

Chapter 1

Introduction

Referral and conduct of the inquiry

1.1 In its Report No. 15 of 2003 dated 26 November 2003 the Selection of Bills Committee recommended that the Kyoto Protocol Ratification Bill 2003 [No. 2] be referred to this Committee for inquiry and report by 4 March 2004.¹ The recommendation was adopted by the Senate later that day.

1.2 The Committee invited submissions on the Bill in an advertisement placed in *The Australian* on 17 December 2003, with a deadline of 30 January 2004. It also wrote direct to all submitters to the 1999-2000 inquiry into global warming by the Environment, Communications, Information Technology and the Arts References Committee.² Some 39 submissions were received, as listed at Appendix 1.

1.3 On 13 February 2004 the Committee held a public hearing in Canberra into the Bill, involving 18 witnesses from 15 organisations. A list of witnesses is included at Appendix 2.

1.4 Documents were tabled by witnesses both in the course of the hearing and subsequently. These exhibits are listed in Appendix 3.

1.5 The Kyoto Protocol itself is too voluminous for inclusion in this report. Persons wishing to refer to its contents should examine it at <http://unfccc.int>.

Background to the reference

1.6 Senator Brown introduced the Kyoto Protocol (Ratification) Bill 2002, a Bill for an Act to ratify the Kyoto Protocol to the United Nations Framework Convention on Climate Change, as a private senator's bill on 19 September 2002, but debate was adjourned after his second reading speech had been incorporated into the transcript.³

1.7 On 26 May 2003, Mr Kelvin Thompson MP, Shadow Minister for the Environment, introduced into the House of Representatives the Kyoto Protocol Ratification Bill 2003.⁴ The Bill lapsed after its first reading.

1 On 3 March 2004 the Senate agreed to extend the time for the presentation of the report to 25 March 2004. *Journals of the Senate*, 3 March 2004, p. 3070

2 *The Heat is On: Australia's Greenhouse Future*, November 2000.

3 *Senate Hansard*, 19 September 2002, p. 4455.

4 House of Representatives, *Votes and Proceedings*, 26 May 2003, p. 893.

1.8 A Bill in the same terms, the Kyoto Protocol Ratification Bill 2003 [No. 2], was introduced into the Senate on 30 October 2003 by Senator Lundy, on her own and Senator Brown's behalf.⁵ The Bill was partially debated before being referred to the Committee for the current inquiry.

1.9 The Kyoto Protocol had previously been examined in detail by the Joint Standing Committee on Treaties, which released a discussion paper in April 2001.⁶ It concluded:

there are many difficult issues associated with the design, scope and implementation of the Protocol that have yet to be resolved. Until these issues are resolved it will not be possible to predict accurately the domestic impact of the emissions targets specified in the Protocol.

1.10 On 27 September 2001 the Joint Committee's Chairman, Mr Kerry Bartlett MP, made a statement noting that there was renewed international debate about whether the Kyoto Protocol was the best means of advancing the international response to climate change and that most Committee members were of the view that it would be imprudent to provide definitive advice to Parliament on whether Australia should ratify the Protocol.

Acknowledgments

1.11 The Committee wishes to thank all who contributed to its inquiry by preparing submissions and appearing at the hearings. Their contributions have been both informative and challenging.

5 Senate, *Journals*, 30 October 2003, p. 974.

6 Parliamentary Joint Standing Committee on Treaties, *The Kyoto Protocol – Discussion Paper*, Report 38, April 2001.