

# Implementing the **CLIMATE REGIME**

International Compliance



Edited by Olav Schram Stokke,  
Jon Hovi and Geir Ulfstein

# Implementing The Climate Regime International Compliance

**Alexander Zahar, Jacqueline Peel, Lee  
Godden**



## **Implementing The Climate Regime International Compliance:**

**Implementing the Climate Regime** Jon Hovi, Olav Stokke, Geir Ulfstein, 2013 Global warming is the most severe environmental challenge faced by humanity today and the costs of responding effectively will be high While Russia's ratification of the Kyoto Protocol ensures the treaty's entry into force lack of capacity or incentives to renege on their commitments will impede mitigation efforts in many countries An important prerequisite for the proper functioning of the Protocol is that its compliance system which is spelled out by the Marrakesh Accords proves effective *Implementing the Climate Regime* describes and analyses Kyoto's compliance system Organized into four parts Part I describes the emergence and design of the compliance system while Part II analyses various challenges to its effective operation such as the development of norms verification and the danger that the use of punitive consequences may also hurt compliant countries Part III discusses the potential role of external enforcement with particular emphasis on trade sanctions Part IV addresses the relationship between Kyoto compliance on one hand and international governance oil companies and green NGOs on the other

*Implementing the Climate Regime* Olav Schram Stokke, 2013-06-17 Global warming is the most severe environmental challenge faced by humanity today and the costs of responding effectively will be high While Russia's ratification of the Kyoto Protocol ensures the treaty's entry into force lack of capacity or incentives to renege on their commitments will impede mitigation efforts in many countries An important prerequisite for the proper functioning of the Protocol is that its compliance system which is spelled out by the Marrakesh Accords proves effective *Implementing the Climate Regime* describes and analyses Kyoto's compliance system Organized into four parts Part I describes the emergence and design of the compliance system while Part II analyses various challenges to its effective operation such as the development of norms verification and the danger that the use of punitive consequences may also hurt compliant countries Part III discusses the potential role of external enforcement with particular emphasis on trade sanctions Part IV addresses the relationship between Kyoto compliance on one hand and international governance oil companies and green NGOs on the other

**Paris Climate Agreement: A Deal for Better Compliance?** Zerrin Savaşan, 2019-04-23 This book discusses options for an improved compliance system under the Paris Climate Agreement by addressing current weaknesses The research is based on two cases the Compliance Mechanisms of the Montreal and Kyoto Protocols and their outcomes in practice This book analysed the different meanings of the compliance concept of Compliance Mechanisms CMs and Multilateral Environmental Agreements MEAs in chapter 3 on the theories and two basic explanatory models on compliance chapter 4 on the development of CMs and the limitations of traditional means chapter 5 and the questions on the CMs under the Kyoto and the Montreal Protocols chapter 6 Based on its findings options for an improved compliance system under the Paris Climate agreement are asked chapter 7 This book Offers a detailed understanding of compliance and existing compliance mechanisms CMs elaborates the CMs present features on the basis of its case studies includes the latest

information on CMs and its case studies discusses options for an improved compliance system under the Paris Climate Agreement figuring out the current weaknesses **The Global Development Of Policy Regimes To Combat Climate Change** Alex Bowen, Nicholas Stern, John Whalley, 2014-04-01 The year 2015 will be a landmark year for international climate change negotiations Governments have agreed to adopt a universal legal agreement on climate change at the 21st Conference of Parties COP21 to the United Nations Framework Convention on Climate Change UNFCCC in Paris in 2015 The agreement will come into force no later than 2020 This book focuses on the prospects for global agreement how to encourage compliance with any such agreement and perspectives of key players in the negotiations the United States India China and the EU It finds that there is strong commitment to the established UN institutions and processes within which the search for further agreed actions will occur There are already a myriad of local and regional policies that are helping to reduce greenhouse gas emissions and build mutual confidence However the chapters in the book also highlight potential areas of discord For instance varying interpretations of the common but differentiated responsibilities of developing countries agreed as part of the UNFCCC could be a major sticking point for negotiators When combined with other issues such as the choice of consumption or production as the basis for mitigation commitments the appropriate time frame and base date for their measurement and whether level or intensity commitments are to be negotiated the challenges that need to be overcome are considerable The authors bring to bear insights from economics public finance and game theory **The Implementation of the Paris Agreement on Climate Change** Vesselin Popovski, 2018-10-03 In December 2015 196 parties to the United Nations Framework Convention on Climate Change UNFCCC adopted the Paris Agreement seen as a decisive landmark for global action to stop human induced climate change The Paris Agreement will replace the 1997 Kyoto Protocol which expires in 2020 and it creates legally binding obligations on the parties based on their own bottom up voluntary commitments to implement Nationally Determined Contributions NDCs The codification of the climate change regime has advanced well but the implementation of it remains uncertain This book focuses on the implementation prospects of the Agreement which is a challenge for all and will require a fully comprehensive burden sharing framework Parties need to meet their own NDCs but also to finance and transfer technology to others who do not have enough How equity based and facilitative the process will be is of crucial importance The volume examines a broad range of issues including the lessons that can be learnt from the implementation of previous environmental legal regimes climate policies at national and sub national levels and whether the implementation mechanisms in the Paris Agreement are likely to be sufficient Written by leading experts and practitioners the book diagnoses the gaps and lays the ground for future exploration of implementation options This collection will be of interest to policy makers academics practitioners students and researchers focusing on climate change governance

**Research Handbook on International Environmental Law** Fitzmaurice, Malgosia, Brus, Marcel, Merkouris, Panos, Rydberg, Agnes, 2021-11-12 This thoroughly updated and revised second edition of this foundational Handbook

combines practical and theoretical analyses to cover a wide array of cutting edge issues in international environmental law IEL It provides a comprehensive view of the complexity of IEL both as a field in its own right and as part of the wider system of international law

**Climate Change 2007 - Mitigation of Climate Change** Intergovernmental Panel on Climate Change, 2007-11-12 The Climate Change 2007 volumes of the Fourth Assessment Report of the Intergovernmental Panel on Climate Change IPCC provide the most comprehensive and balanced assessment of climate change available This IPCC Working Group III volume provides a comprehensive state of the art and worldwide overview of scientific knowledge related to the mitigation of climate change It includes a detailed assessment of costs and potentials of mitigation technologies and practices implementation barriers and policy options for the sectors energy supply transport buildings industry agriculture forestry and waste management It links sustainable development policies with climate change practices This volume will again be the standard reference for all those concerned with climate change including students and researchers analysts and decision makers in governments and the private sector

*The International Climate Change Regime* Farhana Yamin, Joanna Depledge, 2004-12-09 This book presents a comprehensive authoritative and independent account of the rules institutions and procedures governing the international climate change regime Its detailed yet user friendly description and analysis covers the UN Framework Convention on Climate Change the Kyoto Protocol and all decisions taken by the Conference of the Parties up to 2003 including the landmark Marrakesh Accords Mitigation commitments adaptation the flexibility mechanisms reporting and review compliance education and public awareness technology transfer financial assistance and climate research are just some of the areas that are reviewed The book also explains how the regime works including a discussion of its political coalitions institutional structure negotiation process administrative base and linkages with other international regimes In short this book is the only current work that covers all areas of the climate change regime in such depth yet in such a uniquely accessible and objective way

Verifying Treaty Compliance Rudolf Avenhaus, Nicholas Kyriakopoulos, Michel Richard, Gotthard Stein, 2007-04-21 International treaties requiring binding commitments on the part of the member states and appropriate compliance verification by an international authority constitute a primary assurance against risks posed by the spread of sensitive technologies that can be used to produce weapons of mass destruction or risks posed by climate changes due to global human activities This book presents in an interdisciplinary manner experts analyses and views of existing verification systems It gives guidelines and advice for the improvement of those systems as well as for new challenges in the field

**Distributional Choices in EU Climate Change Law and Policy** Javier De Cendra de Larragán, 2011-01-01 Climate change policy inevitably has two core components the goals and the means chosen to pursue those goals Decisions on goals and means necessarily have distributional consequences Any policy choice generates winners and losers While this outcome cannot be avoided even doing nothing leads to distributional consequences policymakers can through the choice design and implementation of policies shape to some extent the distribution of the burdens of mitigation

and adaptation to climate change In greater depth than any previous legal study in the field this book deals with the way in which the European Union EU has dealt with climate change and with the distribution of the benefits and costs of climate change mitigation policies among affected parties With extraordinary thoroughness the author assesses the legality of choices made particularly concerning mitigation targets and timelines and examines the role that legal principles can play in the adoption interpretation and judicial testing of distributional choices His analysis of the tension between such choices and EU law is bolstered by an exploration of emerging legal principles which could provide additional guidance in this challenging and controversial area Among the core issues dealt with are the following relationship among mitigation adaptation and sustainable development regulations as means to make distributional choices distributional choices between generations and the principle of intergenerational justice distributional choices concerning firms and individuals the participation of affected parties in distributional choices access to justice in EU courts to challenge violations of procedural environmental rights the role of legal principles in making evaluating and testing distributional choices the principle of proportionality with its tests of appropriateness and necessity the principle of equality the precautionary principle the principle of prevention the polluter pays principle A concluding chapter offers deeply informed recommendations regarding the design of EU climate change law including a preliminary assessment of EU wide personal carbon trading In its insightful illumination of how the inevitable trade offs weaknesses inconsistencies and ambiguities in the way law deals with distributional choices renders them vulnerable to external pressures this book will be of enormous value to regulators and policymakers concerned with effective efficient and fair climate change measures As a critical assessment of existing EU climate change laws and policies and as a systematic analysis of the problem of burden sharing this book will also prove highly valuable to academics in environmental fields of study

#### **Improving Global Environmental Governance** Norichika

Kanie, Steinar Andresen, Peter M. Haas, 2013-10-30 The experience of environmental governance is approached in Improving Global Environmental Governance from the unique perspective of actor configuration and embedded networks of actors which are areas of emerging importance The chapters look at existing Multilateral Environmental Agreements MEAs and the broader constellation of partially networked institutions to better understand the involvement of individual actors and how to deepen the networks that include them to generate more effective governance The book covers a wide range of issues pertaining to environmental governance including trans boundary air pollution marine pollution biodiversity and ozone depletion It also examines partnerships as a hybrid case of emerging modes of environmental governance These partnerships are a recent form of actor configuration that warrant attention for dealing with global environmental threats in order to better understand the full potential of actor configurations in the absence of state involvement In order to test applicability to on going but stalled processes the book applies the approach to one of the most difficult issues we face climate change By addressing key questions in this important area the book provides new perspectives in the nexus between agency and

architecture in environmental governance in the twenty first century      **Fairness in International Climate Change Law and Policy** Friedrich Soltau, 2009-09-14 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 Judicial Practice on the Environment* Christina Voigt, 2019-04-18 Evaluates the fundamental legitimacy of judicial practice in the growing number of environmental cases heard before international courts      *Climate Change and Indigenous Peoples* Randall Abate, Elizabeth Ann Kronk, 2013-01-01 Climate Change and Indigenous Peoples offers the most comprehensive resource for advancing our understanding of one of the least coherently developed of climate change policy realms legal protection of vulnerable indigenous populations The first part of the book provides a tremendously useful background on the cultural policy and legal context of indigenous peoples with special emphasis on developing general principles for climate change mitigation and adaptation solutions The remainder of the volume then carefully and thoroughly works through how those general principles play out for different regional indigenous populations around the globe All of the contributions to the volume are by leading experts who bring their insights and innovative thinking to bear on a truly complex subject Whether as a novice s starting point or expert s desktop reference I cannot think of a more useful resource for anyone interested in climate policy for indigenous peoples J B Ruhl Vanderbilt University Law School US In Climate Change and Indigenous Peoples editors Randy Abate and Elizabeth Kronk have assembled a truly comprehensive and informative look at the special issues that indigenous peoples face as a result of climate impacts and an overview of the law international and domestic climate change and human rights substantive and procedural that applies to those issues One of the great strengths of the book is that no group of indigenous people is made to stand proxy for all the others instead after exploring the general issues facing all indigenous peoples and the general legal strategies they use the book focuses most of its attention on the specific climate change issues that confront particular groups South American indigenous peoples the various tribes of Native Americans in the US the indigenous peoples of the Arctic collectively as well as in respect to particular Arctic countries Pacific Islanders indigenous peoples in Asia the various groups of Aborigines and Torres Islanders in Australia the Maori on New Zealand and several tribes in Kenya Africa For people interested in climate change and climate change adaptation this book provides a unique overview of the special vulnerabilities and plights of indigenous

peoples issues that must be considered as the world works to formulate effective and protective climate change adaptation policies For people interested in indigenous peoples and international human rights this book paints a grim picture of the various ways in which climate change threatens this very diverse group of cultural entities and the deep knowledge of place that they usually possess while at the same time offering hope that the law can find ways to keep them from disappearing and indeed that indigenous peoples might just help the rest of us to survive as well Robin Kundis Craig University of Utah S J Quinney College of Law US It is one of the world s cruelest ironies that some of the earliest effects of climate change are being felt by indigenous populations around the world even though they contributed no more than trivial amounts of the greenhouse gases that are at the root of much of the problem and they are so politically and economically powerless that they played no role in the decisions that have led to their plight At the same time many of these populations are victimized by certain actions designed to reduce emissions such as land clearing for biofuels cultivation and restrictions on forest use Professors Abate and Kronk have assembled a formidable collection of experts from around the world who demonstrate the diversity of challenges facing these indigenous peoples and the opportunities and challenges in using various international and domestic legal tools to seek redress This book will be an invaluable resource for all those examining the legal remedies that may be available either now or as the law develops in the years to come Michael B Gerrard Columbia Law School US This timely volume explores the ways in which indigenous peoples across the world are challenged by climate change impacts and discusses the legal resources available to confront those challenges Indigenous peoples occupy a unique niche within the climate justice movement as many indigenous communities live subsistence lifestyles that are severely disrupted by the effects of climate change Additionally in many parts of the world domestic law is applied differently to indigenous peoples than it is to their non indigenous peers further complicating the quest for legal remedies The contributors to this book bring a range of expert legal perspectives to this complex discussion offering both a comprehensive explanation of climate change related problems faced by indigenous communities and a breakdown of various real world attempts to devise workable legal solutions Regions covered include North and South America Brazil Canada the US and the Arctic the Pacific Islands Fiji Tuvalu and the Federated States of Micronesia Australia and New Zealand Asia China and Nepal and Africa Kenya This comprehensive volume will appeal to professors and students of environmental law indigenous law and international law as well as practitioners and policymakers with an interest in indigenous legal issues and environmental justice

*Handbook of International Relations* Walter Carlsnaes, Thomas Risse, Beth A Simmons, 2012-09-18 The original Handbook of International Relations was the first authoritative and comprehensive survey of the field of international relations In this eagerly awaited new edition the Editors have once again drawn together a team of the world s leading scholars of international relations to provide a state of the art review and indispensable guide to the field ensuring its position as the pre eminent volume of its kind The Second Edition has been expanded to 33 chapters and fully revised with



new chapters on the following contemporary topics Normative Theory in IR Critical Theories and Poststructuralism Efforts at Theoretical Synthesis in IR Possibilities and Limits International Law and International Relations Transnational Diffusion Norms Ideas and Policies Comparative Regionalism Nationalism and Ethnicity Geopolitics in the 21st Century Terrorism and International Relations Religion and International Politics International Migration A truly international undertaking this Handbook reviews the many historical philosophical analytical and normative roots to the discipline and covers the key contemporary topics of research and debate today The Handbook of International Relations remains an essential benchmark publication for all advanced undergraduates graduate students and academics in politics and international relations

**Australian Climate Law in Global Context** Alexander Zahar, Jacqueline Peel, Lee Godden, 2012-11-14 Provides a comprehensive guide to climate change law in Australia and internationally focusing on Australia's implementation of climate related treaties Newhall Ranch Resource Management and Development Plan and Spineflower Conservation Plan, 2009

*Evolution of International Environmental Regimes* Simone Schiele, 2014-06-12 Using the international climate regime as an example Simone Schiele analyses the ability of international environmental regimes to evolve over time **Interpretive Approaches to Global Climate Governance** Chris Methmann, Delf Rothe, Benjamin Stephan, 2013-06-03 Global climate change is perceived to be one of the biggest challenges for international politics in the 21st century This work seeks to fuse a global governance perspective together with different interpretive approaches offering a novel way of looking at international climate politics Equipped with a common interpretive tool kit the authors examine different issue areas and excavate the contours of an overall pattern the depoliticisation of climate governance It is this concept which represents the overarching theme connecting the different contributions addressing issues such as how the securitization of climate change conceals its socio economic roots how highly political decisions and value judgements are couched in the terms of science how the reframing of climate change as a matter of economic calculation and investment narrows the scope of political action and how the prevailing concentration on technological solutions to climate change turns it into a mere administrative issue to be tackled by experts Highlighting the depoliticisation of highly political issues provides a means to bring the political back into one of the most important issue areas of 21st century world politics The editors have assembled a series of 14 interpretive inquiries into discourses of global climate governance which aim to flesh out an interpretive methodology demonstrating the value it offers to those seeking to achieve a better understanding of global climate governance This work will be of great interest to students and scholars of environmental politics political theory and climate change **Water Wind Art and Debate** Gavin Birch, 2007-10-12 The Australian community has become increasingly concerned about environmental issues resulting in the Australian government placing a higher priority on global warming and climate change This unique compilation Water Wind Art and Debate highlights current research across a variety of Humanities and Science disciplines

## Adopting the Tune of Appearance: An Emotional Symphony within **Implementing The Climate Regime International Compliance**

In a global eaten by displays and the ceaseless chatter of fast transmission, the melodic elegance and psychological symphony produced by the written word often diminish in to the backdrop, eclipsed by the constant sound and interruptions that permeate our lives. But, located within the pages of **Implementing The Climate Regime International Compliance** a stunning fictional treasure brimming with organic emotions, lies an immersive symphony waiting to be embraced. Crafted by an outstanding musician of language, that interesting masterpiece conducts viewers on an emotional trip, well unraveling the concealed songs and profound influence resonating within each carefully crafted phrase. Within the depths with this poignant evaluation, we can examine the book is main harmonies, analyze their enthralling writing fashion, and surrender ourselves to the profound resonance that echoes in the depths of readers souls.

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