

---

# Contents

---

<i>List of contributors</i>	ix	
<i>Preface</i>	xiv	
<i>Table of cases</i>	xv	
<i>Table of legal instruments</i>	xx	
PART I	A THEORY OF TRANSNATIONAL ENVIRONMENTAL LAW	
1	The meanings of transnational environmental law <i>Veerle Heyvaert and Leslie-Anne Duvic-Paoli</i>	2
2	Exploring transnational legal orders: using transnational environmental law to strengthen the global regulation of black carbon for the benefit of the Arctic region <i>Kati Kulovesi</i>	18
3	An unknown past, an unequal present, and an uncertain future: transnational environmental law through three research challenges <i>Natasha Affolder</i>	32
4	Methodological challenges of transnational environmental law <i>Elisa Morgera, Louisa Parks and Mika Schroeder</i>	48
PART II	UNDERSTANDING TRANSNATIONAL ENVIRONMENTAL GOVERNANCE	
5	'Interglobalsuprasubandtransialidocious': mapping and disentangling transnational environmental governance <i>Till Markus and Olaf Dilling</i>	67
6	Regulatory instruments of transnational environmental governance <i>Jerneja Penca</i>	88
7	Transnational environmental regulation and evolving approaches to compliance <i>Aleksandra Čavoški</i>	104
8	Transnational environmental governance before the courts <i>Suzanne Kingston</i>	126
9	Facing the legitimacy challenge: law as a disciplining force for transnational environmental governance <i>Josephine van Zeben</i>	145

PART III CONSEQUENCES OF THE TRANSNATIONALIZATION OF ENVIRONMENTAL GOVERNANCE

- 10 The transnationalization of environmental constitutionalism 159  
*Louis J. Kotzé*
- 11 Regime interlinkages: examining the connections between transnational climate change and biodiversity law 178  
*Jonathan Verschuuren*
- 12 Global values, transnational expression: from Aarhus to Escazú 198  
*Emily Barritt*

PART IV NON-STATE ACTORS AS A FOCAL POINT OF TRANSNATIONAL ENVIRONMENTAL LAW

- 13 The role of subnational actors in transnational climate change law 216  
*Jolene Lin*
- 14 The responsibilities of corporations: new directions in environmental litigation 229  
*Lisa Benjamin*
- 15 Art and activism in transnational environmental governance 248  
*Benjamin J. Richardson*

PART V CROSSING JURISDICTIONAL AND DISCIPLINARY BORDERS

- 16 Sovereignty, unilateralism, and the transboundary reach of environmental protection 268  
*An Hertogen*
- 17 Vice or virtue? Flexibility in transnational environmental law 284  
*Sébastien Jodoin, Ling Chen and Carolina Gueiros*
- 18 Judicial transnationalization 301  
*Geetanjali Ganguly*
- 19 Transnational litigation: what can we learn from *Chevron–Ecuador*? 318  
*Robert V. Percival*
- 20 Human rights in a changing environment 340  
*Ole W. Pedersen*
- 21 Intersections between climate change and the World Trade Organization 352  
*Shawkat Alam*

PART VI CONCLUDING REMARKS

- 22 Concluding remarks 369  
*Veerle Heyvaert and Leslie-Anne Duvic-Paoli*

- Index* 375