



La Trobe Law School

**CLIMATE LAW
LAW3CCL**

Reading Guide

Winter Semester
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HOW THIS READING GUIDE WORKS

This Reading Guide brings together materials which is of relevance for this subject.

It has a section for each topic covered in the subject. It also includes **General Texts** section that has details of some books and journals that are relevant for the subject as a whole.

For each topic it includes Key Documents; Required Readings and Additional Reading.

The **Key Documents** generally include the primary materials that are relevant to a specific topic, such as international treaties or decisions, legislation and regulations. A familiarity with these materials is required for the subject.

There is generally one (on occasion two) **Required Reading** for each topic. This is generally a secondary source, either a book chapter or a journal article that provides an overview of the topic. You are required to complete this reading in order to participate in discussion in the seminar.

For each topic there is also an extensive list of **Additional Reading**. You are not required to complete the Additional Reading for each topic, however it is there to provide you with some guidance if you want to consolidate your knowledge of a particular topic. The Additional Reading list is also an important resource for your research essay. You are strongly encouraged to read the Additional Reading listed on the topic of your essay as part of your research for this assessment.

GENERAL TEXTS

Required Reading

Daniel Bodansky, Jutta Brunnée and Lavanya Rajamani, *International Climate Change Law* (Oxford University Press, 2017) (referred to as Bodansky, Brunnée and Rajamani).

Additional Reading

Benoît Mayer, *The International Law on Climate Change* (Cambridge University Press, 2018) (referred to as Mayer).

Daniel Klein, María Pía Carazo, Meinhard Doelle, Jane Bulmer and Andrew Higham, *The Paris Agreement on Climate Change* (Oxford University Press, 2017).

E. Hollo, K. Kulovesi and M. Mehling (eds.), *Climate Change and the Law* (2013).

Rosemary Rayfuse and Shirley V Scott, *International Law in the Era of Climate Change* (Edward Elgar, 2012).

K. Gray, R. Tarasofsky and C. Carlarne, *The Oxford Handbook of International Climate Change Law* (2016).

Journals of Interest

The journals below cover material relevant to the subject:

Climate Law

Carbon & Climate Law Review

Journal of Human Rights and the Environment

Transnational Environment Law

Journal of Environment Law

Climate Policy

Review of European Community and International Environmental Law

Environmental and Planning Law Journal

Australian Environment Review

Global Environmental Politics

Environmental Politics

Australian Journal of Environmental Law

TOPIC 1: RELATIONSHIP BETWEEN CLIMATE CHANGE AND LAW

Required Reading

Chapter 1, “Introduction” in Bodansky, Brunnée and Rajamani, pp 1-11.

Intergovernmental Panel on Climate Change, *Global Warming of 1.5 °C: Summary for Policy Makers* (2018) (please skim)

Extreme Carbon Inequality (Oxfam Media Briefing, 2 December 2015), https://www-cdn.oxfam.org/s3fs-public/file_attachments/mb-extreme-carbon-inequality-021215-en.pdf

Suzanne Goldenberg, “Just 90 companies caused two-thirds of man-made global warming emissions” *The Guardian*, 21 November 2013, <https://www.theguardian.com/environment/2013/nov/20/90-companies-man-made-global-warming-emissions-climate-change>

Additional Reading

Chapter 2, “The Rationale for International Action on Climate Change” in Mayer.

Sheila Jasanoff, “A New Climate for Society” (2010) 27 *Theory Culture and Society* 233-253.

Jutta Brunnée, “Climate change, global environmental justice and international environmental law” in Jonas Ebbesson and Pheobe Okowa (eds) *Environmental Law and Justice in Context* (Cambridge University Press, 2009).

Stern, N. H., *The Economics of Climate Change: The Stern Review* (Cambridge University Press, 2007).

Ross Garnaut, *The Garnaut Climate Change Review: Final Report* (Commonwealth of Australia, 2008) and update.

Klein, Naomi, *This Changes Everything: Capitalism vs. the Climate* (Simon & Schuster, 2014).

Mickelson, Karin, 'Beyond a Politics of the Possible? South-North Relations and Climate Justice' (2009) 10(2) *Melbourne Journal of International Law* 411.

Roberts, J Timmons and Bradley C Parks, 'Ecologically Unequal Exchange, Ecological Debt, and Climate Justice: The History and Implications of Three Related Ideas for a New Social Movement' (2009) 50(3-4) *International Journal of Comparative Sociology* 385.

R Heede, 'Tracing Anthropocentric Carbon Dioxide and Methane Emissions to Fossil Fuel and Cement Producers, 1854–2010' (2014) 122 *Climatic Change* 229.

TOPIC 2: CLIMATE CHANGE AND INTERNATIONAL LAW

Required Reading

Chapter 2, "Climate Change and International Law" in Bodansky, Brunnée and Rajamani.

Chapter 1, "Introduction" in Bodansky, Brunnée and Rajamani, pp 11-34.

Additional Reading

Chapter 5, "Relevant Norms of General International Law" in Mayer.

Chapter 16, "International Law in Times of Climate Change" in Mayer.

Benoit Mayer, "Climate Change Reparations and the Law and Practice of State Responsibility" (2017) 7 *Asian Journal of International Law* 185-216.

Rosemary Rayfuse and Shirley V. Scott, *International Law in the Era of Climate Change* (Edward Elgar Publishing Ltd, 2012).

Rebecca Elizabeth Jacobs, "Treading deep waters: substantive law issues in Tuvalu's threat to sue the United States in the International Court of Justice" (2005) 14(1) *Pacific Rim Law & Policy Journal* 103-128.

Richard Lord et al (eds) *Climate Change Liability: Transnational Law and Practice* (Cambridge University Press, 2012).

Daniel Bodansky, "The role of the International Court of Justice in addressing climate change: some preliminary reflections" (2017) 49 *Arizona State Law Journal* 689-712.

Lavanya Rajamani, *Differential Treatment in International Environmental Law* (Oxford University Press, 2006).

Friedrich Soltau, “Common concern of humankind” in Cinnamon P. Carlarne, Kevin R. Gray and Richard G. Tarasofsky, *The Oxford Handbook of International Climate Change Law* (Oxford University Press, 2016), Chapter 10.

Jonathan B. Wiener, “Precaution and Climate Change” in Cinnamon P. Carlarne, Kevin R. Gray and Richard G. Tarasofsky, *The Oxford Handbook of International Climate Change Law* (Oxford University Press, 2016), Chapter 8.

Catherine Redgwell, “Principles and Emerging Norms in International Law - Intra- and Inter-generational Equity” in Cinnamon P. Carlarne, Kevin R. Gray and Richard G. Tarasofsky, *The Oxford Handbook of International Climate Change Law* (Oxford University Press, 2016), Chapter 9.

Jutta Brunnee, “COPing with consent: law-making under multilateral environmental agreements” (2002) 15(1) *Leiden Journal of International Law* 1-52.

TOPIC 3: INTRODUCTION TO THE UNFCCC AND HISTORY OF NEGOTIATIONS

Key Documents

United Nations Framework Convention on Climate Change, opened for signature 5 September 1992, 771 UNTS 107 (entered into force 21 March 1994).

Kyoto Protocol to the United Nations Framework Convention on Climate Change, opened for signature 11 December 1997, 37 ILM 22 (entered into force on 16 February 2005).

Decision 1/CP.13, “Bali Action Plan” FCCC/CP/2007/6/Add.1 (14 March 2008).

Decision 2/CP.15 ‘Copenhagen Accord’ FCCC/CP/2009/11/Add.1 (30 March 2010).

Decision 1/CP.16, “Decision 1/CP.16 ‘The Cancun Agreements: Outcome of the Work of the Ad Hoc Working Group on Long-term Cooperative Action Under the Convention’ FCCC/CP/2010/7/Add.1 (15 March 2011).

Doha Amendment to the Kyoto Protocol to the United Nations Framework Convention on Climate Change, opened for signature 8 December 2012 (not yet in force).

Decision 2/CP.18 ‘Advancing the Durban Platform’ FCCC/CP/2012/8/Add.1 (28 February 2013).

Required Reading

Chapter 4, “The Evolution of the United Nations Regime” in Bodansky, Brunnée and Rajamani.

Chapter 5, “The Framework Convention on Climate Change” in Bodansky, Brunnée and Rajamani.

Chapter 6, “Kyoto Protocol” in Bodansky, Brunnée and Rajamani.

Additional Reading

Chapter 3, “Treaty-Based Lawmaking: Rules, Tools and Techniques” in Bodansky, Brunnée and Rajamani.

Chapter 3, “The UNFCCC Regime, from Rio to Paris” in Mayer.

Joyeeta Gupta, *The History of Global Climate Governance* (Cambridge University Press, 2014).

Irving M Mintzer and J. Amber Leonard, *Negotiating Climate Change: The Inside Story of the Rio Convention* (Cambridge University Press, 1994).

Susan Biniatz, “Comma but Differentiated Responsibilities: Punctuation and 30 other ways negotiators have resolved issues in the international climate change regime” (2016) 6(1) *Michigan Journal of Environmental & Administrative Law* 37-63.

TOPIC 4: THE PARIS AGREEMENT, THE PARIS RULEBOOK AND MITIGATION OBLIGATIONS

Key Documents

Paris Agreement on Climate Change (opened for signature on 22 April 2016, entered into force 4 November 2016).

Decision 1/CP.21, ‘Adoption of the Paris Agreement’ FCCC/CP/2015/10/Add.1 (29 January 2016).

Katowice Climate Package, <<https://unfccc.int/process-and-meetings/the-paris-agreement/paris-agreement-work-programme/katowice-climate-package>>.

UNFCCC, “NDC Registry (interim)” <<https://www4.unfccc.int/sites/ndcstaging/Pages/Home.aspx>>.

Required Reading

Chapter 7, “Paris Agreement” in Bodansky, Brunnée and Rajamani.

UNFCCC, “The Katowice Climate Package: Making the Paris Agreement Work for All” <<https://unfccc.int/process-and-meetings/the-paris-agreement/katowice-climate-package#eq-3>>

Additional Reading

Daniel Klein, María Pía Carazo, Meinhard Doelle, Jane Bulmer and Andrew Higham, *The Paris Agreement on Climate Change* (Oxford University Press, 2017).

“Special Issue on Paris Agreement” (2016) 1-2 *Climate Law* 1-195.

“Special Issue: The Paris Agreement” (2016) 2 *Review of European Community and International Environmental Law* 137-272.

“Special Section Forum: Reflections on the Paris Agreement on Climate Change” (2016) 16(3) *Global Environmental Politics* 1-40.

Daniel Bodansky, “The Paris Agreement: A New Hope?” (2016) 110 *The American Journal of International Law* 288-319.

Lavanya Rajamani, “The 2015 Paris Agreement: Interplay between Hard, Soft, and Non-Obligations” (2016) 28 *Journal of Environmental Law* 337-358.

Lavanya Rajamani, “The Devilish Details: Key Legal Issues in the 2015 Climate Negotiations” (2015) 78(5) *Modern Law Review* 826-853.

Annalisa Savaresi, “The Paris Agreement: a new beginning?” (2016) 34(1) *Journal of Energy and Natural Resources Law* 16-26.

Christina Voigt and Felipe Ferreira, “‘Dynamic Differentiation’: The Principles of CBDR-RC, Progression and Highest Possible Ambition in the Paris Agreement” (2016) 5(2) *Transnational Environmental Law* 285-303.

Julia Dehm, “Reflections on Paris: Thoughts towards a critical approach to climate law” (2018) *Revue québécoise de droit international* 61-91.

Special Issue: “Negotiating the Paris Rulebook” (2018) 3 *Carbon and Climate Law Review* 173-271.

TOPIC 5: CARBON MARKETS AND OFFSETS

Key Documents

Kyoto Protocol, Articles 6, 12 and 17.

Marrakesh Accords < https://unfccc.int/cop7/documents/accords_draft.pdf>

Decision 1/CP.16, “The Cancun Agreements” para 71-79.

Paris Agreement, Article 5 and 6.

Required Reading

Chapter 8, “Flexibility Mechanisms” in Meyer.

Additional Materials

Antonio G M La Viña and Alaya de Leon, “Conserving and Enhancing Sinks and Reservoirs of Greenhouse Gases, including Forests (Article 5)” in Daniel Klein, María Pía Carazo,

Meinhard Doelle, Jane Bulmer and Andrew Higham, *The Paris Agreement on Climate Change* (Oxford University Press, 2017), Chapter 10.

Andrew Howard, “Voluntary Cooperation (Article 6) in in Daniel Klein, María Pía Carazo, Meinhard Doelle, Jane Bulmer and Andrew Higham, *The Paris Agreement on Climate Change* (Oxford University Press, 2017), Chapter 11.

Rebecca Pearse and Steffen Böhm, “Ten reasons why carbon markets will not bring about radical emission reductions” (2014) 5(4) *Carbon Management* 325-337.

Harro van Asselt, “The Design and Implementation of Greenhouse Gas Emission Trading” in in Cinnamon P. Carlarne, Kevin R. Gray and Richard G. Tarasofsky, *The Oxford Handbook of International Climate Change Law* (Oxford University Press, 2016), Chapter 16.

State and Trends of Carbon Pricing 2019 (World Bank Group)
<<https://openknowledge.worldbank.org/handle/10986/31755>>.

Larry Lohmann, “The Endless Algebra of Carbon Markets” (2011) 22(4) *Capitalism, Nature, Socialism* 93-116.

Julia Dehm, “One Tonne of Carbon Dioxide Equivalent” in Jess Hohman and Daniel Joyce (eds) *International Law’s Objects* (Oxford University Press, 2018), Chapter 20.

REDD+

Christina Voigt (ed), *Research Handbook on REDD+ and International Law* (Edward Elgar, 2016).

Maureen F. Tehan, Lee C. Godden, Margaret A. Young and Kirsty A. Gover, *The Impact of Climate Change Mitigation on Indigenous and Forest Communities: International, National and Local Perspectives on REDD+* (Cambridge University Press, 2017).

Julia Dehm, “Indigenous peoples and REDD+ safeguards: rights as resistance or as disciplinary inclusion in the green economy” (2016) 7(2) *Journal of Human Rights and the Environment* 170-217.

TOPIC 6: ADAPTATION AND LOSS AND DAMAGE

Key Documents

Adaptation:

UNFCCC, Articles 3.1, 3.2, 3.3, 4.1(b), 4.1(e), 4.1(f), 4.4, 4.8, 4.9, 12.1(b), 12.3

Kyoto Protocol, Articles 10(b), 10(d), 12.8

Decision 28/CP.7, “Guidelines for the preparation of national adaptation programmes of action” FCCC/CP/2001/13/Add.4 (21 January 2002)

Decision 2/CP.11, “Five-year programme of work of the Subsidiary Body for Scientific and Technological Advice on impacts, vulnerability and adaptation to climate change” FCCC/CP/2005/5/Add.1 (30 March 2006)

Decision 1/CP.13 “Bali Action Plan” FCCC/CP/2007/6/Add.1, para 1(c), (d), (e)

Decision 1/CP.16, “The Cancun Agreements: outcome of the Ad Hoc Working Group on Long-Term Cooperative Action under the Convention” FCCC/CP/2010/7/Add.1 (15 March 2011), para 11-35.

Paris Agreement, Article 7.

Decision 1/CP.21, “Adoption of the Paris Agreement” FCCC/CP/2015/10/Add.1 (29 January 2016), para 41-46.

Decision 9/CMA.1, “Further guidance in relation to the adaptation communication, including, inter alia, as a component of nationally determined contributions, referred to in Article 7, paragraphs 10 and 11, of the Paris Agreement” FCCC/CMA/2018/3/Add.1 (19 March 2019).

Decision 10/CMA.1, “Modalities and procedures for the operation and use of a public registry referred to in Article 7, paragraph 12, of the Paris Agreement” FCCC/CMA/2018/3/Add.1 (19 March 2019).

Decision 11/CMA.1, “Matters referred to in paragraphs 41, 42 and 45 of decision 1/CP.21” FCCC/CMA/2018/3/Add.1 (19 March 2019).

Decision 13/CMA.1, “Matters relating to the Adaptation Fund” FCCC/CMA/2018/3/Add.1 (19 March 2019).

Loss and Damage

Decision 2/CP.19, “Warsaw International Mechanism for loss and damage associated with climate change” FCCC/CP/2013/10/Add.1 (31 January 2014).

Decision 1/CP.21, “Adoption of the Paris Agreement” FCCC/CP/2015/10/Add.1 (29 January 2016), para 47-51.

Paris Agreement, Article 8.

Required Reading

Adaptation:

Irene Suárez Pérez and Angela Churie Kallhauge, “Adaptation (Article 7)” in Daniel Klein, María Pía Carazo, Meinhard Doelle, Jane Bulmer and Andrew Higham, *The Paris Agreement on Climate Change* (Oxford University Press, 2017), Chapter 12.

Loss and Damage

Linda Siegele, “Loss and Damage (Article 8)” in Daniel Klein, María Pía Carazo, Meinhard Doelle, Jane Bulmer and Andrew Higham, *The Paris Agreement on Climate Change* (Oxford University Press, 2017), Chapter 13.

Additional Reading

Adaptation:

Chapter 10, “International Action on Climate Change Adaptation” in Mayer.

UNEP, *The Adaptation Gap: Health Report* (2018)

<https://wedocs.unep.org/bitstream/handle/20.500.11822/27114/AGR_2018.pdf?sequence=3>.

Alexandra Lesnikowski, James Ford, Robbert Biesbroek, Lea Berrang-Ford, Michelle Maillet, Malcolm Araos & Stephanie E. Austin, “What does the Paris Agreement mean for adaptation?” (2017) 17(7) *Climate Policy* 825-831.

E. Lisa F. Schipper, “Conceptual History of Adaptation in the UNFCCC Process” (2006) 15(1) *Review of European Community and International Environmental Law* 82-92.

Rosemary Lyster, “Climate justice, adaptation and the Paris Agreement: a recipe for disaster?” (2017) 26(3) *Environmental Politics* 438-458.

IPCC, *Special Report on Managing the Risks of Extreme Events and Disasters to Advance Climate Change Adaptation – Summary for Policy Makers* (2012) <

https://www.ipcc.ch/site/assets/uploads/2018/03/SREX_FD_SPM_final-2.pdf>

IPCC Working Group II, *Climate Change 2014: Impacts, Adaptation and Vulnerability – Summary for Policy Makers* (2014)

<https://www.ipcc.ch/site/assets/uploads/2018/02/ar5_wgII_spm_en.pdf>

Hallegatte et al, *Shockwaves: Managing the impacts of climate change on poverty* (World Bank, 2016) <<https://openknowledge.worldbank.org/handle/10986/22787>>

UNFCCC, “What do adaptation to climate change and climate resilience mean?”

<<https://unfccc.int/topics/adaptation-and-resilience/the-big-picture/what-do-adaptation-to-climate-change-and-climate-resilience-mean>>

UNFCCC, “National Adaptation Programmes of Action”

<<https://unfccc.int/topics/resilience/workstreams/national-adaptation-programmes-of-action/introduction>>

UNFCCC, “National Adaptation Plans” <<https://unfccc.int/topics/adaptation-and-resilience/workstreams/national-adaptation-plans>>

UNFCCC, “Adaption Committee” <<https://unfccc.int/process/bodies/constituted-bodies/adaptation-committee-ac>>

Loss and Damage

Chapter 11, “Loss and Damage” in Mayer.

Maxine Burkett, “Loss and Damage” (2014) 4 *Climate Law* 119-130.

Rosemary Lyster, *Climate Justice and Disaster Law* (Cambridge University Press, 2015).

Jonathan Gewirtzman et al, “Financing loss and damage: reviewing options under the Warsaw International Mechanism” (2018) 18(8) *Climate Policy* 1076-1086.

Alexis Durand, *Financing Options for Loss and Damage: A Review and Roadmap* (Deutsches Institut für Entwicklungspolitik, 2016).

Edward A Page and Clare Heyward, “Compensating for climate change loss and damage” (2017) 65(2) *Political Studies* 356-372.

Krishna Rao Pinninti, *Climate Change Loss and Damage: Economic and Legal Foundations* (Springer, 2014).

UNFCCC, “Approaches to address loss and damage associated with climate change impacts in developing countries” <<https://unfccc.int/topics/adaptation-and-resilience/workstreams/approaches-to-address-loss-and-damage-associated-with-climate-change-impacts-in-developing-countries>>.

TOPIC 7: CLIMATE FINANCE

Key Documents

UNFCCC, Articles 4.3, 4.4, 4.5, 4.7, 4.8, 4.9 and 11.

Copenhagen Accord, para 8-10.

Cancun Agreements, para 95-112.

Decision 3/CP.19, “Long-term climate finance” FCCC/CP/2013/10/Add.1 (31 January 2014), paragraph 10.

Paris Agreement, Article 9.

Decision 12/CMA.1, “Identification of the information to be provided by Parties in accordance with Article 9, paragraph 5 of the Paris Agreement” FCCC/PA/CMA/2018/3/Add.1 (19 March 2019).

Decision 14/CMA.1, “Setting a new collective quantified goal on finance in accordance with decision 1/CP.21, paragraph 53” FCCC/PA/CMA/2018/3/Add.2 (19 March 2019).

Required Reading

Jorge Gastelumendi and Inka Gnittke, “Climate Finance (Article 9)” in Daniel Klein, María Pía Carazo, Meinhard Doelle, Jane Bulmer and Andrew Higham, *The Paris Agreement on Climate Change* (Oxford University Press, 2017), Chapter 14.

Additional Reading

Chapter 12, “International Support” in Meyer.

Alexander Zahar, “The Paris Agreement and the Gradual Development of a Law on Climate Finance” (2016) 6 *Climate Law* 75-90.

Yulia Yamineva, “Climate Finance in the Paris Outcome: Why Do Today What You Can Out Off Till Tomorrow?” (2016) 25(2) *Review of European Community and International Environmental Law* 174-185.

Alexander Zahar, *Climate Change Finance and International Law* (Routledge, 2017).

Ralph Bodle and Vicky Noens, “Climate Finance: Too Much on Detail, Too Little on the Big Picture” (2018) 3 *Carbon and Climate Law Review* 248-257.

Barbara K. Buchner, Pdraig Oliver, Xueying Wang, Cameron Carswell, Chavi Meattle, and Federico Mazza, *Global Landscape of Climate Finance 2017* (Climate Policy Initiative, 2018) <<https://climatepolicyinitiative.org/wp-content/uploads/2017/10/2017-Global-Landscape-of-Climate-Finance.pdf>>.

UNFCCC Standing Committee on Finance, *2018 Biennial Assessment and Overview of Climate Finance Flows: Technical Report* (2018) <<https://unfccc.int/sites/default/files/resource/2018%20BA%20Technical%20Report%20Final%20Feb%202019.pdf>>

UNFCCC, “Introduction to Climate Finance”, <<https://unfccc.int/topics/climate-finance/the-big-picture/introduction-to-climate-finance>>

NEGOTIATION EXERCISE

No reading is prescribed for this exercise.

TOPIC 8: HISTORY OF AUSTRALIAN ATTEMPTS TO REGULATE CLIMATE CHANGE

Required Reading

Tim Baxter, George Gillian, Cosima Hay McRae, 'Australian Climate Change Regulation and Political Maths' (August 31, 2018) <<https://ssrn.com/abstract=3241945>>.

Additional Reading

Climate Council, *Climate Cuts, Cover-Ups and Censorship* (2019)
<https://www.climatecouncil.org.au/wp-content/uploads/2019/04/Climate-Cuts-Cover-Ups-and-Censorship.pdf>

Alexander Zahar, Jacqueline Peel and Lee Godden, *Australian Climate Law in Global Context* (Cambridge University Press, 2012).

Jacqueline Peel, 'The Australian Carbon Pricing Mechanism: Promises and Pitfalls on the Pathway to a Clean Energy Future' (2014) 15(1) *Minnesota Journal of Law, Science and Technology* 429.

John Taberner and John Zorzetto, 'A Brief History of Climate Change Policy in Australia' (August 2014); available at [https://www.nela.org.au/NELA/Documents/HSF-Short History of Climate Change Policy in Australia.pdf](https://www.nela.org.au/NELA/Documents/HSF-Short%20History%20of%20Climate%20Change%20Policy%20in%20Australia.pdf)

Simon Magnus Anderson, "A Study of the National Energy Guarantee and Federal Governance Frameworks within the Power generation Industry" (2019) 36 *Environmental & Planning Law Journal* 7.

Anne Kellis, "The National Energy Guarantee: solving the energy crisis?" (April 2018) *Australian Environment Review* 20-23.

TOPIC 9: TIM BAXTER GUEST LECTURE: "AUSTRALIA'S CARBON BUDGET FOR PARIS"

We are delighted to have Mr Tim Baxter present a guest lecture on this topic. Tim Baxter is a Fellow at Melbourne Law School, Senior researcher at the Climate Council, and an Associate of the Climate and Energy College. Tim's research interests are diverse but centre around climate change law, broadly construed to include corporate social responsibility, torts, planning law and administrative law, as well as the more traditional concern with United Nations Framework Convention on Climate Change-led processes and domestic climate politics. He is currently undertaking a thesis at the Melbourne Law School entitled *Negligence of Australian Public Functionaries for Inadequate Climate Mitigation: Could equitable remedies (re)define the duty of care in massive torts?*, which is being supervised by Professor Lee Godden and Associate Professor Jason Varuhas.

Key Documents

Australia's National Determined Contribution submitted to the UNFCCC:
<https://www4.unfccc.int/sites/submissions/indc/Submission%20Pages/submissions.aspx>

Required Reading

Tim Baxter, "Carry-Over Credits and Carbon Offsets are Hot Topics this Election – But What Do They Actually Mean?" *The Conversation*, 10 May 2019
<<https://theconversation.com/carry-over-credits-and-carbon-offsets-are-hot-topics-this-election-but-what-do-they-actually-mean-116748>>

Matt McDonald, “How to answer the argument that Australia’s emissions are too small to make a difference” *The Conversation*, 18 June 2019 <<https://theconversation.com/amp/how-to-answer-the-argument-that-australias-emissions-are-too-small-to-make-a-difference-118825?>>>.

Additional Reading

“Australia’s Rising Greenhouse Gas Emissions” (Climate Council, 2018)
<<https://www.climatecouncil.org.au/resources/australias-rising-greenhouse-gas-emissions/>>

Chris McGrath, “Paris Agreement Goals Slipping Away and with them Australia’s Chance to Save the Great Barrier Reef” (2019) 36 *Environmental & Planning Law Journal* 3.

TOPIC 10: THE EMISSION REDUCTION FUND

Key Documents

Carbon Credits (Carbon Farming Initiative) Act 2011 (Cth)

Carbon Credits (Carbon Farming Initiative) Rule 2015 (Cth)

National Greenhouse Energy Reporting (Safeguard Mechanism) Rule 2015 (Cth)

National Greenhouse and Energy Reporting Act 2007 (Cth)

Map of ERF projects: Map: <http://www.cleanenergyregulator.gov.au/maps/Pages/erf-projects/index.html>

Offset Monitor: <https://offsetsmonitor.org.au/>

Required Reading

Tim Baxter and George Gillian, “Verification and Australia’s Emission Reduction Fund: Integrity Undermined Through the Landfill Gas Method?” (2017) *Australian Journal of Environmental Law* 1-29.

Additional Reading

Clean Energy Regulator, “About the Emission Reduction Fund”:
<http://www.cleanenergyregulator.gov.au/ERF/About-the-Emissions-Reduction-Fund>

Climate Change Authority, *Review of the Emissions Reduction Fund* (December 2017)
<[>](http://climatechangeauthority.gov.au/review-emissions-reduction-fund)

Australian Government, “Emission Reduction Fund White Paper” (April 2014)
<[>](http://www.environment.gov.au/climate-change/government/emissions-reduction-fund/publications/erf-white-paper)

Nick Testro, “Carbon farming on Crown land: compliance with property and native title laws” (January 2018) *Australian Environment Review* 231-235.

Gujji Muthuswamy, “Explainer: How does today’s reverse auction work?” *The Conversation*, 15 April 2015 <<https://theconversation.com/explainer-how-does-todays-direct-action-reverse-auction-work-40152>>

Tim Baxter, “The Emission Reduction Fund was deeply flawed and no rebranding will change this” *The Guardian*, 25 February 2019 <<https://www.theguardian.com/commentisfree/2019/feb/25/the-emissions-reduction-fund-was-deeply-flawed-and-no-rebranding-will-change-this>>

Tim Baxter, “The government is miscounting greenhouse emission reductions” *The Conversation*, 13 December 2017 <<https://theconversation.com/the-government-is-miscounting-greenhouse-emissions-reductions-88950>>.

Adam Morton, “Emission scheme wastes millions on projects that would have gone ahead anyway” *The Guardian*, 28 May 2018 <<https://www.theguardian.com/environment/2018/may/28/government-advisers-call-for-emissions-fund-to-end-investment-in-junk-credits>>

Carbon Farming Initiative

Andrew Macintosh and Lauren Waugh, “An introduction to the Carbon Farming Initiative: Key principles and concepts” (2012) 29 *Environmental and Planning Law Journal* 439-461.

Pamela O’Connor, Sharon Christensen, WD Duncan and Angela Phillips, “From rights to responsibilities: reconceptualizing carbon sequestration rights in Australia” (2013) 30 *Environmental and Planning Law Journal* 403-421.

Emma French, “‘Greenback’ versus green credits: has the Carbon Farming Initiative got the balance rights?” (2013) 30 *Environmental and Planning Law Journal* 434-451.

Michael O’Donnell, “Native title – a right to burn and fire the land? Savanna burning and the Carbon Farming Initiative in northern Australia” (2013) 30 *Environmental and Planning Law Journal* 553-559.

TOPIC 11: RENEWABLE ENERGY POLICY IN AUSTRALIA

We are delighted to have Dr Steven Geroe present a guest lecture on this topic. Steven Geroe is a Lecturer at La Trobe Law School. He has published widely on climate and energy law.

Key Documents

Renewable Energy (Electricity) Act 2000 (Cth)

Renewable Energy (Electricity) Regulations 2001 (Cth)

Renewable Energy (Electricity) Amendment (Exception for EITE Activities) Regulations 2015 (Cth)

Electricity Industry Act 2000 (Vic)

Required reading

Garry Bates, *Environmental Law in Australia* (9th edition, LexisNexis), ‘Energy’ [17.25]-[17.29], ‘Energy Efficiency’ [17.30] and ‘Demand Side Management’ [17.31].

Please have a look at these websites to generally familiarize yourself with these materials.
Feed in tariffs:

- Overview of Feed in Tariffs
https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1314/QG/Tariffs
- Council of Australian Governments (COSAG) National Principles for Feed-in Tariff Schemes (2012 update)
<https://policy.asiapacificenergy.org/sites/default/files/National%20Principles%20for%20Feed-in%20Tariff%20Arrangements.pdf>
- Victorian Feed-in Tariff <https://www.energy.vic.gov.au/renewable-energy/victorian-feed-in-tariff>

Renewable Portfolio Standards:

- Department of Environment and Energy ‘Australian Renewable Energy Target’
<http://www.environment.gov.au/climate-change/government/renewable-energy-target-scheme>
- Clean Energy Regulator ‘RET: How it Works’
<http://www.cleanenergyregulator.gov.au/RET/About-the-Renewable-Energy-Target/How-the-scheme-works/Large-scale-Renewable-Energy-Target>
- Clean Energy Council ‘Renewable Energy Target’
<https://www.cleanenergycouncil.org.au/policy-advocacy/renewable-energy-target.html>
- Clean Energy Council ‘Clean Energy Australia 2018’ report (main findings on link below, plus video on LMS) <https://www.cleanenergycouncil.org.au/policy-advocacy/reports/clean-energy-australia-report.html>

Additional Reading

Independent Review into the Future Security of the Electricity Market: Blue Print for the Future (June 2017) <https://www.energy.gov.au/sites/g/files/net3411/f/independent-review-future-nem-blueprint-for-the-future-2017.pdf>

International Renewable Energy Agency (IRENA) Renewable Energy Auctions: A Guide to Design http://www.irena.org/-/media/Files/IRENA/Agency/Publication/2015/Jun/IRENA_Renewable_Energy_Auctions_A_Guide_to_Design_2015.pdf

Tony Wood, “The RET: A policy with a tangled history and an uncertain future” (March 2015) *Australian Environment Review* 2-5.

Simon Currie and Joanna Zhou, “Thinking through Finkel – does the blueprint get a green light?” (August 2017) *Australian Environment Review* 140-142.

Kate McCallum, 'The War on Solar and Wind: Australian Renewable Energy Policy' (2017) 34 *Environmental and Planning Law Journal* 69.

Anne Kallies, "The Finkel Energy Review – no easy answers for energy security in the age of climate change" (2017) *Australian Environment Review* 34-37.

Recorded lecture, Professor Ross Garnaut, Murdoch University 2017
<https://echo360.org.au/media/51dad8ef-cd28-4704-b97a-05dd863cee9a/public>

ACCC Retail Electricity Pricing Inquiry Final Report 'Restoring Electricity Affordability and Australia's Competitive Advantage' 11 July 2018 <https://www.accc.gov.au/regulated-infrastructure/energy/electricity-supply-prices-inquiry/final-report>

'Retail electricity price history and projected trends' Jacobs Consulting, report for AEMO, September 21, 2017 https://www.aemo.com.au/-/media/Files/Electricity/NEM/Planning_and_Forecasting/EFI/Jacobs-Retail-electricity-price-history-and-projections_Final-Public-Report-June-2017.pdf

Factsheet 'Understand Electricity Costs, Department of Industry, Innovation and Science <https://www.environment.gov.au/system/files/resources/2ec81f5d-9675-47d1-a49b-a4ef3ddc746f/files/factsheet-understand-electricity-costs.pdf>

Clean Energy Council: Lifting the Lid on Energy Prices
<https://www.cleanenergycouncil.org.au/policy-advocacy/electricity-prices.html>

TOPIC 12: TRANSNATIONAL CLIMATE LAW AND SUPPLY-SIDE POLICIES

Required reading

Chapter 8, "Climate Governance beyond the United Nations Climate Regime" in Bodansky, Brunnée and Rajamani.

Additional reading

Harriet Bulkeley et al, *Transnational Climate Change Governance* (Cambridge University Press, 2014).

Helmut Philipp Aust, "The shifting role of cities in the global climate regime: From Paris to Pittsburgh and back?" (2019) 28(1) *Review of European Community, Comparative and International Environmental Law* 57-66.

Jolene Lin, *Governing Climate Change: Global Cities and Transnational Law Making* (Cambridge University Press, 2018).

Daniel Bodansky, "Climate Change: Transnational Legal Order or Disorder?" in Terence C Halliday and Gregory Shaffer (eds) *Transnational Legal Orders* (Cambridge University Press, 2015).

Julie Ayling and Neil Gunningham, "The Fossil Fuel Divestment Movement" (July 2016) *Australian Environment Review* 58-63.

Andrew Jordan, Dave Huitema, Harro van Asselt and Johanna Forster (eds), *Governing Climate Change: Polycentricity in Action* (Cambridge University Press, 2018).

Jakob Skovgaard and Harro van Asselt (eds), *The Politics of Fossil Fuel Subsidies and their Reform* (Cambridge University Press, 2018).

Supply Side Policy

Michael Lazarus and Harro van Asselt, “Fossil fuel supply and climate policy: exploring the road less taken” (2018) 150(1-2) *Climatic Change* 1-13.

Fergus Green and Richard Dennis, “Cutting with both arms of the scissors: the economic and political case for restrictive supply-side climate policies” (2018) 150(1-2) *Climatic Change* 73-87.

Michael Lazarus, Peter Erickson and Kevin Tempest, *Supply-side climate policy: the road less taken* (Stockholm Environment Institute, working paper 2015-13, 2015)
<https://mediamanager.sei.org/documents/Publications/Climate/SEI-WP-2015-13-Supply-side-climate-policy.pdf>

Julia Dehm, “Post-Paris Reflections: fossil fuels, human rights and the need to excavate new ideas for climate justice” (2017) 8(2) *Journal of Human Rights and the Environment* 280-300.

TOPIC 13: CLIMATE CHANGE OTHER LEGAL REGIMES – TRADE, DEVELOPMENT, SECURITY

Required Reading

Chapter 9, “Intersections between International Climate Change Law and Other Areas of International Law” in Bodansky, Brunnée and Rajamani.

Additional Reading

Margaret A. Young, “Climate Change Law and Regime Interaction” (2011) *Carbon & Climate Law Review* 147

Ken Conca, “Is there a role for the UN Security Council on Climate Change?” (2019) 61(1) *Environment: Science and Policy for Sustainable Development* 4-15.

World Development Report 2010: Development and Climate Change (The World Bank, 2010) <https://siteresources.worldbank.org/INTWDR2010/Resources/5287678-1226014527953/WDR10-Full-Text.pdf>

Sanja Nenadic, “Subsidising Fossil Fuels in Australia: Analysing the Agreement on Subsidies and Countervailing Measures from a Climate Change Perspective” (2018) *Environmental & Planning Law Journal* 159.

TOPIC 14: CLIMATE CHANGE AND HUMAN RIGHTS

Required Reading

Philip Alston, *Climate Change and Poverty: Report of the Special Rapporteur on Extreme Poverty and Human Rights*, A/HRC/41/39 (25 June 2019) <<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24735&LangID=E>>

ClientEarth, “Climate threatened Torres Strait Islanders bring human rights claim against Australia”, 12 May 2019 <<https://www.clientearth.org/press/climate-threatened-torres-strait-islanders-bring-human-rights-claim-against-australia/>>.

Annalisa Savaresi, Joana Cismas and Jacques Hartmann, “The Philippines Human Rights Commission and the ‘Carbon Majors’” *EJIL: Talk*, 22 December 2017 <<https://www.ejiltalk.org/the-philippines-human-rights-commission-and-the-carbon-majors-petition/>>.

Additional Reading

John Knox, *Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment*, Human Rights Council, A/HRC/31/52 (1 February 2016) <<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/015/72/PDF/G1601572.pdf?OpenElement>>

CIEL and the GI-ESCR, “States’ Human Rights Obligations in the Context of Climate Change: 2019 Update,” <<https://www.ciel.org/reports/states-human-rights-obligations-context-climate-change-2019-update/>>

Human Rights Committee, *General Comment No. 36 (2018) on article 6 of the International Covenant on Civil and Political Rights, on the right to life*, CCPR/C/GC/36 (30 October 2018) para 62.

John Knox, “Human Rights Principles and Climate Change” in Cinnamon P. Carlarne, Kevin R. Gray and Richard G. Tarasofsky, *The Oxford Handbook of International Climate Change Law* (Oxford University Press, 2016), Chapter 11.

Benoit Mayer, “The State of the Netherlands v Urgenda Foundation: Ruling of the Court of Appeal of the Hague (9 October 2018)” (2019) 8(1) *Transnational Environmental Law* 167-192.

Sam Adelman, “Human Rights in the Paris Agreement: Too Little, Too Late?” (2018) 7(1) *Transnational Environmental Law* 17-36.

Jacqueline Peel and Hari M Osofsky, “A Rights Turn in Climate Change Litigation” (2018) 7(1) *Transnational Environmental Law* 37-67.

Bridget Lewis, “The Rights of Future generations within the Post-Paris Climate Regime” (2018) 7(1) *Transnational Environmental Law* 69-87.

Sumudu Atapattu, *Human Rights Approaches to Climate Change: Challenges and Opportunities* (Routledge, 2016).

Miriam Cullen, “‘Eaten by the Sea’: human rights claims for the impacts of climate change upon remote subnational communities” (2018) 9(2) *Journal of Human Rights and the Environment* 171-193.

Stephen Humphreys (ed) *Human Rights and Climate Change* (Cambridge University Press, 2009).

Human Rights Implications of Climate Change Mitigation Actions (CIDSE, Nature Code and Carbon Market Watch, December 2015) <https://carbonmarketwatch.org/wp-content/uploads/2015/11/HUMAN-RIGHTS-IMPLICATIONS-OF-CLIMATE-CHANGE-MITIGATION-ACTIONS_WEB-final.pdf>.

Kirsten Davis, Sam Adelman, Anna Grear, Catherine Iorns Magallanes, Tom Kerns and S Ravi Rajan, “The Declaration on Human Rights and Climate Change: a legal tool for global policy change” (2017) 8(2) *Journal of Human Rights and the Environment* 217-253.

Richmund Sta. Lucia, “Update on the ‘Carbon Majors’ Petition: The Role of the Philippine Commission on Human Rights” *Climate Law Blog*, 8 March 2018 <<http://blogs.law.columbia.edu/climatechange/2018/03/08/update-on-the-carbon-majors-petition-the-role-of-the-philippine-commission-on-human-rights/>>.

TOPIC 15: CLIMATE CHANGE AND DISPLACEMENT OF PERSONS

Required Reading

Jane McAdam, “Climate Change-Related Displacement of Persons” in Cinnamon P. Carlarne, Kevin R. Gray and Richard G. Tarasofsky, *The Oxford Handbook of International Climate Change Law* (Oxford University Press, 2016), Chapter 23.

Additional Reading

Kanta Kumari Rigaud et al, *Groundswell: Preparing for Internal Climate Migration* (World Bank Group, 2018) <<https://openknowledge.worldbank.org/handle/10986/29461>>.

Jane McAdam, “From the Nansen Initiative to the Platform on Disaster Displacement: Shaping International Approaches to Climate Change, Disasters and Displacement” (2016) 39(4) *University of New South Wales Law Review* 1518-1546.

Jane McAdam, *Climate Change, Forced Migration and International Law* (Oxford University Press, 2012).

Jane McAdam, *Climate Change and Displacement: Multidisciplinary Perspectives* (Hart Publishing, 2010).

Platform on Disaster Displacement <<https://disasterdisplacement.org/>>

Global Compact for Safe, Orderly and Regular Migration (13 July 2018)

<https://refugeesmigrants.un.org/sites/default/files/180713_agreed_outcome_global_compact_for_migration.pdf>.

TOPIC 16: CLIMATE LITIGATION – GLOBAL OVERVIEW

Key Documents

Climate Change Litigation Databases – Sabin Center for Climate: climatecasechart.com

Required Reading

UNEP, *The Status of Climate Change Litigation: A Global Review* (2017),

<<http://columbiaclimatelaw.com/files/2017/05/Burger-Gundlach-2017-05-UN-Envt-CC-Litigation.pdf>>.

Additional Reading

Jacqueline Peel and Hari Osofsky, *Climate Change Litigation: Regulatory Pathways to Cleaner Energy* (Cambridge University Press, 2015).

Jacqueline Peel, “Issues in climate change litigation” (2011) 1 *CCLR* 15024.

Joana Setzer and Lisa C. Vanhala, “Climate change litigation: A review of research on courts and litigants in climate governance” (2019) *Climatic Change*

Jacqueline Peel and Jolene Lin, “Transnational Climate Litigation: The Contribution of the Global South” (2019) 113(3) *American Journal of International Law* (forthcoming, available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3379155).

Jacqueline Peel and Hari M. Osofsky, “A rights turn in climate change litigation” (2018) 7(1) *Transnational Environmental Law* 37-67.

Geetanjali Ganguly, Joana Setzer and Veerle Heyvaert, “If at First You Don’t Succeed: Suing Corporations for Climate Change” (2018) 38(4) *Oxford Journal of Legal Studies* 841-868.

Smoke and Fumes: The Legal and Evidentiary Basis for Holding Big Oil Accountable for the Climate Crisis (Center for International Environmental Law, 2017)

https://www.boell.de/sites/default/files/smoke-and-fumes-the-legal-and-evidentiary-basis-for-holding-big-oil-accountable-for-the-climate-crisis.pdf?dimension1=division_iup

Kim Bouwer, “The Unsexy Future of Climate Change Litigation” (2018) 30 *Journal of Environmental Law* 483-506.

Sophie Marjanac and Lindene Patton, “Extreme weather event attribution science and climate change litigation: as essential step in the causal chain?” (2018) 36(3) *Journal of Energy and Natural Resources Law* 265-298.

TOPIC 17: CLIMATE LITIGATION – AUSTRALIAN DEVELOPMENTS

Key Documents

Wildlife Whitsunday case: <http://envlaw.com.au/wildlife-whitsunday-case/>

Anvil Hill Coal Mine case: <http://envlaw.com.au/anvil-hill-case/>

Hazelwood Power Station case: <http://envlaw.com.au/hazelwood-power-station-case/>

Wandoan Coal Mine (“Xstrata”) case: <http://envlaw.com.au/wandoan-coal-mine-case/>

Alpha Coal Mine case: <http://envlaw.com.au/alpha-coal-mine-case/>

Carmichael Coal (“Adani”) cases in Queensland Courts: <http://envlaw.com.au/carmichael-coal-mine-case/>

Carmichael Coal (“Adani”) cases in the Federal Court: <http://envlaw.com.au/carmichael-coal-mine-federal-court/>

Gloucester Resources case: <http://envlaw.com.au/gloucester-resources-case/>

Required Reading

Gloucester Resources Limited v Minister for Planning [2019] NSWLEC 7, para [422] – [556].

Jacqueline Peel, Hari Osofsky, Anita Foerster, “Shaping the next generation of climate change litigation in Australia” (2017) 41 *Melbourne University Law Review* 793.

Additional Reading

Justine Bell-James and Sean-Ryan, “Climate change litigation in Queensland: a case study in incrementalism” (2016) 33 *Environmental and Planning Law Journal* 515.

Rachel Pepper, ‘Climate change litigation issue: introduction’ (2017) 32(3) *Australian Environment Review* 54.

Tim Baxter, ‘Urgenda-style climate litigation has promise in Australia’ (2017) 32(3) *Australian Environment Review* 70.

Gerry Bates, *Environmental Law in Australia* (9th edition, LexisNexis), ‘Climate Litigation’ [17.36] – [17.59].

Jacqueline Peel and Hari Osofsky, *Climate Change Litigation: Regulatory Pathways to Cleaner Energy* (Cambridge University Press, 2015).

TOPIC 18: DAVID BARNDEN GUEST LECTURE: CORPORATE RISK DISCLOSURE

We are delighted to have David Barnden present a guest lecture on this topic. David Barnden is the Principal Lawyer at Equity Generation Lawyers, Australia’s only specialist climate law firm. He previously was the Climate and Finance lawyer at Environmental Justice Australia.

Key Documents

Corporations Act 2001 (Cth)

Superannuation Industry (Supervision) Act 1993 (Cth)

Required Reading

Taskforce on Climate-Related Financial Disclosures, *Final Report: Recommendations of the Task Force on Climate-related Financial Disclosures* (June 2017), Executive Summary <<https://www.fsb-tcfd.org/wp-content/uploads/2017/06/FINAL-2017-TCFD-Report-11052018.pdf>>.

Abrahams v CBA

- Background: “Climate change risk disclosure case goes before Federal Court”, 8 August 2017, <https://www.envirojustice.org.au/climate-change-risk-disclosure-case-goes-before-the-federal-court/>
- Discontinuance: “Commonwealth Bank acknowledges climate risk, shareholders discontinue proceeding”, 21 September 2017, <https://www.envirojustice.org.au/commonwealth-bank-acknowledges-climate-risk-shareholders-discontinue-proceedings/>

McVeigh v REST

- Background: “World first legal action to test trustee duties on climate risks filed against A\$50 billion fund”, 3 October 2018, <https://www.envirojustice.org.au/projects/world-first-legal-action-to-test-trustee-duties-on-climate-risks-filed-against-50-billion-dollar-fund/>

Additional Reading

Australian Accounting Standards Board and Auditing and Assurance Standards Board, *Climate-related and other emerging risks disclosures: assessing financial statement materiality using AASB Practice Statement 2* (December 2018), https://www.auasb.gov.au/admin/file/content102/c3/AASB_AUASB_Joint_Bulletin_13122018_final.pdf.

Taskforce on Climate-Related Financial Disclosures, *Final Report: Recommendations of the Task Force on Climate-related Financial Disclosures* (June 2017) <<https://www.fsb-tcfd.org/wp-content/uploads/2017/06/FINAL-2017-TCFD-Report-11052018.pdf>>.

Taskforce on Climate-Related Financial Disclosures, *Status Report* (June 2019) <<https://www.fsb-tcfd.org/wp-content/uploads/2019/06/2019-TCFD-Status-Report-FINAL-053119.pdf>>.

Australian Senate Economics References Committee, “Carbon Risk: A Burning Issue” (April 2017)

Noel Hutley and James Mack, “[Memorandum of Opinion: Superannuation Fund Trustee Duties and Climate Change Risk](#)” (15 June 2017)

Noel Hutley and Sebastian Hartford Davis, “[Supplementary Memorandum of Opinion: Climate Change and Directors Duties](#)” (26 March 2019)

Anita Foerster, Jacqueline Peel, Hari Osofsky and Brett McDonnell, “Keeping good company in the transition to a low carbon economy?: An evaluation of climate risk disclosure practices in Australia” (2017) 35 *Corporate and Securities Law Journal* 154.

Madeline Baker, “Blue Sky Mine: Environmental Risk Disclosure in Australia” (2018) 35 *Environmental and Planning Law Journal* 519.

Cary Di Lernia, “Strange Bedfellows?: Climate change, carbon risk, and the regulation of corporate disclosure” (2018) 36 *C&SLJ* 221.

Kate McKenzie, “Climate risk and financial sector regulation in Australia” (August 2017) *Australian Environment Review* 126-130.