
STUDENT CONTRIBUTION

Reasonable Suspicion: Gloomy Future of the Kyoto Protocol

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About 25 years ago, the Intergovernmental Panel on Climate Change claimed that the greenhouse gases, in particular Carbon Dioxide, are mainly responsible for global warming and its adverse effects. The claim rapidly became an absolute and incontrovertible truth regardless of countless scientific counter-evidences. Such international trend was directed to a birth of the United Nations Framework Convention on Climate Change and the Kyoto Protocol, the detailed norm to the Convention. Even to this very day, the "man-made climate change" operates as implicit prerequisite of continuing international climate conferences and international environmental law studies. The paper tries to introduce a viewpoint from the scientific skepticism towards man-made climate change and figure out the political calculations inside Kyoto Protocol. By doing so, the author demonstrates that serious concern about the environment barely exists in current climate response system and attempts to adduce suggestions that should be made in future climate change conferences.

Keywords

Climate Change, Fossil Fuel, UNFCCC, Kyoto Protocol, Intergovernmental Panel on Climate Change, Global Warming, ETS, Common but Differentiated Responsibilities

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I. Introduction

On November 26, 2012, the eighteenth annual conference of the Parties to the United Nations Framework Convention on Climate Change (“UNFCCC”) was held in Doha, Qatar. There, an agreement was reached to extend the life of the Kyoto Protocol (“KP”) up to 2020, which had been originally due to expire by the end of 2012. Greenhouse gas (“GHG”) reduction obligation was also reallocated. Some applaud the output of this Conference, expressing relief because of the extension of KP.¹ Yet, others still stand skeptical, pointing out that the absence of world’s leading countries including the United States (“US”) and China in the KP may not be an effective solution to the climate change.²

As a result of the Doha Conference, a few questions of international law have been newly arising, *e.g.*, an alternative energy technology aid for developing countries, allocation of reduction obligation based on the principle of equity, matter of common but differentiated responsibilities, and enactment of legislation to compensate the defect of international emission trading system. Now these pressing concerns of international society are destined to remain in existence by the extension of KP.

The primary purpose of this research is to introduce a viewpoint from the scientific skepticism towards “man-made climate change” and to figure out the political calculations inside KP from a viewpoint of international law. This paper is divided into five parts including Introduction and Conclusion. Part two will share the progress of international discourse of climate change from the beginning to the launch of the UNFCCC system. Part three will chase factors that had decisive effects on the various mechanisms of KP. Part four will attempt to brief the overall flow of the post-KP negotiations and to find out what kinds of interests were involved in the progress.

¹ Staff Writer, *What Doha Did: No progress today, but a slightly better chance of progress tomorrow*, THE ECONOMIST, Dec. 15, 2012, available at <http://www.economist.com/news/international/21568355-no-progress-today-slightly-better-chance-progress-tomorrow-what-doha-did>; *Doha Climate Conference Opens Gateway to Greater Ambition and Action on Climate Change*, United Nations Environment Programme, Dec. 9, 2012, available at <http://www.unep.org/newscentre/default.aspx?DocumentID=2700&ArticleID=9353> (all last visited on Sept. 18, 2013).

² L. Gray, *Doha: Climate Change Deal Limping towards ‘Disappointing’ Conclusion*, THE TELEGRAPH, Dec. 7, 2012, available at <http://www.telegraph.co.uk/earth/environment/climatechange/9730981/Doha-Climate-change-deal-limping-towards-disappointing-conclusion.html> (last visited on Sept. 18, 2013).