

The Kyoto Protocol and Northeast Asia

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The Copenhagen climate conference did not result in an agreement that impacts the Kyoto Protocol for further commitment periods so this keynote address will not present a 'new framework' as originally envisaged by the organizers.

After lengthy and difficult negotiations, even with 115 heads of state attending, only a general non-binding political statement, the Copenhagen Accord, was agreed at the last-minute (and that only by five countries). Many observers believe that the Accord did not "seal the (sort of) deal" that was hoped for and that Copenhagen did not turn out to be Hopenhagen (as widely advertised in the city). The reverberations of what some call a failure and others a small but promising first step are still echoing through the press.

The future of the Kyoto Protocol and the post-2012 architecture under the UNFCCC therefore remains in limbo for at least another year while the two working groups (AWGs) continue their deliberations, refining their respective draft reports for submission to the Parties in December 2010. It is therefore still unclear, at the time of making this presentation, whether or not there will be a new Protocol that covers all Parties, a continuation of the Kyoto Protocol, or two (or more) separate Protocols. Parties, in the meantime, will decide whether or not to accede to the Accord or indeed, as some surmise, to continue with one or more separate, politically-led processes outside of the UNFCCC.

The United Nations Secretary-General, in his briefing to the United Nations General Assembly on the outcome of the Copenhagen Conference, identified a number of tasks that the international community should now undertake and suggested examining its lessons and considering how to improve the negotiation process. In that respect, and considering the Convention-related positions of the countries attending this conference, there is an opportunity in the coming months, perhaps under the auspices of this Institution, to hold indicative discussions that lead to a deeper mutual understanding of the positions of the different UNFCCC negotiating groups. Such discussions could lead to proposals for negotiating text that satisfies each group, the results of which could be communicated by the participants to their respective group leaders to bolster common positions in advance of the Mexico COP. Such a pro-active and timely approach may help to relieve the tensions and lack of faith in the Convention process that have built up over the last 12 months and could go a long way to making COP16 a much-needed success.

This keynote address takes a look at the Kyoto Protocol as currently configured and practiced highlighting the 'positions' of the countries represented here today. The focus is upon the 'carbon market' that has emerged since the entry into force of the Protocol in 2005 and the effect that the 'flexible (market) mechanisms' have had on the countries of North East Asia.

With the foregoing in mind, the address will then turn to Protocol-related results from Copenhagen, including the CMP decisions on the Clean Development Mechanism (CDM) and Joint Implementation (JI) as well as the Accord and the draft texts of the two AWGs as they may eventually affect the market mechanisms. Other important Convention issues such as adaptation, financing and technology will only be addressed in so far as they may impact these market mechanisms and then only in passing.

To add further perspective to tomorrow's discussions, the address will present publicly-announced, post-Copenhagen, national positions from countries of this region.

A few observations arising from the analysis will conclude this address.