



University of South Australia

EDO/UNISA SEMINAR: Changing Climate – Changing Laws, June 25th 2009

THE POST KYOTO REGIME – FROM BALI TO COPENHAGEN

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Climate Change – International Measures

- UN Framework Convention on Climate Change (UNFCCC)
 - Entered into force 21/3/1994 (192 parties)
 - Objective “ ...stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent **dangerous** anthropogenic interference with the climate system.” (Art.2)



International Measures (cont.)

UNFCCC (cont.)

- Each of Annex 1 countries to “adopt national policies and take corresponding measures on the mitigation of climate change, by limiting its anthropogenic emissions of greenhouse gases and protecting and enhancing its greenhouse gas sinks and reservoirs.” (Art. 4.2)



International Measures (cont.)

- **Kyoto Protocol (1997)**
 - Entered into force 16/2/2005 (182 parties)
 - Australia ratified 11/3/2008
 - Annex 1 countries to reduce overall emissions by average of 5.2% below 1990 levels between 2008-2012 (1st commitment period)
 - Specific, but varying targets set for each UNFCCC Annex 1 country (Article 3)
 - Australia set target of 108% of 1990 levels by 2008-2012
 - No new commitments for Parties not included in Annex I, but reaffirmed existing commitments under Article 4.1 of the UNFCCC



AUSTRALIA'S NET GREENHOUSE GAS EMISSIONS

- 2006: emissions were 5.2% above 1990 levels
- 2008: 7% above 1990 levels (+ 1.5% in 12 months)
- Current projection to 2020 is 20% above 1990 levels (under "business as usual" scenario)
- Emissions sources (2006):
 - Energy sector: 69.6%
 - Agriculture: 15.6%
 - LULUCF: 6.9%
 - Industrial: 4.9%
 - Waste sector: 2.9%



The “Bali Roadmap” – Bali to Copenhagen

- UNFCCC COP 13/Kyoto Protocol MOP 3
 - Held in Bali, December 2007
 - Agreed to launch a comprehensive, new process for long-term, cooperative action up to and beyond 2012, to include:
 - a long-term **global** goal for emissions reductions and quantified emission limitation and reduction objectives by all developed parties
 - Nationally appropriate mitigation actions by developing countries, supported and enabled by technology, financing and capacity-building
 - Measures to reduce emissions from deforestation and forest degradation (REDD)



Bali Roadmap (cont.)

- Appointed Ad Hoc Working Group on Long-Term Cooperative Action (AWG-LCA) to conduct negotiation process for Copenhagen
- Parallel discussions in Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP)
- Final decisions to be made at COP 15 in Copenhagen in December 2009
- Most recent meeting in Bonn, 1-12 June 2009: Bonn Climate Change Talks (AWG-LCA 6 and AWG – KP 8)



AUSTRALIA'S POLICY RESPONSE

- Ratified Kyoto Protocol 11.3.2008
- Chairs “Umbrella Group” (including Canada, Japan, New Zealand, Norway, Russian Federation and Ukraine) in UNFCCC discussions
- Garnaut Inquiry 2007-8: Final Report, Sept. 2008
 - 550 ppm CO₂-e target “feasible” in Copenhagen
 - 450 ppm CO₂-e target “a desirable next step”
 - Suggested Australian interim targets (2020):
 - 450 ppm: 25% below 2000 levels
 - 550 ppm: 10% below 2000 levels
 - If no “comprehensive agreement” in Copenhagen, 5% below 2000 levels



AUSTRALIA'S POLICY RESPONSE – CPRS MARK I

- CPRS White Paper (“CPRS Mk. I”) released by Australian government December 2008 : see www.climatechange.gov.au/whitepaper
- Proposed “cap and trade” ETS system in which aggregate emissions of GHG’s are capped at a level consistent with the “environmental objectives” of the scheme
- 2020 emissions reduction targets: 5 – 15 %
- Scheme to commence July 2010



AUSTRALIA – CPRS MARK II

- Revised targets and scheme caps:
 - Commitment to 25% reduction from 2000 levels by 2020 “if agreement is reached in Copenhagen to stabilize GHG levels at 450ppm CO₂-e”
 - + additional conditions
 - Deferral of commencement to 2011
 - Reduction of carbon price to \$10/tonne
- 15 May 2009: CPRS legislative package introduced into the Federal Parliament :
 - 6 new Bills
 - 4 Bills amending existing legislation
- Legislation deferred this week to August 09





CPRS MARKS I and II COMPARED

2020 commitments	CPRS MARK I – (15% below 2000)	CPRS MARK II (25% below 2000)
Global Target	510-540 ppm CO ₂ -e	450 ppm CO ₂ -e (peak by 2020)
Advanced economies (developed countries)	<ul style="list-style-type: none"> •15-25% below 1990 (aggregate) •Comparable commitments 	<ul style="list-style-type: none"> •At least 25% below 1990 (aggregate) •Comparable commitments
Major developing economies	Substantive, measurable, reportable & verifiable commitments and actions	<ul style="list-style-type: none"> •20% below BAU •Nominated peak years
Finance and technology	Strong international financing & technical cooperation framework	Mobilization of greater financial resources, including from major developing countries
Carbon market	Deeper & broader carbon markets	Fully functional global carbon markets
Coverage	Progress towards inclusion of forests (REDD) & land sectors	Inclusion of forests (REDD) & land sectors
Other	Low carbon development pathway	Ratification review process after Copenhagen

AUSTRALIA – EU COMPARISON (cont.)

2020 COMMITMENTS	AUSTRALIA: CPRS MARK II (25% below 2000)	EU: COM(2009) 39 (30% below 1990)
Global Target	450 ppm CO ₂ -e (peak by 2020)	Limit temp. rise to less than 2 degrees C
Advanced economies	<ul style="list-style-type: none"> • At least 25% below 1990 (aggregate) • Comparable commitments 	<ul style="list-style-type: none"> • 30% below 1990 levels (aggregate) • comparable contributions
Major developing economies	<ul style="list-style-type: none"> • 20% below BAU (aggregate) • Nominated peak years 	<ul style="list-style-type: none"> • 15 – 30% below BAU • national low carbon development strategies by end 2011 (except LDC's)
Finance and technology	Mobilization of greater financial resources, including from major developing countries	<ul style="list-style-type: none"> • innovative additional international financing sources • double global energy R&D by 2102 (x 4 by 2020)
Carbon market	Fully functional global carbon markets	• OECD-wide carbon market by 2015, expanding to all major emitters by 2020
Coverage	Inclusion of forests (REDD) & land sectors	Aviation & shipping by 2011 OR under UNFCCC national targets; HFC's included
Other	Ratification review process after Copenhagen	National adaptation strategies



BONN CLIMATE CHANGE TALKS (June 2009)

■ AWG-LCA

- Produced 200 page revised negotiating text
- No clear agreement yet re mitigation, adaptation, financing and technology transfer
- Legal form disputed: binding commitments v decision of COP

■ AWG-KP

- No agreed negotiating text
- No commitments yet from developed countries re aggregate or individual targets for emissions reductions



AUSTRALIAN NEGOTIATING POSITION

- Commitment to 25% reduction by 2020 conditional on:
 - Comprehensive coverage of gases, sources and sectors (including forests and lands)
 - Commitments to achieve 450 ppm CO₂ – e
 - 25 % reductions by developed countries below 1990 levels by 2020
 - Major developing countries to reduce emissions by 20% below BAU by 2020
 - Greater financial resources, including from major developing economies, and fully functional global carbon markets



AUSTRALIAN NEGOTIATING POSITION (cont.)

- 3 questions:
 - Is Australia actively pursuing these conditions?
 - Are these conditions likely to be met by the Copenhagen outcome
 - Is the 25% by 2020 target a realistic commitment?



Critical issues: Copenhagen

- 1st order issues:
 - New protocol v amended Kyoto Protocol
 - Binding targets v rules for targets for Annex I/developed countries
 - 2020 targets (aggregate & individual)
 - Commitments from major developing economies
- 2nd order issues:
 - REDD
 - LULUCF
 - Carbon markets/CDM

