



Malta-EU Steering & Action Committee

## ENVIRONMENT



**11.09.09**

### Managing Climate Change: Global, EU and Maltese perspectives



The challenges being faced by Europe and globally regarding climate change, the climate deal which is hoped to be reached in Copenhagen in December this year, and the impact of the developed world on climate change as well as the national strategy to address these issues were discussed at a Seminar organised by the Malta EU-Steering and Action Committee and the Ambassador of Sweden to Malta on 9 September.

In his opening statement Dr Vanni Xuereb, Head of MEUSAC, said that the issue of climate change has been high on MEUSAC's agenda and has been tackled through MEUSAC's consultation mechanisms both at Core Group level as well as at Sectoral Committee level with civil society organisations. Being one of the main priorities of the Swedish Presidency, MEUSAC has been working closely with the Swedish Embassy throughout these last months, Dr Xuereb stated.

The Swedish Ambassador to Malta, Ms Ulla Gudmundson stated that climate change and its effects is the greatest challenge for the Presidency. Ms Gudmundson mentioned the EU targets set to reduce Carbon Dioxide (CO<sub>2</sub>) emissions by 2020 and the willingness to take on a 30% target if an international agreement is reached in Copenhagen, as well as the recognition that atmospheric green-house gas levels must be stabilised to a level needed to stay below the EU temperature target of 2°C. Ambassador Gudmundson stated that Malta has an important role to play in this context. No country is immune to climate change, Ms Gudmundson said. Malta in particular is vulnerable to the rise in sea level and changes in the terrestrial and marine



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ecosystems. The Swedish Ambassador to Malta stated that it is encouraging to see the importance that climate change is being given by Malta

In his inaugural address, the Minister for Resources and Rural Affairs, the Hon. George Pullicino, stated that awareness of the issue of climate change has increased and discussions have gained momentum in the past months. Government has assessed objectives and capabilities, and is aware that Malta is highly susceptible to climate change due its dense population and limited resources. Minister Pullicino stated that this has led Malta to support the EU climate change package and, in



December 2008, Malta had already declared its intention to join Annex 1<sup>1</sup> of the United Nations Framework Convention on Climate Change (UNFCCC). He stated that Malta never shunned its responsibilities and that Government is aware that this will require drastic and holistic action as well as concrete measures that are highly challenging for our country. In fact, Government embarked on projects such as the National Strategy on Greenhouse gases which was recently finalised and which will be presented to Parliament shortly as well. Minister Pullicino also mentioned the recently appointed Committee tasked with the drafting of a National Strategy on Adaptation for Climate Change which will draft a strategy tailored to address Malta's adaptation concerns.

Minister Pullicino reiterated that Governments will gather in Copenhagen to forge an agreement on climate change that will reshape the lives of human beings for generations to come. Malta, he said, will not agree to short sighted agreements. Any future agreement must be designed to ensure that adaptation measures are met.

Mr Michael Zammit Cutajar, the Maltese Ambassador on Climate Change, gave an overview of the state of play of global negotiations. He also outlined the scientific, economic and political implications of climate change. Ambassador Zammit Cutajar identified a global transition to low emission production and consumption of energy as one of the major challenges, suggesting that energy saving initiatives and better efficiency options of energy production could be major contributors to mitigate climate change.

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<sup>1</sup> The Annex I parties are those industrialized countries listed in this annex to the Convention which were committed to return their greenhouse-gas emissions to 1990 levels by the year 2000 as per Article 4.2 (a) and (b). They have also accepted emissions targets for the period 2008-12 as per Article 3 and Annex B of the Kyoto Protocol.



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Mr Zammit Cutajar said that the Copenhagen deal is about moving away from burden-sharing to a shared vision of cooperation against a common threat, shared opportunities and fair outcomes in view of the fact that while, for instance, the EU is committing itself to reduce emissions by 30%, the Russian Federation has not committed itself to reducing emissions, while Japan and the USA have not increased the rate at which emissions will be reduced. Ambassador Zammit Cutajar gave a brief overview of the two tracks leading into the Copenhagen Protocol: the Kyoto track and the Convention track which includes the USA and the less developed countries. Mr Zammit Cutajar reiterated that another challenge being faced at Copenhagen will be that of mitigating tracks to reach a fair deal.

Dr Johan Schaar, Director of the International Commission for Climate Change and Development set up by the Swedish Prime Minister in 2007, presented the Commission's Report "Closing the Gaps". Climate change, stated Dr Schaar, seriously affects the underdeveloped countries and communities. The Commission was thus tasked with analysing what is needed to strengthen their abilities to adapt to climate change impacts. In fact, the Commission studied climate change impacts in vulnerable environments in different parts of the world, such as in Cambodia, Mali and Bolivia. The poorer the community, the more important it is to build up people's adaptive capacity and resilience. Various measures are suggested in the Report to adapt to climate change: in more affluent societies, adaptation will emphasise technical measures. Institutions have a crucial role to play everywhere while financial resources for adaptation to climate change will be in the region of several tens of billion dollars.



Mr David Spiteri Gingell, Chairperson of the National Climate Change Committee, outlined the Climate Change Strategy for Malta which includes the active involvement of civil society, establishing an institutional framework for climate change and building on the appropriate human resources, integrating climate change in policy design and the identification of abatement measures such as energy saving lamps in the domestic sector; energy performance in buildings i.e. the heating and cooling installations, lighting installations, the position and orientation of the building; the promotion of energy efficient domestic appliances and better efficiency measures in street lighting.

Other interventions were made by the Hon. Mr Jesmond Mugliett, Head of the Maltese Delegation to the Parliamentary Assembly of the Mediterranean, and the Hon. Leo Brincat,



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Main Opposition Spokesperson for the Environment, Sustainable Development and Climate Change. When the discussion was opened to the floor, issues were raised that included Clean Development Mechanism projects, the relocation of industry and how this will be tackled in Copenhagen, and the Mediterranean Solar Plan.

The Seminar was brought to a conclusion by the Parliamentary Secretary for Public Dialogue and Information, the Hon. Dr. Chris Said, who mentioned the initiatives undertaken by the Government to help adapt to the impact of climate change. These include the Energy Proposal for Malta, the National Energy Efficiency Action Plan, the revised Solid Waste Management Strategy and the draft national strategy for policy and abatement measures to the reduction of Greenhouse Gas Emissions. Dr Said stated that such initiatives boost our economy and ensure a more stable supply of energy. Government, he said, is set to transform the challenge to reach reduced emission targets into an opportunity to create new green jobs.

*Press Photos – Source: Department of Information – Government of Malta*

## The European Court of Justice decides against Malta in Spring Hunting Case



On the 10<sup>th</sup> of September the European Court of Justice (ECJ) decided that Malta had broken EU rules when it allowed hunting in Spring.

While the court admitted that it is true that the hunting of turtle dove and quail in Autumn was not as abundant as in Spring, the numbers captured were still disproportionate and thus the opening of the Spring season was not justified under EU law. The ECJ argued that the conditions on which Malta authorised Spring hunting of the two species do not fulfill the requirement for proportionality and other requirements laid down in Article 9(1) of the Birds Directive.

The Court said: “The prolongation of the hunting season for those two migratory species by authorisation of hunting for approximately two months in spring, during which the two hunted species are returning to their rearing grounds, which results in a mortality rate three times higher (around 15,000 birds killed) for quails and eight times higher (around 32,000 birds killed) for turtle doves than for the autumn hunting season, does not constitute an adequate solution that is strictly proportionate to the Directive’s objective of conservation of the species. However



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the ECJ said that the conditions on which Malta authorised spring hunting of the two species do not fulfil the requirement for proportionality and other requirements laid down in Article 9(1) of the Directive”

It continued: “by authorising the opening of the spring hunting season for quails and turtle doves for several weeks each year, from 2004 to 2007, Malta has failed to comply with the conditions for a derogation under Article 9(1) of the Directive, interpreted in the light of the principle of proportionality and, accordingly, has failed to fulfil its obligations under that Directive”

The Maltese government defended spring hunting before the court and argued that during EU membership negotiations, it had shown its intention to the Commission to allow spring hunting by applying for derogation under the Birds Directive. The Government said that the intention was acknowledged by the Commission

After this, the Commission started infringement procedures against Malta after a decision by the ECJ against Finland in a similar case in 2005, the reason being that the application of the derogation was no longer justified.

### Possibility for limited hunting



In the evening of the same day, the Maltese government said that that its legal advisors would examine the European Court’s judgement to ascertain whether there was any possibility for very limited hunting under strict controls to be allowed in spring in Malta.

The government said that while the court had accepted Malta’s argument that the autumn hunting season could not be considered as a satisfactory solution – this fact, rather than opening up, without limit, the possibility of authorising hunting in spring, it did so only so far as it was strictly necessary and provided that the other objectives pursued by the Birds Directive was not jeopardised.

The government said: *"Whereas the Court has made it clear that the way the derogation was applied in Malta was not in line with EU law, unlike in the case of Commission v Finland of 15 December 2005 (Case C-344/03) where autumn hunting was declared to be an acceptable alternative to spring hunting, in today's judgement the Court left space for a proportionate use of the derogation for spring hunting in Malta."*



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### Further reading:

Europea.eu Press Release:

<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/09/1301&format=HTML&aged=0&language=EN&guiLanguage=en>

### For Court rulings please check out:

<http://curia.europa.eu/jurisp/cgi-bin/form.pl?lang=mt&jurcdj=jurcdj&newform=newform&docj=docj&docop=docop&docnoj=docnoj&typeord=ALLTYP&numaff=&ddatefs=3&mdatefs=9&ydatefs=2009&ddatefe=10&mdatefe=9&ydatefe=2009&nomusuel=&domaine=&mots=&resmax=100&Submit=Rechercher>

**MUESAC is asking for reactions from the Environment Sectoral Committee members on the issue. These will be published on MEUSAC newsletters. Please send your organisation's comments and reactions to [frederick.abdilla@gov.mt](mailto:frederick.abdilla@gov.mt) by Monday 14<sup>th</sup> September.**

### Energy

**COM (2009) 438 - Proposal for a Council Decision on the signing of the 'Terms of Reference for the International Partnership for Energy Efficiency Cooperation' (IPEEC) and the 'Memorandum concerning the hosting by the International Energy Agency of the Secretariat to the International Partnership for Energy Efficiency Cooperation' by the European Community**

As an important element of the integrated energy and climate change policy, the Commission has taken the initiative to promote energy efficiency also in the international context. It was agreed to establish the International Partnership for Energy Efficiency Cooperation ("IPEEC") in the Declaration adopted in Aomori, Japan in June 2008 by the Commission, the G8 members, China, India and South Korea. It is meant to be a high level forum 'for enhancing and coordinating our joint efforts to accelerate the adoption of sound energy efficiency improvement practices'. IPEEC will provide a platform for discussion, consultation and exchange of information.

The Terms of Reference for the IPEEC were signed by the G8 members, China, South Korea, Brazil and Mexico on 24 May in Rome. Due to its government being in transition, India did not sign. The Terms of Reference describe the cooperative activities of the IPEEC, establish its organisation, define the criteria for potential new members and contain general provisions



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regarding i.a. the funding of the Partnership and intellectual property rights. This proposal provides for the signature of the Terms of Reference and the Memorandum.

**The proposal can be found here:**

**<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0438:FIN:EN:PDF>**

## The Climate and Industry

When the Presidency arranged a conference in Brussels on the 9<sup>th</sup> of September, focus was on the climate and the role played by industry in the work on climate issues. The participants included Swedish Prime Minister Fredrik Reinfeldt, the Belgian Prime Minister Herman Van Rompuy, HRH Crown Princess Victoria of Sweden, HRH Crown Prince Philippe of Belgium and well-known Swedish business leaders.

The costs incurred by global warming will increase day by day unless measures are taken. But if we act now, then we will not merely limit these costs, we will also be able to create new job opportunities and business opportunities”, said the Prime Minister in his introductory remarks.

He mentioned businesses that have been successful and made profits thanks to long-term climate policies.

”We can all take advantage of this. It creates job opportunities and helps contribute to continued economic growth. So far Europe is leading the field, but more countries will want to catch up. Competitors in other parts of the world are discovering the opportunities. Europe must continue to intensify its efforts. The companies that have jumped on the green train are better equipped to meet the future than those left behind on the platform.”

EU Commissioner Margot Wallström also attended the conference and spoke about EU efforts for the climate and the environment. She pointed out that no other region has established such ambitious goals and produced the tools to reach them.

”But it is less than ninety days left until the conference in Copenhagen and an enormous amount of work remains to be done. I continue to believe that we will be able to reach our goal, but we must raise our ambitions.” Margot Wallström emphasised that unless more commitments are made, world temperatures will continue to increase.



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### **COM (2009) 475 - Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Stepping up international climate finance: A European blueprint for the Copenhagen deal**

By 2020 developing countries are likely to face annual costs of around €100 billion to mitigate their greenhouse gas emissions and adapt to the impacts of climate change. Much of the finance needed will have to come from domestic sources and an expanded international carbon market, but international public financing of some €22-50 billion a year is also likely to be necessary. The Commission proposes that industrialised nations and economically more advanced developing countries should provide this public financing in line with their responsibility for emissions and ability to pay. This could mean an EU contribution of some €2-15 billion a year by 2020, assuming an ambitious agreement is reached in Copenhagen.

This paper seeks to unlock the current impasse in the negotiations by presenting a blueprint on climate finance. In March 2009, the European Council made clear the EU's willingness to contribute a fair share to the global financial effort. The EU should now go one step further, and set out the likely sources of finance, how to define a fair contribution, and how to organise the financing. However, it should be understood that none of the figures in this paper represent formal EU proposals for commitments. They should be seen as indications of the order of magnitude of the finance that is likely to be needed in the event that Copenhagen achieves an ambitious outcome, with universal contributions from developed and economically more advanced developing countries, and a global carbon market that fully plays its role.

Three main sources of finance should play a role in meeting these needs. Domestic public and private finance in developing countries could cover 20-40%, the international carbon market around 40% and international public finance could contribute to the remainder.

#### **1. Domestic finance**

In developing countries, as in industrialised nations, private finance from domestic sources will need to provide a large part of the investment necessary for mitigating emissions.

#### **2. An expanded carbon market**

The Commission estimates that a well-designed, expanded international carbon market could generate financial flows to developing countries of as much as €38 billion a year by 2020. However, this assumes that, as the EU advocates, developed countries take on a collective 30% emission reduction target and a sectoral crediting mechanism is introduced for advanced developing countries in place of the project-based Clean Development Mechanism.



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### **3. International public finance**

The more ambitious the carbon market is, the less need there will be for international finance from public sources. International public finance should be provided not only by industrialised countries but also by economically more advanced developing nations. Each country's contribution should be based on an agreed scale reflecting its responsibility for emissions and its ability to pay. Depending on the relative weighting given to these criteria, the EU's contribution would be between 10 and 30% of the global total.

**The full Communication can be found here:**

[http://ec.europa.eu/environment/climat/pdf/future\\_action/com\\_2009\\_475.pdf](http://ec.europa.eu/environment/climat/pdf/future_action/com_2009_475.pdf)

**Q&A on the Communication can be found here:**

[http://ec.europa.eu/environment/climat/future\\_action.htm](http://ec.europa.eu/environment/climat/future_action.htm)