

# COPENHAGEN

CLIMATE JUSTICE NOW!

## **Council of Canadians background paper for COP15: Critical components for a strong international climate agreement**

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### **Council of Canadians: on the road to Copenhagen**

The Council of Canadians will be “on the ground” in Copenhagen providing updates on negotiations inside the conference and taking part in numerous events and climate justice movement activities happening outside. We will be taking our message about the critical components for a strong international climate agreement to Copenhagen. We will join millions of voices in the global climate justice movement in calling for global action that leads to real emission reductions in a fair and equitable manner.

### **Background information: The world faces a climate crisis**

Entire populations and ecosystems are threatened by devastating climate change impacts such as drought, heat waves, fires, floods, storms and rising sea levels.

December 7-18 marks a significant moment in time for global action on the climate crisis. This is when the *Fifteenth Session of the Conference of the Parties to the Climate Change Convention* (often referred to as COP15) will held in Copenhagen, Denmark, bringing together representatives from 200 countries with the aim of getting agreement on common action to address the climate crisis.

COP15 marks the end of a two year negotiating process outlined in the Bali Action Plan (adopted in the COP13 in Bali). The plan lays out a process to negotiate the emissions targets to succeed the limits set in the Kyoto Protocol’s first commitment period. It also provides a platform to begin talks to address growing concerns including adapting to climate impacts, deforestation and facilitating clean technology cooperation between the global North and South. There is a push for countries to finish these negotiations in Copenhagen for an effective, comprehensive and equitable climate change regime beyond 2012 (called the 2nd commitment period.)

Many see COP15 as an opportunity to enact climate action. Others are concerned that corporations will continue to have the ear of policy makers and warn that solutions based on the failed free trade, and corporate-led globalization model will not produce the results our planet needs. Many are warning that negotiations are stalled and an agreement coming out of COP15 is unlikely.

### **What do we need?**

We need to build a **climate of change** where root causes of fossil fuel dependence, over production and consumption and trade are recognized and addressed. Real solutions exist. We can transition off fossil fuels to a zero carbon future with greater conservation, energy efficiency, renewable energy and sustainable transportation. This requires urgent domestic action and effective international action.

### **The world needs a strong international climate agreement with deep emission cuts that advances climate justice.**

#### » **A strong international agreement means setting the world on path to 350ppm.**

An agreement leading to meaningful change needs to start with what science says is necessary. Leading climate scientists are reporting that the highest safe level of carbon dioxide in our atmosphere is 350 parts per million (ppm). The concentration of CO<sub>2</sub> is now at 389 ppm and we are starting to see serious consequences including melting ice in the Arctic and rapidly spreading drought. **A strong international agreement needs the goal of returning the world to a stable level of atmospheric CO<sub>2</sub> at or below 350ppm as quickly as possible.** This means limiting temperature rise to below 1.5 degrees centigrade with global emissions peaking no later than 2015. On October 24, 2009 thousands of people around the globe made the 350 target the focus of the world's largest political demonstration for immediate climate change action.

#### » **A fair climate agreement means deeper emission reductions by the global North of at least 40 per cent below 1990 levels by 2020, and 90 per cent below 1990 levels by 2050.**

#### » **A fair climate agreement means significant contributions to climate financing from global North countries supporting the transition to low carbon economies in the global South**

### **Common but differentiated responsibilities**

The United Nations Framework Convention on Climate Change (UNFCCC) establishes the principle that all countries must respond in accordance to their “common but differentiated responsibilities and respective capacity.” Why? There has not been an equal contribution to climate change. In fact, it’s the people who are least responsible for climate change, including Indigenous populations, people facing poverty, and those in the global South, who are hardest hit by its impacts, while contributing the least to its causes. Global North countries, which represent less than one-fifth of the world’s population, are responsible for emitting more than two-thirds of historic greenhouse gas emissions into an atmosphere that all life shares. Meanwhile, small island communities in the Pacific, communities in the Arctic and the global South are experiencing climate impacts now. According to Oxfam every year, on average, nearly 250 million people suffer as a result of “natural” disasters including droughts and floods, almost all of which are climate-related. Oxfam estimates that by 2015 the number of people affected by climate-related disasters each year could grow by more than 50 per cent, to an average of more than 375 million.

## Emissions debt and adaptation debt

As described by the Third World Network, global North countries owe a two-fold ecological debt to global South countries. By overusing and diminishing the planet's capacity to absorb greenhouse gases, global North countries have created an "emissions debt." Global South countries cannot be expected to limit their development and remain relatively poor because global North countries have filled the atmosphere with emissions first – global North countries must take on significant efforts to reduce emission domestically. Climate change impacts caused as a result of these emissions has created an "adaptation debt." Climate financing achieving a more equitable distribution of the world's wealth and resources is a necessary foundation for a fair global climate agreement. Climate financing includes support for international climate mitigation – measures reducing greenhouse gas emissions, and adaptation – measures adapting to current and future climate change impacts that cannot be avoided. It also includes low carbon technology cooperation and research to assist at-risk communities adapt to the impacts of climate change and reduce their emissions and measures reducing deforestation.

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## Mitigation and Adaptation measures needs Water Justice and the Commons

It is widely acknowledged that climate change is having a profound and negative impact on fresh water systems around the world. Multi-year droughts, shrinking glaciers, increased sedimentation, altered rainfall patterns, extended dry seasons, riparian ecosystem damage, flooding, arsenic and fluoride leaching in groundwater. According to the IPCC's technical paper #6, these are just some of the vulnerabilities that exist relative to water and climate change.

What is less understood is that our collective abuse and displacement of fresh water is also a serious cause of climate change and global warming. If we are to combat their negative effects, the way we use water must be addressed. Because humanity has polluted so much surface water of the planet, we are now mining the groundwater far faster than it can be replaced by nature. *New Scientist* reports of a "little-heralded crisis" all over Asia as a result of the exponential drilling of groundwater. Water is moved from where nature has put it (and where we can access it) in watersheds and aquifers, for flood irrigation, where much of it lost to evaporation, or to source mega cities, where it is often dumped into the ocean.

Water is also lost to ecosystems in the form of virtual trade – water used in the in the production of crops or manufactured goods that are then exported. Close to 20% of daily water used for human purpose is exported out of watersheds in this way. Finally, urbanization, deforestation and wetland destruction greatly destroy water-retentive landscapes, reducing the capacity of the earth to maintain the hydrologic cycle. The removal of vegetation on the earth actually results in the loss of precipitation in a watershed. Taken together, these practices are actually hastening the desertification of the planet, and intensifying global warming.

The good news is that the solutions for both climate justice and water justice are definitely complimentary. Dealing with water justice will directly support climate change mitigation. By finally treating our water respectfully, we will also assist in slowing the runaway climate juggernaut.

Climate adaptation, also, is much about water. How do we deal with the flooding, drought, glacier melt etc., this is all about adapting. The answers for dealing with climate adaptation and mitigation and dealing with the global water crisis must include actions such as proper investment, equitable distribution, respecting the human right to water, emphasizing conservation, strong source protection, infiltration, sanitation, democratic participation and emphasizing community control. These actions would go far in addressing the global water crisis. We need to address our relationship to water in order to change the nature of our relationship to each other and the planet and this consciousness is also critical in our common fights for climate justice.

## Emission reduction targets for Annex 1 States

One of the goals for COP15 is for Canada and Annex 1 States to agree on emission reduction targets for a second commitment period of the Kyoto Protocol beyond 2012. A group of 37 developing countries have submitted a proposed aggregate emission reduction target for global North countries listed in Annex 1 of the UNFCCC, of at least 40 per cent below 1990 levels by 2020, and individual quantified reduction commitments for those countries. This target applies historical responsibility from 1850 to 2005 for the vast majority of emissions on the part of global North countries (responding to the global North's emissions debt) and is in line with 350ppm science.

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### Where is Canada?

Canada is not even coming close to meeting our Kyoto targets – our emissions are now 29 per cent above the agreed target.

The targets in the Harper government's 2007 *Turning the Corner* plan fall shamefully below what is needed, equating to approximately three per cent below 1990 levels by 2020. The plan also includes intensity based targets that allow overall emissions to grow.

While the Harper government had promised that Canadian negotiators would arrive in Copenhagen with a new climate plan, this plan has not materialized. Instead, the government continues to have discussions behind closed doors with industry and government representatives. Reports are that the plan will likely still include intensity targets for some sectors, which threatens to pit provinces with energy intensive industries – such as Alberta and Saskatchewan – against other provinces. Meanwhile, the Climate Change Accountability Act, Bill C311 which would commit Canada to the midterm target of reducing emissions 25 per cent below 1990 levels, and the long term target of reducing emissions 80 per cent below 1990 levels by 2050, continues to face delays.

### The tar sands: Canada's Mordor

The tar sands are a key reason why Canada has refused to take serious climate action as well as one of the primary reasons Canada has not ratified the UN Declaration on the rights on Indigenous Peoples. Not only are the tar sands the fastest growing source of greenhouse gas emissions (producing approximately five times the amount of GHGs as conventional oil production in Canada), they consume and contaminate large amounts of water, require large tracts of boreal forest to be ripped up and nearby First Nations have raised concerns with unusually high rates of cancer. The tar sands represent the cutting edge of the descent into relying on unconventional fuels – the opposite direction of prioritizing a transition off of fossil fuels.

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## Climate finance for mitigation and adaptation measures

Climate financing is also being discussed at Copenhagen. There are a number of different estimates for what is needed for climate financing. The UNFCCC has estimated that the world needs to spend an additional \$36 billion to \$135 billion US each year by 2030 to address the wider impacts of climate change. Nicholas Stern, author of the influential *Stern Review on the Economics of Climate Change*, now estimates that two per cent of the global gross domestic product (GDP) is needed yearly to avoid the worst effects of climate change. Canada's fair share (based on a Greenhouse Development Rights Framework) has been estimated at three to four per cent of the global total of climate financing, or around \$4 billion a year.

National and international adaptation strategies can benefit from knowledge of community-based adaptation measures and local coping strategies of indigenous peoples communities. Mitigation and adaptation measures should prominently feature participatory planning.

- » **Countries should reject proposals for new and expanded offsetting schemes including plans to introduce forest offsets.**
  
- » **Progress must be made towards replacing offsetting-based funding, including the Clean Development Mechanism, for international mitigation and adaptation efforts, clean technology cooperation and forest conservation, with non-offsetting funding mechanisms.**

### Where's Canada?

Canada's current commitments for finance directed at climate adaptation fall far below what is needed. In October 2008 Canada agreed to contribute \$100 million towards climate change adaptation in the global South. Canada has also contributed some of our countries' official development assistance (ODA) to climate adaptation.

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### Background on "offsets" under the Kyoto Protocol

Financial transfers from the global North to the global South need to be in addition to deep domestic emission reductions and should not include offsets. Offsets emerged under the Kyoto Protocol via two mechanisms – the Clean Development Mechanism (CDM) and Joint Implementation (JI). CDM allows a country with emission reduction (Annex 1) or emission limitation commitments (Annex B parities) to buy credits from global South countries without Kyoto targets that are involved in carbon projects that reduce emissions and promote sustainable development. Under JI, global North countries can carry out joint implementation projects with other global North countries. In both cases, pollution in one country is "offset" by investing in projects meant to reduce emissions in another country.

Projects under CDM include examples such as funding for solar power and energy efficiency projects. Projects also include mega hydroelectric dams, and there are controversial proposals to include Carbon Capture and Storage, nuclear power expansion and forest offsets. Projects can earn saleable certified emission reduction (CER) credits that are equivalent to one ton of CO<sub>2</sub>. The offset buyers – global North country companies, energy and oil transnational corporations and governments – buy credits through carbon markets and use them towards compliance with Kyoto Protocol mandated emission reductions. This is meant to have the twofold goal of reducing the crisis of cutting greenhouse gas emissions in the global North and promoting sustainable development in the global South.

While the CDM runs out in 2012, it is the focus of further negotiations and will be discussed in Copenhagen. It is predicted that the CDM will compose a significant proportion of overall carbon reductions targets up to 2020. For example, CDM offsets are predicted to account for more than half of the EU's emission reduction target of 30 per cent below 1990 levels by 2020.

### The problems with offsets

There is a growing body of evidence that the CDM has failed to meet the goals of reducing emissions and supporting sustainable development in the global South, creating concerns that it is undermining the effectiveness of the Kyoto Protocol. Offsets provide a method for polluters that can afford to pollute to continue with their destructive actions. Polluters also have a greater willingness to invest in high carbon projects if cheap offsets are available. Offsets provide a loophole to avoid the historical responsibility on the part of global North countries to significantly reduce their emissions. There are also serious problems with how the CDM functions. Since carbon offsets are created against a hypothetical business-as-usual scenario

baseline, it is extremely difficult to ensure that the offset credits actually equate to carbon cuts. There is also a pattern in the overestimation of the role of offsets in reducing emissions. For example, major hydro-dam projects in China that have received credits under the CDM are adding additional power to the grid to meet growing electricity demands instead of reducing reliance on coal. David Victor, the head of Stanford University's Energy and Sustainable Development Program, has found that "between a third and two-thirds of CDM offsets do not represent actual emission cuts." Further, despite additionality rules meant to ensure that the CDM project would not have happened without the funds attained from offsets (making these projects additional to other emission reducing actions) there is significant evidence that these rules are not effective. Offset credits are also inequitably distributed. Sixty-one per cent of carbon credits in 2006 went to China alone, only three per cent went to Africa. Significantly, there is also clear evidence that certain projects applying for the CDM are causing serious social and environmental harm and human rights violations in the Global South.

### **Forest offsets**

It is well recognized that stopping deforestation is an important measure in reducing greenhouse gas emissions. Unfortunately, there are proposals to allow the Reducing Emissions from Deforestation in Developing countries (REDD) projects to generate carbon offsets being discussed in Copenhagen. Allowing REDD projects to qualify for carbon offsets will likely drive up the value of forest lands, creating the context for further marginalization of Indigenous Peoples and forest dependent communities rights who rely on access to forest resources. Experiences under REDD initiatives being fast-tracked by the UNREDD Program and the World Bank's Forest Carbon Partnership Facility have seen Indigenous Peoples and local forest-dependent communities' rights undermined, as there is no transfer of rights of carbon ownership to the market. The World Bank and the Kyoto Protocol's definition of a forest allows for the potential of replacing natural forests with plantations. As Friends of the Earth, a global environmental organization describes, "if this definition is used under the CDM, projects could result in the conversion of natural forests to plantations, which store as little as 20 per cent of the carbon that intact natural forests do." Many Indigenous Peoples are concerned about the trend towards market based approaches to forests and biological conservation which does not take into account forests intrinsic value, nor Indigenous Peoples' rights to land, forests and natural resources.

Offsets are ineffective, can worsen existing inequalities, and act as loopholes to avoid domestic emission reduction on the part of the global North. For all of these reasons and more, offsets are not an appropriate tool for reducing emissions, or for helping global South countries transition to low carbon futures. Instead, global North countries must commit to domestic emission reduction targets that are in line with what science says is necessary to address the climate crisis, with emission debt and also contribute a fair share to climate financing.

- » **Climate financing must be controlled and managed in accordance with democratic and equitable principles, including participatory planning through the UNFCCC.**

### **The World Bank and carbon markets: climate action in a precarious state**

Climate financing should not be managed by the World Bank, which is increasingly the case. The World Bank Climate Investment Funds are a poor vehicle for transformative change. The World Bank has clearly demonstrated a lack of commitment to the transition off of fossil fuels, spending, on average, twice as much on perpetuating our fossil fuel addiction than on renewable energy and energy efficiency combined. There are also significant risks in concessional loans associated with Investment Funds perpetuating harmful conditionalities that the World Bank and other international financial institutions have imposed on Global South countries (such as forced deregulation and privatization.) Further, the World Bank and other international financial institutions lack transparency and accountability to the full UN membership.

Relying on carbon markets in part to help reduce emissions and finance a transition to a zero carbon future is fraught with challenges. Carbon markets are where carbon credits (generated in a number of ways including offsets, Emission Trading under the Kyoto Protocol, and cap and trade systems) are traded between states, companies or individuals on exchanges in London, New York, Chicago and through the United Nations. As described by Kevin Smith in *Offsetting Democracy*,

*The concept that underpins the whole system of carbon trading and offsetting is that a ton of carbon here is exactly the same as a ton of carbon there.... But, the seductive simplicity of this concept is based on collapsing a whole series of important considerations, such as land rights, North-South inequalities, local struggles, corporate power and colonial history, into the single question of cost-effectiveness. The mechanisms of emissions trading and offsetting represent a reductionist approach to climate change that negates complex variables in favour of cost-effectiveness.*

Many in the global South people's movement, Indigenous Peoples and the global climate justice movement have criticized carbon markets, arguing that emission rights (created by commodification) have created a new form of property rights over natural resources, goods and services that should instead be seen as commons or public goods.

There is good reason to be skeptical of the market's ability to produce real emission reductions. Market volatility, "gaming" and corporate influence put needed climate action in a precarious state. There are numerous examples of corporate lobbying pressures leading to weakened rights and protections for people and the environment. For example, during the phase of the European Union's Emissions Trading Scheme (ETS), corporate lobbying resulted in the over-allocation of emissions permits to heavy polluters causing the price of carbon to drop, creating a disincentive for industries to lower their emissions at source. It is estimated that the UK's most polluting industries collected upwards of £940m in windfall profits from ETS allocations. Establishing "caps" on emissions is a political process that has proven susceptible to corporate lobbying for weak targets. Corporate lobbyists will be in Copenhagen and will undoubtedly pressure world leaders and negotiators for market solutions because of their vested interests in potential profits from carbon markets. According to Mobilization for Climate Justice West, to date, the UNFCCC meetings have had corporate lobbyists vastly outnumber government representatives and civil society groups – sometimes by a rate as high as 4:1.

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### **North American carbon market: will it be the next bubble to burst?**

In the U.S., the American Clean Energy and Security Act of 2009, also known as the Waxman-Markey House bill and the recent Senate version, the Clean Energy Jobs and American Power Act, are likely to introduce a U.S. cap and trade system by forcing industries to obtain permits for emissions or buy offsets. The Harper government has announced its intentions to participate in a North American cap and trade system with shared targets and common standards (the current approach being to wait and see what legislation passes in the U.S. and then harmonize Canadian policy).

Beyond the concerns of weak targets as a basis for emission caps and implications of greater regulatory integration, Friends of the Earth, U.S., has highlighted the potential for the U.S. based carbon market to repeat the same mistakes underpinning the subprime mortgage crisis generated by questionable loans and a failure of checks and balances on the market. The cap and trade system may face similar challenges if carbon offset credits (which don't always result in actual emission reductions) are tradable on open carbon markets. "As carbon traders develop derivatives products, which are based on promises to deliver carbon credits at a future date for a specified price, a real risk of "subprime carbon" (carbon assets that fail to deliver, called "junk carbon" by traders) emerges. Given the potentially huge size of the carbon trading market, and the increasing complexity of carbon derivatives, the risk of subprime carbon contagion is a real possibility, particularly if the current credit crisis fails to spur fundamental regulation of the financial market."

- » **A fair climate agreement ensures that the rights of all affected peoples, including Indigenous Peoples, are respected and that they are properly included through the UNFCCC negotiation process and in the emerging climate change agreements.**

Indigenous Peoples must be fully recognized and respected in all decision-making processes and activities related to climate change. As described by the Indigenous Environmental Network, a North American indigenous organization that is a member of the UNFCCC International Indigenous Peoples Forum on Climate Change, it is vital that the United Nations Declaration on the Rights of Indigenous Peoples (UN-DRIP) and other human rights and environmental standards are reflected in the UNFCCC. This includes rights to lands, territories, environment and natural resources. References to UN-DRIP must remain and be included in text about adaptation, deforestation and facilitating transfer of clean technologies. When specific programs and projects affect Indigenous lands, territories, environment and natural resources, the right of self determination of Indigenous Peoples must be recognized and respected, emphasizing the right to Free, Prior and Informed Consent, including the right to say “no.”

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### Where is Canada?

Canada has refused to support the United Nations Declaration on the Rights of Indigenous Peoples. Canada has also undermined the recognition of Indigenous rights at climate negotiations. Canada received a “Fossil of the Day” award (awarded by environmental groups that vote for the country judged to have made the worst input to negotiations) in Poznan (2008) for insisting on the removal of a reference to Indigenous peoples’ rights in a deforestation text.

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## Real Solutions Exist

### Building a climate (of) change

Real solutions to the climate crisis recognize and address root causes of fossil fuel dependence, over production, consumption and trade. This is inextricably linked to addressing corporate driven globalization, unsustainable global trade and backwards trade and investment rules. As described in “*Change Trade, not Climate,*” produced by the Our World is not for Sale network, this includes refocusing trade and investment in a number of ways including ending trade and investment negotiations that promote energy intensive industries, removing Intellectual Property Right rules that prevent the transfer of low-carbon technologies to the Global South, and rescinding investor state dispute resolution mechanisms that can be used by corporations to challenge climate policies.

Real solutions are based on democratic accountability, ecological sustainability and social justice. Based on these principles, we can build a better world where communities can thrive with a cleaner environment and improved health – a world with sustainable, more localized economies featuring “green jobs” that can help lift people out of poverty.

**Real solutions beyond the actions identified here for an effective and equitable climate agreement should form the foundation for community, state and international climate action. These include:**

- **Keeping fossil fuels in the ground:** Deep reductions in emissions are incompatible with the expansion of fossil fuel production.
- **Ending fossil fuel subsidies and increasing royalties on fossil fuels:** This action can work as an incentive to transition away from fossil fuels, as well as provide revenues for climate action.
- **Polluter pays principle:** There are a number of innovative proposals to realize the polluter pays principle which includes examples such as progressive carbon taxes, taxing fossil fuel exports, and levies on aviation and marine sectors.

- **The cleanest energy is the energy we don't use:** Conservation and energy efficiency measures hold great potential for both reducing emissions and generating “green jobs.” It is very clear that addressing the climate crisis will require significant changes in consumption and trade.
- **Rapid expansion of renewable energy:** Renewable energy will play a key role in the transition to a zero carbon future and should be democratically governed and include opportunities for community ownership and mechanisms for accountability to local populations.
- **Sustainable transportation:** Investment in mass transit infrastructure and non-fossil fuel based forms of transportation will reduce emissions and provide substantial economic growth and job creation opportunities.
- **Just transition:** There is a need for programs to support workers and communities negatively impacted by the transition off of fossil fuel dependence.
- **Rights-based resource conservation:** Conservation must enforce Indigenous land rights and promote peoples' sovereignty over energy, forests, land and water.
- **Supporting sustainable family farming and fishing, and peoples' food sovereignty:** While big business agriculture and the global food system are major sources of greenhouse gas emissions, small-scale forms of agriculture reduce climate impacts, enhance food security and reduce deforestation.

### **Council of Canadians: on the road to Copenhagen**

The Council of Canadians will be taking action in Copenhagen to demand a strong international climate agreement with deep emission cuts that advances climate justice and calling for real climate solutions.

Actions taken include:

- Monitoring and reporting back on negotiations, with particular emphasis on the role of the Canadian delegation, in blogs, media work and action alerts.
- Maude Barlow will be carrying a Blue Summit banner declaring “Climate justice is water justice! Peoples of Canada demand action” with Andrea Harden-Donahue (Energy Campaigner), Brent Patterson (Campaigns Director) and Anil Naidoo (Blue Planet Project Coordinator) in what promises to be a massive, loud and visible demonstration of the world's will to act on the climate crisis at the December 12th march in Copenhagen – part of the international day of action on climate change.
- Working with members of the global water justice movement in Copenhagen to connect the dots between water and climate justice.
- Working with the Indigenous Environmental Network, the Council of Canadians is supporting George Poitras, a grassroots community leader from tar sands affected First Nations, to attend and speak out in Copenhagen.
- Participating in Klimaforum – the global civil society counterpart of the official UN conference in the Bella Centre – on panels addressing water justice and the tar sands.
- Working with Canadian partners, we will shine the spotlight on our government as a serious roadblock to a global climate agreement.
- Delivery of KYOTOplus petitions.

## Resources:

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Tamra Gilbertson and Oscar Reyes, “Carbon Trading: How it works and why it fails,” Critical Currents, Dag Hammarskjold Foundation, Occasional Paper Series, (No.7 November 2009), [http://www.dhf.uu.se/pdf/ffiler/cc7/cc7\\_web.pdf](http://www.dhf.uu.se/pdf/ffiler/cc7/cc7_web.pdf) >

“Turning the Corner: An action plan to reduce greenhouse gases and air pollution,” ecoACTION, (April 26, 2007), <http://www.ecoaction.gc.ca/turning-virage/index-eng.cfm>>

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