

Rosa GILES CARNERO, *El régimen jurídico internacional en materia de cambio climático. Dinámica de avances y limitaciones*, Thomson Reuters Aranzadi, Pamplona, 2021, 185 pp.

This book under review *El régimen jurídico internacional en materia de cambio climático. Dinámica de avances y limitaciones*, written by Professor Rosa Giles of the University of Huelva is a must-read study. The great value of this work is that it is a simple and comprehensible, but at the same time very complete and detailed analysis, undoubtedly the result of well-documented and in-depth research and reflection. The book provides an up to date global understanding of the complex framework on which climate governance, developed and structured on the foundations of the United Nations Framework Convention on Climate Change (UNFCCC).

In her book, Professor Giles highlights the innovative capacity of the international legal regime on climate change, which has managed to outline a multilevel international legal framework. The main objective of the book is highlight limitations and avenues of the international climate regime. Limitations are based mainly on the initial scientific uncertainty, the presence of a great disparity of strategic interests and the diverse socio-economic realities of the states, as well as the cost of facing a global challenge such as climate change, whose effects are already cumulative, irreversible and indiscriminate. These challenges are projected at the global, intra- and intergenerational level. This has justified, as the author points out in the introduction, not only the complexity of the regime, but also to some extent its failures and limitations, leading on occasions to a certain paralysis of climate action in line with the current situation of global climate emergency.

However, the legal-political response has been articulated over 30 years of negotiations, from the UNFCCC to the two treaties that develop it: the Kyoto Protocol and the Paris Agreement. Three legal instruments that have marked the development and evolution of cooperation and the facilitation of the fulfilment of common objectives, but with differentiated commitments in the search for effective solutions. Despite efforts to promote joint action, the very complexity of international climate governance has not always contributed to its effectiveness.

With the aim of understanding this complexity, the author unpacks the main normative, procedural and institutional aspects of the international climate change regime, in order to provide, facilitate and contribute to the reader's understanding. This is no easy task. However, Prof. Giles achieves this with sublime simplicity, without abandoning the technical analysis, leaving no doubt that this will be a reference work to be used in both teaching and research. The lack of works of this type, especially in Spanish, demonstrates its importance and scientific and academic relevance.

After an introduction, the book structures in four main chapters, addressing the most relevant aspects of the international climate change legal regime. The author begins by exploring the main objective of the climate change legal regime and the

general principles that inspire its development and implementation. This objective gives coherence to the entire regime and promotes action focused on climate change mitigation and adaptation in order to secure the limit set for global temperature rise and increase climate resilience.

The second chapter details the climate change negotiating process as a continuous forum for the development of intergovernmental cooperation, mainly carried out by the different conferences of the parties, held over almost three decades, with the aim of adopting climate actions in the face of the climate emergency. Undoubtedly, as the author points out, these intergovernmental forums have made it possible to develop a practice of a complex legal nature, which allows for the interpretation and development of the climate regime, taking into account the advances in scientific and technological knowledge.

The third chapter studies the legal commitments resulting from all these years of negotiation, focusing on the general obligation to cooperate and the specific obligations regarding mitigation and adaptation, together with those of financing. In this context, the Paris Agreement represents a huge step forward facing global warming. It is a global message that the winds of change are beginning to blow after more than twenty years of unsuccessful negotiations and resounding failures (Kyoto Protocol and Copenhagen) that clearly indicate the enormous difficulties of moving towards global governance. Notwithstanding, specific emission reduction plans are now state-specific and there are no quantitative targets. Certainly, there is considerable discretion for countries to determine their targets, but once set, they must be met and reviewed.

Finally, the book closes with an examination of the compliance mechanisms with international climate commitments and the transparency mechanism. These procedural mechanisms, based on flexibility, have been privileged over the substantive ones, making dialogue possible in a context of highly complex multilevel climate governance.

The conclusions drawn by Professor Giles provide an assessment of the progress and limitations in the evolution of the international response to climate change that the climate legal framework has outlined, focusing especially on the new stage inaugurated by the Paris Agreement. Professor Giles reflects on whether international action has been effective in the face of the global challenge of climate change and critically concludes on the insufficient ambition of the Parties to prevent the average temperature of the planet from not exceeding the dangerous threshold of 1.5°C recommended by the scientific community. The unwillingness of parties to accept more ambitious mitigation and adaptation obligations have been, according to Professor Giles, the main obstacles of the international climate change legal regime. This is mainly reflected through the encouragement of deferred adoption of agreements, not always in line with the scientific community's warnings about the urgency and seriousness of the problem.

Nonetheless, this regime has emerged as the main global framework for dialogue and cooperation, allowing for further progress in climate negotiations, despite difficult trade-offs with national strategic interests. Overall, it has proved to be a laboratory of innovation in legal techniques for adapting to the interests at stake, in order to maintain and expand climate ambition. In this sense, as the author notes, the Paris Agreement represents a commitment by Parties to promote adaptation and climate resilience as

an interlinked priority with mitigation and additional efforts, backed up with financing efforts to support developing countries.

In short, Professor Giles brilliantly provides us a valuable work of reference, not only for scholars and researchers but also for anyone willing to learn about international climate regime. All will welcome this work as a very complete and clear study of the international legal regime on climate change, which manages to focus attention on the most relevant and critical aspects of its configuration and evolution.

The challenges ahead, as well as the progress made, undoubtedly opens the door to a certain degree of hope for addressing one of the emergencies facing our world at a global level.

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