ISSN 0952-8873 (PRINT) ISSN 1464-374X (ONLINE)

Journal of Environmental Law

Volume 28 • Number 1 • 2016

www.jel.oxfordjournals.org



Journal of

Environmental Law

Volume 28 Number 1 March 2016

CONTENTS

Adjudicating the Future: Climate Change and the Rule of Law Climate Change Adjudication: The Need to Foster Legal Capacity: an editorial comment	
Illicubeth Fisher and Eloise Scotford	1
Climate Change Adjudication after Paris: A Reflection Lord Carnwath JSC	5
The Contribution of the Courts in Tackling Climate Change Brian J. Preston	11
Climate Change and the Rule of Law: Adjudicating the Future in International Law	
Philippe Sands QC	19
Articles	
The Copenhagen Turn in Global Climate Governance and the Contentious History of Differentiation in International Law Jeffrey McGee and Jens Steffek	37
Complexity Theory and the Constraints on Environmental Policymaking Andrew Macintosh and Debra Wilkinson	65
Towards a Holistic Approach in EU Biomass Regulation Renske A. Giljam	95
Potential and Limits of Out-Of-Court Rapid Claims Settlement—A Law and Economics Analysis	
Michael Faure and Franziska Weber	125
Analysis The Weser Case: Case C-461/13 BUND V GERMANY	
Tiina Paloniitty	151
'Better Regulation' in Environmental Impact Assessment: The Amended EIA Directive	
Kalina Arabadjieva	159

Significant EU Cases

Significant EU Environmental Cases: 2015

Richard Moules

169

183

Review Essay

Economy, Society and Earth in Polanyian and Wild Law Perspectives on Environmental Regulation: To Perform a Double or Triple Movement? (Ben Pontin)