Global warming refers to an average increase in the Earth's temperature, causing changes in climate that lead to a wide range of adverse impacts on plants, wildlife, and humans. There is broad scientific consensus that global warming is caused by the increase in concentrations of greenhouse gases in the atmosphere as a result of human activity. The United States is, by any measure, the world's largest emitter of greenhouse gases, and thus bears the greatest responsibility among nations for causing global warming.

The Inuit, meaning the people in their native Inuktitut, are a linguistic and cultural group descended from the Thule people whose traditional range spans four countries – Chukotka in the Federation of Russia, northern and western Alaska in the United States, northern Canada, and Greenland. While there are local characteristics and differences within the broad ethnic category of Inuit, all Inuit share a common culture characterized by dependence on subsistence harvesting in both the terrestrial and marine environments, sharing of food, travel on snow and ice, a common base of traditional knowledge, and adaptation to similar Arctic conditions. Particularly since the Second World War, the Inuit have adapted their culture to include many western innovations, and have adopted a mixed subsistence- and cash-based economy. Although many Inuit are engaged in wage employment, the Inuit continue to depend heavily on the subsistence harvest for food. Traditional country food is far more nutritious than imported store-bought food. Subsistence harvesting also provides spiritual and cultural affirmation, and is crucial for passing skills, knowledge and values from one generation to the next, thus ensuring cultural continuity and vibrancy.

Like many indigenous peoples, the Inuit are the product of the physical environment in which they live. The Inuit have fine-tuned tools, techniques and knowledge over thousands of years to adapt to the arctic environment. They have developed an intimate relationship with their
surroundings, using their understanding of the arctic environment to develop a complex culture that has enabled them to thrive on scarce resources. The culture, economy and identity of the Inuit as an indigenous people depend upon the ice and snow.

So far, the United States has not ratified the Kyoto Protocol yet. Federal of Russia claims itself as undergoing the process of transaction to a market economy. They do not take specific reduction commitment under the Kyoto Protocol.

Question 1:
Based on your knowledge and understanding, please explain what impacts caused by global warming to the native Inuktitut living in North Pole circle. (20%) You can answer in English or Chinese.

Question 2:
If you represent for Inuit people, what will be your arguments (Please discuss the relationship between human right and climate change from legal perspective) ? (30%) You can answer in English or Chinese.

II.
行政院朱立倫副院長於 2009 年 10 月 12 日，召開第一次跨部會會議，研商我國參與聯合國氣候變化綱要公約(United Nations Framework Convention on Climate Change, UNFCCC)之因應對策，宣示推動我國參與 UNFCCC 之決心，且根據報載，外交部沈呂巡次長在同年 11 月 18 日與媒體餐敘及 12 月 2 日在接受立法院質詢時，均表示我國將以世界衛生大會(World Health Assembly, WHA)觀察員身分，爭取加入 UNFCCC 的官方觀察員身分。

Question 3:
請分別解釋世界衛生組織、氣候變化綱要公約的功能與目的為何。(10%)

Question 4:
請問世界衛生大會之觀察員是否為世界衛生組織之觀察員? 理由何在? (10%)
(法條如下所附, 請參照)
Question 5:

請以國際法之角度評論沈次長在立法院答詢時所陳述之方式是否係我申請成為UNFCCC觀察員之方式？你是否有其它的策略、建議或意見？(30%)

參考法條

WHO Constitution

*Article 3*

Membership in the Organization shall be open to all States.

*Article 4*

Members of the United Nations may become Members of the Organization by signing or otherwise accepting this Constitution in accordance with the provisions of Chapter XIX and in accordance with their constitutional processes.

*Article 5*

The States whose Governments have been invited to send observers to the International Health Conference held in New York, 1946, may become Members by signing or otherwise accepting this Constitution in accordance with the provisions of Chapter XIX and in accordance with their constitutional processes provided that such signature or acceptance shall be completed before the first session of the Health Assembly.

*Article 6*

Subject to the conditions of any agreement between the United Nations and the Organization, approved pursuant to Chapter XVI, States which do not become Members in accordance with Articles 4 and 5 may apply to become Members and shall be admitted as Members when their application has been approved by a simple majority vote of the Health Assembly.
Rule of Procedure of WHA

Rule 10
Notices convening a regular session of the Health Assembly shall be sent by the Director-General not less than sixty days and notices convening a special session not less than thirty days before the date fixed for the opening of the session, to Members and Associate Members, to representatives of the Board and to all participating intergovernmental and non-governmental organizations admitted into relationship with the Organization invited to be represented at the session.
The Director-General may invite States having made application for membership, territories on whose behalf application for associate membership has been made, and States which have signed but not accepted the Constitution to send observers to sessions of the Health Assembly.

UNFCCC
Article 7.6
The United Nations, its specialized agencies and the International Atomic Energy Agency, as well as any State member thereof or observers thereto not Party to the Convention, may be represented at sessions of the Conference of the Parties as observers. Any body or agency, whether national or international, governmental or non-governmental, which is qualified in matters covered by the Convention, and which has informed the secretariat of its wish to be represented at a session of the Conference of the Parties as an observer, may be so admitted unless at least one third of the Parties present object. The admission and participation of observers shall be subject to the rules of procedure adopted by the Conference of the Parties.