

COP26 of the UNFCCC and the Oceans

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Global oceans are gaining increasing traction as a global agenda in recent years for several reasons. Firstly, directly and indirectly, humanity depends on oceans in various ways for climate and weather, water and food, trade, energy, transport, health, tourism and recreation, culture and identity. Secondly, ocean health is deteriorating rapidly because of increasing pollution both from terrestrial and land sources. Thirdly, the role of oceans in addressing climate change presents an immediate rationale of adding urgency in considering ocean-related issues. Finally, with the increasing impacts of climate change, ocean-related geopolitics and the potential availability of resources are drawing attention among global policymakers.

So, ocean matters are inching forward into the UN Convention on Climate Change (UNFCCC) process. In 2019 the Intergovernmental Panel on Climate Change (IPCC), which provides

science-based inputs into the UNFCCC process, have published a Special Report on Oceans and Cryosphere. The report highlights our dependence on oceans and warns us of its degrading state that results from many different human activities. The report talks of the urgency of reducing greenhouse gas emissions to keep the temperature goal agreed under the Paris Agreement and present elaborate sets of options for adaptation to climate change impacts for a sustainable future for present and future generations.

Though Oceans were not a formal agenda under the Conference of Parties (COP), there was a dialogue on the Ocean and Climate Change and Chair of the Subsidiary Body for Scientific and Technological Advice (SBSTA). The technical arm of the COP presented the summary of the dialogue and invited Parties to consider strengthening adaptation and mitigation actions related to oceans. Also, in paragraphs 60-61 of

the Glasgow Climate Pact (GCP), COP26 invited the relevant work programmes. It constituted bodies under the UNFCCC to consider integrating and strengthening ocean-based actions in their existing mandates and work plans and reporting on these activities within the existing reporting processes. Further, the COP invited the Chair of the SBSTA to hold an annual dialogue, starting at the SBSTA-56 session in June 2022, to strengthen the ocean-based actions and prepare an informal summary report thereon and make it available to the COP at its subsequent session.

In fact, together with COP's recognition of nature and ecosystem-based solutions to climate change, the ocean community could mobilize a stronger voice. This was reflected in the Declaration of the Ocean for Future, endorsed by over 100 civil society organizations, including scientists, companies and international organizations. Besides, more than 20 countries have also committed to the ocean-climate nexus, which have with around twenty countries that have signed the 3rd 'Because the Ocean Declaration'. We know these informal declarations are kind of a pressure in international diplomacy, which bears meaning depending on the stakeholders behind the specific issues.

This mobilization had strong impacts on the UNFCCC Parties, which also resulted in the decision para 21 of the GCP: COP 'emphasizes the importance of protecting, conserving and restoring nature and ecosystems, including forests and other terrestrial and marine ecosystems, to achieve the long-term global goal of the Convention by acting as sinks and reservoirs of greenhouse

gases and protecting biodiversity, while ensuring social and environmental safeguards; This reflects the urge by the UNFCCC community for an integrated approach to managing terrestrial and marine biodiversity sources and sinks under climate change and biodiversity conventions.

We may recall that after arduous negotiations for nine years over the 3rd phase of the ocean law, the UN Convention on Law of the Sea (UNCLOS-III) was signed in December 1982 and subsequently was adopted formally in 1994. Since then, more than 150 states have ratified the Convention. Among the non-ratifier countries, the US stands out as the biggest and most powerful coastal country. The US, particularly its Congress, has some reservations, including its historically-cemented perception that being a Party to any international treaty would compromise its sovereignty and independence of actions. The Trump Administration tightened further those reservations. Hopefully, the Biden Administration will have a positive approach to this issue. This was already evident because the United States joined the High-Level Panel for a Sustainable Ocean Economic in Glasgow.

This renewed interests in ocean matters have geopolitical and strategic reasons from a global perspective. There is no clarity yet on issues of migrating exclusive economic zones (EEZs) or the future legality of huge EEZs of some small island states, likely to face watery death due to current and future sea-level rise.

Next, with snow level ebbing to its lowest in recent decades, particularly at

the North Pole, nations are likely to get into conflicts over the potential availability of natural resources. Some nations look at the prospects of navigation, oil, gas and mineral resources with the melting of ice sheets. This has started generating tensions in the 16-member Arctic Council. As the US did not ratify the UNCLOS, despite efforts by the Obama administration, the US is showing renewed interest in ocean governance, as is evident in its activities at COP26.

Looking back, over the last half a century, a framework of ocean governance has been evolving. Together with the legal framework led by UNCLOS-III, some institutions have also been introduced and adopted, such as the Regional Seas Programme, the International Seabed Authority as custodian of the High Seas, Commission on Limits of the Continental Shelf, International Tribunal for the Law of the Sea, Oceans and Coastal Areas Network, etc.

The means of implementation, such as finance and capacity building at national and global levels, are increasing support. Recently, the UK announced a contribution of £6 million to PROBLUE, a multi-donor fund administered by the World Bank that supports projects related to ocean protection and the blue economy. For example, SDG 14-target 7 relates to increasing economic benefits to small island states and least developed countries. Now, there are intense discussions about the blue economy and the means of its implementation, such as the introduction of the Blue Bond and Debt-for-Climate Swaps. A few years back, Germany established the Blue Action Fund.

We are happy that Bangladesh, as a sea-faring nation, is sharpening its look to the south, to the Bay of Bengal. This has been reflected in the Government plans and policies of recent years. Bangladesh has already reached its maritime delimitation agreements with her neighbors - India and Myanmar. Now she must fortify its EEZ to ensure security and harness the untapped maritime resources, including vast potential ocean fisheries. Also, Bangladesh must be more active in ocean diplomacy through partnerships and networking with ocean-related institutions worldwide, including at the evolving ocean agenda under the UNFCCC.

Finally, several universities have already introduced Oceanography departments to educate the young generation on maritime affairs for capacity building. Bangladesh Navy has its research outfit Bangladesh Institute of Maritime Research and Development (BIMRAD). The Independent University, Bangladesh has established the Center for Bay of Bengal Studies (CBoBS). The International Centre for Climate Change and Development (ICCCAD) at the IUB has entered into a tripartite agreement with BIMRAD and CBoBS to generate knowledge through research for the implementation of academic and field-based projects. With the mobilization of better marine-based research stations equipped with modern technology, Bangladesh must embark on its journey as a blue water nation.

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