Preface

We begin with a disclaimer. This is not a book about the international climate change legal regime. Those whose interests lie primarily in detailed analyses of the international climate regime and the on-going negotiations under the auspices of the United Nations Framework Convention on Climate Change and the Kyoto Protocol would be advised to look elsewhere. Rather, this book is about the impact of climate change, and our responses to it, on both the substance and processes of the broader corpus of public international law. The underlying premise of this book is that climate change, and our responses to it, will impact directly or indirectly on virtually every regime of international law and, ultimately, on the basic principles which underlie the international legal system as a whole.

This book therefore deliberately diverts attention away from the international climate regime *per se* to focus, instead, on the substantive changes to other specific international legal regimes that have been or will be required, or are likely to come about, as a result of both climate change itself and the responses of the international community to climate change. Leading specialists were asked to map the current, likely, possible, and recommended changes within various substantive and systemic areas of international law. Authors were asked to consider, *inter alia*, the consequences of climate change for the subject matter of the regime, whether the current regime permits or even encourages behaviours that exacerbate climate change, what changes to the regime might be needed to address these consequences, and what implications these developments have or may have for systemic regimes relating to law-making, enforcement and dispute resolution and foundational concepts such as statehood and state responsibility. International law is only in the early stages of its interaction with climate change and this book can provide only a preliminary enquiry. However, it is an enquiry that we hope will serve as a benchmark for future analysis of the development of international law in the era of climate change.

The book is organised in three parts. Part I provides the necessary background to the enquiry, its rationale and parameters. The chapters in Part II analyse climate change-related developments in non-climate-specific
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Substantive regimes. The chapters in Part III examine the impacts of climate change on systemic or operational aspects of international law, including processes of international law creation and enforcement.

The papers on which the chapters of this book are based were presented at a workshop held at the Lauterpacht Centre for International Law at the University of Cambridge on 1 and 2 September 2010 at which authors and invited commentators discussed the issues. The authors revised their papers subsequent to the workshop to take into account the developments at Cancún. The manuscript was finalised in advance of the Durban conference and therefore does not reflect the developments there.

We are grateful to all those who have joined with us in engaging deeply with the issues. Particular thanks go to Alan Boyle, David Freestone, Maria Gavounelli, Françoise Hampson, Stuart Kaye, Kate Miles, Nico Schrijver, Andrew Serdy and Jorge Viñuales, who added immeasurably to the project by contributing their insights at the workshop but who did not author a chapter. We would like to acknowledge the support of the then Director of the Lauterpacht Centre, Professor James Crawford, in accommodating our workshop and we are also grateful to Anita Rutherford and to Sarah Nouwen for their assistance in its organisation. Adam Turner, our workshop rapporteur, did a magnificent job of recording the discussions.

The Madeleine Tan Fund of the Faculty of Law at the University of New South Wales (UNSW) provided funding for the workshop and for research and editorial assistance in preparing the manuscript for publication. The project also benefited from a research grant provided by the faculties of Arts and Social Sciences and of Law at The University of New South Wales. The Faculty of Law at Lund University provided funding for research assistance and an immensely enriching environment in which to work on the manuscript. We are deeply indebted to Nicole Weisfelt at UNSW and to Anna Maria Johansson at Lund University for the invaluable research and editorial assistance they provided. Last but not least, we would like to thank Alex Pettifer at Edward Elgar for his recognition of the importance of the topic and for his ongoing and patient support during the course of this book’s realisation.

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