



Persatuan Pengguna Pulau Pinang Consumers Association of Penang

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Letter to the Editor

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Malaysia needs to act to ratify Kyoto Protocol amendment

I refer to the article in *The Star* (26 October 2016) 'Junaidi: We need to focus on Paris Agreement'.

The Natural Resources and Environment Minister Datuk Seri Dr Wan Junaidi Tuanku Jaafar was responding in Parliament to a question posed as to when Malaysia would ratify the 2nd commitment period of the Kyoto Protocol and the Paris Agreement on climate change, and to what extent this has been discussed and agreed by the Cabinet.

The Minister's response as reported in *The Star* was that more countries are focusing on the Paris Agreement and lack interest in the Kyoto Protocol; that the Kyoto Protocol overlaps with the Paris Agreement, and the Kyoto Protocol will be phased out eventually when the Paris Agreement comes into force in 2020.

In addition, a viewing of the actual Parliamentary session reveals that the Minister also said that the Kyoto Protocol is not binding on developed nations and proceeded to name a number of developed countries that have either not ratified or have withdrawn from the Kyoto Protocol, or have not ratified its 2nd commitment period.

We wish to point out the Minister's response is not correct for the following reasons:

The Kyoto Protocol and the Paris Agreement are distinct legal treaties under the United Nations Framework Convention on Climate Change (UNFCCC), and fulfil different but complementary functions. None of them will expire legally.

The Kyoto Protocol's 2nd commitment period runs from 2013-2020 and amendments were made at the 8th Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP8) in Doha, Qatar, in 2012 to the Protocol to incorporate the emissions reductions required for this period by developed countries who are Parties to the Protocol.

Developing countries have to also ratify the amendments but they do not have obligations for emissions reductions under the Protocol.

Parties agreed that the aggregate emission cuts under the 2nd commitment period would be 18 per cent below 1990 levels.

They also agreed that developed countries will review their emission reduction commitments by the end of 2014 with a view to increasing the ambition level of cuts. However, developed countries have refused to review their emission targets.

To give effect to the Doha amendment, and for the 2nd commitment period to come into effect, a total of 144 countries have to ratify it, including developing countries.

Thus far, only 71 countries have ratified the Doha amendment.

The Paris Agreement on the otherhand, which is a later treaty, which was only concluded last year will enter into force in November this year, and it deals with countries' emission reductions for the period after 2020. It requires all Parties, including developing countries to undertake emissions reduction contributions.

This means that the only legally binding international agreement on emission reductions from now until 2020 is the Kyoto Protocol's 2nd commitment period, which places binding emission reduction commitments on developed countries.

Given its importance, 7 out of 10 Asean countries have already ratified the Doha amendment to the Kyoto Protocol. The only Asean countries that have not done so are Laos, Myanmar and Malaysia.

Developing countries, including Malaysia, fought long and hard in the UN negotiations to continue the Kyoto Protocol, to ensure that there would be commitments in the pre-2020 period by agreeing to its 2nd commitment period, and to ensure that the Paris Agreement would not replace the Kyoto Protocol, or indeed the UNFCCC.

The Kyoto Protocol's 2nd commitment period still has some way to go before sufficient ratifications bring it into force.

It is incumbent on Malaysia to play its part in this global effort, and to contribute alongside other developing nations. Climate change is very serious and urgent steps must be taken now – we cannot wait until 2020 for emission reductions to take place.

Hence, we urge the Minister to give importance to the Kyoto Protocol so that Malaysia will ratify urgently the Doha amendment and not let developed countries get off the hook.

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