

# 16.05.18

---

## gLAWcal Comment #240

### CAP-AND-TRADE POLICIES AND THE KYOTO PROTOCOL

---

*Based on*

**Marion Lemoine “Carbon Pricing and Trade Prospects. The Clean Development Mechanism from the Perspective of the Developing Countries”**



**gLAWcal**  
Global Law Initiatives for Sustainable Development



**Routledge**  
Taylor & Francis Group

## A gLAWcal comment on Marion Lemoine “Carbon Pricing and Trade Prospects. The Clean Development Mechanism from the Perspective of the Developing Countries” in Paolo Davide Farah and Elena Cima (Eds.) China’s Influence on Non-Trade Concerns in International Economic Law

---

Lemoine’s chapter provides a model by which carbon pricing and trade systems may exist as a result of the Kyoto Protocol. More specifically, the perspective that cap and trade systems may aid in the progress desired by the signatories on the Kyoto Protocol is explored. The tool is named the Clean Development Mechanism (CDM), this is the only way that they are able to involve regulations of greenhouse gases (GHGs). Simply, there is the ability to fix a price on the act of emitting GHGs, and ideally there will be a cap on the amount of these gases. The market for the credits to do so, would in effect allow nations who need to do it to be able to, while those more developed nations are able to sell the credits for a gain. However, there are regionalities to the effectiveness of the CDM projects, with the vast majority of them being on the Asian continent. The Kyoto Protocol defines that CDMs must be able to contribute to the sustainable development for the nation. Lemoine explores this definition and determines that there is not a succinct way to determine if in fact the CDMs are sustainable, and what the contributions may be. Little oversight is present to determine the answer to these questions,

and these distinctions are increasingly necessary.

# CLIMATE & ENVIRONMENT



Cite as: gLAWcal Comment #240 "Cap-and-trade policies and the Kyoto Protocol" (2018) based on Marion Lemoine "Carbon Pricing and Trade Prospects. The Clean Development Mechanism from the Perspective of the Developing Countries", in Paolo Davide Farah & Elena Cima (Editors), *China's Influence on Non-Trade Concerns in International Economic Law*, gLAWcal Book Series, Routledge Publishing (New-York/London), 2016

The gLAWcal comments are insight and short analytical pieces written by the gLAWcal team. The gLAWcal comments are based on, and inspired by, the books and chapters published within one of the [gLAWcal book series](#) published by Routledge Publishing (New York/London).

gLAWcal is an independent non-profit research organization (think tank) that aims at providing a new focus on issues related to economic law, globalization and development, namely the relationship between international economy and trade, with special attention to a number of non-trade-related values and concerns. Through research and policy analysis, gLAWcal sheds a new light on issues such as good governance, human rights, right to water, rights to food, social, economic and cultural rights, labour rights, access to knowledge, public health, social welfare, consumer interests and animal welfare, climate change, energy, environmental protection and sustainable development, product safety, food safety and security.

## OUR MISSION

To collaborate with Government, Civil society and business community to balance the excess of globalization with Non Trade Concerns.

## OUR GOALS

To influence policymakers, to raise awareness over Non Trade Concerns, to encourage stakeholder participation, and to disseminate gLAWcal's publication results.



Email: [research@glawcal.org.uk](mailto:research@glawcal.org.uk)  
Website: [glawcal.org.uk](http://glawcal.org.uk)  
Facebook: [gLAWcal - Global Law Initiatives for Sustainable Development](#)  
Twitter: [@gLAWcal](#)  
LinkedIn: [gLAWcal](#)