



IMBEWU Sustainability Legal Specialists (Pty) Ltd

Invite you to attend a Strategic Climate Change Legal Briefing

Tuesday 10 March 2010, Johannesburg

**LEGAL AND BUSINESS IMPLICATIONS FOR SOUTH AFRICA
OF COP15 AND THE COPENHAGEN ACCORD**

The Copenhagen Climate Change Conference (COP15) held in Copenhagen, Denmark, in December 2009, failed to deliver the anticipated legally binding international agreement, and country Parties to the Climate Change Convention are questioning the future of the climate change legal regime and of the multilateral process.

The Copenhagen Accord, which was "noted" (as opposed to being "adopted") by the COP, is a political and not a legal instrument which provides some foundation for future negotiations by defining aspirations for progress against the highly charged backdrop of international *realpolitik*.

The Accord has implications for the development of climate change national policies and regulatory frameworks in, both, developed and developing countries - South Africa among them.

What we know:

- South Africa submitted an indication of the "nationally appropriate mitigation actions" it intends to take, as required from country Parties wishing formally to associate themselves with the Accord, by the deadline of 31 January 2010,.

- Such actions contemplate a 34% deviation below the “Business as Usual” emissions growth trajectory by 2020 and a 42% deviation below this trajectory by 2025, depending on the level of international financial support.
- Notwithstanding this international submission, South Africa is geared for the introduction of a domestic legal regime informed by the dual need to respond to climate change and shift toward a carbon constrained economy.
- The Department of Environment has indicated that a Green Paper setting out a climate change legislative, regulatory and fiscal package will be released by mid-2010, with a view to finalizing a White Paper and introducing the package into law by 2012.
- The Long Term Mitigation Strategy (LTMS), setting out a pathway for South Africa’s lower carbon future, has been available for some time and it is likely that the Green Paper will be informed by some of the outcomes of the LTMS.

The Briefing will seek to provide context for and responses to the following question:

What are the legal and business implications of COP15 and the Copenhagen Accord for South Africa and South African business?

Who is the Briefing for?

The Briefing is designed for public and private sectors representatives requiring a clear and in-depth understanding of:

- the geo-political climate change context;
- the substance of the Copenhagen Accord and the main outcomes of COP15; and,
- how South Africa’s approach to the Accord is likely to impact the country’s legal and business landscape.

Information to be covered

The Briefing will include:

- A legal analysis of the Copenhagen Accord.
- South Africa’s submission in terms of the Copenhagen Accord and the promise of a climate change Green Paper: possible linkages and structure of a future domestic climate change legal regime.
- Implications of the formal COP15 decisions for South African carbon business, and ways to capitalise on these implications.

- EU and US policy and regulatory developments: what do these mean for South Africa?
- Preliminary recommendations for the South African private and public sectors.

The Briefing will be conducted in an interactive manner. Confirmed attendees will have an opportunity to submit questions to the presenters, prior to the Briefing, which, where possible, will be addressed as part of the proceedings. The Briefing will also offer attendees an opportunity for networking and informal discussions with both the presenters and other attendees.

Presenters

- **Andrew Gilder:** (IMBEWU Director) is an admitted South African attorney and holds a BA LLB and a Legal Masters Degree in Marine and Environmental Law (LLM). Andrew drives IMBEWU's *Climate Change and CDM Legal Consultancy Unit* and is primarily responsible for all aspects of the Unit's work. Andrew has drafted and co-drafted various academic papers, including the interaction of the international and South African climate change legal regimes which have been published both locally and internationally. He is a regular speaker on a wide range of issues related to the climate change international *regime*. Andrew is also a Senior Associate of Warburton Attorneys (www.warburtons.co.za)
- **Marie Parramon:** (Sustainability Legal Consultant) obtained a LLB in Judicial Law in France and an LLB in Business Law in Scotland. She also successfully completed a Masters in Environmental Law at the University of the Western Cape. In addition, Marie has earned a certificate in project management and public relations. Through her academic and practical experience, Marie has developed specific knowledge and expertise in national as well as international environmental law and management, including in the areas of climate change, EIA, waste management, marine and coastal law, EMS, environmental risks assessment, environmental liability and implications for the drafting of lease agreements and environmental economics. She collaborates with Andrew Gilder with the *Climate Change and CDM Legal Consultancy Unit*. Marie is also a Para-Legal at Warburton Attorneys

Outline Programme

8:00 to 8:30	Registration (with coffee and muffins)
8:30 to 10:15	First session: - Legal analysis of the Copenhagen Accord. - Nationally appropriate mitigation actions in South Africa. - Possible structure of a future climate change legal regime.
10:15 to 10:30	Tea break
10:30 to 12:00	Second session: - Implications of COP15 for South African carbon business. - EU and US policy and regulatory developments. - Preliminary recommendations.
12:00 to 13:00	Networking lunch

Registration

The cost to attend the Briefing is R700.00 per attendee, including the briefing cost, refreshments, lunch and a set of conference documentation.

There is also the possibility of having the Briefing presented only to your organisation. This option may be more cost effective for you. For more information on this option, please contact Marie Parramon or Andrew Gilder directly on 011 214 0660 or marie@imbewu.co.za / andrew@imbewu.co.za

To book, please fill in the booking form (attached to this email) and email/fax/post it back to us. Please note that only duly completed and signed booking forms will be considered as completed bookings.

Email: admin@imbewu.co.za / fax: 011 447 6848

On receipt of your booking form, we will issue an invoice which will be payable within ten days of the date of the invoice, if the respective attendance at the training is to be secured.

Please note that your booking will only be confirmed on receipt of your payment

For more information, please contact Lulu Dutton: 011 214 0660 / admin@imbewu.co.za

Booking form must be submitted before 5 March 2010. IMBEWU reserves the right to cancel or postpone the workshop.