# Contents

*Foreword*  
Peter E. Roderick  

*Acknowledgments*  

1. Overview: The Exigencies That Drive Potential Causes of Action for Climate Change  
William C. G. Burns and Hari M. Osofsky  

## PART I: SUBNATIONAL CASE STUDIES

2. State Action as Political Voice in Climate Change Policy: A Case Study of the Minnesota Environmental Cost Valuation Regulation  
Stephanie Stern  

3. Litigating Climate Change at the Coal Mine  
Lesley K. McAllister  

Katherine Trisolini and Jonathan Zasloff  

5. Atmospheric Trust Litigation  
Mary Christina Wood  

## PART II: NATIONAL CASE STUDIES

6. The Intersection of Scale, Science, and Law in Massachusetts v. EPA  
Hari M. Osofsky
## Table of Contents

   Brendan R. Cummings and Kassie R. Siegel 145

8 An Emerging Human Right to Security from Climate Change: The Case Against Gas Flaring in Nigeria
   Amy Sinden 173

9 Tort-Based Climate Litigation
   David A. Grossman 193

10 Insurance and Climate Change Litigation
   Jeffrey W. Stempel 230

PART III: SUPRANATIONAL CASE STUDIES

11 The World Heritage Convention and Climate Change: The Case for a Climate-Change Mitigation Strategy beyond the Kyoto Protocol
   Erica J. Thorson 255

12 The Inuit Petition as a Bridge? Beyond Dialectics of Climate Change and Indigenous Peoples’ Rights
   Hari M. Osofsky 272

13 Bringing Climate Change Claims to the Accountability Mechanisms of International Financial Institutions
   Jennifer Gleason and David B. Hunter 292

14 Potential Causes of Action for Climate Change Impacts under the United Nations Fish Stocks Agreement
   William C. G. Burns 314

15 Climate Change Litigation: Opening the Door to the International Court of Justice
   Andrew Strauss 334

16 The Implications of Climate Change Litigation: Litigation for International Environmental Law-Making
   David B. Hunter 357

17 Conclusion: Adjudicating Climate Change across Scales
   Hari M. Osofsky 375

Index 387