Editorial

Two decades ago, the adoption of the Kyoto Protocol marked an enduring milestone in international climate cooperation. Although the preceding negotiations revealed growing diplomatic rifts, their ultimately successful conclusion embodied the essential idea of multilateral cooperation on a global challenge. In a portent of things to come, however, the United States withdrew from the Kyoto Protocol in 2001, setting off one of the liveliest and most productive scholarly debates in international law and international relations. Subsequent instruments, such as the Copenhagen Accord and the Paris Agreement, reflect an evolving notion of the adequate response to collective action problems, one that differs from the Kyoto Protocol in paradigmatic ways. Looking back after 20 years of theorising about the shortcomings of multilateral diplomacy and conventional rulemaking, it is worth noting that in actual practice the Kyoto Protocol achieved a favourable record of full compliance, effectively exceeding its aggregate emission reduction objective.¹ Meanwhile, the Paris Agreement – with its purportedly more accommodating architecture – has nonetheless failed to retain participation of the largest cumulative emitter in history, the United States. That all withdrawals have occurred in adherence to the procedures set out in the treaties themselves and under general international law is, moreover, in itself a testament to the normative force afforded to these legal instruments even by defecting parties.

Going back one decade, a more modest enterprise in the area of climate scholarship was born: this journal. To celebrate the occasion, the *Carbon & Climate Law Review* has solicited entries to a competition targeted at students and recent graduates working on climate change and the law. It is only fitting that, at the confluence of these two anniversaries, Ambassador Raúl A Estrada-Oyuela – not only an influential diplomat and statesman, but also a distinguished international lawyer and pioneer in the history of international climate negotiations – was invited to serve as patron of the competition. Known as the ‘Father of the Kyoto Protocol’, Ambassador Estrada is credited with overcoming gridlock in the negotiations he chaired by combining diplomatic acumen with a human touch, defusing more than one precarious standoff with resolute leadership softened by humorous anecdotes. Culminating a long diplomatic career, he was appointed Ambassador-at-large for Environmental Negotiations by his home country, Argentina, and international environmental law now carries his indelible handwriting. My colleagues on the editorial board and I are deeply grateful to Ambassador Estrada for lending his name and support to the award.

For the selection jury, Ambassador Estrada was joined by two other widely known scholars of climate change law and policy, Camilla Bausch, Director of the Ecologic Institute in Berlin, and David Freestone, Executive Secretary of the Sargasso Sea Commission. All three are owed a debt of gratitude for the time and effort they invested in identifying the winning entry for the Raúl Estrada-Oyuela Award for Emerging Scholars in Climate Law. Based on the scholarly merit of submitted essays, the jury selected five finalists which collectively form the content of this anniversary issue. Matteo Fermiglia of the Universities of Trieste and Udine received the highest number of votes for his essay titled ‘The Show Must Be Green: Hosting Mega-Sporting Events in the Climate Change Context’. Members of the jury lauded his essay for being ‘well researched, beautifully written and presented’ and ‘clear headed’ on a ‘high impact issue’, making him a deserved winner.

¹ Igor Shishlov, Romain Morel and Valentin Bellassen, ‘Compliance of the Parties to the Kyoto Protocol in the First Commitment Period’ (2016) 16(6) *Clim Pol* 768.

Four contributions were tied for second place, and these are, in alphabetical order of their authors:

- Lisa Benjamin of the University of the Bahamas and University of Leicester for her essay on 'The Duty of Due Consideration in the Anthropocene: Climate Risk and English Directorial Duties';
- Sara Kymenvaara of the University of Eastern Finland for her essay on 'Ending Transport Oil Dependency in the European Union: National Policy Activity at the Heart of the Transition to Alternative Fuels';
- Satvinder Nagra of the University of Melbourne, for the entry on 'The Oslo Principles and Climate Change Displacement: Missed Opportunity or Misplaced Expectations?';
- Keiichiro Zushi of the University of California Hastings College of the Law for his essay on 'Driverless Vehicles: Opportunity for Further Greenhouse Gas Emission Reductions'.

Warm congratulations to all five authors for this fine accomplishment, which testifies to their capabilities as scholars in an area of enquiry that is as dynamic as it is challenging – the nexus of climate change and the law. I have no doubt that readers will find these essays enjoyable and enriching in their diversity, originality, and relevance, and will join me in looking forward to future contributions from our finalists.

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