Why the Public Demonstrations and Protests?

• Climate Week NYC, Sept. 22-28, 2014
  – 125 world leaders
  – U.S. Secretary of State John Kerry, UN Secretary General Ban Ki-Moon included

• In anticipation of next global climate change conference in Paris, 2015
  – But actually the next major stop in an international negotiation process that has lasted over 20 years
Key International Climate Agreements

• U.N. Framework Convention on Climate Change
  – entered into force in 1994 with 194 signatories, including the United States
  – Established general goals, including a reduction of current greenhouse gas emissions to 1990 levels to help reduce the risk of disruptive climate change
  – Tools: common but differentiated responsibilities, precautionary principle

• Kyoto Protocol – to date, the only binding international agreement with enforceable emission reduction obligations
So how did we get here?

• What is the Kyoto Protocol?
  – Technically, the Kyoto Protocol is a supplemental agreement within the U.N. Framework Convention on Climate Change
  – Currently the most significant international climate change convention that imposes binding emission limits on the nations who ratified it
  – The Kyoto Protocol established important legal mechanisms to help reduce emissions over time
UNFCCC’s Shortfalls

• Commitments:
  – All parties:
    • provide emission inventories (including sinks),
    • implement national plans to mitigate climate change, and
    • assist in transfer of technologies
  – Annex I parties:
    • adopt national policies to mitigate climate change “with the aim of” returning to 1990 emission levels;
    • additional funds to developing countries

• Problems:
  – No enforcement
  – 1990 levels not low enough by scientific consensus
Road to Kyoto

• Berlin Mandate, 1995
  – First UNFCCC Conference of Parties (COP)
  – Concluded UNFCCC Articles 4.2(a) and (b) were inadequate
  – Agreed “to begin a process to enable [COP] to take appropriate
    action for the period beyond 2000” by “strengthening
    commitments”
  – Essentially, agreed to agree

• Pre-Kyoto Political Maneuvering in U.S.
  – Senate Resolution 98 (1997)
  – President Clinton’s “Rio+5” announcement – “educate the
    American Public”
  – U.S. negotiation position: 1990 levels by 2008-2012 with future
    cuts by 2017
Outcome in Kyoto

• Agreement adopted, after much drama and brinksmanship, on Dec. 11, 1997. Ratified in February 2005 after the Marrakesh Accords and Russian approval (Article 25)

• Core concepts:
  – Targets and timetables for binding emission reduction commitments

  • Quantified emissions limitation and reduction objectives (QLROs) for Annex I parties (Annex B to Kyoto)

  – Flexibility mechanisms: joint implementation, emissions trading, Clean Development Mechanism
Kyoto – Emission Limits

• Binding emission limits for developed parties for period 2008-2012
  – Established in Article 3, and described in Annex B
  – Each Party has full discretion on national strategy to reach goal
  – Commitments vary for each party
    • Europe – 8 percent reductions below 1990 levels
    • U.S. – 7 percent
  – Must meet commitment on annual average during commitment period
Kyoto – Emission Limits (cont’d)

• “Economies in Transition”
  – May use a base period other than 1990
  – “Hot Air” Problem

• Basket Approach to greenhouse gases (GHGs)
  – Six GHGs with CO2 equivalent metric
  – For HFCs, PFCs and SF6, can use 1995 as base year
Kyoto – Emissions Limits (cont’d)

• The European Union Bubble
  – Article 4 – Annex I parties can fulfill commitments jointly
  – EU members agreed to collectively meet obligation
  – Burden sharing agreement among themselves

• Land Use and Forestry
  – Controversial – hard to quantify, not permanent, discourage clean energy investment
  – Kyoto (and Marrakesh) limited use: limited to afforestation, reforestation and deforestation since 1990
  – Expanded to agricultural practices in COP-6 (Bonn), but capped by complex formula
  – Parties can add Removal Units (RMUs) to their Allocated Amount or bank them.
Kyoto – Flexibility Mechanisms

• The Kyoto Protocol provides three flexible mechanisms that Annex I parties can use to meet their emission reduction obligations
  - International Emissions Trading
  - Joint Implementation
  - Clean Development Mechanism

• Fundamental question – auction vs. grandfathering?
Kyoto - Compliance

- Transparency and disclosure mechanisms

- Non-compliance
  - Facilitative Branch of Compliance Committee
  - Enforcement Branch

- Quasi-judicial

- Can declare a Party ineligible for flexible mechanisms, adjust emissions inventories, and move credits to next commitment period with 30 percent interest penalty
Top Fossil Fuel Emitters (Absolute)

Top four emitters in 2012 covered 58% of global emissions
China (27%), United States (14%), EU28 (10%), India (6%)

Growth rates 2011–2012
- China: 5.9%
- USA: -3.7%
- EU28: -1.3%
- India: 7.7%

With leap year adjustment in 2012 growth rates are: China 5.6%, USA -4.0%, EU -1.6%, India 7.4%.

Source: CDIAC Data; Le Quéré et al 2013; Global Carbon Project 2013
UNFCCC After Kyoto

- Copenhagen Accord 2009
  - COP 15
  - U.S., China, Brazil, India and South Africa
  - Ultimate implementation?

- Cancun Agreement 2010 (COP 16)

- Durban Platform (COP 17) 2011 & Doha Accord (COP 18) 2012
  - Rejection of 2d Kyoto Commitment by Canada, Russia, Japan, New Zealand and all developing countries
  - EU continued with trading system
What’s Ahead

• COP 20 – Lima
  – Green Climate Fund
  – Differentiated responsibility debate in light of changed emission patterns – Loss and Damage Mechanism

• COP 21 – Paris

• Climate attribution

• Bilateral treaties and regional bottom-up efforts

• Other GHGs and black carbon initiatives
Questions?

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