



## Report of the Secretary-General on Oceans and the Law of the Sea

Submission by the Commonwealth Secretariat | June 2021

### About this Submission

This Submission is prepared by the Commonwealth Secretariat in response to the invitation by the United Nations for contributions to the Report of the Secretary-General on Oceans and the Law of the Sea.

The Secretariat is pleased to provide additional information on its activities and interventions on this issue in keeping with Paragraph 352 of Resolution 75/239, as well as its previous Submission to the Report of the Secretary General on Oceans and the Law of the Sea, and its participation in the Open-ended informal consultative process on Oceans and the Law of the Sea on the theme of ‘sea level rise and its impacts.’

We focus on measures being taken to address relevant environmental, social and economic impacts of sea level rise for low-lying coastal Commonwealth Small Island Developing States (SIDS) and communities in least developed countries. We are keen to highlight the linkages between efforts to combat sea level rise and progress towards the attainment of the 2030 Agenda for Sustainable Development (SDGs) in cross-regional contexts.

We take note of the findings of the Special Report on the Ocean and Cryosphere in a Changing Climate issued by the Intergovernmental Panel on Climate Change (IPCC) in 2019 and highlight initiatives undertaken by our Oceans and Natural Resources, Climate Finance Access Hub and Commonwealth Blue Charter (CBC) teams in Eswatini, Fiji, Guyana, Kiribati, Mauritius, Namibia, Seychelles, Solomon Islands, Tuvalu, Vanuatu, Zambia, and the member countries of the CBC Action Groups. These cross-regional examples serve to illustrate similarities and differences in impacts and adaptation approaches to addressing climate change-induced sea level rise.<sup>1</sup>

### Background

The Commonwealth is a voluntary association of 54 independent and equal countries. It is home to 2.4 billion people and includes both advanced economies and developing countries. Our members work together to boost trade and create prosperity, protect the environment, promote democracy and good governance, amplify the voice of small states, and celebrate diversity.

- 47 Commonwealth countries have a marine coastline and contain about one-third of all marine waters in national jurisdiction;
- 32 of our members are small States;
- 25 of our members are small island developing States, (‘SIDS’), sometimes referred to as ‘Large Ocean States.’
- As indicated in its previous submission, the Commonwealth Secretariat provides technical assistance support to member countries in the development of policies, laws, design of fiscal regimes and strengthening of national institutions as they seek to implement the [Sustainable Development Goals](#).

Strengthened resilience and adaptive capacity to climate-related hazards and natural disasters in all countries is one of the targets of SDG 13.<sup>2</sup> Building on early Commonwealth work in this area, the

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<sup>1</sup> Neither sea-level rise nor its rate has been or is likely to be geographically uniform. (SG Report on Oceans), para 9. See also the Holdgate Report at note 7.

<sup>2</sup> SDG 13, Target 13.1.

Secretariat is engaging in research with Guyana, Kiribati and Tuvalu, 3 SIDS impacted by sea level rise for whom rapid assessments were previously conducted.<sup>3</sup>

These countries present examples of cross regional geographic similarities faced by coastal communities (in the case of Guyana, Kiribati and Tuvalu); biological differences (e.g., coral reefs, tropical forests in Tuvalu and Guyana respectively) as well as types of adaptive responses employed, including hard and soft infrastructure (Guyana and Kiribati). More specifically, some of these examples illustrate the intricate linkages between inland and coastal ecosystems and their relevance to sea level rise.

Guyana's low-lying coastal plain is of critical importance because it concentrates major administrative and economic activities, primarily agriculture and houses essential infrastructure, including power generation, potable water, telecommunications, health and education facilities. The capital city, Georgetown, and other important towns, New Amsterdam, Rose Hall, Corriverton and Anna Regina are all located within the coastal plain where approximately 90% of the population lives, with about one-third residing in the coastal towns. The coastal plain is permanently between 0.5 to 1 metre below sea level at high tide.

As with other developing economies in the region, natural disasters pose a great threat and could contribute to the reversal of economic and social gains at the national and local levels. When the effects of climate-induced sea-level rise are added, these are projected to exacerbate the frequency and magnitude of flooding events.<sup>4</sup> The Intergovernmental Panel on Climate Change (IPCC) projects with high confidence that under all emissions scenarios, extreme sea levels that are historically rare will become common by 2100 with many low-lying cities and small islands at low latitudes experiencing such events annually by 2050. The Panel also estimates with high confidence, that rising sea levels will cause the frequency of extreme sea-level events at most locations to increase. It also estimates with very high confidence, that the frequency, severity and duration of hazards and related impacts caused by sea-level rise will increase.<sup>5</sup>

Some commentators on Guyana estimate a change in return period for high-water levels at coast reducing from 15 years to 1 year, using global, regional, and local estimated sea-level rise projections. This suggests that extreme events which occur every 1 to 2 decades could become annual events. It is projected that fiscal risks emanating from coastal flooding could derail growth and development efforts in agriculture and agro-processing, as these sectors affected by climate related impacts are in coastal locations which places them at risk from flooding. Accordingly, the development of climate-resilient infrastructure, good governance, sustainable coastal zone management, and the implementation of climate-smart policies are key measures to reduce such risks.<sup>6</sup>

These assessments project the likelihood of significant increases in the impact of coastal flooding on human settlements, infrastructure, shoreline erosion and recession, particularly in areas not protected by hard infrastructure such as seawalls. Additionally, there is need to incorporate 'soft infrastructure' ecosystem-based adaptation measures, such as mangrove forests, which are particularly vulnerable due to coastal population density and the impact of human activities.

As previously noted in the 1989 Report of the Commonwealth Group of Experts *Climate Change: Meeting the Challenge* ('the Holdgate Report'),<sup>7</sup> greater climate variability and more extreme events also have costs, with many future problems arising because of the uneven distribution of these costs.

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<sup>3</sup> Climate Change: Meeting the Challenge: Report by a Commonwealth Group of Experts; Rapid assessments were also conducted in Bangladesh, Maldives and Tonga.

<sup>4</sup> Pelling, 1993; Dalrymple, 2006; Hickey and Weis, 2012; Scruggs, 2013)

<sup>5</sup> Intergovernmental Panel on Climate Change (IPCC), IPCC Special Report on the Ocean and Cryosphere in a Changing Climate (2019).

<sup>6</sup> Dalrymple (2021).

<sup>7</sup> <https://thecommonwealth.org/media/news/archive-holdgate-report-climate-change>

The Report posited that poor countries, and poorer groups within countries, have less capacity to adjust, with poor countries being in general, more vulnerable since their economies are more dependent on agriculture and natural resources. Actions required to correct underlying problems of poverty and achieve sustainable development would become even more difficult'.<sup>8</sup>

Commonwealth research is examining these aspects. As one of 12 Pacific countries which contain 84% of the region's indigenous mangroves, Kiribati commenced formal adaptation planning in 1995 after ratifying the UN Framework Convention on Climate Change (UNFCCC).<sup>9</sup> Through a series of adaptation plans (Kiribati Adaptation Programme or KAPs) between 2005-2016, Kiribati identified ten priority areas for adaptation, including inundation and coastal erosion.

The Secretariat's Kiribati research focuses on coastal infrastructure from an ecosystem-based adaptation perspective, more particularly the use of mangrove replanting and mangrove profiles as a means of increasing coastal resilience, climate change adaptation and disaster risk reduction. As with many SIDS, 'soft infrastructure' (as opposed to hard coastal protection measures) are developed with support from donor agencies. This evaluation examines the delivery of these measures at the national/local government level with input from local and international agencies, and it is expected that research outcomes will support recommendations on improving the process of measuring effectiveness of climate change adaptation projects in Kiribati, and to some extent, re-imagining effective climate change adaptation in the region.

SDG 13 target 13.b addresses the promotion of mechanisms for raising capacity for effective climate change-related planning and management in least developed countries and SIDS, including focusing on women, youth and local and marginalized communities.<sup>10</sup> The Secretariat's research on climate change adaptation in Tuvalu spotlights community engagement and the incorporation of traditional knowledge into food security as part of ecosystem-based adaptation. As noted by Grantham et al. 2011, these bottom-up initiatives build on community involvement, and foster increased awareness through community participation.

## Climate Finance Access Hub

Improved access to climate finance through the Commonwealth Climate Finance Access Hub (CCFAH) remains at the heart of support for small and other vulnerable states across the Commonwealth. We have provided support to fifteen (15) Commonwealth countries, with thirteen (13) National Climate Finance Advisers deployed within relevant government departments across the African, Pacific and Caribbean Regions, who support grant applications and the implementation of climate change adaptation and mitigation projects. This targeted support builds human and institutional capacity and furthers cross-regional cooperation and knowledge sharing.

Many Pacific Islands and SIDS in general are in the process of planning and operationalising national adaptation programmes to reduce vulnerabilities to the expected impacts of climate change and variability through the UNFCCC process, with additional support from multilateral and bilateral financial institutions (Sem 2007). Little is known about the extent to which institutional arrangements for managing adaptation ensures coordination between various actors and integrates diverse sources of knowledge. (Vogel, Moser et al. 2007; Heltberg, Jorgensen et al. 2008).<sup>11</sup> Such evaluation is crucial to minimize vulnerability of social and ecological systems, to facilitate learning and adaptive

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<sup>8</sup> Holdgate Report, para 11.

<sup>9</sup> Pacific Island Mangroves in a Changing Climate, UNEP Regional Seas Reports and Studies No 179.

<sup>10</sup> SDG 13 Target 13.b

<sup>11</sup> Vogel, Moser et al. 2007 Linking vulnerability, adaptation, and resilience science to practice: Pathways, players, and partnerships *Global Environmental Change* 17 (2007) 349-364; Heltberg, Rasmus & Siegel, Paul & Jorgensen, Steen. (2008). Addressing Human Vulnerability to Climate Change: Toward a 'No Regrets' Approach. *Global Environmental Change*. 19. 89-99.

management, and as a means of increasing accountability in policymaking, which relies heavily on evidence.<sup>12</sup> (Preston et al., 2010).

The utility of satellite data for calculating baselines and referencing conditions for measuring the direction and rate of change for projects relating to sea-level rise, flooding, land degradation, fisheries, coastal protection, food security, exclusive economic zones (EEZs) and maritime boundary agreements is well known.<sup>13</sup>

However, unless such earth observation (EO) data and information is made accessible and comprehensible for member countries, and there is the capacity to utilise the data to source climate finance for projects and programmes, then most vulnerable nations remain at risk. Without access to quality data, policymakers, decision-makers, project designers and technical support staff in ministries, lack the requisite information for making sound, evidenced-based climate change proposals with concrete justifications to enhance access to climate finance for bankable policies, projects, and actions. Improved use of data can help contribute to turning country priorities and Nationally Determined Contributions (NDCs) commitments into climate finance investment plans and projects, addressing the financing gap where the implementation of many NDCs depends on external financing.

Through the CCFAH, the Secretariat uses the geospatial-based CommonSensing platform to provide technical assistance to Fiji, Solomon Islands and Vanuatu for enhanced access to climate finance.<sup>14</sup> The Platform's consortium comprises international partners including the UK Space Agency, United Nations Institute for Training and Research (UNITAR - UNOSAT), Catapult Satellite Applications, Devex, Met Office, Sensonomic, Spatial Days and the University of Portsmouth. The preliminary baseline evaluation of the CommonSensing project found that, within the project countries, expertise in geospatial and remote sensing data collection and analysis was limited to a small number of people across separate organisations. Furthermore, equipment being used could be obsolete and of insufficient capacity. Notably, the focus remained on accessing and using data for monitoring and decision-making, rather than as a tool to explicitly unlock improved access to climate finance.<sup>15</sup>

In this UN Decade of Ocean Science for Sustainable Development, this support by the CCFAH is most opportune. As at May 2021, the CCFAH has helped member countries to access approximately US\$42.71 million of climate finance for 27 approved projects in 6 countries (14 adaptation, 3 mitigation and 10 cross-cutting projects) with 63 pipeline projects in 8 countries.

In Africa, this support covers Climate Public Expenditure and Institutional Review (CPEIR) to support national planning, identifying and tracking budget allocations that respond to climate change and development of a strategy to enhance private sector engagement in NDC implementation in Eswatini; climate finance mapping and development of a climate finance monitoring, reporting and verification (MRV) toolkit, project information notes and a pipeline of NDC funding project proposals in Zambia; strategic technical assistance to facilitate a coordinated approach on financing around the three Rio Conventions on biodiversity, climate change and desertification, focusing on climate action on land in Namibia; and technical support for strengthening institutional processes and structures for sourcing and utilizing climate finance in Mauritius. The CCFAH is currently assisting Seychelles to access

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<sup>12</sup> Preston et al. (2010).

<sup>13</sup> Satellite imagery is already used for these purposes. Thematic areas identified by a Commonwealth Scientific and Industrial Research Organisation (CSIRO) study on Earth Observation Platform to Support Pacific Island Nations' Environmental, Climate and Livelihood Needs included: disasters (risk management and response), planning (infrastructure, land use), environmental monitoring (oceans, terrestrial, biodiversity, planning), food security (drought, freshwater), and national security (sovereignty, law enforcement).

<sup>14</sup> <https://thecommonwealth.org/sites/default/files/inline/Commonsensing-brochure-2020.pdf>

<sup>15</sup> Commonwealth Secretariat Discussion Paper 27 *Earth Observation Technologies for Improved Access to Climate Finance, The Role of Data and Information* April, 2021.

finance to reduce the impacts of sea-level rise along its low-lying agricultural lands, within a larger effort to build overall climate resilience within its agriculture sector.

## **Other Ongoing initiatives**

### **Law and Climate Change Toolkit**

The Law and Climate Change Toolkit initiative between the UN Climate Change Convention Secretariat, UN Environment, and the Commonwealth Secretariat is a global resource to help countries with legal frameworks necessary for effective domestic implementation of the Paris Agreement and their nationally determined contributions (NDCs). National governments, international organizations, experts assisting countries to implement national climate change laws, as well as academia and research institutions can utilize it for analysing the growing body of climate change-related instruments. It is open access and available once user registration is completed.<sup>16</sup>

### **Youth Policy Capacity Building**

In recognition of the multiplier effect on small states due to climate change and the disproportionate impact of threats posed by COVID-19 such as disruptions to tourism, public welfare and healthcare services, the Secretariat has embarked on the Commonwealth Small States Youth Climate Policy Boot Camp Project with the University of Cambridge. The project combines group systems' design exercises and creative decision-making frameworks to achieve resilience, sustainable development, good governance and responsible innovation by improving critical thinking on complex issues such as climate change. Through this, it is hoped that governments can increase allocations towards improving the lives of youth in small States and incorporating youth perspectives into climate change project proposals.

### **Access to environmental information: promotion of implementation of the Escazú Agreement**

The Secretariat is supporting UNECLAC and the Organisation of Eastern Caribbean States Commission (OECS) in implementation of The Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters, (the 'Escazú Agreement'), which came into force on April 22, 2021. The Agreement seeks to deepen commitment to the exercise of environmental access rights in the Latin American and Caribbean regions, balancing economic activity with environmental and social protection and sustainable development.

### **Commonwealth Blue Charter (CBC) Training Courses**

Warming oceans and ocean acidification are widely recognized as key threats to the long-term survival of coral reefs (Langdon et al., 2018; UNEP/EA.4/18). Projected rates of change are unparalleled and to survive corals will have to adapt faster than in the past (Langdon et al., 2018). Future impacts of climate-related drivers such as ocean warming, ocean acidification, sea-level rise and more intense tropical cyclones and rainfall events will exacerbate the impacts of other non-climate-related drivers

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<sup>16</sup> <https://climatelawtoolkit.org/>

(Hoegh-Guldberg et al. 2014).<sup>17</sup> This points to the need for a joined-up approach, which addresses sea level rise in conjunction with other environmental events, and the social, economic and political circumstances that accompany them.

Mangroves are especially important to low-lying island nations vulnerable to climate change and sea-level rise and maintain important functional links with adjacent coastal habitats.<sup>18</sup> Coastal development and human impacts make mangrove species already adapted to living on the landward margin of mangrove forests particularly vulnerable to sea-level rise if, owing to coastal development, their dispersal and resettlement inland is impeded. Commonwealth Blue Charter (CBC) training courses in coral reef and mangrove mapping for managers and technicians, focus on remote sensing and GIS technologies to help with mapping and monitoring local and regional coral reef ecosystems and mangrove forests.

## Living Lands Charter

Managing the effects and mitigating the impacts of sea level rise is complex across regions and at the country level. The Secretariat notes that the land sector generates about a quarter of net carbon emissions caused by humans, through activities such as logging, raising methane-producing livestock, and unsustainable soil management. These contribute to climate change, with impacts such as extreme weather, drought and floods further degrading soil, forests and wildlife.

Commonwealth leaders are working towards adoption of a ‘Living Lands Charter’, which includes a programme of action on climate change impacts on land incorporating aspects under the three Rio Conventions on biodiversity, climate change and desertification.

## Summary

The pursuit of these ongoing activities against the backdrop of the disparate effects of COVID-19 across the Commonwealth and beyond, affords them greater urgency and relevance. As noted in the Report of the Secretary General, given the potential indirect effects among interconnected social, governance, economic, ecological and physical systems, the impacts of sea-level rise could indirectly impede the achievement of other Goals. Striving to remain on course for attainment of the SDGs will require awareness of these interfaces and sustained cooperation and partnerships at every level. The Commonwealth Secretariat welcomes the efforts of the United Nations on this topic and looks forward to further collaboration in the future.

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<sup>17</sup> Commonwealth Blue Charter Action Group on Coral Reefs, *Coral Reef Protection and Restoration*, 2019.

<sup>18</sup> Commonwealth Blue Charter Action Group on Mangrove Ecosystems and Livelihoods, *Mangrove Restoration*, 2019.