

# Josephine A.W. van Zeben

## ACADEMIC APPOINTMENTS

September 2014 – present	WORCESTER COLLEGE, UNIVERSITY OF OXFORD Fellow in Public and EU Law
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## VISITING POSITIONS

September 2012 – present	ETH ZURICH (SWISS FEDERAL INSTITUTE FOR TECHNOLOGY) Lecturer (Environmental Regulation: Law and Policy)
Spring 2016	NOTRE DAME LAW SCHOOL, UNIVERSITY OF NOTRE DAME Visiting Professor (International Environmental Law)

## PAST POSITIONS

January 2013 – January 2014	THE VINCENT AND ELINOR OSTROM WORKSHOP IN POLITICAL THEORY AND POLICY ANALYSIS, INDIANA UNIVERSITY, BLOOMINGTON Postdoctoral Researcher Faculty affiliate Maurer School of Law, Indiana University
January 2012 – January 2013	AMSTERDAM CENTRE FOR EUROPEAN LAW & GOVERNANCE, UNIVERSITY OF AMSTERDAM Assistant Research Director & Postdoctoral Researcher Lecturer European Law
August 2010 – August 2011	NYU SCHOOL OF LAW, NEW YORK UNIVERSITY Hauser Global Research Scholar
October 2008 – January 2012	AMSTERDAM CENTRE FOR LAW AND ECONOMICS, UNIVERSITY OF AMSTERDAM Ph.D. Researcher Shared appointment with Amsterdam Centre for Environmental Law and Sustainability

## EDUCATION

May 2014	HARVARD LAW SCHOOL, HARVARD UNIVERSITY LL.M
May 2012	UNIVERSITY OF AMSTERDAM Ph.D (Law & Economics) cum laude [top 2%]
June 2008	UNIVERSITY OF AMSTERDAM LL.M (European Private Law)
June 2006	UNIVERSITY OF EDINBURGH LL.B. (Scots Law)
May 2004	UNIVERSITY COLLEGE UTRECHT B.A. (Hons.) Social Sciences UNIVERSITY OF BOLOGNA [Fall 2003]

## PUBLICATIONS

### BOOKS

2020	ESSENTIAL ENVIRONMENTAL LAW: THE UNITED STATES University of California Press (co-authored with A. Rowell)
	ESSENTIAL ENVIRONMENTAL LAW: THE EUROPEAN UNION University of California Press (co-authored with A. Rowell)
	POLICY INSTRUMENTS IN ENVIRONMENTAL LAW Edward Elgar (co-edited with K. Richards)

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| 2019 | POLYCENTRICITY IN THE EUROPEAN UNION<br>Cambridge University Press (co-edited with A. Bobić)   |
| 2014 | THE ALLOCATION OF REGULATORY COMPETENCE IN THE EUROPEAN EMISSIONS TRADING SCHEME Cambridge University Press<br>- Reviewed in 52(1) COMMON MARKET LAW REVIEW (2015) 301-302 |

#### ARTICLES

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| 2018 | A Law and Economics Perspective on Judicial Risk Regulation<br>9(1) EUROPEAN JOURNAL OF RISK REGULATION 79 – 98  |
| 2016 | The New Status Quo of the Paris Agreement: The Psychological Impact of the 2 Degrees Aspiration<br>7(1) EUROPEAN JOURNAL OF RISK REGULATION 49 – 53 (with A. Rowell)   |
| 2015 | Establishing a Governmental Duty of Care for Climate Change Mitigation: Will Urgenda Turn the Tide?<br>4 (2) TRANSNATIONAL ENVIRONMENTAL LAW 339 – 357   |
| 2014 | Operationalizing Subsidiarity: Power-sharing in EU Environmental Law<br>38(2) HARVARD ENVIRONMENTAL LAW REVIEW 415 – 464   |
| 2012 | Legal and Market Uncertainty in Market-Based Instruments: The Case of the EU ETS<br>19(2) N.Y.U. ENVIRONMENTAL LAW JOURNAL 101 – 139 (with G. Dari-Mattiacci)<br>“Market-based regulation within the new ‘Environmental’ Act – A Law and Economics perspective on the EU Emissions Trading Scheme,”<br>4 TIJDSCHRIFT VOOR MILIEURECHT (in Dutch) |
| 2010 | The Untapped Potential of Horizontal Private Enforcement within EU Environmental Law<br>22 GEORGETOWN INTERNATIONAL ENVIRONMENTAL LAW REVIEW 241 – 269   |
| 2009 | (De)Centralized Law-making in the EU ETS<br>3 CARBON & CLIMATE LAW REVIEW 340 – 356<br><br>The European Emissions Trading Scheme Case Law<br>18 REVIEW OF EUROPEAN COMMUNITY & INTERNATIONAL ENVIRONMENTAL LAW (RECIEL) 119–128  |

#### BOOK CHAPTERS

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| 2020 | Governmental Environmental Action: Legal Bases and Restraints<br>In POLICY INSTRUMENTS IN ENVIRONMENTAL LAW (K. Richards & J. van Zeven (eds.), Edward Elgar)  |
| 2019 | Polycentric as a Theory of Governance<br>Polycentric features of the European Union<br>In POLYCENTRICITY IN THE EUROPEAN UNION (J. van Zeven & A. Bobić (eds.), CUP)<br><br>Polycentric Subsidiarity (with K. Nikolaïdis)<br>Polycentricity and the Internal Market (with A. Bobić)<br>In POLYCENTRICITY IN THE EUROPEAN UNION (J. van Zeven & A. Bobić (eds.), CUP)<br><br>Polycentricity<br>In ROUTLEDGE HANDBOOK OF THE STUDY OF THE COMMONS (Hudson, Rosenbloom, Cole (eds.), Routledge) |
| 2017 | Local Governments as Subjects and Objects of EU Law: Legitimate Limits<br>In FRAMING THE SUBJECTS AND OBJECTS OF CONTEMPORARY EU LAW 123 – 145 (E. Fahey & S. Bardutzky (eds.), Edward Elgar)  |
| 2016 | Implementation Challenges for Emission Trading Schemes: The Role of Litigation<br>In RESEARCH HANDBOOK IN EMISSIONS TRADING 232 – 257 (S.E. Weishaar (ed.), Edward Elgar)  |
| 2014 | A ‘bottom-up’ perspective on EU-US relations: The role of sub-national authorities<br>In A TRANSATLANTIC COMMUNITY OF LAW: LEGAL PERSPECTIVES ON THE RELATIONSHIP BETWEEN THE EU AND US LEGAL ORDERS 102 – 127 (D. Curtin & E. Fahey (eds.), CUP)  |

## ANNOTATIONS AND COMMENTARY

2016	NEGOTIATION BREXIT: CAN THE UK HAVE ITS CAKE AND EAT IT? [blog post] (with A. Bobić) UK Constitutional Law Association & Centre on Constitutional Change
2015	EMISSIONS TRADING SCHEMES: MARKETS, STATES AND LAW (S. BOGOJEVIĆ) [book review] 40 EUROPEAN LAW REVIEW 128 – 131
2013	Cases C-504/09 P, Commission v Poland, and C-505/09 P, Commission v Estonia, Judgment of the European Court of Justice [annotation] 50 COMMON MARKET LAW REVIEW 231 – 246
2010	EUROPEAN ENERGY LAW REPORT VII (M. Roggenkamp & U. Hammer (eds.)) [book review] 47 COMMON MARKET LAW REVIEW 1881 – 1885
	Possibilities for Locus Standi and Non-Contractual Damages for Private Parties under the European Emissions Trading Scheme [annotation Case T-16/04] 4 EUROPEAN JOURNAL OF RISK REGULATION 473 – 478
	Respective powers of the European Member State and Commission regarding Emissions Trading and Allowance Allocation [annotation Case T-183/07] 12 ENVIRONMENTAL LAW REVIEW 216 – 224
	The Principle of Unity under Article 10 EC and the International Representation of the Union and its Member States (annotation Case C-246/07) 3 EUROPEAN JOURNAL OF RISK REGULATION 301-305

## COMPETITIVE RESEARCH GRANTS

2013	Niels Stensen Fellowship [\$40,000/year] (Year-long postdoctoral research grant for individual international research)
2012	Dissertation Completion Bonus University of Amsterdam [\$3000] (Awarded when Ph.D. is completed before university average of four years)
2011	Ius Commune Conference Funding [\$3800] (Annual meeting of Society for Environmental Law & Economics)
2010/11	NYU Hauser Scholar Stipend [\$20,000/ 9 months] (Grant for individual research at New York University)

## TEACHING

### Present

Constitutional Law; Administrative Law; EU Law;  
Environmental Law

Worcester College, Oxford University  
(since October 2014)

Environmental Regulation: Law & Policy

ETH Zurich, Swiss Federal Institute for Technology  
(since 2012)

### Past

International Trade & the Environment

La Trobe Law School Melbourne (Summer 2016)

International Environmental Law

Notre Dame Law School, University of Notre Dame  
(Spring 2016); La Trobe Law School Melbourne  
(Fall 2017)

Environmental Law

Santa Clara Law School Summer Program, Oxford  
University (Summer 2015; 2016; 2018)

EU Law: Internal Market & Free Movement of Goods

Yeditepe University, Istanbul, Turkey (2012; 2013)

## ACADEMIC MEMBERSHIPS AND ACTIVITIES

2009 – present	SOCIETY FOR ENVIRONMENTAL LAW AND ECONOMICS Board Member
2014 – present	TRANSNATIONAL ENVIRONMENTAL LAW [PEER REVIEWED JOURNAL] Member Editorial Board (2017 – present) Assistant Editor (2014 – 2017)
February 2015 – present	THE VINCENT AND ELINOR OSTROM WORKSHOP IN POLITICAL THEORY AND POLICY ANALYSIS, Indiana University, Bloomington Affiliated Faculty Member
April 2016 – present	EUROPEAN SOCIETY OF INTERNATIONAL LAW, INTEREST GROUP ON INTERNATIONAL ENVIRONMENTAL LAW Board Member
July 2016 – present	ISTITUZIONI DEL FEDERALISMO [‘INSTITUTIONS OF FEDERALISM’ – JOURNAL] Member Editorial Board
2017 – present	CROATIAN YEARBOOK OF EUROPEAN LAW AND POLICY [PEER REVIEWED JOURNAL] Member of Editorial Board
2008 – present	IUS COMMUNE RESEARCH SCHOOL Member Ph.D. representative University of Amsterdam [2008 – 2009]
PEER-REVIEW ACTIVITIES	European Law Journal – RECIEL – International Review of Law and Economics – Journal of Law, Economics & Policy – Constitutional Political Economy – European Journal of Risk Regulation – Transnational Environmental Law

## ORGANIZED WORKSHOPS AND CONFERENCES

2018	8/9 Feb	Worcester College, Oxford University Polycentricity in the European Union (Workshop)
2017	26/27 May	Worcester College, Oxford University Society for Environmental Law and Economics (Conference)
	24/25 Feb	Worcester College, Oxford University Urban governance and the Future of European Citizenship (Workshop) Funded by EU Commission project bEUcitizen, co-hosted by Prof. Prak (History Faculty, Utrecht University)
2011	26/27 May	University of Amsterdam Society for Environmental Law and Economics (Conference)
2009	15 June	University of Amsterdam Ius Commune Masterclass

## SELECTED PRESENTATIONS

2018	10 Feb	Duke University School of Law Comparing Strategies on Environmental Impacts (Lecture)
2017	10 Feb	Dutch Royal Academy of Sciences Judge Made Risk Regulation (Expert Seminar)
2016	8 April	Harvard Law School Comparing Regulation in the European Union and the United States (Lecture)
	22 April	Jean Monnet Seminar, EU Law and Risk Regulation, IUC, Dubrovnik Cities and Competence

	13 May	Arizona State University, Second Annual Sustainability Conference The Law & Economics of Sustainability (Panellist)
	6 May	City University (London), Expert Workshop Cities as Subject and Object of EU Law
2015	17 April	University of Illinois, College of Law Comparing Environmental Law in the U.S. and the E.U
	22 April	Jean Monnet Seminar, EU Law and Risk Regulation, IUC, Dubrovnik The Social Cost of Pricing Carbon: Fuel Poverty
	21 May	Society for Environmental Law and Economics, University of Groningen (Netherlands) The Social Costs of Environmental Benefits: Acknowledging Fuel Poverty
	22 June	Summer School on 'Crisis, Law, and the Market,' University of Pescara A Local Perspective of Social Rights in the EU
	29 June	bEUCitizen Annual Conference (EU 7 <sup>th</sup> Framework Project), Zagreb City Citizenship in the EU (Keynote Speech)
	26 Nov	Wageningen University and Nature, Wageningen Climate Change in Courts (Panellist)
2014	28 Feb	Conference on the European Union, University of Pittsburgh A Polycentric European Union
	24 April	Society for Environmental Law and Economics, Chicago Information in the European Union's Emission Trading System
	13 Nov	Notre Dame Law School, Round Table (London) Legal Certainty in European Union Emissions Trading
	3 Oct	Dutch Royal Academy of Sciences, Expert Seminar on Citizenship Citizenship in a Polycentric European Union
	30 June	The Fordham Comparative Urban Law Conference, London The City Life of EU Citizens
2013	19 April	Dutch Royal Academy of Science, Expert meeting on Dutch Scientific Agenda Subsidiarity 2.0? Competence Allocation in EU Environmental Policy
	28 Sept	Canadian Law and Economics Association, University of Toronto Prerequisites for Bottom-up Climate Protection
	22 May	Society for Environmental Law and Economics, Bar Ilan University (Tel Aviv) Sub-National Authorities on Climate and Energy Policy
2012	12 Nov	Law, Institutions and Economics in Nanterre Workshop, Paris Regulatory Competence Allocation: The Missing Link in Theories of Federalism
	6 Nov	University College London Optimal Competence Allocation in EU ETS
	20 Sept	European Association for Law and Economics, Stockholm Optimal Competence Allocation for Climate Change
2011	16 Dec	Italian Society for Law & Economics, Turin Competence Allocation & Regulatory Functioning in the EU ETS
	12 Sept	Jean Monnet Workshop, Free University Brussels Competence Allocation in the EU ETS Interdisciplinary Ph.D. Workshop in Sustainable Development, Columbia University
	7 May	

		Effective Transboundary Environmental Regulation: Implementation and Enforcement in the EU ETS
2010	2 Nov	Canadian Law & Economics Association, University of Toronto A Three-dimensional View of the Cathedral: Protecting Inalienable Entitlements
	7 Nov	Hauser Global Fellows Forum, New York University A Revised Theory of Multilevel Governance: The Practice of Enforcement
	18 June	Turkey and the EU, Yeditepe University, Istanbul Turkey's Accession to the EU and Inclusion into the EU's Emissions Trading System
	29 April	University of Viterbo Incertezze Giuridica versus Incertezza Economica nell'ETS dell'Unione Europea (Italian)
2009	28 Mar	Society for Environmental Law & Economics, University of British Columbia Horizontal Private Enforcement in EC Environmental Law
	6 Mar	Beyond Kyoto: Addressing the Challenges of Climate Change, Aarhus Efficiency within the multi-level European Emissions Trading Scheme

LANGUAGES
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DUTCH (native), ENGLISH (native), ITALIAN (C1), FRENCH (B1), GERMAN (B1)