

Traversing the Ocean-Climate Divide in International Law and Policy

Oceans, Climate and the 1982 UNCLOS

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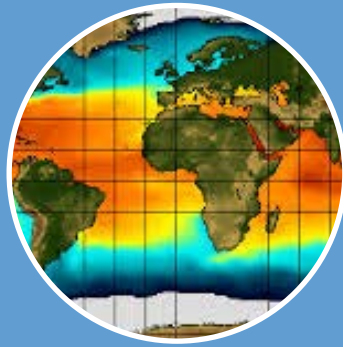
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Climate Change & the Oceans



Acidification



Warming



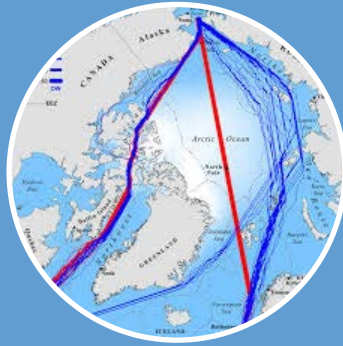
Sea Level
Rise



Climate Change & the Oceans



Oceans as
Saviour



Opening up of
New shipping
Routes

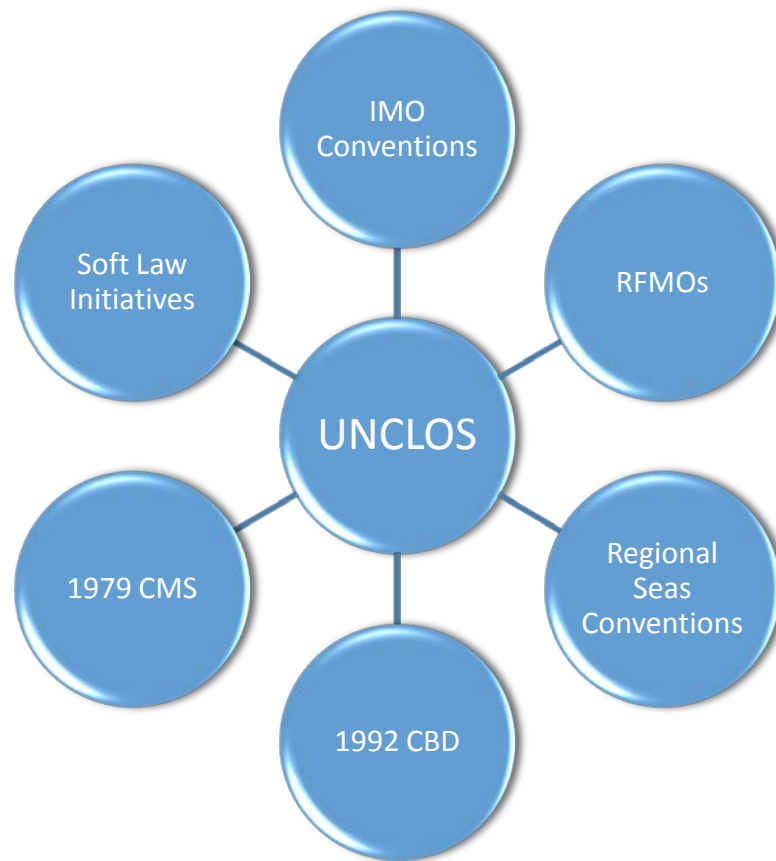


Access to New
Resources



1982 UNCLOS

Framework Convention and Constitution for the Oceans



Oceans/ Climate issues: The Locus of Regulation



Regulated by UNCLOS



Regulated by UNCLOS +
Affiliated Agreement



Regulated Outside of UNCLOS
Framework



Not Regulated

Oceans/ Climate: Regulated by UNCLOS

- Sea level rise and the impact on baselines, maritime zones and maritime boundaries.



Oceans/ Climate Regulated by UNCLOS + Affiliated Agreement

- Environmental consequences of climate change
- Regulation of shipping in the Arctic
- Selected potential climate related uses of the oceans such as CO² sequestration and ocean fertilization.



Outside the UNCLOS Framework

- Emissions of CO² from sources other than ships (leading to warming of the atmosphere/ oceans).
- Article 212 UNCLOS applies to pollution from the atmosphere but other than in relation to ships atmospheric pollution is managed by instruments external to UNCLOS.



Not Yet Regulated

- Ocean Acidification



Oceans/ Climate Governance: A Collaborative Project

- Collaboration and the Creation of Formal Linkages
 - Using precedents set by MEAs such as the Biodiversity Convention and the cluster of chemicals conventions the UNCLOS should develop formal partnership arrangements with MEAs such as UNFCCC, London Protocol and CBD for the purpose of sharing information and the development of joint work programmes and measures to fill gaps (such as in relation to ocean acidification).
- Notably, the April 2014 Co-Chairs' summary of discussions at the *Ad Hoc Open-ended Informal Working Group on BBNJ* emphasised strongly the importance of responding to fragmentation through connection and active cooperation.