

The Paris Agreement on climate change. Analysis and commentary. Daniel Klein, María Pía Carazo, Meinhard Doelle, Jane Bulmer, and Andrew Higham (es). 2017. Oxford: Oxford University Press. xxxii + 435 p, illustrated, hardcover. ISBN 978-0-198-78933-8. £80.00.

On 1 June 2017 U.S. President Donald Trump announced the country's withdrawal from the 'Paris Deal' because it "disadvantages the United States" and because it is unfair to U.S. businesses and taxpayers, as Trump remarked in his speech in the Rose Garden of the White House. The reactions from the national and international political community as well as media were immediate and Trump's decision was widely criticised and condemned (Watts & Connolly, 2017). But what does this announcement of withdrawal actually mean? Does it mean the United States simply pull out of the agreement, causing it to implode? On the very first pages of the book this question is answered in a rather straightforward manner: no, it is, in all likelihood, not going to implode. For climate change mitigation, adaptation and ultimately climate action go far beyond state action, but are reflected in all levels of society, in municipalities, the private and non-governmental sectors (p. 25).

But the climate regime is complex and raises many other questions. Thus, the interested scholar, political or other layperson is recommended to turn her or his attention to the present volume. To my knowledge there is no other volume that in such great detail takes the reader through the history of the Paris Agreement, its provisions, its strengths and weaknesses, and its larger impact on and role in international law. Read in conjunction with *International climate change law* (Bodansky, Brunée & Rajamani, 2017), the reader is brought up to speed on the whys, hows, whos and whats of international climate change law.

The book comprises three overarching parts – Part I: Introductory Chapters (5 contributions); Part II: Analysis of the Provisions of the Agreement (15 contributions); and Part III: Concluding Reflections (3 contributions) – the authors of which stem both from academia and from negotiating and implementing entities of the Paris Agreement. Simply by reading the table of contents and short biosketches of the contributors, the reader realises the comprehensiveness of the expertise brought together in this volume. The foreword by Christiana Figueres, Executive Secretary of the UNFCCC, stands synonymous for this.

Even though the title of the book makes clear that the Paris Agreement is its main focal point, a broad introduction to the international climate regime cannot be missed. The entirety of Part I, amounting to ca. 100 pages, is dedicated to the evolution of the climate regime, with explanations of the institutions, various agreements, negotiations, concepts, provisions and their relevance. With this background the reader is well-equipped to enter the most substantive part of the book: Part II, analysing the provisions of the agreement.

As the avid reader might suspect – and of course expect – the analytical part of the book is detailed, informative, concise and impressive. Each article or provision of the Paris Agreement is analysed. By and large the 15 chapters of Part II follow the structure of a general overview and a negotiating history, a substantive analysis (or interpretation) of the article/provision, its implementation and an evaluation and outlook. The authors thus combine the textual interpretation of the Agreement, meaning the black on white text, with the teleological or contextual interpretation, which takes the drafting history and the intentions of the state parties into account. As the Paris Agreement is relatively young it is not possible to apply an evolutionary interpretation. The outlook provided in this book will therefore be particularly interesting for future interpreters and students of the Paris Agreement to compare the actual development or evolution of the Agreement with its perceived development in 2017.

From an empirical standpoint, what makes this book particularly fascinating is the rich empirical data the authors provide in the sections on the negotiating histories of the articles and provisions. By doing so, the authors allow the reader to get a better understanding of state behaviour and state preferences, which, once again, complements the information provided by Bodansky et al. (2017) and which allows an extrapolation of larger issues of relevance for each state or group of states.

With this in mind, let us turn back to the opening of this book review, namely to U.S. President Trump and to the degree of unfairness of the Paris Agreement towards the United States. Throughout the book the United States naturally surfaces frequently. But contrary to Trump's claims, in no way does the regime disadvantage anyone, really. Of course, if one were to consider the principle of 'common but differentiated responsibilities and respective

capacities' as disadvantageous towards the U.S., then this might be understandable. But given the eloquence of this principle within the Agreement and the careful crafting of each provision, a United States disadvantage *vis-à-vis* other states cannot be noted. Each state, of course, considers its own (dis)advantages within the climate regime, but as the book so nicely shows, in the Paris Agreement all parties work *jointly* together to tackle the threats of climate change.

Now, let us look at U.S. withdrawal from the Paris Agreement, which President Trump, however, weakens to a degree that he is willing to enter into another agreement that is more fair towards the U.S.. The present volume also goes into detail regarding the institutional arrangements of the Agreement. To this end, withdrawal is also covered, shortly but concisely. And here it becomes clear that the announcement of U.S. withdrawal and renegotiation, at least for the time being, merely serves political purposes and does not have a legal foundation. Because, corresponding to the provisions enshrined in article 28 of the Paris Agreement, withdrawal takes effect no earlier than 4 November 2020. By then, Donald Trump may no longer be U.S. President; the next presidential elections will be held on 3 November 2020, and the new President-elect might reverse Trump's decision immediately.

Mere reference to Donald Trump to exemplify the sophistication of this volume probably does not do it justice as it goes far

beyond that. But the rebuttal of this prominent example stands synonymous for the wealth of information contained within the pages of this book, which provides the reader with an extremely rich source of information on international policy-making, international (environmental) law, legal scholarship and, of course, the climate change regime. Consequently, this book is recommendable for scholars of various disciplines, for law- and decision-makers, for journalists, and also for the layperson interested in engaging in heated arguments on climate change. (Nikolas Sellheim, Helsinki Institute of Sustainability Science (HELSUS), University of Helsinki, Yliopistonkatu 3, 00100 Helsinki, Finland (nps31@cam.ac.uk)).

References

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