

ISSN: 2047-1025



TRANSNATIONAL ENVIRONMENTAL LAW

VOLUME 9 ISSUE 1 MARCH 2020

<https://doi.org/10.1017/S2047102520000096> Published online by Cambridge University Press

CAMBRIDGE
UNIVERSITY PRESS

Transnational Environmental Law

EDITORS-IN-CHIEF

Thijs Etty, *Amsterdam University College and VU University Amsterdam, The Netherlands*
Veerle Heyvaert, *London School of Economics and Political Science, United Kingdom*

EDITORS

Cinnamon Carlarne, *Ohio State University, USA*
Bruce Huber, *University of Notre Dame, USA*
Jacqueline Peel, *University of Melbourne, Australia*
Josephine van Zeben, *Wageningen University, The Netherlands*

BOOK REVIEW EDITOR

Melissa Powers, *Lewis & Clark Law School, USA*

ASSISTANT EDITORS

Leslie-Anne Duvic-Paoli, *King's College London, UK*
Geetanjali Ganguly, *London School of Economics and Political Science, UK*
Anna Huggins, *Queensland University of Technology, Australia*
Alexia Staker, *Barrister – Victorian Bar, Australia*
Aaron Wu, *SOAS, University of London, UK*

ADVISORY BOARD

Natasha Affolder <i>University of British Columbia, Canada</i>	Jolene Lin <i>National University of Singapore, Singapore</i>
Daniel Bodansky <i>Arizona State University, USA</i>	Robert V. Percival <i>University of Maryland, USA</i>
Jutta Brunnée <i>University of Toronto, Canada</i>	Lavanya Rajamani <i>St Peter's College, Oxford, UK</i>
Geert Van Calster <i>K.U. Leuven and DLA Piper, Belgium</i>	Leonie Reins <i>Tilburg University, The Netherlands</i>
Ed Couzens <i>University of Sydney, Australia</i>	Benjamin J. Richardson <i>University of Tasmania, Australia</i>
Daniel C. Esty <i>Yale University, USA</i>	Joanne Scott <i>European University Institute, Italy</i>
Daniel Farber <i>University of California – Berkeley, USA</i>	Gregory Shaffer <i>University of California – Irvine, USA</i>
Jessica Green <i>University of Toronto, Canada</i>	Joana Setzer <i>London School of Economics and Political Science, UK</i>
Neil Gunningham <i>Australian National University, Australia</i>	Katie Sykes <i>Thompson Rivers University, Canada</i>
Sébastien Jodoin <i>McGill University, Canada</i>	Jonathan Verschuren <i>Tilburg University, The Netherlands</i>
Louis Kotzé <i>North West University, South Africa</i>	Wang Xi <i>Kunming University and Shanghai Jiao Tong University, China</i>
Douglas A. Kysar <i>Yale University, USA</i>	Tseming Yang <i>Santa Clara University, USA</i>
Maria Lee <i>University College London, UK</i>	

STATEMENT OF AIMS

Transnational Environmental Law (TEL) is a peer-reviewed journal for the study of environmental law and governance beyond the state. It approaches legal and regulatory developments with an interest in the contribution of non-state actors and an awareness of the multi-level governance context in which contemporary environmental law unfolds.

TEL offers a forum for rigorous analysis and discussion of the impacts of globalization on complex environmental risks and norms. It welcomes scholarship that enriches our understanding of contemporary environmental law through comparative and cutting-edge interdisciplinary analysis. *TEL*'s scope is broadly conceived in terms of disciplinary focus: its pages are open to scholarly contributions covering a wide range of environmental issues, including climate change, biodiversity, emerging technologies, industrial pollution and waste management. *TEL* also promotes the exploration of the evolving dynamics between environmental law and other legal disciplines (including but not limited to trade and competition law, financial law and human rights).

TEL strives for a new generation of environmental scholarship that will bridge geographical boundaries, scholarly styles and generations. *TEL* encourages the integration of theoretical and practical legal perspectives on current environmental issues, and aims to deliver scholarship of high salience to academics and practitioners alike.

TRANSNATIONAL ENVIRONMENTAL LAW

VOLUME 9 ISSUE 1 MARCH 2020

Contents

EDITORIAL

- 1–9 The End of a Decade and the Dawn of a Climate Resistance
Thijs Etty, Veerle Heyvaert, Editors-in-Chief
Cinnamon Carlarne, Bruce Huber, Jacqueline Peel and Josephine van Zeben, Editors

SYMPOSIUM: CLIMATE CHANGE LITIGATION

- 11–16 Symposium Foreword: Climate Change Litigation: Trends, Policy Implications and the Way Forward
Katerina Mitkidis and Theodora N. Valkanou
- 17–36 Can the Paris Agreement Help Climate Change Litigation and Vice Versa?
Lennart Wegener
- 37–54 Domestic Courts and the Paris Agreement's Climate Goals: The Need for a Comparative Approach
Anna-Julia Saiger
- 55–75 Should Judges Make Climate Change Law?
Laura Burgers
- 77–101 Climate Litigation in the Global South: Constraints and Innovations
Joana Setzer and Lisa Benjamin
- 103–135 Climate Litigation in Financial Markets: A Typology
Javier Solana

CASE COMMENT

- 137–164 *Armando Carvalho and Others v. EU*: Invoking Human Rights and the Paris Agreement for Better Climate Protection Legislation
Gerd Winter

ARTICLE

- 165–188 Collective Obligation and Individual Ambition in the Paris Agreement
Alexander Zahar

BOOK REVIEWS

- 189–192 *The Art of Environmental Law: Governing with Aesthetics*, by Benjamin J. Richardson
Reviewed by *David Takacs*
- 192–196 *Ecological Restoration Law: Concepts and Case Studies*, edited by Afshin Akhtar-Khavari and Benjamin J. Richardson
Reviewed by *Susan Baker*