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A Possible Way to Join International Climate Change Legal Regime for Taiwan: Analyzing and Comparing with Cases Using the Concept of “Fishing Entities”

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Abstract

To meet the challenges and to face the possible impacts that climate change might cause on humans, the international community passed the United Nations Framework Convention on Climate Change in 1992, attempting to decrease the global temperature. Again, in the Kyoto Protocol signed in 1997, the quantified emission limitation and reduction commitments of the Annex I countries were laid out in Annex B. However, due to the special status of the Republic of China (Taiwan), it could not join any global climate change regulatory regime as a State. On the one hand, it does not have any emission limitation obligations, nor could it utilize mechanisms set up by the global climate change regulatory regime to implement mitigation or adaptation measures, on the other hand. Now, because the status

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and circumstances of Republic of China (Taiwan) has changed, the international community lives in a time in which international law needs to be delicately re-designed for meeting that challenge. It becomes feasible and reasonable to create the legal phrase “Carbon Emission Entity” to enable the Republic of China (Taiwan) to join global climate change regulatory regime.

Keywords: United Nations Framework Convention on Climate Change (UNFCCC), Kyoto Protocol, Fishing Entity, Carbon Emission Entity, Regional Fisheries Management Organizations (RFMOs)