

## **DANIEL M. BODANSKY**

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## **Employment**

### **Academic**

*Arizona State University, Sandra Day O'Connor College of Law*, Fall 2010 -  
Regents' Professor. Distinguished Sustainability Scholar, Julie Anne Wrigley  
Global Institute of Sustainability.

*University of Georgia School of Law*, Fall 2002 - Spring 2010  
Emily and Ernst Woodruff Chair of International Law. Associate Dean for  
Faculty Development (2006-2010).

*University of Washington School of Law*, Fall 1989 - Spring 2002 (leave of  
absence, August 1999-August 2001)  
Assistant Professor (1989-1994), Professor of Law (1994-2002). Adjunct  
Professor, School of Marine Affairs.

*George Washington School of Law*, Spring 2000  
Adjunct Professor. Course taught: International Organizations.

*Georgetown University Law Center*, 1988-1989  
Adjunct Professor. Graduate course in International Human Rights Law.

### **Other**

*U.S. Department of State*, August 1999-June 2001  
Climate Change Coordinator. Senior adviser and negotiator at Fifth and  
Sixth Conferences of the Parties to the UN Framework Convention on  
Climate Change (1999, 2000); Head of US Delegation to the  
Intergovernmental Panel on Climate Change Working Group III plenary  
(2001).

*Office of the Legal Adviser, U.S. Department of State*, 1985-1989  
Attorney-Adviser. Office of Human Rights and Refugees (1985-1988);  
Office of Oceans, International Environmental and Scientific Affairs (1988-  
1989).

*Judge Irving Goldberg, U.S. Court of Appeals for the Fifth Circuit*, 1984-1985  
Law Clerk

## Education

*Yale Law School*, 1981-1984  
J.D., 1984. Member, *Yale Law Journal*.

*Cambridge University*, 1979-1981  
M.Phil., History and Philosophy of Science, 1981. National Science Foundation Graduate Fellowship. Thesis: "Theory Change in Nineteenth Century Evolutionary Thought."

*Harvard University*, 1974-1979  
A.B. *magna cum laude* in Social Studies, 1979. Phi Beta Kappa. John Harvard Prize. Detur Prize.

## Awards and Fellowships

2018 Certificate of Merit, American Society of International Law, for *International Climate Change Law* (co-authored with Jutta Brunnée and Lavanya Rajamani), for the best book in 2017 in a specialized area of international law

2010 Harold and Margaret Sprout Award for the *Art and Craft of International Environmental Law*, International Studies Association (for the best book published in 2010 in the field of international environmental studies)

Jean Monnet Fellowship, European University Institute, Florence, Italy, April-August, 1998.

Council on Foreign Relations International Affairs Fellowship, 1991-1992 (studied the negotiation of the UN Framework Convention on Climate Change).

Pew Faculty Fellowship in International Affairs, 1991-92.

## Publications

### Books

*Environmental Protection: Law and Policy* (co-authored with Robert L. Glicksman, David L. Markell, William W. Buzbee, and Daniel R. Mandelker) (Aspen Casebook Series 8<sup>th</sup> ed. 2019)

Responsible for Chapter 11 (International Environmental Law) and the international section of Chapter 12 (Climate Change Law and Policy)

*International Climate Change Law* (co-authored with Jutta Brunnée and Lavanya Rajamani) (Oxford University Press, 2017)

Winner of the American Society of International Law 2018 Certificate of Merit (see awards above)  
Korean translation, 2019

*The Art and Craft of International Environmental Law* (Harvard University Press 2009)

Winner of the 2011 Harold and Margaret Sprout Award (see awards above)  
Chinese translation anticipated, 2020

*Oxford Handbook of International Environmental Law* (co-edited with Jutta Brunnée and Ellen Hey) (Oxford University Press 2007)

*Legal Regulation of the Effects of Military Activity on the Environment* (Erich Schmidt Verlag 2003)

**Scholarly  
Articles and  
Book Chapters**

“The Paris Rulebook: Balancing International Prescriptiveness with National Discretion,” *International and Comparative Law Quarterly*, vol. 68, pp. 1023-40 (2019)

“Adjudication vs. Negotiation in Protecting Environmental Commons,” *University of Hawaii Law Review*, vol. 41, pp. 260-76 (2019) (co-authored with Lavanya Rajamani)

“Overlooked Ocean Strategies to Address Climate Change,” *Global Environmental Change*, vol. 49, 101968 (2019) (co-authored with Sarah Cooley, Britt Bello, Anthony Mansell, Andreas Merkl, Nigel Purvis, Susan Ruffo, Gwynne Taraska, Anna Zivian, George Leonard)

“The Evolution and Governance Architecture of the United Nations Climate Change Regime” (co-authored with Lavanya Rajamani), in *Global Climate Policy: Actors, Concepts and Enduring Challenges*, pp. 13-65 (Urs Luterbacher and Detlef Sprinz, eds., MIT Press 2018)

“Regulating Greenhouse Gas Emissions from Ships: The Role of the International Maritime Organization,” in *Ocean Law Debates: The 50 Year Legacy and Emerging Issues for the Years Ahead* (H. Scheiber, N. Oral and M. Kown, eds., Brill 2018)

“The Role of the International Court of Justice in Addressing Climate Change: Some Preliminary Reflections,” *Arizona State Law Journal*, vol. 49, pp. 689-712 (2017)

“Executive Agreements+” (co-authored with Peter Spiro), *Vanderbilt Journal of Transnational Law*, vol. 49, issue 4, pp. 885-929 (2016)

“The Paris Climate Change Agreement: A New Hope?” *American Journal of International Law*, vol. 100, pp. 288-319 (2016).

“The Legal Character of the Paris Agreement,” *Review of European Community and International Environmental Law*, vol. 25, pp. 142-150 (2016).

“Legal Realism and Its Discontents,” *Leiden Journal of International Law*, vol. 28, issue 2, pp. 267-81 (2015)

“Facilitating Linkage of Climate Policies through the Paris Outcome” (co-authored with Seth Hoedl, Gilbert Metcalf, and Robert Stavins), *Climate Policy*, DOI: 10.1080/14693062.2015.1069175 (2015)

Excerpted in Robert N. Stavins, ed., *Economics of the Environment: Selected Readings* pp. 384-400 (Edward Elgar 2019)

“Climate Change: Transnational Legal Order or Disorder,” in *Transnational*

*Legal Orders*, pp. 287-309 (Terry Halliday and Greg Shaffer, eds., Cambridge University Press, 2015)

“Legally-Binding vs. Non-Legally Binding Instruments,” in *Towards a Workable and Effective Climate Regime* pp. 155-65 (Scott Barrett, Carlo Carraro and Jaime de Melo, eds., CEPR Press 2015)

Excerpted in *Policy Innovations*, Carnegie Council for Ethics in International Affairs (on-line publication); *Environmental Law and Management*, vol. 27, pp. 185-191)

“International Environmental Moneyball,” *Santa Clara Journal of International Law*, vol. 10, issue 2, pp. 317-24 (2013)

“The Who, What, and Wherefore of Geoengineering Governance,” *Climatic Change*, vol. 121, no. 3, pp. 539-51, DOI 10:1007/s10584-013-0759-7 (2013)

“Legitimacy in International Law and International Relations,” in *International Law/International Relations: A Stocktaking*, pp. 321-41 (Jeffrey Dunoff & Mark Pollack eds. Cambridge University Press, 2012)

“Global Public Goods, International Law and Legitimacy,” *European Journal of International Law*, vol. 23, no. 3, pp. 651-68 (2012)

“Transnationalism, Unilateralism, and International Law” (co-authored with Gregory Shaffer), *Transnational Environmental Law*, vol. 1, no. 1, pp. 31-41 (Cambridge University Press 2011)

“A Tale of Two Architectures: The Once and Future UN Climate Regime,” forthcoming in *Arizona State Law Journal*, vol. 43, pp. 697-712 (2011)

“Prologue to a Theory of Non-Treaty Norms,” in *Looking to the Future: Essays on International Law in Honor of W. Michael Reisman*, pp. 119-34 (J. Cogan et al., eds., Brill 2010)

“The Copenhagen Climate Change Conference: A Postmortem,” *American Journal of International Law*, vol. 104, no. 2, pp. 230-240 (April 2010)

“Climate Change and Human Rights: Unpacking the Issues,” *Georgia Journal of International and Comparative Law*, vol. 38, no. 3, pp. 511-524 (Spring 2010)

“Is There an International Environmental Constitution?” *Indiana Journal of Global Legal Studies*, vol. 16, pp. 565-584 (2009)

“Trade and Environment” (co-authored with Jessica Lawrence) in *Oxford Handbook of International Trade Law*, pp. 505-38 (Daniel Bethlehem et al., eds., Oxford: Oxford University Press, 2009)

“The ‘OSPAR’ Arbitration: Its Contribution to International Law,” in *The*

*OSPAR Arbitration* (Belinda McMahon, ed., Asser Institute Press, 2009)

“The Concept of Legitimacy in International Law,” in *Legitimacy in International Law*, pp. 308-17 (R. Wolfrum & V. Roben eds., Springer, 2008)

“Targets and Timetables: Good Policy But Bad Politics?” in *Architectures for Agreement: Addressing Global Climate Change in the Post-Kyoto World*, pp. 57-66 (Joseph Aldy & Robert Stavins, eds., Cambridge University Press 2007)

“Introduction” (co-authored with Jutta Brunnée and Ellen Hey) and “Legitimacy,” in *Oxford Handbook of International Environmental Law*, pp. 1-25, 704-23 (Daniel Bodansky, Jutta Brunnée & Ellen Hey, eds., Oxford Univ. Press 2007)

“International Law in Black and White,” *Georgia Journal of International & Comparative Law*, vol. 34, pp. 285-304 (2006)

“The International Climate Change Regime,” in *Perspectives on Climate Change: Science, Economics, Politics, Ethics*, pp. 147-80 (Walter Sinnott-Armstrong & Richard B. Howarth, eds., Elsevier 2005)

“Deconstructing the Precautionary Principle,” in *Bringing New Law to Ocean Waters* (David D. Caron & Harry N. Scheiber, eds., Martinus Nijhoff 2004)

“Transatlantic Environmental Relations” in *Europe, America and Bush*, pp. 58-68 (John Peterson & Mark Pollack, eds., Routledge 2003)

“Symposium on the ILC’S State Responsibility Articles: Introduction and Overview” (co-authored with John Crook), *American Journal of International Law*, vol. 96, pp. 773-91 (October 2002)

“What’s So Bad about Unilateral Action to Protect the Environment?” *European Journal of International Law*, vol. 11, pp. 339-47 (2000)

“The Role of Reporting in International Environmental Treaties: Lessons for Human Rights Supervision,” in *The Future of the U.N. Human Rights Treaty System*, pp. 361-80 (Philip Alston & James Crawford, eds., Cambridge University Press 2000)

“Non Liqueur and the Incompleteness of International Law,” in *International Law, the International Court of Justice and Nuclear Weapons*, pp. 153-70 (Laurence Boisson de Chazournes & Philippe Sands, eds., Cambridge University Press 1999)

"The Legitimacy of International Governance: A Coming Challenge for International Environmental Law?," *American Journal of International Law*, vol. 93, pp. 596-624 (July 1999)

Excerpted in Oona Hathaway & Harold Koh, eds., *Foundations of International Law* (Foundation Press 2004)

"The Role of National Courts in the Field of International Environmental Law" (co-authored with Jutta Brunnée), and "International Environmental Law in United States Courts," *Review of European Community and International Environmental Law*, vol. 7, pp. 11-20, 57-62 (1998)

"May We Engineer the Climate?" *Climatic Change*, vol. 33, pp. 309-21 (1996)

"Customary (and Not So Customary) International Environmental Law," *Indiana Journal of Global Legal Studies*, vol. 3, pp. 105-19 (1995)

Excerpted in Paula M. Peavato, ed., *International Environmental Law* (Library of Essays in International Law) (Ashgate 2003)

"International Law and the Protection of Biological Diversity," *Vanderbilt Journal of Transnational Law*, vol. 28, pp. 623-34 (1995)

"The Emerging Climate Change Regime," *Annual Review of Energy and Environment*, vol. 20, pp. 425-61 (1995)

"The Precautionary Principle in U.S. Environmental Law," in *Interpreting the Precautionary Principle*, pp. 203-28 (T. O'Riordan & James Cameron, eds., Cameron & May 1994)

"Prologue to the Climate Change Convention," in *Negotiating Climate Change: The Inside Story of the Rio Convention*, pp. 45-74 (Irving Mintzer & J.A. Leonard, eds., Cambridge University Press 1994)

"Managing Climate Change," *Yearbook of International Environmental Law - 1992*, vol. 3, pp. 60-74 (Gunther Handl ed., Oxford University Press 1993)

"The U.N. Framework Convention on Climate Change: A Commentary," *Yale Journal of International Law*, vol. 18, pp. 451-558 (1993)

Commemorated as one of the 10 most-cited articles in the first 25 years of the *Yale Journal of International Law*, vol. 25, pp. 315-21, with commentary by Daniel C. Esty

"Protecting the Marine Environment from Vessel Source Pollution: UNCLOS III and Beyond," *Ecology Law Quarterly*, vol. 18, pp. 719-77 (1991)

"Scientific Uncertainty and the Precautionary Principle," *Environment*, vol. 33, pp. 4-5, 43-44 (Sept. 1991) (see also exchange of letters, *Environment*, vol. 34, pp. 2-4 (April 1992))

"Human Rights and Universal Jurisdiction," in *World Justice? U.S. Courts and International Human Rights*, pp. 1-22 (Mark Gibney, ed., Westview 1991)

***Policy Pieces on  
Climate Change***

*Evolving Functions of the UNFCCC* (Center for Climate and Energy Solutions, November 2019)

*General Issues in Elaborating the Paris Rulebook* (Center for Climate and Energy Solutions, April 2018)

*Elaborating the Paris Agreement: Information and Accounting* (Center for Climate and Energy Solutions, November 2017)

*Could a Future President Reverse U.S. Approval of the Paris Agreement?* (Center for Climate and Clean Energy Solutions, October 2016)

"Elaborating the Paris Agreement's Rules," in *The Paris Agreement and Beyond: International Climate Change Policy Post-2020* (Robert N. Stavins and Robert C. Stowe eds., Harvard Project on Climate Agreements, October 2016)

*Key Legal Issues in the 2015 Climate Negotiations* (co-authored with Lavanya Rajamani) (Washington: Center for Climate and Energy Solutions, June 2015)

*Legal Options for U.S. Acceptance of a New Climate Change Agreement* (Washington: Center for Climate and Energy Solutions, May 2015)

*Structure of a 2015 Climate Change Agreement* (Washington: Center for Climate and Energy Solutions, October 2014)

*Facilitating Linkage of Heterogeneous Regional, National and Sub-National Climate Policies through a Future International Agreement* (co-authored with Seth A. Hoedl, Gilbert E. Metcalf and Robert N. Stavins) (Cambridge, MA: Harvard Project on Climate Agreements, Nov. 2014)

*Building Flexibility and Ambition into a 2015 Climate Agreement* (co-authored with Elliot Diringer) (Washington: Center for Climate and Energy Solutions, Paris: IDDRI/SciencesPo, June 2014)

*Evolution of the International Climate Effort* (co-authored with Elliot Diringer) (Washington: Center for Climate and Energy Solutions, May 2014)

*The Durban Platform: Issues and Options for a 2015 Agreement* (Washington: Center for Climate and Energy Solutions 2012)

*The Durban Platform Negotiations: Goals and Options* (Cambridge: Harvard Project on Climate Agreements 2012)

*Multilateral Climate Efforts beyond the UNFCCC* (Washington: Center for Climate and Energy Solutions, December 2011)

*Governing Climate Engineering: Scenarios for Analysis*, Discussion Paper 2011-47 (Cambridge: Harvard Project on Climate Agreements, November 2011)

*Viewpoint: Whither the Kyoto Protocol? Durban and Beyond* (Cambridge: Harvard Project on Climate Agreements, September 2011)

*The Evolution of Multilateral Regimes: Implications for Climate Change* (co-authored with Elliot Diringer) (Washington: Pew Center on Global Climate Change 2010)

*Viewpoint: The International Climate Change Regime: The Road from Copenhagen* (Harvard Project on Climate Agreements 2010)

*White Paper: Legal Form of a New Climate Agreement: Avenues and Options* (Washington: Pew Center on Global Climate Change, April 2009)

*Measurement, Reporting and Verification in a Post-2012 Climate Agreement* (co-authored with Clare Breidenich) (Washington: Pew Center on Global Climate Change, April 2009)

*Climate Change: Top 10 Precepts for US Foreign Policy*, RFF Issue Brief #09-01 (Washington: Resources for the Future, January 2009)

*Towards An Integrated Multi-Track Climate Framework* (co-authored with Elliot Diringer) (Washington: Pew Center on Global Climate Change, December 2007)

*International Sectoral Agreements in a Post-2012 Climate Framework* (Washington: Pew Center on Global Climate Change, 2007)

*International Climate Efforts beyond 2012: A Survey of Approaches* (Pew Center on Global Climate Change, 2004) (with contributions from Sophie Chou and Christie Jorge)

"Climate Commitments: Assessing the Options" in *Beyond Kyoto: Advancing the International Effort against Climate Change* (Pew Center on Global Climate Change, 2003)

*US Climate Policy after Kyoto: Elements for Success*, Carnegie Endowment for International Peace Policy Brief (April 2002)

"Bonn Voyage: Kyoto's Uncertain Revival," *The National Interest*, pp. 45-55 (Fall 2001)

Excerpted in Robert J. Art & Robert Jervis, *International Politics: Enduring Concepts and Contemporary Issues* (6<sup>th</sup> ed. 2003)



*Linking US and International Climate Change Policies*, Pew Center on Global Climate Change Policy, White Paper (April 2002)

*Implications for U.S. Companies of Kyoto's Entry into Force without the United States*, Pew Center on Global Climate Change, White Paper (January 2002)

**Book Reviews**

Dale Jamieson, *Reason in a Dark Time*, in *Ethics and International Affairs*, issue 29.2 (Summer 2015), doi:10.1017/S0892679415000118

Jack Goldsmith, *Power and Constraint*, in *American Journal of International Law*, vol. 107, pp. 714-19 (2013)

Eyal Benvenisti, *Sharing Transboundary Resources* (2002), in *American Journal of International Law*, vol. 99, pp. 280-84 (2005)

Joyeeta Gupta, *The Climate Change Convention and Developing Countries: From Conflict to Consensus?* (1997), in *American Journal of International Law*, vol. 92, pp. 172-74 (1998)

Karol Wolfke, *Custom in Present International Law*, in *Michigan Journal of International Law* (1993), vol. 16, pp. 667-79 (1995)

Alan Boyle & Patricia Birnie, *International Law and the Environment* (1992), in *American Journal of International Law*, vol. 88, pp. 408-11 (1994)

Gerard Mangone, *Marine Policy for America* (1988), in *International Journal of Estuarine and Coastal Law*, vol. 6, pp. 79-81 (1991)

**Shorter Publications**

"The Categorical Imperative," *Temple International and Comparative Law Journal*, vol. 32, issue 1, pp. 7-11 (2018)

"The Issues that Never Die," *Carbon and Climate Law Review*, vol. 12, issue 3, pp. 184-90 (2018)

"Should We Care What the Pope Says about Climate Change," for on-line symposium on the Pope's Encyclical and Climate Change Policy, *American Journal on International Law Unbound*, vol. 109, pp. 127-31 (November 2015)

"Selective Leadership Disorder," *U.S. News and World Report*, op-ed (November 4, 2015)

"Does Custom Have a Source," for on-line symposium on customary international law, *American Journal of International Law Unbound* (Dec. 2014)

"Non Liquef," in *Encyclopedia of Public International Law* (Oxford University Press 2005)

“Non-Treaty Lawmaking,” in *Developments of International Law in Treaty Making*, pp. 481-86 (Max Planck Institute 2005)

“The Uses of International Sources in Constitutional Interpretation,” *Georgia J. Int’l & Comp. L.* 421 (2004)

“Framework Convention on Climate Change” and “Precautionary Principle,” in *Encyclopaedia of Global Change* (Andrew Goudie, ed., Oxford University Press, 2001)

*The Framework Convention/Protocol Approach*, World Health Organization, Framework Convention on Tobacco Control Technical Briefing Services, WHO/NCD/TFI/99.1 (1999)

*What Makes International Agreements Effective? Some Pointers for the WHO Framework Convention on Tobacco Control*, World Health Organization, Framework Convention on Tobacco Control Technical Briefing Services, WHO/NCD/TFI/99.4 (1999)

"Draft Convention on Climate Change," *Environmental Policy and Law*, vol. 22, pp. 5-15 (1992).

"Regional Seas," *Yearbook of International Environmental Law - 1991*, vol. 2, pp. 125-31 (G. Handl ed. 1992).

"UN Convention on Climate: More than Just Hot Air," *Christian Science Monitor*, op-ed page (June 10, 1992).

"Regional Seas," *Yearbook of International Environmental Law - 1990*, vol. 1, pp. 111-15 (G. Handl ed. 1991).

"New Focus Needed for 'Earth Summit' Meeting Next June," *Seattle Times*, op-ed page (November 21, 1991).

## **Select Presentations**

“International Law and Artificial Intelligence,” Workshop on Soft Law and Artificial Intelligence, Stanford University, January 2020

“Law and Politics in the UN Climate Regime: A Preview of COP25,” University of Cambridge Lauterpacht Centre for International Law, November 2019

“The Legal Evolution of the UN Climate Change Regime,” University of Oxford, October 2019

“Politics and Justice in the UN Climate Change Regime,” Climate Justice Conference, University of Mauritius, October 2019

“Decoding the Paris Rulebook,” National University of Singapore, September

2019

“Arctic Geoengineering Governance,” Trameren Conference, University of Copenhagen, June 2019

“Solar Geoengineering and International Law,” Harvard Kennedy School of Government, September 2018

“Do Developing Countries Have Anything to Fear from International Environmental Law,” Ingram Lecture on International Law and Development, University of New South Wales, July 2018

“The Why, What and Who of Geoengineering Governance,” University of Calgary, January 2018

“Oceans and Climate Change: Introducing the Issues,” Law of the Sea Institute Conference, Malmo, Sweden, August 2017

“The Role of the International Court of Justice in Addressing Climate Change: Some Preliminary Reflections”

- Forefront of International Law Conference, ASU, March 2017
- Berkeley Law Environmental Law Colloquium, April 2017
- Kings’ College London, June 2017

“The Paris Agreement: A New Hope,” Yale Law School, October 2016

“Legal Character of the Paris Agreement,” Tel Aviv University and Hebrew University, Israel, June 2016

“Governance of Geoengineering,” Forum for Climate Engineering Assessment, American University, Washington DC, March 2016

“Regulating Greenhouse Gas Emissions from Ships: The Role of the International Maritime Organization,” 50<sup>th</sup> Anniversary Conference of the Law Sea Institute, Berkeley Law, University of California, October 2015

“Previewing the Paris Climate Change Conference,” Hong Kong University of Science and Technology and Civil Exchange, November 2015

“Unpacking the Legitimacy Deficits of International Law: Who What, How,” European Society of International Law annual conference, Vienna, September 2014

“Multilateral Governance of Geoengineering,” Climate Engineering Conference 2014, Berlin, Germany, August 2014

“Climate Engineering Governance and Legitimacy,” Columbia University, March 2014; Chicago-Kent Law School faculty colloquium, February 2014

“Geoengineering Governance: Does Multilateralism Matter?” Tel Aviv University Faculty of Law, December 2013

“The Legitimacy of the Human Rights Judiciary,” Annual MultiRights Conference, University of Oslo, May 2012

“The Durban Platform Negotiations,” University of California at San Diego, April 2012; University of Amsterdam, June 2012.

“Legitimacy in International Law and International Relations,” University of Oslo, November 2011.

“International Law and Global Public Goods,” Symposium on Global Public Goods and the Plurality of Legal Orders, European University Institute, Florence, October 2011; University of Michigan Legal Theory Workshop, November 2011.

“The International Climate Change Regime: Past, Present and Future,” Conference on Climate Change Law for Turkey: 2012 and Beyond, Istanbul Bilgi University, October 2011.

“Instrumental Diversity in Climate Protection,” Hamburg International Environmental Law Conference, September 2011

“The Kyoto Protocol: Dead or Alive?” Vermont Law School, June 2011

“International Litigation as a Tool for Addressing Climate Change,” Valparaiso Conference on Climate Change Litigation, February 2011

“The International Climate Change Regime: Past, Present and Future,” University of Minnesota, October 2010

“The Road from Copenhagen,” World Forum on Environment and Development, University of Oxford, June 2010

“Constitutionalism and Legitimacy in International Environmental Governance,” Smith School of Enterprise and Environment, University of Oxford, February 2009

“International Climate Policy: Top 10 Precepts for US Foreign Policy,” Wrigley Lecture, Arizona State University, November 2008; International Climate Change Conference, Washington University, October 2008

“The International Climate Negotiations and the Bali Road Map,” British Institute of International and Comparative Law Annual Conference,” London, October 2008

“The Role of Sectoral Approaches in an International Climate Framework Post-2012,” International Symposium on Climate Change, Tokyo, September 2008

“A Post-Kyoto Framework for Climate Change,” George Washington University International Law Colloquium, September 2008

“Is There an International Environmental Law Constitution?” Workshop on Global Constitutionalism, Kandersteg, Switzerland, January 2008

“Negotiating a Post-2012 Climate Regime,” International Law Weekend, New York, October 2007

“The International Climate Framework Post-2012: The Role of Sectoral Approaches,” Global Industrial and Social Progress Research Institute (GISPRI), Tokyo, October 2007

“The International Climate Regime Post-2012: An Integrated Multi-Track Framework,” University of Toronto Faculty of Law, September 2007

“Non-Treaty Norms in International Environmental Law,” Duke University School of Law, March 2007

“Social Norms and Customary International Law,” Arizona State University School of Law, February 2007

“Dimensions of Future International Climate Negotiations,” XXV MIT Global Change Forum, Vienna, Austria, October 2006

“Normativity and Legitimacy,” Symposium on Legitimacy in International Law, Max Planck Institute, June 2006

“Targets and Timetables: Good Policy but Bad Politics?” Workshop on Architectures for Agreement, Environmental Economics Program, John F. Kennedy School of Government, Harvard University, May 2006

“Does One Need to Be an International Lawyer to Be an International Environmental Lawyer?” American Society of International Law, Annual Meeting, March 2006 (100 *Proc. Am. Soc. Int’l L.* 303-07)

“Closing Commentary,” Conference on Global Warming: Looking Beyond Kyoto, Yale Center for the Study of Globalization, October 2005

“Combatting Climate Change: Where Do We Go From Here?” Michigan Law School, March 2005

“Science, Tourism and the Antarctic Environment,” Antarctic Institute of Chile, Punta Arenas, Chile, December 2004

“Rules vs. Standards in International Environmental Law,” American Society of International Law, Annual Meeting, April 2004 (98 *Proc. Am. Soc. Int’l L.* 275)

“A Taxonomy of Non-Treaty Lawmaking,” Max Planck Institute for Comparative Public Law and International Law, Heidelberg, November 2003

“The Rise (and Fall?) of the Kyoto Protocol,” Roger S. Aaron Lecture, Dartmouth College, May 2003

“The United States and Global Warming,” Baker Peace Conference, Ohio University, April 2003

“Rules and Standards in International Law,” New York University Law School, March 2003

“Transatlantic Environmental Relations: The Growing Rift between U.S. and European Climate Change Policies,” University of Wisconsin, Madison, April 2002

“The Precautionary Principle,” Boalt Hall, University of California at Berkeley, April 2002

“Transatlantic Environmental Relations,” European University Institute, Florence, February 2002

“The Bonn and Marrakech Climate Change Accords,” American Association of Law Schools Annual Meeting, New Orleans, January 2002

“September 11: International Law and Its Limits,” Fletcher School of Law and Diplomacy, November 2001

“Emerging Climate Change Proposals,” Climate Policy Conference, Venice, Italy, September 2001

“W[h]ither Climate Change Policy,” Resources for the Future, August 2001

“The Legitimacy of International Environmental Law: Is There a Democratic Deficit,” Berkeley, November 1998; UCLA, January 1999; Johns Hopkins School of Advanced International Studies (SAIS), February 2000, University of California, Berkeley, April 2001

“The Role of Unilateralism in International Environmental Law,” Joint US-European Symposium, University of Michigan Law School, September 1999

“The Antarctic Treaty System and the Problem of Legitimacy,” Conference on Antarctica, Graduate Institute for Advanced International Studies, Geneva, June 15-16, 1997

“International Environmental Reporting: Lessons for Human Rights,” Conference on the Future of the U.N. Human Rights Treaty System, Research

Center for International Law, Cambridge, England, March 1997

"Climate Engineering," Aspen Global Change Institute Summer Session on Improving the Effectiveness of the Climate Convention, Aspen, Colorado, Aug. 9, 1995

"The Antarctic Environment Protocol," Antarctic Environment Management Workshop, National Science Foundation, Santa Fe, New Mexico, March 14-17, 1995

"The Cult of Customary International Environmental Law," Indiana Journal of Global Legal Studies Annual Symposium, International Environmental Laws and Agencies: The Next Generation, Indiana University School of Law, March 8, 1995

"International Law and Biological Diversity," Vanderbilt University School of Law, Symposium on Biodiversity: Opportunities and Obligations, January 20, 1995

"May We Engineer the Climate," American Association for the Advancement of Science, Annual Meeting, San Francisco, February 20, 1994

"The Value-Added of International Environmental Agreements," American Society of International Law, Annual Meeting, Washington, D.C., April 2, 1993 (87 *Proc. Am. Soc'y Int'l L.*)

"The Precautionary Principle: Scientific Uncertainty and International Environmental Law," American Society of International Law, Annual Meeting, Washington, D.C., April 19, 1991 (85 *Proc. Am. Soc'y Int'l L.* 413-17)

"New Directions for the Law of the Marine Environment," *Panel on the Law of Ocean Uses*, Columbia University, New York, April 1990

"Encouraging Compliance with High Seas Rules," *Resources or Freedoms on the High Seas: Policing the Ocean Commons*, Council on Ocean Law, Washington, D.C., February 1990

"Domestic Procedures to Enforce International Human Rights Norms," International Institute of Human Rights, 19th Study Session, Strasbourg, France, July 1988

"International Law Issues of the Alien Tort Statute," American Society of International Law, Annual Meeting, Washington, D.C., April 22, 1988 (82 *Proc. Am. Soc'y Int'l L.* 470-74)

## **Consulting**

*Center for Climate and Energy Solutions (CSES) (formerly the Pew Center on Global Climate Change)*, Fall 2001-present

Consultant and senior adviser on “Beyond Kyoto,” “Pocantico Dialogue,” and “Towards 2015” projects.

*Climate Advisers, 2018*

Study of the UN climate regime and oceans.

*Swiss Federal Office of the Environment (2013-2015, 2018)*

Prepared reports relating to the negotiations of the Paris climate change agreement and the Paris Agreement Work Programme.

*Marine Mammal Commission, June-December 2003*

Prepared opinion concerning US authority under international law to regulate ship strikes of right whales.

*German Environment Agency, 2002-2003*

Prepared report concerning legal regulation of the effects of military activity on the environment.

*United Nations*

Consultant to the World Health Organization (1998-1998), the UN Climate Change Secretariat (1996, 2002), the UNEP Information Unit for Conventions (1993-1994) and the UN Conference on Trade and Development (1992) (to assist the Secretariat of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change).



## **Professional Activities**

U.S.-nominated arbitrator under the Antarctic Environment Protocol, 1998-present.

Member, State Department Advisory Committee on International Law, 2010-present.

Member, Council on Foreign Relations (elected, January 2004)

Editorial Board, *Transnational Environmental Law*, 2019-present

Visiting Scholar, Trinity College, University of Cambridge, November 2019

Academic Exchange Study Tour, Israel, June 2019

Academic Visitor, University of Melbourne, May-June 2018

Ingram Fellow, University of New South Wales, Spring 2018

Visiting Professor, Kings' College London, June 2017

Lecturer, International Environmental Law, United Nations Regional Courses in International Law

Bangkok, November 21-22, 2019

Santiago, Chile, May 2017

Montevideo, Uruguay, April 21-22, 2016

Lecturer, 12<sup>th</sup> UEF-UNEP Course on Multilateral Environmental Agreements, Shanghai, November 1-12, 2015.

Visiting Fellow, Faculty of Law, University of Oslo, May 2012.

Visiting Fellow, Smith School of Enterprise and Environment, University of Oxford, January-July 2009, June-July 2010, June-July 2012.

Board of Editors, *American Journal of International Law*, 2001-2011.

Member, Organizing Committee, World Forum on Enterprise and Environment, July 2009.

Co-Editor-in-Chief, International Environmental Law and Policy Series, Kluwer Law International, 1997-2006.

Executive Council, American Society of International Law, 1996-1998, 2003-2006.

Visiting Scholar, Resources for the Future, June-August 2001.

Member, IUCN Commission on Environmental Law, 1997-1999.

Editorial Board, *Review of European Community and International Environmental Law* (Basil Blackwell Publishers Ltd.), 1992-1999.

Editorial Board, *Journal of Environment and Development*, 1995-1999 (peer-reviewed journal published by Sage).

Chair, International Environmental Law Interest Group, American Society of International Law, 1992-1998.

*Yearbook of International Environmental Law* (Graham & Trotman / Oxford University Press), Associate Editor, 1991-1994, 1997; Advisory Board, 1997-present.

Member, Committee on Coastal State Jurisdiction over Marine Pollution, International Law Association, 1992-1997.

Member, Committee on Antarctic Policy and Science, National Academy of Sciences, Dec. 1992 - May 1993.

Adviser to the Secretariat for the U.N. Framework Convention for Climate Change, 1992, 1996.

Vice-Chair, International Environmental Law Committee, Section of Natural Resources, Energy, and Environmental Law, American Bar Association, 1993-1994, 1997

## **Personal**

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