

recent developments

INTERNATIONAL

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Climate Change and Greenhouse – Around the Traps

The changes in what is fast becoming the largest area of international environmental law and policy development, continue almost daily. For the last few months, this has been the main driver behind major negotiations and developments on the international scene. Below is a summary of some of the main highlights:

- The UK government has reported that its voluntary emissions trading scheme saw over 7 million tonnes of carbon dioxide traded during its first year of operation, by 900 companies. The scheme started in April 2002 with the government providing incentives to 32 large companies to assist them in meeting greenhouse gas emission reduction targets. 31 of these companies achieved the targets, and about 5,000 other organisations participated in the scheme, with penalties for missing their targets centred around the potential loss of energy use tax rebates that they would otherwise be entitled to. A total of 31.5 million emissions allowances (1 per tonne of carbon dioxide) were issued by the government during the year.
- The World Bank has established a Community Development Carbon Fund, which aims to carry out small projects in developing countries for the improvement of living conditions, that also have the effect of reducing greenhouse gas emissions. Italy contributed just over A\$12 million to the fund earlier this month, and it will receive any certified greenhouse emission reductions that are generated by projects that utilise these funds, in return. These reductions can then be counted towards Italy's target under the Kyoto Protocol. Developing countries currently do not have binding targets under the Protocol.
- The Dutch government, continuing their leading role amongst not only European nations but the world in taking early action to comply with the Kyoto Protocol, have released details of their planned purchase of 16 megatonnes of carbon dioxide reductions. These will be generated from a variety of emissions reduction projects in about 18 different countries.
- Back at home, the Shadow Minister for the Environment, Kelvin Thomson, introduced a private member's bill for the ratification of the Kyoto Protocol on 26 May 2003. As well as calling for the ratification of the Protocol, the Bill sets out requirements for the Commonwealth Environment Minister to prepare systems for involvement in international emissions trading schemes, a National Climate Change Action Plan, and imposes an obligation on the Government to ensure that Australia's target of 108% of its 1990 emissions is not exceeded during the period 2008 to 2012.

- Despite many practical problems in terms of proof and compensation, there are an increasing number of international lawyers raising the possibility of "climate change law suits" in the coming decades. The theory is that people, communities or even countries who suffer from the effects of climate change, may be able to consider legal action at an international level, following the Intergovernmental Panel on Climate Change's scientific determination that it is "likely" climate change is the result of human activity.
- The science of climate change, while it is becoming more generally accepted that global warming as a result of human activity is a certainty, is still under periodical challenge. A recent Harvard scientists' report suggests that similar warming occurred between the 9th and 14th centuries as a natural phenomenon. Scientists meet in Russia in September this year as part of the ongoing international climate change negotiations, to review the latest scientific developments.