar of international climate change policy. It is based around four main themes: (i) insurance schemes, (ii) key gaps in loss and damage governance, including non-economic loss and damage and slow-onset events, (iii) legal aspects of loss and damage, and (iv) novel approaches to loss and damage. The chapters in this book were originally published as a special issue of *Climate Policy*.

International Climate Change Law and Policy - Thoko Kaime 2014-03-26

Climate change poses fundamental and varied challenges to all communities across the globe. The adaptation and mitigation strategies proposed by governments and non-governmental organisations are likely to require radical and fundamental shifts in socio-political structures, technological and economic systems, organisational forms, and modes of regulation. The sheer volume of law and policy emanating from the international level makes it uncertain which type of regulatory or policy framework is likely to have a positive impact. The success or failure of proposed measures will depend on their acceptability within the local constituencies within which they are sought to be applied. Therefore

there is an urgent need to better comprehend and theorise the role of cultural legitimacy in the choice and effectiveness of international legal and policy interventions aimed at tackling the impact of climate change. The book brings together experts to present perspectives from different disciplines on the issue of international climate change law and policy. Beginning from the premise that legitimacy critiques of international climate change regulation have the capacity to positively influence policy trends and legal choices, the book showcases innovative ideas from across the disciplines and investigate the link between the efficacy of international legal and policy mechanisms on climate change and cultural legitimacy. The book includes chapters on with a theoretical basis as well as specific case-studies from around the globe. The topics covered include: land use planning as a tool of enhancing cultural legitimacy, indigenous peoples in international environmental negotiations, transnational advocacy networks, community-based forestry management and culture and voluntary social movements. *Climate Change Damage and International Law* - Roda Verheyen 2005-11-01

This book is the first comprehensive assessment of the legal duties of states with regard to human induced climate change damage *Climate Change Impacts on Ocean and Coastal Law* - Randall Abate 2015 Ocean and coastal law has grown rapidly in the past three decades as a specialty area within natural resources law and environmental law. This book unites the two worlds of climate change regulation and ocean and coastal management. It raises important questions about whether and how ocean and coastal law will respond to the regulatory challenges that climate change presents to resources in the oceans and coasts of the United States and the world.

Global Environmental Change and Innovation in International Law - Neil Craik 2018-06-30

The challenges to global order posed by rapid environmental change are increasingly recognized as defining features of our time. In this groundbreaking work, the concept of innovation is deployed to explore normative and institutional responses in international law to such environmental change by addressing two fundamental themes: first, whether law can foresee, prevent, and adapt to environmental transformations; and second, whether international legal responses to social, economic, and technological innovation can appropriately reflect the evolving needs of contemporary societies at national and international scales. Using a range of case studies, the contributions to this collection track innovation - descriptively, normatively, and as a process in and of itself - to explain international environmental law's functionality in the Anthropocene. This book should be read by anyone interested in the critical intersection of environmental and international law.

International Law in the Era of Climate Change - Rosemary Gail Rayfuse 2012-01-01

'UN Secretary-General Ban Ki-moon has called Climate Change "the defining issue of our era". It presents international law and lawyers with a wide range of novel issues, practical as well as conceptual. These challenges are addressed in this volume with great authority by many of the leading international law scholars of our generation. It is an important and distinctive contribution to the burgeoning literature on an issue critical for the future of our planet.' - David Freestone, George Washington University, US Climate change will fundamentally affect every area of human endeavour, including the development of international law. This book maps the current and potential impacts of climate change on the norms, principles, rules and processes of international law. This timely study brings together a group of leading scholars in their respective fields of international law to examine the impacts of climate change, and our responses to it, on the whole spectrum of international legal regimes, including those dealing with everything from climate displacement, human rights, and international trade and investment, to the oceans, the environment, armed conflicts and the use of force, and outer-space. the volume also examines the impacts of climate change on the underlying principles and processes of international law including those relating to the making and enforcement of international law and to third party dispute resolution. the book shows that there is much more to dealing with climate change than negotiating one global climate change-specific regime. Other areas of international law can, and must, be included in the solution. In this way international law can maximise its coherence and its efficacy. This well-documented study will appeal to international lawyers, academics, policy makers, government employees, negotiators, practitioners, international legal theorists and anyone interested in climate change and how to maximise

our international legal and policy responses to it.

Routledge Handbook of International Environmental Law - Shawkat Alam 2013

This handbook is an advanced level reference guide which provides a comprehensive and contemporary overview of the corpus of international environmental law (IEL).

The International Law on Climate Change - Benoit Mayer 2018-06-28

A synthesis of the relevant agreements, customary norms and ongoing discussions on the international law on climate change.

Climate Change and the Law - Erkki J. Hollo 2012-12-04

Climate Change and the Law is the first scholarly effort to systematically address doctrinal issues related to climate law as an emergent legal discipline. It assembles some of the most recognized experts in the field to identify relevant trends and common themes from a variety of geographic and professional perspectives. In a remarkably short time span, climate change has become deeply embedded in important areas of the law. As a global challenge calling for collective action, climate change has elicited substantial rulemaking at the international plane, percolating through the broader legal system to the regional, national and local levels. More than other areas of law, the normative and practical framework dedicated to climate change has embraced new instruments and softened traditional boundaries between formal and informal, public and private, substantive and procedural; so ubiquitous is the reach of relevant rules nowadays that scholars routinely devote attention to the intersection of climate change and more established fields of legal study, such as international trade law. *Climate Change and the Law* explores the rich diversity of international, regional, national, sub-national and transnational legal responses to climate change. Is climate law emerging as a new legal discipline? If so, what shared objectives and concepts define it? How does climate law relate to other areas of law? Such questions lie at the heart of this new book, whose thirty chapters cover doctrinal questions as well as a range of thematic and regional case studies. As Christiana Figueres, Executive Secretary of the United Nations Framework Convention on Climate Change (UNFCCC), states in her preface, these chapters collectively provide a "review of the emergence of a new discipline, its core principles and legal techniques, and its relationship and potential interaction with other disciplines."

Innovation and Experimentation in the International Climate Change Regime - Lavanya Rajamani 2021-02-22

This book takes a critical lens to humanity's collective regulatory response to the existential threat of climate change. It explores those aspects of the international climate change regime that, albeit born of political dysfunction, demonstrate ingenuity, innovation and experimentation. This includes aspects relating to the legal form of instruments in the regime, the legal character of its provisions, as well as norm hybridity and mutation, and the nature, extent and evolution of differential treatment in the regime. This book argues that innovations and experiments in the international climate change regime have resulted in a highly sophisticated and nuanced legal regime - one that challenges the conceptual boundaries of international law, enriches the core of treaty law and practice and is likely to have an enduring impact on international law, legal practice and diplomatic intercourse.

The Oxford Handbook of International Environmental Law - Lavanya Rajamani 2021-08-06

The second edition of this leading reference work provides a comprehensive discussion of the dynamic and important field of international law concerned with environmental protection. It is edited by globally-recognised international environmental law scholars, Professor Lavanya Rajamani and Professor Jacqueline Peel, and features 67 chapters authored by 76 renowned experts in their fields. The Handbook discusses the key principles underpinning international environmental law, its relevant actors and tools, and rules applying in its substantive sub-fields such as climate law, oceans law, wildlife and biodiversity law, and hazardous substances regulation. It also explores the intersection of international environmental law with other areas of international law, such as those concerned with trade, investment, disaster, migration, armed conflict, intellectual property, energy, and human rights. The Handbook sets its discussion of international environmental law in the broader interdisciplinary context of developments in science, ethics, politics and economics, which inform the way in which environmental rules are made, implemented, and enforced. It provides an introduction to the foundations of international environmental law while also engaging with questions at the frontiers of research, teaching, and practice in the field, including the role of Global

South perspectives, the contribution made by Earth jurisprudence, and the growing role of a diverse range of actors from indigenous peoples to business and industry. Like the first edition, this second edition of the Handbook is an essential reference text for all engaged with environmental issues at the international level and the applicable governance and regulatory structures.

[International Climate Change Law](#) - Daniel Bodansky 2017

A perfect introduction to climate change law, this textbook offers students and scholars an overview of the international law governing this fundamental issue. It demonstrates how to interpret the language used in the applicable instruments and conventions, and sets climate change law in its broader international legal context.

[The Law of Adaptation to Climate Change](#) - Michael Gerrard 2012

Taking a sweeping look at the current and proposed legal aspects of coping with climate change, this is a comprehensive resource of laws aimed at increasing resilience and reducing vulnerability to climate change. Written by authorities from private practice, government, and academia, this compendium examines the legal aspects of coping with climate change, both in the United States and around the world. Topics include water, energy, building and infrastructure, public lands, coastal issues, species and ecosystem impacts, disaster preparedness, and critical international issues.

International Climate Change Law and Policy - Thoko Kaime
2016-03-03

Climate change poses fundamental and varied challenges to all communities across the globe. The adaptation and mitigation strategies proposed by governments and non-governmental organisations are likely to require radical and fundamental shifts in socio-political structures, technological and economic systems, organisational forms, and modes of regulation. The sheer volume of law and policy emanating from the international level makes it uncertain which type of regulatory or policy framework is likely to have a positive impact. The success or failure of proposed measures will depend on their acceptability within the local constituencies within which they are sought to be applied. Therefore there is an urgent need to better comprehend and theorise the role of cultural legitimacy in the choice and effectiveness of international legal and policy interventions aimed at tackling the impact of climate change. The book brings together experts to present perspectives from different disciplines on the issue of international climate change law and policy. Beginning from the premise that legitimacy critiques of international climate change regulation have the capacity to positively influence policy trends and legal choices, the book showcases innovative ideas from across the disciplines and investigate the link between the efficacy of international legal and policy mechanisms on climate change and cultural legitimacy. The book includes chapters on with a theoretical basis as well as specific case-studies from around the globe. The topics covered include: land use planning as a tool of enhancing cultural legitimacy, indigenous peoples in international environmental negotiations, transnational advocacy networks, community-based forestry management and culture and voluntary social movements.

Climate Change Law in China in Global Context - Xiangbai He
2020-07-08

In *Climate Change Law in China in Global Context*, seven climate change law scholars explain how the country's legal system is gradually being mobilized to support the reduction of greenhouse gas emissions in China and achieve adaptation to climate change. There has been little English scholarship on the legal regime for climate change in China. This volume addresses this gap in the literature and focuses on recent attempts by the country to build defences against the impacts of climate change and to meet the country's international obligations on mitigation. The authors are not only interested in China's laws on paper; rather, the book explains how these laws are implemented and integrated in practice and sheds light on China's current laws, laws in preparation, the changing standing of law relative to policy, and the further reforms that will be necessary in response to the 2015 Paris Agreement on Climate Change. This comprehensive and critical account of the Chinese legal system's response to the pressures of climate change will be an important resource for scholars of international law, environmental law, and Chinese law.

[Climate Change and People on the Move](#) - Fanny Thornton 2018

This book applies a justice framework to analysis of the actual and potential role of international law with respect to people on the move in the context of anthropogenic climate change. That people are affected by the impacts of climate change is no longer doubted, including with implications for people movement (migration, displacement, relocation,

etc.). *Climate Change and People on the Move* tackles unique questions concerning international responsibility for people movement arising from the inequities inherent to climate change. Corrective and distributive justice provide the analytical backbone, and are explored in a substantial theoretical chapter and then applied to subsequent contextual analysis. Corrective justice supports analysis as to whether people movement in the climate change context could be conceived or framed as harm, loss, or damage which is compensable under international law, either through fault-centred regimes or no-fault regimes (i.e. insurance). Distributive justice supports analysis as to whether such movement could be conceived or framed as a disproportionate burden, either for those faced with movement or those faced with sheltering people on the move, from which duties of re-distribution may stem. This book contributes to the growing scholarship and analysis concerning international law or governance and people movement in response to the impacts of climate change by investigating the bounds of the law where the phenomenon is viewed as one of (in)justice.

Climate Change and Human Rights - Ottavio Quirico 2015-09-07

Do anthropogenic greenhouse gas emissions affect human rights? Should fundamental rights constrain climate policies? Scientific evidence demonstrates that anthropogenic greenhouse gas emissions contribute to increasing atmospheric temperatures, soon passing the compromising threshold of 2° C. Consequences such as Typhoon Haiyan prove that climate alteration has the potential to significantly impair basic human needs. Although the United Nations Framework Convention on Climate Change and human rights regulatory regimes have so far proceeded separately, awareness is arising about their reciprocal implications. Based on tripartite fundamental obligations, this volume explores the relationship between climate change and interdependent human rights, through the lens of an international and comparative perspective. Along the lines of the metaphor of the 'wall', the research ultimately investigates the possibility of overcoming the divide between universal rights and climate change, and underlying barriers. This book aims to be a useful resource not only for practitioners, policymakers, academics, and students in international, comparative, environmental law and politics and human rights, but also for the wider public.

The Oxford Handbook of International Climate Change Law - Cinnamon Piñon Carlarne 2016

"Climate change presents one of the greatest challenges of our time, and has become one of the defining issues of the twenty-first century. The radical changes which both developed and developing countries will need to make, in economic and in legal terms, to respond to climate change are unprecedented. International law, including treaty regimes, institutions, and customary international law, needs to address the myriad challenges and consequences of climate change, including variations in the weather patterns, sea level rise, and the resulting migration of peoples. ... This book addresses the major legal dimensions of the problems caused by climate change: including questions ranging from how to implement international legal frameworks at the national level, to how carbon trading systems can be used as a means of reducing the costs of meeting emission reduction targets."--Book jacket.

[Climate Change Law](#) - Daniel A. Farber 2017-10-25

Over the past thirty years, a body of law dealing with the issue of climate change has taken form. This rapidly emerging body of law runs the gamut from state and local regulations to federal policies and international agreements and includes both public and private sector involvement. *Climate Change Law* is based on the view that this issue is just too important to leave to specialists alone. It is the first book to offer a concise, readable treatment of this entire body of law. The focus is on core concepts of climate change law, rather than all of the complex details. The book begins by discussing the scientific and policy issues that frame the legal scheme, including the state of climate science, the meaning of the social cost of carbon, and the variety of tools that are available to reduce carbon emissions. It then covers in turn the international, national, and state efforts in this sphere. Finally, the book turns to the challenge of adapting to climate change, before exploring the concept of geoengineering and the potential challenges associated with using geoengineering as a tool for addressing climate change. The book is designed to be accessible to a broad range of readers, not just those who have backgrounds in climate science, environmental economics, or law.

[Principles of International Environmental Law](#) - Philippe Sands 2018-03

The new edition of this essential text offers a comprehensive, critical and future-thinking commentary on international environmental law.

[International Climate Change Law and State Compliance](#) - Alexander

Zahar 2016-07-15

This is the first book on state compliance that treats the UNFCCC, Kyoto Protocol, and their subordinate institutions as case studies in new international trends regarding state compliance. Drawing on a wide range of sources, from UNFCCC decisions to national-court judgements, this book clarifies the multiple layers of state compliance within the evolving international and transnational climate change regime. It provides a conceptual framework and mode of evaluation of the regulatory elements that have evolved to date. It comments on the current fragmentation (under the Bali Roadmap process) and possible future unification of accountability and enforcement elements (under the Durban Platform for Enhanced Action).

Climate Change Law, Technology Transfer and Sustainable Development - Md Mahatab Uddin 2021-07-22

This book explores the possibilities and scope of facilitating innovation and transfer of the environmentally sound technologies in the Post-Paris climate era. The possibilities to be explored by the book will first focus on the roles of the climate finance and technological cooperation mechanisms in innovation and transfer of environmentally sound technologies. Secondly, the book will focus on role of the 'flexible mechanism' (i.e. indirect financial mechanisms), which has been re-introduced by the Paris Agreement as 'voluntary cooperation' or 'sustainable development' mechanism in innovation and transfer of environmentally sound technologies. Thirdly, the book will contain a comparative analysis regarding efficiency of the technology transfer mechanism under global climate regime in comparison with technology transfer mechanism that exists under other multilateral environmental agreements (MEAs). In addition to the above, since the issues of trans-boundary technology transfer is also a matter of concern for international trade, the book will discuss to what extent the international trade related laws e.g. intellectual property laws, investment related laws governed by the World Trade Organizations (WTO) can play role in facilitating transfer of the environmentally sound technologies. Another important aspect that this book will cover is potential roles which private sectors can play in innovating and transferring environmentally sound technologies under above-mentioned instruments of international law. In short, this book will be based on the argument that if global climate regime and the international trade regime collaborate each other in creating enabling environment and attracting private sector to invest in the field of environmentally sound technologies, the global challenges of innovation and transfer of the environmentally sound technologies to the developing and least developed countries can be fulfilled in more efficient manner. From conceptual perspectives, discussions and analyses of the book will be made in the light of the principles of equity and common but differentiated responsibilities and respective capabilities (CBDR-RC) - two main guiding principles of the international laws on climate change. This book will be of great interest to scholars of climate change, technology transfer, intellectual property and sustainable development. Besides, national and international level policy makers dealing with climate change and sustainable development will be greatly benefitted from this book.

Fairness in International Climate Change Law and Policy -

Friedrich Soltau 2009-09-14

This book seeks to identify the elements of a working consensus on fairness principles that could be used to assign responsibility for combating climate change.

An Ecological Approach to International Law - Prue Taylor 2008-01-28

An Ecological Approach to International Law shows that international environmental law is fundamentally flawed and not equipped to meet global challenges. The book examines international legal responses to global climate change by analysing key concepts such as the doctrine of state sovereignty, the law on state responsibility, environmental rights and common heritage of mankind.

Climate Change Liability - Richard Lord 2011

"As frustration mounts in some quarters at the perceived inadequacy or speed of international action on climate change, and as the likelihood of significant impacts grows, the focus is increasingly turning to liability for climate change damage. Actual or potential climate change liability implicates a growing range of actors, including governments, industry, businesses, non-governmental organisations, individuals and legal practitioners. Climate Change Liability provides an objective, rigorous and accessible overview of the existing law and the direction it might take in seventeen developed and developing countries and the European Union. In some jurisdictions, the applicable law is less developed and

less the subject of current debate. In others, actions for various kinds of climate change liability have already been brought, including high profile cases such as Massachusetts v. EPA in the United States. Each chapter explores the potential for and barriers to climate change liability in private and public law"--

Climate Change Law and Policy - Cinnamon Piñon Carlarne 2010

This text provides a comparative, socio-legal analysis of global climate change laws and policies in the European Union and the United States, shedding light on the disparate legal and political strategies being used to address climate change in these two regions and the likely successes and failures of current policy strategies.

International Environmental Law - Pierre-Marie Dupuy 2018-06-07

International Environmental Law offers a concise, conceptually clear, and legally rigorous introduction to contemporary international environmental law and practice. The book covers all major environmental agreements, paying particular attention to their underlying structure, main legal provisions, and practical operation. It blends legal and policy analysis, making extensive reference to the jurisprudence and scholarship, and addressing the interconnections with other areas of international law, including human rights, humanitarian law, trade and foreign investment. The material is structured into four sections - foundations, substantive regulation, implementation, and influence on other areas of international law - which help the reader to navigate the different areas of international environmental law. Each chapter includes charts summarising the main components of the relevant legal frameworks and provides a detailed bibliography. Suitable for practicing and academic international lawyers who want an accessible, up-to-date introduction to contemporary international environmental law, as well as non-lawyers seeking a concise and clear understanding of the subject.

International Law and the Protection of "Climate Refugees" - Giovanni Sciacaluga 2020-08-05

This book studies the topic of forced climate migrants (commonly referred to as "climate refugees") through the lens of international law and identifies the reasons why these migrants should be granted international protection. Through an analysis focused on climate change and human rights international law, it points out the legal principles and rules upon which an international obligation to protect persons forced to migrate due to climate change is emerging. Sciacaluga advocates for a state obligation to protect climate migrants when their origin countries have become extremely environmentally fragile due to climate change—to the point of becoming unable to guarantee the exercise of inalienable human rights in their territories. Turning to the future, this book then investigates the current elements on which a "forced climate migrants law" could be built, ultimately arguing for the duty to provide some form of assistance to forced climate migrants in a third state within the international legal system.

Climate Change Finance and International Law - Alexander Zahar 2016-12-01

Since 2010, a significant quantity of international climate change finance has begun to reach developing countries. However, the transfer of finance under the international climate change regime - the legal and ethical obligations that underpin it, the constraints on its use, its intended outcomes, and its successes, failures, and future potential - constitutes a poorly understood topic. Climate Change Finance and International Law fills this gap in the legal scholarship. The book analyses the legal obligations of developed countries to financially support qualifying developing countries to pursue globally significant mitigation and adaptation outcomes, as well as the obligations of the latter under the international regime of financial support. Through case studies of climate finance mechanisms and a multitude of other sources, this book delivers a rich legal and empirical understanding of the implementation of states' climate finance obligations to date. The book will be of interest to scholars and students of international law and policy, international relations, and the maturing field of climate change law.

Global Climate Change and U.S. Law - Michael Gerrard 2007

This comprehensive, current examination of U.S. law as it relates to global climate change begins with a summary of the factual and scientific background of climate change based on governmental statistics and other official sources. Subsequent chapters address the international and national frameworks of climate change law, including the Kyoto Protocol, state programs affected in the absence of a mandatory federal program, issues of disclosure and corporate governance, and the insurance industry. Also covered are the legal aspects of other efforts, including voluntary programs, emissions trading programs, and carbon

sequestration.

Climate Change, Public Health, and the Law - Michael Burger
2018-07-31

Climate Change, Public Health, and the Law provides the first comprehensive explication of the dynamic interactions between climate change, public health law, and environmental law, both in the United States and internationally. Responding to climate change and achieving public health protections each require the coordination of the decisions and behavior of large numbers of people. However, they also involve interventions that risk compromising individual rights. The challenges involved in coordinating large-scale responses to public health threats and protecting against the invasion of rights, makes the law indispensable to both of these agendas. Written for the benefit of public health and environmental law professionals and policymakers in the United States and in the international public health sector, this volume focuses on the legal components of pursuing public health goals in the midst of a changing climate. It will help facilitate efforts to develop, improve, and carry out policy responses at the international, federal, state, and local levels.

Regime Interaction and Climate Change - Beatriz Martinez Romera
2017-12-06

The regulation of greenhouse gas emissions from international aviation and maritime transport has proved to be a difficult task for international

climate negotiations such as the Paris Agreement in 2015. Almost two decades prior, Article 2.2 of the Kyoto Protocol excluded emissions from international aviation and maritime transport from its targets, delegating the negotiation of sector-specific regulations to the International Civil Aviation Organization (ICAO) and the International Maritime Organization (IMO), respectively. However, progress at these venues has also been limited. *Regime Interaction and Climate Change* maps out the legal frameworks in the Climate, ICAO and IMO regimes, and explores the law-making process for the regulation of international aviation and maritime transport through the lenses of fragmentation of international law and regime interaction. The book sheds light on how interaction between these three regimes occurs, what the consequences of such interaction are and how they can be managed to resolve conflicts and promote synergies. This book will be of great interest to scholars of international environmental law and governance, climate change policy and climate change law.

Climate Change, Forced Migration, and International Law - Jane McAdam
2012-02-23

This is a key study into whether 'climate change refugees' are protected by international law. It examines the reasons why people do or do not move; how far climate change is a trigger for movement; and whether traditional international responses, such as creating new treaties and new institutions, are appropriate solutions in this context.