The impact of climate change on maritime boundaries in the Pacific

A Pacific Community Side Event

Conference of Parties, Spain, 2-13 December 2019

Title

Assessing the impact of climate change and sea level rise on Pacific islands maritime boundaries

Thematic focus

Providing support to developing countries: means of implementation, replicable tools and approaches.

Theme/short summary

Whilst the settlement of maritime boundaries is an urgent action for Pacific islands, UNCLOS does not provide absolute certainty over ocean space in the face of climate change. Evaluating the legal and social implications of destabilising maritime zones is paramount for Pacific islands countries.

Date and time

10 December – 16:45-18:15 in Room 2 (UNFCCC Official side event)

Lead organiser

The Pacific Community (SPC), Thierry Nervale, Deputy Director Oceans and Maritime [thierryn@spc.int](mailto:thierryn@spc.int)

# Other organisers

# Proposed programme & speakers

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| **Tuesday 10 December 16.45 – 18.15 Room 2 Official UNFCCC side event** | |
| Welcome and introduction (5 min) | Mr. Cameron Diver, Deputy Director General, SPC |
| Keynote address (10 min) | H.E. Mr Aliioaiga Feturi Elisaia, Ambassador/Permanent Representative of the Independent State of Samoa to the United Nations |
| Presentation of Maritime Zones and Climate Change issues in the Pacific islands region (10 min) | Mr. Thierry Nervale, Deputy Director Oceans and Maritime, SPC |
| Panel discussion (30 min): | Dame Meg Taylor, Secretary-General, Pacific Islands Forum Secretariat (PIFS)  Celeste Powell, Australia Department of Foreign Affairs and Trade (DFAT)  Mrs. Nilufer Oral Co-Chair of the International Law Commission (ILC) Study Group on Sea Level Rise in Relation to Law of the Sea |
| Interactive discussions and questions (20 min) | All |
| Wrap-up and closing remarks (10 min) | Ambassador Thomson, UN Secretary-General's Special Envoy for the Ocean |
| Closing (5 min) | Mr. Cameron Diver, Deputy Director General, SPC |

Concept note

The UN Convention on the Law of the Sea (UNCLOS) is the international agreement that establishes a relationship between land and sea. It defines types of natural features and the maritime zones they can generate. As recognised in the Framework for a Pacific Oceanscape (FPO), which Pacific Leaders endorsed in 2010, setting maritime zones under UNCLOS, such as the Exclusive Economic Zones (EEZs), enables Pacific countries to maximise rights over critical resources. One of the FPO’s recommended strategic priority actions is to “fix baselines and maritime boundaries to ensure the impact of climate change and sea -level rise does not result in reduced jurisdiction of Pacific Island Countries and Territories (PICTs)”.

The land and natural maritime features used in the Pacific islands to generate maritime zones often consist of low elevation islands, sand cays, rocks, and their associated reef systems. The permanence of these types of features, and their ability to generate maritime zones are at risk due to climate change. The major hazards, or change drivers, are sea level rise, erosion of land, ocean acidification, extreme events, loss of habitat and decreasing biodiversity. The compounding impacts of these hazards may lead to features disappearing or decreasing in their persistence over time or in the same location.

Whilst the settlement of maritime boundaries is an urgent action for the Pacific islands region, UNCLOS does not provide absolute certainty over ocean space in the face of climate change. Since maritime zones are generated from land features, losses of or changes to those land features may ultimately deflate EEZs. Identifying, analysing and evaluating the natural features that are at risk of destabilising maritime zones, determining legal and social implications and providing risk treatment options, are paramount in the Pacific islands region.

The side event will allow a debate of expert and interactive exchange with the audience on the impact of climate change on maritime boundaries and determine to what extent possible risk treatment options and UNCLOS current provisions would provide some level certainty. The side event outcome will raise issues and risk that would potentially concern other regions in the world.