

Forest Day Seminar

The Role of Forests in Climate Change Research and Policy

Forest and climate: the international framework for a regulation

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Overview

- Definitions
- Structures of international regulation
- UNFCCC
 - important aspects
 - main contents
 - Kyoto protocol
 - ... international relations are different
 - UNFCCC institutions
 - ... international organizations
 - UNFCCC bodies
 - COP structures and working method
 - UNFCCC and forests
- Forest and biodiversity
 - international forest regime complex
 - CBD some information
- Forests and WTO

Definition - „regulation“

- systemic view
 - rules, procedures & institutions,
 - at national / international level
 - which govern a function / address a problem
 - *why does it matter*: because we will see more than one „system“ (regime)
- normative dimension
 - more than talks and common language
 - something requiring and representing a commitment
 - not necessarily hard law only - some „soft“ law elements possible
 - *why does it matter*: because we are talking much about evolving concepts between political discourse and legal commitment

Definition: „international“

- „international“ - rules, procedures and institutions (at least partly) at international level
- *why does it matter*: international relations are different from national policymaking



United Nations
Framework Convention on
Climate Change

- adopted 1992, in force: 1994
- 194 parties + EU
- Kyoto protocol of 1997, entry into force 2005, 192 parties (US: only signature)
- 18th session of the Conference of the Parties to the UNFCCC and the 8th session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol will take place from Monday, 26 November to Friday, 7 December 2011

Main contents

- climate change is a concern
- responsibilities of industrialized and developing countries are different
- mitigation of climate change is key
- adaptation to such change is also important
- „economic instruments“ will be used

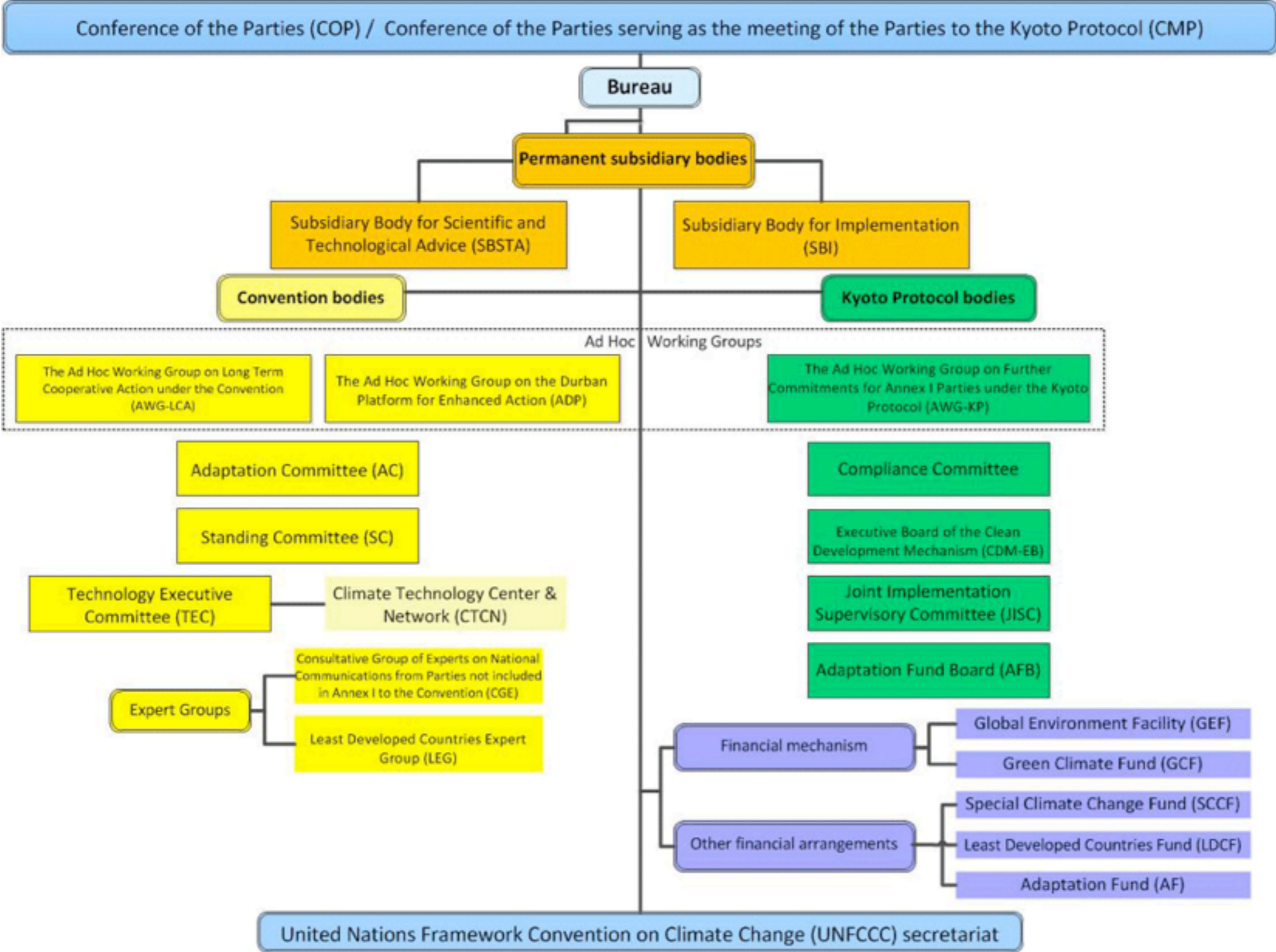
Kyoto protocol

- definite GHG emission reduction targets for industrialized countries
- economic mechanisms
 - joint implementation
 - clean development mechanism
 - emission trading
- expires 2012
- US did not ratify

international relations are different ...

- no hierarchy of norm and institution
- no supreme authority / sovereign
- horizontal structure
- legitimation rests on consensus
- main source of international law are agreements / treaties
 - as opposed to legislation at national level
 - require, that parties agree
 - no comprehensive coverage

FCCC institutions



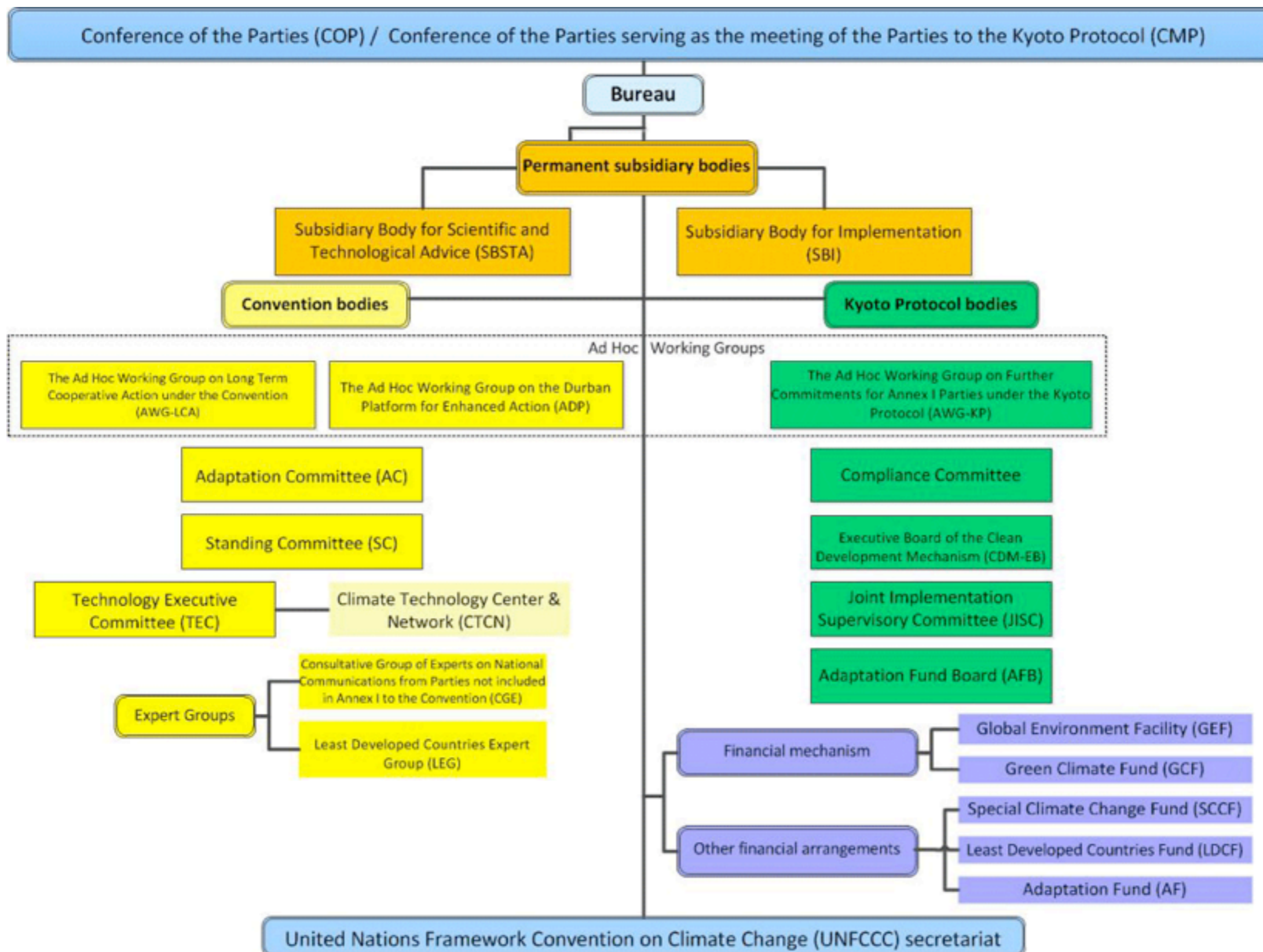
international organizations

- no uniform hierarchically organized government (as exists at national level)
- international organizations (IOs)
 - established by states
 - on the basis of agreement
 - for the coordination/administration of particular matters
 - thus: limited mandate
 - generally no mandate to adopt rules
 - no legislative power but only agreements negotiated and concluded by States
 - but IOs often serve as a forum for negotiations of new agreements

FCCC bodies

- COP: supreme organ of FCCC
- other bodies of FCCC
 - different structure and tasks
 - advisory
 - representing common interest
 - representing member State's interest

FCCC institutions



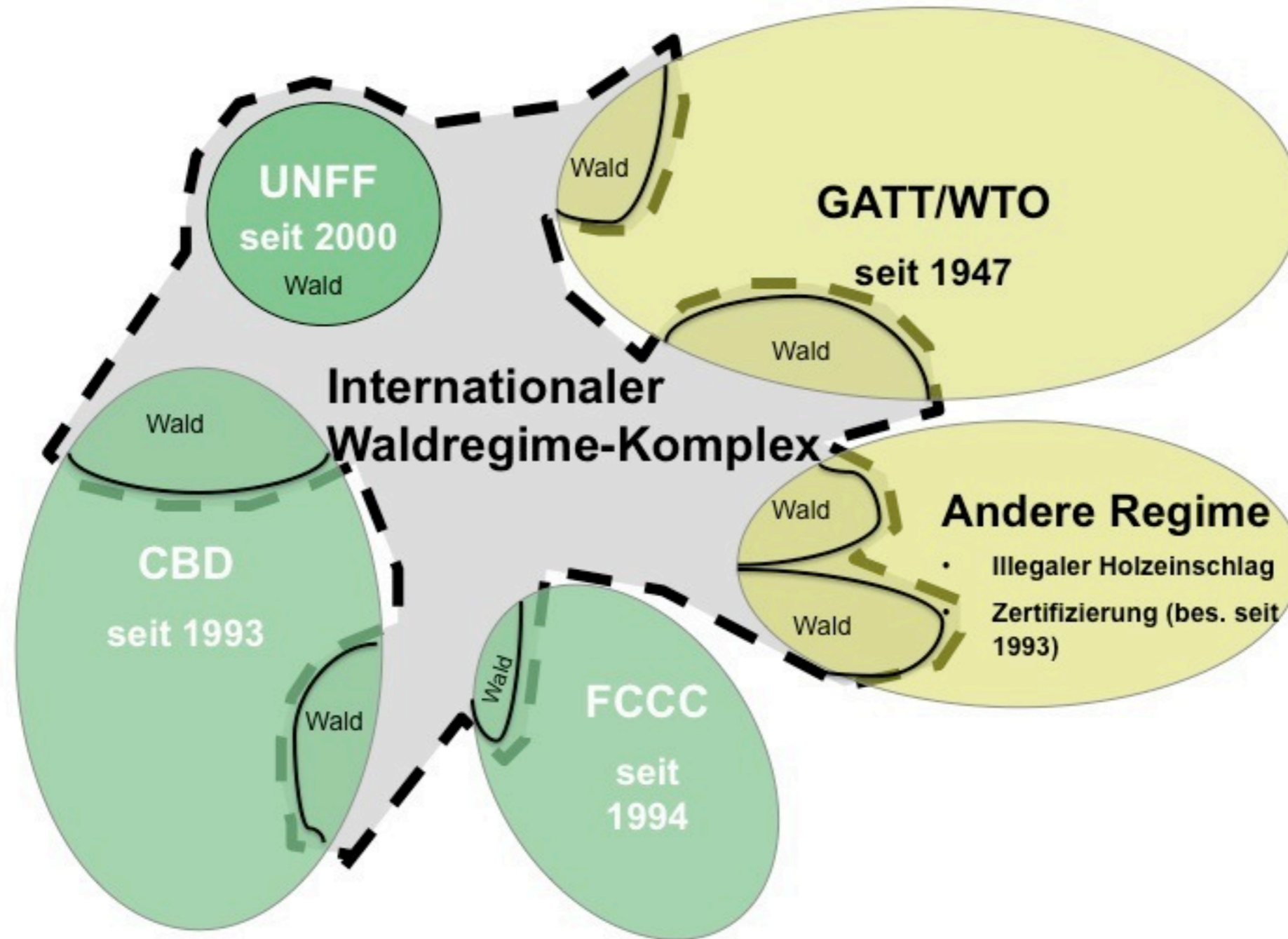
working method and outcome of COP decisions

- see draft agenda and documents for meeting
- decision-making: consensus procedure
 - consensus: no objection to proposal of chairperson
- organization:
 - groups:
 - eg EU
 - G77+China

FCCC an forests

- REDD / REDD+
- LULUC

but: not only FCCC - a number of other organizations



why different institutions/agreements

- no comprehensive international government
 - even UN is not
 - rather: issue-by-issue array of fairly independent institutions
 - differ in regard to number/composition of member States
 - organizational settling
 - „culture“
- coordination?
 - poor
 - who is the coordinator of last resort? States

Convention of biological diversity

- diversity of ecosystems, among species and within species
- conservation & sustainable use
- ex-situ / in situ
- umbrella convention to a number of specific international agreements
- is concerned about activities/measures taken by FCCC:
 - promoting sinks without proper biodiversity protection
 - REDD / REDD+ / LULUC policies
 - detrimental effects of terrestrial/maritim carbon dioxide storage

yet another regime: WTO

- concerned with international trade liberalization and related issues
 - many rules
 - tough enforcement
- what has it to do with forests?
 - rules and limits on export restrictions
 - rules and limits on import restrictions
 - eg label requirements