

**THE POLICY OF THE UNITED STATES OF AMERICA
CONCERNING CLIMATE CHANGE**

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The climate is changing. The world is warming up. At the beginning, people of the world did not believe it. But by the scientific research, it is now clear that the climate is changing.¹

The United Nations Framework Convention on Climate Change (UNFCCC), 1992 states that “Climate change means a change of climate, which is attributed directly or indirectly to human activity that alters the composition of the global temperature and which is in addition to natural climate variability observed over comparable time periods”.² Once, all climate changes occurred naturally for the amount of different types of gases. However, during the industrial revolution, we started changing our climate and environment by changing agriculture and industrial practices.³ Human activities, particularly the burning of fossil fuels, have increased atmospheric carbon dioxide and other identifiable greenhouse gases.⁴ Greenhouse gases “are vital because they act like a blanket around the Earth. Without this natural blanket, the Earth’s

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¹ In the early 1970s, the International Scientific Community began studying seriously about the climate change, often termed global warming, see, Lanchberry, John and Victor, David (1995), ‘The Role of Science in the Global Climate Negotiations’, *Green Globe Yearbook on International Co-operation on Environment and Development*, Oxford, p. 30. The United Nations also thought about the problem of the world environment and it established an international committee, known as Intergovernmental Panel on Climate Change, comprising of climate scientists of the different countries of the world. The scientists group conducted research all over the world and declared that the temperature of the world is increasing, see, Al-Muti, Abdullah (1996), *An Environmental Crisis is Drawing Near (Poribesher Sankat Ghoniye Asche, in Bangla)*, Dhaka, p. 17.

² Article 1 (2).

³ See, <http://yosemite.gov/oar/globalwarming.nsf/content/emissions.html> (last visited on 02.03.2006).

⁴ Justus, John R. and Fletcher, Susan R., ‘Global Climate Change’, see, http://cnie.org/NLE/CRSreports/Climate/clim-2.cfm;%20%20target=_top (last visited on 04. 01.06). Article 1(5) of the United Nations Framework Convention on Climate Change, 1992, says, greenhouse gases means those gaseous constituents of the atmosphere, both natural and anthropogenic, that absorb and re-emit infrared radiation.

surface would be some 30 degree celsius colder than it is today”.⁵ The problem posed by climate change, put simply, is that it gives threat to become the most serious threat to both the planet and to its inhabitants. It is threat, in the sense that the average temperature of the lower atmosphere, where we live in, is getting warmer.⁶

“The issue of climate change respects no border”.⁷ In other words, the effects of climate change will be felt all over the world. “Its effects cannot be reined in by any army nor advanced by any ideology”. In spite of the worldwide scope of the climate change the United States of America occupies, and should occupy, a central role in the debate over how best to minimize the human contribution to global warming.

Though approximately four per cent people of the world lives in the United States,⁸ it produces about one-fourth of the world’s economic output. Unfortunately, the economic power of the United States has come at a high cost - the United States is the world’s largest emitter of man-made greenhouse gases.⁹ It (the United States) is responsible for about 25 per cent of the world’s production of carbon dioxide,¹⁰ the

⁵ UNFCCC, *Understanding Climate Change: A Beginner’s Guide to the UN Framework Convention and its Kyoto Protocol* (2002), Bonn, p. 6.

⁶ ‘Global Warming, Unnatural Disasters and the World’s Poor’, see, <http://www.christian-aid.org.uk/indepth/0011glob/globwarm.htm> (last visited on 08.03.2006). Some people do not think that climate change is a problem, see, Oge, Margo T. (1998), ‘Vehicles and Climate in a Post-Kyoto World’ available at <http://www.epa.gov/otaq/speeches/mtosae98.htm> (last visited on 09.01.2006).

⁷ ‘President Bush Discusses Global Climate Change’, Press Release, June 11, 2001, see, <http://www.whitehouse.gov/news/releases/2001/06/20010611-2.html> (last visited on 05.01.2006).

⁸ Shah, Anup, ‘Climate Change and Global Warming’, see, <http://www.globalissues.org/EnvIssues/GlobalWarming.asp> (last visited on 05.01.2006). Christian Aid noted that 4.5 per cent of the world’s population lives in the United States, see, Shah, Anup, ‘UN Framework Convention on Climate Change’ available at <http://www.globalissues.org/EnvIssues/GlobalWarming/Convention.asp> (last visited on 08.01.2006).

⁹ Supra note 7.

¹⁰ About 98 per cent of the United States carbon dioxide emissions comes from the burning of coal, oil, and gas, with oil accounting for over 40 per cent, coal 35 per cent, and natural gas 22 per cent of energy-related emissions, see, ‘Oiling the Machine: Fossil Fuel Dollars Funneled into the US Political Process’, Greenpeace Releases, October 20, 1997, available at <http://archive.greenpeace.org/pressreleases/climate/1997oct202.html> (last visited on 07.01.2006).

most prevalent greenhouse gas.¹¹ Though international participation is necessary on the issue of climate change, nevertheless the US should take a leadership role on the issue of climate change, as the world's largest emitter of greenhouse gases.¹²

This paper will assess the position of the US concerning climate change. It will first examine the US climate change policy under the Ronald Regan and George H.W. Bush administrations. It will then examine the policy under the Bill Clinton administration, particularly in connection with the Kyoto Protocol. Finally, it will examine the US policy under George H.W. Bush Administration, especially in connection with the Kyoto Protocol and the proposed Clear Skies Act. The paper will end with some observations on how, given the US attitudes and policy, the international community and the US can best work together to minimize the adverse effects of climate change.

The United States Policy under the Ronald Regan and George H. W. Bush Administrations

The first administrations of the US to examine the issue of climate change were those of Ronald Regan and George H.W. Bush. But none of them adopted a particularly proactive approach. The Regan Administration took part in efforts to develop scientific understanding of the problem.¹³

In spite of the scientific skepticism, during the presidential campaign of 1988 the issue of climate change became important. It is regrettable that though President Bush during the presidential campaign talked about the greenhouse effect, his administration later took skeptical view

¹¹ Harris, Paul G., Ed. (1998), 'Understanding America's Climate Change Policy: Realpolitik, Pluralism, and Ethical Norms', OCEES Research Paper. President Bush said that the United States emits about 20 per cent of the world's man-made greenhouse gas emissions, see, supra note 7. Christian Aid notes that the United States emits 22 per cent of the world's greenhouse gases, see, Shah, Anup, 'UN Framework Convention on Climate Change', supra note 9. Since 1950, the United States has emitted a cumulative total of roughly 50.7 billion tons of carbon, while China (4.6 times more populous) and India (3.5 times more populous) have emitted only 15.7 and 4.2 billion tons respectively, see, Shah, Anup, 'Climate Change and Global Warming', supra note 9.

¹² Supra note 7.

¹³ Supra note 11, p. 18.