

A global governance framework for climate change

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Project description:

The climate change crisis conflates several different socio-economic, political, and legal issues: to date, a functioning framework for global governance that addresses the crisis alludes world leaders. Scholars have focused almost exclusively on the multilateral or transnational solutions without considering the ways in which they are interconnected, the alternate forms of climate governance and how these activities might collectively result in climate governance from the “bottom up.” This research project requires a sophisticated and holistic approach to bridge the current chasm between governance and the human relationship with nature by looking at the alternatives that are making headway through non-state actors and NGOs within the broader global climate governance landscape. The project will move beyond the discourse of the most urgent environmental issues being inseparable from the most urgent global social issues and look at the economic and legal realities that hinder protecting and restoring the integrity of the Earth’s ecological systems through a sustainable global marketplace.

The project will investigate the policies that individuals, non-state actors and NGOs have developed/adopted to understand how new and polycentric forms of governance function compared to policy-making activities of regional/local governments, nation states and trade blocs etc. that require transnational forms of governance. How should multiple governing bodies interact to make and enforce the laws and regulations necessary to ensure sustainable governance/development?

The complexities of solving the climate crisis stem, in part, from the overlapping convergences of diverse national and regional cultures around the world, which, at the same time, are affected by the plurality of democratic, illiberal and authoritarian traditions founded on differing national, religious and philosophical cultures. Despite those differences, the economic status quo is almost ubiquitous in striving for growth over the wellbeing of nature and humankind. Continuing that cycle is problematic and difficult to solve politically. This can be understood by the immense costs involved in pushing for a carbon-negative culture of governance, which is contrary to the current economic model in a global growth economy.

The candidate will be expected to carry out comparative research of approaches to sustainable governance in varying regions with divergent political and legal systems. Examples of focused investigation may include: the socio-economic obstacles to sustainable governance; the legal, political and cultural changes required to move from splintered, unsustainable governance; reconciling Common law and Civil law systems; and the proposed measures under the Paris Climate Agreement to aid decarbonisation of economies in the Global South. Is this mitigation or a trade-off? What transnational regulatory measures can be taken in the Global North to prevent moving carbon intensive industries to the Global South? How do non-state actors use this new governance architecture to further climate goals? How do they interact with the various levels of governance? How do they influence, local, national and global policy? The methodology will be predominately desk-based research but could also include conducting empirical research and interviews with various stakeholders, NGOs and state and non-state actors.

About the supervisors:

Dr Robert C Palmer is Lecturer of Law in the Faculty of Business and Law at the Open University Law School. He studied law at the University of the West of England, Bristol, where he was awarded a PhD Studentship. He specialises in immediate impact research and an expert in Ecocide law, while focusing on the nexus between environmental law; international environment law and human rights law. Research activities include ecocide/ecocidal activities; the right to water; unconventional oil and gas development ('fracking'); water scarcity; sustainable global governance; and public law. Currently researching the UK's withdrawal from the EU and continues to consult on the legal challenges created by Brexit. He is an Associate Editor for the International Journal of Human Rights.

Dr. Marjan Ajevski is the Research Fellow in Law at the Law School. He holds an SJD from the Central European University in Budapest and Vienna; has was previously affiliated with the University of Oslo's PluriCourts Centre of Excellence as a Post-Doctoral researcher, the Central European University as a Visiting Professor and the NYU's Program for International Relations as a Visiting Researcher. His research interests are in international courts and how they operate, and the challenges of global governance to the national constitutional and political balance.

Professor Simon Lee is Professor of Law and Director of Research in the Open University Law School and Emeritus Professor of Jurisprudence, Queen's University Belfast. He studied law at Balliol College, Oxford, where he was a Brackenbury Scholar, and at Yale Law School, where he was a Harkness Fellow. He is the author of various books, including Law & Morals and Uneasy Ethics. At the Open University, he has served as Director of Citizenship and Governance Research. He is now a co-investigator on the £6.7million project recently funded by Research England to address the question, 'Are we alone in the Universe?' and his research interests include challenges to traditional governance, from Northern Ireland to Brexit to Space.

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