Editorial

A year ago, with 2015 coming to a close, these editorial pages looked back at a pivotal year for climate action. Four issues later, it is evident that 2016 will likewise be remembered as a milestone in efforts to address climate change. Within less than a year since its adoption, the landmark Paris Agreement saw enough formal ratifications to trigger its entry into force on 4 November 2016. Only a month prior, on 6 October 2016, the international community ended two decades of negotiating gridlock on emissions from international aviation when it agreed on a framework to offset future emissions growth from the rapidly expanding sector. Both events marked the culmination of years of preparation and careful balancing of divergent positions, and both were accompanied by timely special issues of the *Carbon & Climate Law Review*. Breakthroughs were also won on other fronts, for instance in the struggle to reduce short-lived climate pollutants and expand domestic carbon pricing, all while growth in clean energy continued at an unabated pace around the world.

But 2016 also served as a sobering reminder that progress remains vulnerable, and far more work has yet to be done. It has already been confirmed as the hottest year on record, and saw major disruptions and extreme weather events ascribed to a rapidly changing climate. In a seeming disconnect, several jurisdictions, including early pioneers in the deployment of clean energy, rolled back policy measures and slowed or compromised their transition to a lower-carbon future. Most importantly, perhaps, the closing year revealed that political support for climate action is still all but guaranteed, with referenda and election outcomes threatening to unravel some of the hard-earned achievements of previous years, and indeed the very fabric of political discourse undermined by troubling indifference towards scientific facts and evidence. While there are great successes to celebrate, greater challenges lie yet ahead.

Reflecting this outlook of contrast and uncertainty, the latest issue of the *Carbon & Climate Law Review* surveys established and visionary responses to climate change, highlighting both the opportunities and challenges to progress. Jonathan Verschuuren reviews the boundaries defined by international trade law for efforts to stimulate climate smart agriculture through subsidies and offset crediting systems, concluding that current legal uncertainty may hamper necessary action in this sector. Sustainable agricultural practices will also be key to ensuring the viability of an abatement option considered increasingly essential by the scientific community, largescale deployment of bioenergy with carbon capture and storage. In his article, Robert Amos explores the legal obstacles faced in developing that industry, and focuses on the land-use implications, trade issues and the broader environmental legal context.

A more conventional policy option, but unconventional for its location, lies at the heart of Ipshita Chaturvedi's article, who dissects India's 'carbon tax package'. Consisting of the Clean Environment Cess, a levy on coal and coal derivatives, as well as excise duties on petrol and diesel, this portfolio of policies has significant potential to alter the future energy trajectory of the world's third largest emitter, but as she also highlights, it faces numerous design shortcomings and implementation barriers. In the final article, Dmitri Fedosov turns to the opportunities for linking emissions trading systems, an economically desirable option to harmonize carbon prices across jurisdictions. Based on a review of both the literature and actual practice, he affirms that political – rather than technical – obstacles may prevent rapid progress towards a global network of linked carbon markets. Still, the very

fact that all these foregoing mitigation opportunities are being implemented or explored instills a sense of hope that political will and ingenuity will ultimately overcome those greater challenges that lie ahead. And as in the past, the *Carbon & Climate Law Review* will follow alongside as a dedicated forum for commentary and debate.

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