

UN Framework Convention on Climate Change and Kyoto Protocol

The mankind's approach towards the environment (nature) and its protection went through major changes in the second half of the 20th century. Realizing that the economic development might have irreversible adverse effects was at the heart of this change. Law is one of the most efficient tools to cope with environmental problems and to regulate behavior of individuals and the whole society. Emerging global environmental problems like over-exploitation of non-renewable resources, massive deforestation, desertification, ozone layer depletion and ocean pollution brought along the need for international response. In this process, international environmental law established itself as an independent branch of law, with its own principles and legal sources.

Climate change is the newest global environmental problem and the most complex and difficult to solve at the same time. It is caused by greenhouse gas emissions (especially carbon dioxide) which are the products of fundamental economic and industrial processes of the modern society heavily dependent on fossil fuels (coal, gasoline) combustion. Therefore, developing an international climate change regime has been a great challenge for international community.

My thesis describes the negotiation process of the two main international legal documents concerning climate change – UN Framework Convention on Climate Change (adopted in 1992) and Kyoto Protocol (1997), mainly focusing on the distinctive features of the climate change regime and commitments under these two documents. The Convention establishes a basic framework with no quantitative commitments concerning greenhouse gas concentration in the atmosphere. These are provided by the Protocol, which obliges the

developed countries to cut their emissions by various amounts. Resulting from the “common but different responsibilities” principle, developing countries do not have such quantitative limitations. Kyoto Protocol enables the parties to use various flexibility mechanisms to meet their commitments, for instance emissions trading. The first commitment period lasts from 2008 to 2012.

The Convention and the Protocol cannot be seen as the final solution of the climate change problem, nor were they meant to. Nevertheless, they provide an important platform for further negotiations.

Keywords: Climate Change, Kyoto Protocol, Environment

Klíčová slova: Změna klimatu, Kjótský protokol, Životní prostředí