

International Climate Change Law

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 The Oxford Handbook of International Climate Change Law
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 Climate Change Law, Technology Transfer and Sustainable Development
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Evolution of International Environmental Regimes Springer Science & Business Media
 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

The Oxford Handbook of International Climate Change Law ICHR

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.

Comparative Climate Change Litigation: Beyond the Usual Suspects Edward Elgar Publishing
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.

Climate Change Law, Technology Transfer and Sustainable Development Springer
 "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.

International Environmental Law Springer Nature

This work analyses fairness dimensions of the climate regime. A central issue in international law and policy is how countries of the world should allocate the burden of addressing global climate change. With the link between human activities and climate change clearly established, and the first impacts of climate change being felt, there is a renewed sense of urgency in addressing the problem. On the basis of an overview of science and the development of the climate regime, this

book seeks to identify the elements of a working consensus on fairness principles that could be used to solve the seemingly intractable problem of assigning responsibility for combating climate change. The book demonstrates how an analysis of fairness dimensions of climate change - grounded in practical developments and illustrated with reference to the key issues - can add value to our understanding of the options for international climate law and policy.

International Environmental Law and Distributive Justice Routledge

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 Edward Elgar Publishing

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.

Dictionary of Environmental and Climate Change Law Nomos Verlagsgesellschaft

This book examines lawsuits over climate change that have been brought around the world. It can serve as a resource for those interested in the problem of climate change and in the role that courts are playing in climate regulation. The chapters analyze examples of cases in state, national, and international tribunals, as well as this litigation's broader significance.

International Climate Change Law and State Compliance Cambridge University Press

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.

Global Climate Change and U.S. Law Routledge

International Climate Change Law Oxford University Press

International Law in the Era of Climate Change Edward Elgar Publishing

The Clean Development Mechanism (CDM) is widely regarded as one of the Kyoto Protocol's best creations and as an essential part of the international climate change regime. The CDM has been constantly evolving to ensure that it fulfils its objectives of mitigating climate change and contributing to sustainable development in developing countries. The over 6,000 registered projects under the CDM are estimated to have generated almost US\$200 billion of investment in developing countries and are expected to achieve GHG emission reductions of about 6.8 billion tonnes. Nevertheless, the CDM is not perfect, and one of its main problems is the inequitable geographic distribution of projects among developing countries. Understandably, this is a problem that countries are very keen to address, and since 2001, even before the first project was registered, countries have been highlighting the need to ensure that projects are equitably distributed among participating countries. This book looks at distributive justice under the CDM regime and focuses on the issue of equity in the geographic distribution of CDM projects among developing countries. The book investigates relevant aspects of international law to identify the legal characteristics of equitable distribution or distributive justice, in order to establish what equitable distribution in the CDM should look like. Based on these investigations, Tomilola Akanle Eni-Ibukun breaks new ground in defining equitable distribution under the CDM and exploring how key obstructions to the equitable distribution of projects may be overcome. The book will be of particular interest to academics and policymakers of climate change and the CDM within international law.

Climate Change Law Routledge

Existing climate change governance regimes in the US and the EU contain complex mixtures of regulatory, market, voluntary, and research-based strategies. The EU has adopted an approach to climate change that is based on mandatory greenhouse gas emission reductions; it is grounded in 'hard' law measures and accompanied by 'soft' law measures at the regional and Member State level. In contrast, until recently, the US federal government has carefully avoided mandatory emission reduction obligations and focused instead on employing a variety of 'soft' measures to encourage - rather than mandate - greenhouse gas emission reductions in an economically sound, market-driven manner. These macro level differences are critical yet they mask equally important transatlantic policy convergences. The US and the EU are pivotal players in the development of the international climate change regime. How these two entities structure climate change laws and policies profoundly influences the shape and success of climate change laws and policies at multiple levels of governance. This book suggests that the overall structures and processes of climate change law and policy-making in the US and the EU are intricately linked to international policy-making and, thus, the long-term success of global efforts to address climate change. Accordingly, the book analyses the content and process of climate change law and policy-making in the US and the EU to reveal policy convergences and divergences, and to examine how these convergences and divergences impact the ability of the global community to structure a sustainable, effective and equitable long-term climate strategy.

Innovation and Experimentation in the International Climate Change Regime Edward Elgar Publishing

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 Law and Policy BRILL

Drawing specifically on the international climate regime, Simone Schiele examines international environmental regimes from a legal perspective and analyses a core feature of international regimes - their ability to evolve over time. In particular, she develops a theoretical framework based on general international law which allows for a thorough examination of the understanding of international law and the options for law-creation in international environmental regimes. The analysis therefore provides both a coherent understanding of the international climate regime and a starting point for further research in other regimes.

Climate Change Finance and International Law Cambridge University Press

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.

Climate Change, Forced Migration, and International Law Cambridge University Press

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.

State Responsibility, Climate Change and Human Rights under International Law Routledge

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.

Fairness in International Climate Change Law and Policy Cambridge University Press

A solution to the problem of climate change requires close international cooperation and difficult reforms involving all states. Law has a clear role to play in that solution. What is not so clear is the role that law has played to date as a constraining factor on state conduct. International Climate Change Law and State Compliance is an unprecedented treatment of the nature of climate change law and the compliance of states with that law. The book argues that the international climate change regime, in the twenty or so years it has been in existence, has developed certain normative rules of law, binding on states. State conduct under these rules is characterized by generally high compliance in areas where equity is not a major concern. There is, by contrast, low compliance in matters requiring a burden-sharing agreement among states to reduce global greenhouse gas emissions to a 'safe' level. The book argues that the substantive climate law presently in place must be further developed, through normative rules that bind states individually to top-down mitigation commitments. While a solution to the problem of climate change must take this form, the law's development in this direction is likely to be hesitant and slow. The book is aimed at scholars and graduate students in environmental law, international law, and international relations.

Global Climate Constitutionalism "from below" Springer

Explores normative and institutional innovation in international law as a response to the challenges to global order posed by rapid environmental change.

Edward Elgar Publishing

The book addresses the question of whether the currently available instruments of international environmental and international humanitarian law are applicable to climate conflicts. It clarifies the different pathways leading from climate change to conflict and offers an analysis of international environmental law embedded within the international doctrine of state responsibility. It goes on to discuss whether climate change amounts to an issue covered by Art. 2.4 UN Charter - the prohibition of the use of force. It then considers the possible application of international humanitarian law to climate conflicts. The book also offers a definition of the term "climate conflict", drawing on legal as well as peace and conflict studies.

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