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Kheng-Lian Koh, Lin-Heng Lye and Jolene Lin (eds) - *Crucial Issues in Climate Change and the Kyoto Protocol: Asia and the World*

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Among the plethora of literature about the Kyoto Protocol and other dimensions of climate change law, it is refreshing to find a new contribution that focuses specifically on developing countries. They arguably face the gravest challenges in adapting to global warming while finding ways to reduce their soaring greenhouse gas emissions as they rapidly industrialize. There remains a paucity of scholarship on these unique challenges facing developing countries, which this book helps to address in relation to Asia.

Edited by law professors Kheng-Lian Koh and Lin-Heng Lye, of the National University of Singapore, and Jolene Lin, of the University of Hong Kong, *Crucial Issues in Climate Change and the Kyoto Protocol: Asia and the World* provides sixteen chapters of weighty analysis of international climate law in the Asian region. Based on papers presented at a conference of this name held in Singapore in August 2007, the editors have ably drawn together many leading experts from diverse disciplines and experience including legal practitioners, climate change consultants, government officials and academics. They include, among the international contributors, Nicholas Robinson (United States), Kurt Deketelaere (Belgium) and Michael Jeffery (Australia) and, from the Asian region, Wang Xi (China), Maria Socorro Manguiat (the Philippines), and Hiroji Isozaki (Japan).

The edited collection is organized into four so-called “themes”. The first theme, “Setting the Stage”, contains three chapters which explain many of the

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environmental, social and economic challenges posed by climate change, some of which will be familiar to knowledgeable readers. Nicholas Robinson's opening chapter is particularly thought-provoking, as he attacks the lethargic pace of international legal reform to tackle the urgent threats that global warming poses. Jeff Obbard, an environmental scientist, provides an informative summary of the science of climate change and its projected impacts.

The Clean Development Mechanism (CDM), the Kyoto Protocol's primary tool for coaxing developing countries into global efforts to reduce greenhouse gas emissions, is the subject of the second theme. Four generally excellent chapters in this section focus on the CDM's implementation in Asia, with case studies of Southeast Asia (by Jolene Lin) and China (by Wang Xi), and analyses of the wider development of CDM projects in the region (by William Byun and Felix Chan) and how to improve the CDM's operational efficiency and procedural fairness (by Charlotte Streck and Jolene Lin). The latter chapter provides some gems of advice about improving the transparency and integrity of CDM decision-making, which is pertinent given the criticisms that many CDM projects fail to meet environmental performance targets.

The third theme examines "Emissions Trading in the European Union and Asia". Kurt Deketelaere and Marijke Schurmans provide a general survey of the European Union's (EU) emissions trading scheme — the most advanced such scheme in the world. While their chapter offers a lucid and well structured overview of the EU's scheme, the fact that the discussion only reflects the legal position as of November 2007 somewhat diminishes its value for readers given the several years of subsequent experience with this scheme. Chapter 8 in this section, by Andrew Beatty and Evan Williams, provides a fairly sophisticated analysis of trends in carbon trading, particularly with regard to certified emissions credits issued by CDM projects. Their chapter is one of several in this book that will appeal particularly to regulators and legal practitioners who, working in the carbon trading market, seek practical understanding of its operations and challenges.

The bulk of the book is contained in the final theme, entitled "Effective Implementation of the Kyoto Protocol in Asia". Comprising seven chapters, this section is perhaps the most original and important because of its focus on regional and domestic aspects of climate law in Asia. It contains chapters dealing with specific jurisdictions, focusing on Singapore (by K. Suresh) and Japan (by Hiroji Isozaki) and several chapters dealing with regional or transborder issues, such as Kishan Khoday's rather frightening depiction of the political and economic risks posed by

rapid glacial melting in the Himalayas. Maria Socorro Manguiat's chapter on the Kyoto compliance regime provides a very detailed and clear exposition of the Protocol's compliance and enforcement machinery, although her chapter does not, as its title states, say little about "Its Implications for the Asian Region". The final chapter in the book, by Charlotte Streck, deals with the critical issue of forests protection. Asia has experienced high rates of deforestation in recent decades, making some of its member countries such as Indonesia among the world's worst carbon polluters. Streck's discussion of REDD ("Reducing Emissions from Deforestation and Degradation") is significant, as this initiative assumed greater salience at the recent Copenhagen Summit of 2009.

Given the dynamic nature of this subject, and the on-going negotiations to draft a successor to the Kyoto Protocol, this book like much other literature in this field will unfortunately date rather quickly. Because it is based on conference papers presented in 2007, some chapters contain rather dated information, such as data about the size of the global carbon market in 2006 (at page 317) and Japan's greenhouse gas emissions in 2003 (at page 388). Readers hoping to find analysis of the implications of the 2009 Copenhagen Summit for Asia will need to consult other, more recent literature. While several chapters in this book are entitled with references to "Beyond" Kyoto, the analysis of any future climate change regime is somewhat speculative. Some contributors, however, canvass some useful ideas for a post-2012 regime, such as Isozaki's discussion of several proposals submitted by Japanese organisations (pages 400-05). Up-to-date coverage of developments at a domestic or regional level is sometimes inconsistent; some chapters, such as Michael Jeffery's discussion of Australian climate law, contain an extensive postscript of recent developments, while other chapters do not. Nonetheless, by laying out the specific legal, economic and political context and challenges for climate law in the Asian region, the contributors to this book provide a helpful basis upon which readers can understand and research the topic in greater depth.

In terms of presentation, the book is generally well laid-out, clearly written and easy to navigate. Many of the chapters contain useful tables, charts and other diagrammatic features. One excellent example is the diagram on pages 364-66 explaining the CDM project cycle. The referencing, however, could have been more extensive; some chapters are only lightly footnoted, thus diminishing their value to readers seeking substantiation of contributors' discussion or just knowledge of related literature. The absence of an index to the book is also unfortunate, especially given this volume's considerable length and diverse subject-matter.

All-in-all, *Crucial Issues in Climate Change and the Kyoto Protocol: Asia and the World* is generally a very good book and one which will surely stand out in the crowded field of climate law as worthy of readers' attention. As the world's most populous and most rapidly industrializing region, the challenges of mitigating and adapting to climate change are arguably the greatest in Asia. This book not only vividly illuminates these challenges, it contains some practical advice on how they should be addressed. Very likely, we will see a growing body of literature on climate law in Asia emerge in the next few years, building on the important insights of this book.