

ISSN: 2047-1025

TEEL

TRANSNATIONAL ENVIRONMENTAL LAW

FIFTH ANNIVERSARY ISSUE

VOLUME 5 ISSUE 2 OCTOBER 2016

<https://doi.org/10.1017/S2047102516000339> 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*
Daniel Farber, *University of California – Berkeley, USA*
Bruce Huber, *University of Notre Dame, USA*
Jolene Lin, *University of Hong Kong, Hong Kong*

BOOK REVIEW EDITORS

Donald K. Anton, *Griffith University, Australia*
Rakhyun E. Kim, *Utrecht University, The Netherlands*

ASSISTANT EDITORS

Megan Bowman, *King's College London, UK*
Leslie-Anne Duvic-Paoli, *University of Cambridge, UK*
Anna Huggins, *Queensland University of Technology, Australia*
Andreas Kotsakis, *Oxford Brookes University, UK*
Josephine van Zeven, *Worcester College, Oxford University, UK*

ADVISORY BOARD

| | |
|---|---|
| Natasha Affolder <i>University of British Columbia, Canada</i> | Douglas A. Kysar <i>Yale University, USA</i> |
| Edith Brown Weiss <i>Georgetown University, USA</i> | Maria Lee <i>University College London, UK</i> |
| Geert Van Calster <i>K.U. Leuven and DLA Piper, Belgium</i> | Robert V. Percival <i>University of Maryland, USA</i> |
| Ed Couzens <i>University of Sydney, Australia</i> | Lavanya Rajamani <i>Centre for Policy Research, New Delhi, India</i> |
| Daniel C. Esty <i>Yale University, USA</i> | Richard L. Revesz <i>New York University, USA</i> |
| Neil Gunningham <i>Australian National University, Australia</i> | Benjamin J. Richardson <i>University of Tasmania, Australia</i> |
| Ellen Hey <i>Erasmus University Rotterdam, The Netherlands</i> | Joanne Scott <i>University College London, UK</i> |
| Stephen Humphreys <i>London School of Economics, UK</i> | Gregory Shaffer <i>University of California – Irvine, USA</i> |
| Koh Kheng Lian <i>National University of Singapore, Singapore</i> | Tseming Yang <i>Santa Clara University, USA</i> |
| Ludwig Krämer <i>Derecho y Medio Ambiente, Spain and University College London, UK</i> | Wang Xi <i>Shanghai Jiao Tong University, China</i> |
| Louis Kotzé <i>North West University, South Africa</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 5 ISSUE 2 OCTOBER 2016

Contents

EDITORIAL

- 241–244 A Celebration of the Fifth Anniversary of *Transnational Environmental Law*
Thijs Etty and Veerle Heyvaert, Editors-in-Chief
Cinnamon Carlarne, Dan Farber, Bruce Huber, Jolene Lin, Editors

ANNIVERSARY ISSUE

- 245–254 Anniversary Issue Foreword: Re-evaluating the Principle of Common But Differentiated Responsibilities in Transnational Climate Change Law
Jacqueline Peel
- 255–284 What Difference Does CBDR Make? A Socio-Legal Analysis of the Role of Differentiation in the Transnational Legal Process for REDD+
Sébastien Jodoin and Sarah Mason-Case
- 285–303 ‘Dynamic Differentiation’: The Principles of CBDR-RC, Progression and Highest Possible Ambition in the Paris Agreement
Christina Voigt and Felipe Ferreira
- 305–328 Differential Treatment in Environmental Law: Addressing Critiques and Conceptualizing the Next Steps
Philippe Cullet
- 329–351 ‘Common But Differentiated Responsibilities’ in the National Courts: Lessons from *Urgenda v. The Netherlands*
Patrícia Galvão Ferreira
- 353–378 The Responsibilities of Carbon Major Companies: Are They (and Is the Law) Doing Enough?
Lisa Benjamin
- 379–400 Common But Differentiated Responsibilities Beyond the Nation State: How is Differential Treatment Addressed in Transnational Climate Governance Initiatives?
Paula Castro
- 401–425 Cooperation for Climate Mitigation in Amazonia: Brazil’s Emerging Role as a Regional Leader
Maria Antonia Tigre
- 427–448 Shifting Traction: Differential Treatment and Substantive and Procedural Regard in the International Climate Change Regime
Anna Huggins and Md Saiful Karim

BOOK REVIEWS

- 449–451 The Political Economy of Sustainable Development: Policy Instruments and Market Mechanisms, by Timothy Cadman, Lauren Eastwood, Federico Lopez-Casero Michaelis, Tek Narayan Maraseni, Jamie Pittock & Tapan Sarker
Reviewed by *Amy Lawton*
- 451–455 The Fragmentation of Global Climate Governance: Consequences and Management of Regime Interactions, by Harro van Asselt
Reviewed by *Peter Lawrence*
- 455–458 Introduction to International Environmental Law, by Timo Koivurova
Reviewed by *Sandra Cossotta*
- 459–476 Highlights of Recent Book Publications