



IMBEWU

Sustainability Legal Specialists (Pty) Ltd

**MONTHLY SUSTAINABILITY LEGAL
NEWSLETTER
AND LEGISLATION UPDATE
DECEMBER 2011**



PLEASE NOTE: The legislation update section of the IMBEWU Newsletter can be found in the attached PDF document.

"NEWS & DEVELOPMENTS"

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The information in this section is drawn from a number of sources including, but not limited to: www.gov.environmental.co.za ; www.engineeringnews.co.za ; www.iisd.org ; www.buanews.gov.za ; www.edie.net ; www.ecosystemmarketplace.com

International

General

ITTA - TIMBER AGREEMENT: The International Tropical Timber Agreement (ITTA), 2006, entered into force on 12 December 2011. See: http://climate-l.iisd.org/news/itita-2006-enters-into-force/?utm_source=lists.iisd.ca&utm_medium=email&utm_campaign=Climate+Change+Daily+Feed+-+13+December+2011+-+Climate+Change+Policy+%26+Practice

WORLDWIDE - NEW WEBSITE: A new website has been launched which offers analysis and publication resources related to the field of trade & environment. The site aims to explore the synergy, linkages and conflicts in this critically important area. See: <http://www.tradeandenvironmentnexus.com/>

Climate Change

COP17 - VIEWS: A summary of the views of some of the COP's key players is available at: <http://mq.co.za/article/2011-12-13-cop17-success-or-cop-out/> To view some of the opinions on the decisions concluded at the COP, please view the following links: http://climate-l.iisd.org/news/durban-conference-sets-pathway-to-more-inclusive-21st-century-climate-regime/?utm_source=lists.iisd.ca&utm_medium=email&utm_campaign=Climate+Change+Daily+Feed+-+13+December+2011+-+Climate+Change+Policy+%26+Practice and http://www.energy-enviro.fi/index.php?PAGE=3&NODE_ID=5&LANG=1&ID=3935 and <http://www.iisd.ca/climate/cop17/>.

COP17 - DECISIONS: To view the reports, decisions, documents, statements etc related to COP17, see: http://unfccc.int/meetings/durban_nov_2011/meeting/6245.php For a summary of the decisions, discussions and conclusions based on the agendas of the COP, CMP and subsidiary bodies, please see: <http://www.iisd.ca/download/pdf/enb12534e.pdf>.

CANADA - KYOTO PROTOCOL: The Government of Canada has formally withdrawn from the Kyoto Protocol in December 2011. See: http://climate-l.iisd.org/news/canada-withdraws-from-kyoto-protocol/?utm_source=lists.iisd.ca&utm_medium=email&utm_campaign=Climate+Change+Daily+Feed+-+13+December+2011+-+Climate+Change+Policy+%26+Practice

EU - CARBON MARKET: The majority of the members of the European Parliament's cross-party environmental committee have agreed to changes to an energy efficiency bill that could give the European Commission the power to intervene in the European carbon market, after it misjudged the amount of permits the EU industry needs to cover their emissions. See: <http://www.reuters.com/article/2011/12/20/us-eu-carbon-idUSTR7BH0DZ20111220>

EU - ENERGY ROADMAP: The EU Commission has released its "Energy Roadmap 2050" which aims to cut emissions by over 80% by 2050 without disrupting energy supplies and competitiveness. See: http://climate-l.iisd.org/news/european-commission-unveils-energy-roadmap-2050/?utm_source=lists.iisd.ca&utm_medium=email&utm_campaign=Climate+Change+Daily+Feed+-+16+December+2011+-+Climate+Change+Policy+%26+Practice

EU - COURT CASE: The European Court of Justice found that the Directive on the inclusion of aviation activities in the European Union Emissions Trading Scheme (EU ETS) is valid and did not infringe international law. From the beginning of 2013 all flights landing in and departing from the European Union will be subject to the rules of the EU ETS. See:

<http://curia.europa.eu/juris/document/document.jsf?text=&docid=117193&pageIndex=0&doclang=en&mode=req&dir=&occ=first&part=1&cid=208121>

Publications

UK - KYOTO & THE COPs: Dr. Rafael Leal-Arcas (Queen Mary University of London) has published an article in the Hague Yearbook of International Law which analyses the major UNFCCC Conference of the Parties (COPs) with their main legal, structural and policy responses to climate change. The article also provides an extensive analysis on carbon finance. See: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1978772

UNFCCC - NEW REPORT: The UNFCCC Secretariat has published Iceland's Greenhouse Gas Inventory Report. See: <http://climate-liisd.org/news/unfccc-publishes-iceland%E2%80%99s-ghg-inventory-report/107948/>

US - NEW REPORT: The Commission for Environmental Cooperation (CEC) has published a report detailing greenhouse gas emissions from North American power plants. See: <http://climate-liisd.org/news/cec-report-details-greenhouse-gas-emissions-from-north-american-power-plants/108184/>

SOUTH AFRICA - CDM BLOG: Andrew Gilder, Director at IMBEWU, has published a blog on the Global CCS Institute website entitled: "A carbon lawyer's perspective on the future of the CDM". See: <http://www.globalccsinstitute.com/community/blogs/authors/andrew-gilder/2011/12/06/carbon-lawyer%E2%80%99s-perspective-future-cdm>

SOUTH AFRICA - CARBON CAPTURE JOURNAL: Andrew Gilder, Director at IMBEWU, and Lodewijk Nell, Director Consultancy at Ecometrix Africa, have written an article for the Carbon Capture Journal entitled: "CCS under the CDM - will recent progress be undone by carbon market dynamics". See: <http://www.carboncapturejournal.com/displaynews.php?NewsID=876&PHPSESSID=g27050e4g2rdsjk2vojr9qj30>

National

SEVENTEENTH CONFERENCE OF THE PARTIES (COP17): Took place from 28 November 2011 to 10 December 2011 in Durban, South Africa. The South African Minister of Water and Environmental Affairs, Edna Molewa, believes the Conference was an "outstanding success" on the part of "Team South Africa". See: <http://mg.co.za/article/2011-12-12-cop17-team-sa-an-outstanding-success-says-molewa/> The "Durban Platform" resulted in the full implementation of the \$100 Billion a year Green Climate Fund which will become fully operational in 2012. See: <http://www.engineeringnews.co.za/article/cop-17-breathes-life-into-climate-fund-sets-agenda-for-future-treaty-2011-12-12>

LAUNCH OF SARI: The Minister of Energy, Dipou Peters, during COP17, signed the Declaration of Intent on the South African Renewables Initiative (SARi), which aims to mobilise domestic and international funding, and sector expertise, to support South Africa to implement its ambitious plans for the scale-up of renewable energy. The Initiative was launched as an international partnership by the Government of the Republic of South Africa together with the Governments of Denmark, Germany, Norway, the UK, and the European Investment Bank on 7 December 2011. See: <http://www.thegreentimes.co.za/stories/news-from-other-sources/item/946-sa-launches-renewable-energy-initiative> and <http://blog.sari.org.za/>

FUNDING: At COP17, Investec and the European Investment Bank (EIB) announced the establishment of an €100 million renewable energy fund to promote clean energy generation and energy efficiency initiatives in South Africa. See: <http://www.southafrica.info/cop17/investec-eib-021211.htm>

WIND ENERGY: The Energy Minister, Dipou Peters, believes that developing a resource map and wind atlas for Africa, particularly for the Southern African Development Community (SADC), is key for the development of the renewable energy sector. The International Energy Agency (IEA) will assist in creating a resource map for the continent. See: <http://www.engineeringnews.co.za/article/iea-assisting-in-africa-wind-mapping-project-2011-12-08>

RENEWABLE ENERGY: Four of South Africa's leading renewable energy associations plan to launch an umbrella body provisionally named the South African Renewable Energy Council, to act as a "single voice" for the industry. See: <http://www.engineeringnews.co.za/article/sa-renewable-energy-associations-to-launch-umbrella-body-2011-12-15>

Conferences and other events

OCEANS DAY: The Global Ocean Forum, together with the South African Department of Water and Environmental Affairs, the Global Environmental Facility (GEF), the United Nations Development Programme (UNDP) and other parties, organised Oceans Day at COP17 on 3 December 2011. See: <http://www.globaloceans.org/sites/udel.edu.globaloceans/files/OceansDayAtDurbanCo-ChairsStatement.pdf>

CONFERENCE ON CLIMATE LAW & GOVERNANCE IN THE GLOBAL SOUTH: took place on 3 & 4 December 2011 in Durban, South Africa. The Centre for International Sustainable Development Law (CISDL) together with the International Development Law Organisation (IDLO) and **Warburton Attorneys** organised the conference specifically focused on the legal and governance aspects of climate change mitigation, adaptation and finance in the global south. The Conference brought together country representatives, development practitioners, law & governance experts, researchers, academics and other key stakeholders to discuss the most pressing issues facing developing country governments and citizens. See: <http://cisdl.org/ICCLGGS/>

EYE ON EARTH SUMMIT: took place from 12-15 December 2011 in Abu Dhabi, UAE. See: <http://www.iisd.ca/ymb/uncsd/eoes/>

2ND INTERSESSIONAL MEETING FOR THE UN CONFERENCE ON SUSTAINABLE DEVELOPMENT: took place from 15-16 December 2011 in New York, USA. See: <http://www.iisd.ca/uncsd/ism2/>

INTERNATIONALLY CERTIFIED COURSE ON SUSTAINABILITY REPORTING: will take place in Johannesburg from 14-16 February 2012 and in Pretoria from 13-15 March 2012. Please see: www.envsustsol.co.za for more information or contact Seakle Godschalk at envsustsol@mweb.co.za or 082 395 7582.

IMBEWU'S Environmental Tip

DECEMBER 2011: For tips relating to "Eco Beauty, Eco Design, Eco Fashion, Eco Food & Drink, Eco Kids, Eco Lifestyle, Eco Markets, Eco Pets and Eco Travel" as well as a full "Eco Directory", see: <http://www.liveeco.co.za/?m=1>

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