

Josephine A.W. van Zeben

ACADEMIC APPOINTMENTS

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

VISITING POSITIONS

September 2012 | ETH ZURICH (SWISS FEDERAL INSTITUTE FOR TECHNOLOGY)
– present | Lecturer [*Environmental Regulation: Law and Policy*]

Spring 2016 | NOTRE DAME LAW SCHOOL, UNIVERSITY OF NOTRE DAME (USA)
Visiting Professor [*International Environmental Law*]

PAST POSITIONS

January 2013 | THE VINCENT AND ELINOR OSTROM WORKSHOP IN POLITICAL THEORY AND POLICY
– January 2014 | ANALYSIS, INDIANA UNIVERSITY, BLOOMINGTON (USA)
Postdoctoral Researcher
Faculty affiliate Maurer School of Law, Indiana University

January 2012 | AMSTERDAM CENTRE FOR EUROPEAN LAW & GOVERNANCE, UNIVERSITY OF AMSTERDAM
– January 2013 | Assistant Research Director & Postdoctoral Researcher
Lecturer European Law

August 2010 | NYU SCHOOL OF LAW, NEW YORK UNIVERSITY (USA)
– August 2011 | Hauser Global Research Scholar

October 2008 | AMSTERDAM CENTRE FOR LAW AND ECONOMICS, UNIVERSITY OF AMSTERDAM
– January 2012 | Ph.D. Researcher
Shared appointment with Amsterdam Centre for Environmental Law and Sustainability

EDUCATION

Sept 2014 | UNIVERSITY of Oxford
MA (conferred by decree)

May 2014 | HARVARD UNIVERSITY
LL.M (focus on US property law, tort law, local government law, and energy law)

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 – Minor in Art History UNIVERSITY OF BOLOGNA [Fall 2003]

PUBLICATIONS

BOOKS

- 2018 | A PRIMER ON ENVIRONMENTAL LAW: THE EUROPEAN UNION
University of California Press (co-authored with Arden Rowell)
- 2018 | A PRIMER ON ENVIRONMENTAL LAW: THE UNITED STATES OF AMERICA
University of California Press (co-authored with Arden Rowell)
- 2016 | POLICY INSTRUMENTS IN ENVIRONMENTAL LAW
Edward Elgar (co-edited with Kenneth Richards)
- 2014 | THE ALLOCATION OF REGULATORY COMPETENCE IN THE EUROPEAN EMISSIONS TRADING SCHEME *Cambridge University Press*
Reviewed in 52(1) *COMMON MARKET LAW REVIEW* (2015) 301-302

ARTICLES

- 2015 | Establishing a Governmental Duty of Care for Climate Change Mitigation: Will *Urgenda* Turn the Tide? 4 (2) *TRANSNATIONAL ENVIRONMENTAL LAW* 339 – 357
[Peer reviewed]
- 2014 | Operationalizing Subsidiarity: Power-sharing in EU Environmental Law
38(2) *HARVARD ENVIRONMENTAL LAW REVIEW* 415 – 464
- 2012 | Legal and Market Uncertainty in Market-Based Instruments: The Case of the EU ETS
19(2) *N.Y.U. ENVIRONMENTAL LAW JOURNAL* 101 – 139 (with Giuseppe Dari-Mattiacci)
"Market-based regulation within the new 'Environmental' Act – A Law and Economics perspective on the EU Emissions Trading Scheme," 4 *JOURNAL FOR ENVIRONMENTAL LAW* (written in Dutch) [Peer reviewed]
- 2010 | The Untapped Potential of Horizontal Private Enforcement within EU Environmental Law
22 *GEORGETOWN INTERNATIONAL ENVIRONMENTAL LAW REVIEW* 241 – 269
- 2009 | (De)Centralized Law-making in the EU ETS 3 *CARBON & CLIMATE LAW REVIEW* 340 – 356
[Peer reviewed]
- The European Emissions Trading Scheme Case Law
18 *REVIEW OF EUROPEAN COMMUNITY & INTERNATIONAL ENVIRONMENTAL LAW (RECIEL)* 119–128
[Peer reviewed]

BOOK CHAPTERS

- 2017 | Local Governments as Subjects and Objects of EU Law
In *SUBJECTS AND OBJECTS OF EU LAW* (E. Fahey & S. Bardutzky (eds.), Edward Elgar)
[Peer reviewed]
- 2017 | Legal Bases and Constraints for Governmental Action
In *POLICY INSTRUMENTS IN ENVIRONMENTAL LAW* (K. Richards & J. van Zeben (eds.), Edward Elgar) [Peer reviewed]
- 2016 | Implementation Challenges for Emission Trading Schemes: The Role of Litigation

- | In RESEARCH HANDBOOK IN EMISSIONS TRADING (S.E. Weishaar & E. Woerdman (eds.), Edward Elgar) [Peer reviewed]
- 2014 | A 'bottom-up' Perspective on EU-US Relations: The Role and Potential of Sub-central Authorities
| In A TRANSATLANTIC COMMUNITY OF LAW: LEGAL PERSPECTIVES ON THE RELATIONSHIP BETWEEN THE EU AND US LEGAL ORDERS (D. Curtin & E. Fahey (eds.), Cambridge University Press) [Peer reviewed]

ANNOTATIONS AND COMMENTARY

- 2016 | The New Status Quo of the Paris Agreement: The Psychological Impact of the 2 Degrees Aspiration, *EUROPEAN JOURNAL OF RISK REGULATION* 49 – 53 (with Arden Rowell) [Peer reviewed]
- 2016 | NEGOTIATION BREXIT: CAN THE UK HAVE ITS CAKE AND EAT IT? [blog post] (with Ana 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

WORKING PAPERS

- 2016 | The Potential of a Polycentric European Union
- 2013 | Research Agenda for a Polycentric European Union, *The Vincent and Elinor Ostrom Workshop in Political Theory and Policy Analysis, Working Paper Series No. W13-13*

RESEARCH PAPERS IN PROGRESS

- | Brexit and the City
- | The Impact of Psychological Baselines in International Law (with Arden Rowell)
- | Local Governments and the European Courts
- | Fuel Poverty in the EU: Conflicting Policy Goals in Environmental, Energy and Social Policy

COMPETITIVE RESEARCH GRANTS

2013	Niels Stensen Fellowship [\$40,000/year] (Yearlong postdoctoral research grant for individual research in the United States)
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

<i>Public Law teaching</i>	<i>Environmental Law teaching</i>
EU Law	UK & EU Environmental Law
UK Constitutional Law	International Environmental Law
UK Administrative Law	International Trade & The Environment
	Environmental Regulation: Law and Policy
	Climate Change: Legal Issues

SELECTED GUEST LECTURES AND TEACHING POSITIONS

2012 – present	ETH Zurich (Swiss Federal Institute for Technology) <i>Environmental Regulation: Law and Policy</i> [Course]
July 2016	La Trobe Law School, La Trobe University (Melbourne) <i>International Trade & The Environment</i> [Course]
Spring 2016	Notre Dame Law School, University of Notre Dame (USA) <i>International Environmental Law</i> [Course]
July 2016 & July 2015	Santa Clara Law School Summer Program, Oxford University <i>Comparative Environmental Law</i> [Course] <i>International Trade & The Environment</i> [Course]
Nov 2015	Bocconi University, Milan <i>Legal Developments in EU Environmental Law</i> [Guest Lecture]
June 2015	Summer School ‘Crisis, Law and the Market’, University of Pescara <i>A Local Perspective of Social Rights in the EU</i> [Guest lecture]
June 2013	Yeditepe University, Istanbul, Turkey
June 2012	<i>EU Law: Internal Market & Free movement of goods</i> [Course]

ACADEMIC MEMBERSHIPS AND ACTIVITIES

July 2016 – present	ISTITUZIONI DEL FEDERALISMO [‘INSTITUTIONS OF FEDERALISM’ – PEER REVIEWED JOURNAL] <i>Member Editorial Board</i>
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April 2016 – present	EUROPEAN SOCIETY OF INTERNATIONAL LAW INTEREST GROUP ON INTERNATIONAL ENVIRONMENTAL LAW <i>Board Member Coordinating Committee</i>
February 2015 – present	THE VINCENT AND ELINOR OSTROM WORKSHOP IN POLITICAL THEORY AND POLICY ANALYSIS, Indiana University, Bloomington <i>Affiliated Faculty Member</i>
2014 – present	TRANSNATIONAL ENVIRONMENTAL LAW <i>Assistant Editor</i>
2009 – present	SOCIETY FOR ENVIRONMENTAL LAW AND ECONOMICS <i>Board Member</i> <i>Organizer Annual Conference</i> [Amsterdam – 2011/ Oxford – 2016]
2008 – present	IUS COMMUNE RESEARCH SCHOOL <i>Ph.D. representative University of Amsterdam</i> [2008 – 2009] <i>Organizer Ius Commune Masterclass</i> [Amsterdam – 2009]
PEER-REVIEW ACTIVITIES	European Law Journal – RECIEL – Transnational Environmental Law – International Review of Law and Economics – Journal of Law, Economics & Policy – Korean Journal of Law and Legislation – Constitutional Political Economy

SELECTED INVITATIONS AND CONFERENCE ORGANIZATION

2017	24/25 Feb	Urban governance and the Future of European Citizenship <i>Organized with Maarten Prak, Worcester College, Oxford</i>
2016	13 May	Arizona State University, Second Annual Sustainability Conference <i>Panellist – The Law & Economics of Sustainability</i>
	6 May	City University (London), Expert Workshop <i>Cities as Subject and Object of EU Law</i>
	4-16 January	Harvard Law School, Harvard University <i>Academic visitor</i>
2015	29 June	bEUCitizen Annual Conference (EU 7 th Framework Project), Zagreb <i>City Citizenship in the EU</i> [keynote]
	22 April	Jean Monnet Seminar, EU Law and Risk Regulation, IUC, Dubrovnik <i>The Social Cost of Pricing Carbon: Fuel Poverty</i>
2014	13 Nov	Notre Dame Law School, Round Table (London) <i>Legal Certainty in EU Emissions Trading</i>
	3 Oct	Dutch Royal Academy of Sciences, Expert Seminar on Citizenship <i>Citizenship in a Polycentric European Union</i>
	30 June	The Fordham Comparative Urban Law Conference, London <i>The City Life of EU Citizens</i>
2013	19 April	Dutch Royal Academy of Science, Expert meeting on Dutch Scientific Agenda <i>Subsidiarity 2.0? Competence Allocation in EU Environmental Policy</i>

SELECTED CONFERENCES		
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2017	10 Feb	Dutch Royal Academy of Sciences, Expert Seminar <i>Judge Made Risk Regulation</i>
2016	22 April	Jean Monnet Seminar, EU Law and Risk Regulation, IUC, Dubrovnik <i>Cities and Competence</i>
2015	26 Nov	Wageningen University and Nature, Wageningen <i>Climate Change in Courts</i> [panelist]
	21 May	Society for Environmental Law & Economics, Groningen <i>The Social Costs of Environmental Benefits – Acknowledging Fuel Poverty</i>
2014	24 April	Society for Environmental Law and Economics, Chicago <i>Information in the EU ETS</i>
	28 Feb	Conference on the European Union, University of Pittsburgh <i>A Polycentric European Union</i>
2013	28 Sept	Canadian Law and Economic Association <i>Prerequisites for Bottom-up Climate Protection</i>
	22 May	Society for Environmental Law and Economics, Tel Aviv <i>Sub-National Authorities on Climate and Energy Policy</i>
2012	12 Nov	Law, Institutions and Economics in Nanterre Workshop, Paris <i>Regulatory Competence Allocation: The Missing Link in Theories of Federalism</i>
	20 Sept	European Association for Law and Economics, Stockholm <i>Optimal Competence Allocation for Climate Change</i>
2011	16 Dec	Italian Society for Law & Economics, Turin <i>Competence Allocation & Regulatory Functioning in the EU ETS</i>
	7 May	Interdisciplinary Ph.D. Workshop in Sustainable Development, Columbia University <i>Effective Transboundary Environmental Regulation: Implementation and Enforcement in the EU ETS</i>
2010	2 Nov	Canadian Law & Economics Association, Toronto <i>A Three-dimensional View of the Cathedral: Protecting Inalienable Entitlements</i>
	7 Nov	Hauser Global Fellows Forum, NYU <i>A Revised Theory of Multilevel Governance: The Practice of Enforcement</i>
	18 June	Turkey and the EU, Yeditepe University, Istanbul <i>Turkey's Accession to the EU and Inclusion into the EU ETS</i>
	29 April	Workshop, University of Viterbo <i>Incertezze Giuridica versus Incertezza Economica nell'ETS dell'Unione Europea</i>
2009	28 Mar	Society for Environmental Law & Economics, Vancouver <i>Horizontal Private Enforcement in EC Environmental Law</i>
	6 Mar	Beyond Kyoto: Addressing the Challenges of Climate Change, Aarhus <i>Efficiency within the multi-level European Emissions Trading Scheme</i>