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# The UNFCCC and the Kyoto Protocol

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## **Climate change: a global problem with impacts on Palestine**

In West Asia, climate change is expected to ...

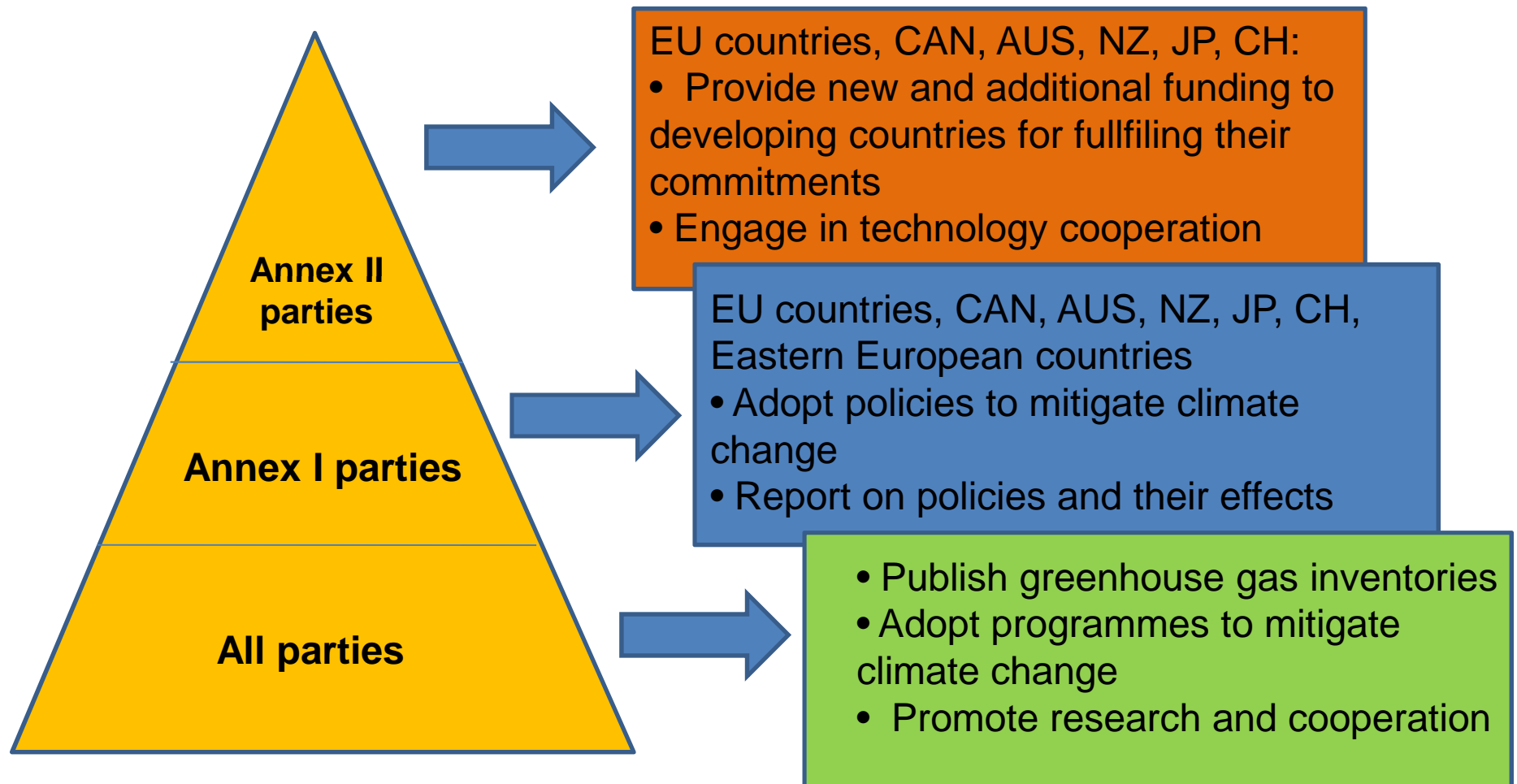
- ▶ exacerbate water scarcity
- ▶ effect changes in precipitation
- ▶ lead to a decrease in agricultural yields
- ▶ lead to a rise in sea level (e.g. Gaza, Nile Delta, Red Sea)

..... according to the Intergovernmental Panel on Climate Change (IPCC) and other sources

- ▶ UN Framework Convention on Climate Change (UNFCCC)
  - ▶ In force: 1994
  - ▶ One of the Rio conventions
  - ▶ Parties: more than 190, including e.g. Jordan, Israel, Egypt
  
- ▶ Kyoto Protocol
  - ▶ In force: 2005
  - ▶ Parties: ca. 190, excluding US



## ▶ Differentiated obligations under UNFCCC:



## The Kyoto Protocol

- ▶ Most important element: binding and quantified obligations to reduce emissions in greenhouse gases for developed countries included in Annex B
- ▶ „First commitment“ period under the Kyoto Protocol only covers time until 2012
- ▶ Kyoto Protocol contains so called „flexible mechanisms“, which are to help countries in meeting their commitments: emissions trading, clean development mechanism (CDM) and joint implementation (JI), i.e. essentially market-based instruments

## The future of the UNFCCC and the Kyoto Protocol

- ▶ Bali Action Plan (2005): until COP 15 (2009)
  - ▶ Parties to agree on vision for long-term cooperative action on climate change, including after 2012
  - ▶ Parties to agree on measures to be taken by all developed countries
  - ▶ Parties to agree on measures to be taken by developing countries
- ▶ COP15 in Copenhagen December 2009: no binding international climate change agreement concluded
- ▶ COP16 2010 in Mexico – further negotiation process open



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# The Convention on Biological Diversity (CBD)

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## Biological diversity in Palestine

- ▶ Great variety of habitats on relatively small area of land, comparatively high species diversity
- ▶ 17% of wild plants and ca. 30% of terrestrial vertebrate species are threatened (4<sup>th</sup> Israeli report under CBD)

Some factors negatively affecting biodiversity and habitats:

- ▶ Densely populated area
- ▶ Degradation of inland water habitats
- ▶ Climate change may affect biodiversity.



- ▶ In force: 1993
- ▶ one of the Rio conventions
- ▶ Parties: 193, including e.g. Egypt, Jordan
- ▶ Protocol: Cartagena Protocol on Biosafety, regulating transboundary movement of genetically modified organisms
- ▶ 2010: International Year of Biodiversity





## CBD Objectives

- ▶ Conservation of biological diversity worldwide
  - ▶ Decision by Conference of the Parties in 2002: *Parties commit themselves to “achieve by 2010 a significant reduction of the current rate of biodiversity loss at the global, regional and national level”* (also recognised as Millenium Development Goal)
- ▶ Sustainable use of components of biological diversity
- ▶ Fair sharing of benefits arising out of utilization of genetic resources



## Important elements

- ▶ National sovereignty of states over biological diversity on their territories is stipulated.
- ▶ Contribution of indigenous and local communities to preserving and developing biological diversity is recognised.
- ▶ CBD contains rules on access to biological diversity and sharing the benefits from their use, e.g. for medicinal purposes.



## Obligations of Parties under CBD

- ▶ Develop national biodiversity strategies and programmes
- ▶ Monitor components of biological diversity on state territory
- ▶ Take appropriate measures for the conservation of biological diversity *in-situ* and *ex-situ*
- ▶ Introduce environmental impact assessments for activities that have impact on biodiversity
- ▶ Facilitate access to genetic resources in state territory



## International regime on access and benefit-sharing (ABS)

- ▶ Johannesburg WSSD Plan of Implementation: international regime on ABS to be negotiated
- ▶ Draft Protocol suggested for adoption by COP10



## Next steps under CBD

- ▶ Conference of the Parties (COP 10) in Nagoya/Japan, October 2010
- ▶ Topics: ABS regime, monitoring progress towards 2010 biodiversity targets, biodiversity and climate change and many others



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# The Aarhus Convention and its PRTR Protocol

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- ▶ Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters
  - ▶ UNECE Convention, only open for signature by members of UNECE, but proposal to open Convention to other states
  - ▶ In force: 2001
  - ▶ 44 parties





## The three pillars of the Aarhus Convention

- ▶ Access to environmental information for everyone vis-à-vis authorities, without any specific interest having to be shown; judicial remedies in case of violation - obligation to collect and provide environmental information for authorities
- ▶ Rules on facilitating public participation in decisions on certain environment-related activities
- ▶ Access to courts in environmental matters



## Access to justice according to the Aarhus Convention

- ▶ Art. 9.1: Access to justice in cases where access to environmental information is denied
- ▶ Art. 9.2: Access to justice in cases of authorization of certain activities affecting the environment for persons, complainant has to demonstrate sufficient interest or impairment of right; NGOs included in this provision
- ▶ Art. 9.3: Subject to national law, everyone has to have access to administrative or judicial procedures to challenge acts and omissions by private persons and public authorities not compatible with environmental law

## Rationale

- ▶ Public participation likely to enhance implementation and enforcement of environmental rules
- ▶ Public participation likely to enhance environmental awareness
- ▶ Active citizen participation as part of democratic decision-making
- ▶ Enhance accountability of authorities



- ▶ Protocol on Pollutant Release and Transfer Registers (PRTR or Kiev Protocol)
  - ▶ Open for signature by UN members
  - ▶ In force: 2009
  - ▶ Parties: 23



## Important elements

- ▶ Establishment of a public (online) register, containing information on release of certain pollutants into the environment in certain sectors and above certain thresholds
- ▶ Contains both information on emissions from specific sources and diffuse emissions
- ▶ Implemented by EU in form of E-PRTR (<http://prtr.ec.europa.eu/>), including data from about 24,000 industrial facilities across Europe



## ▶ Rationale:

- ▶ Citizen participation in environmental matters
- ▶ Enabling citizens to assess risks (e.g. health risks) and take steps against pollution

## ▶ Obligations for parties

- ▶ Collect data
- ▶ Make data public in register



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# Thank you for listening.

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