

# Introduction of a COP25 Agenda Item to “Facilitate the Coordination of Measures on Oceans, Coastal Zones, and Climate Change”

*Briefing Document May 2019*

*This briefing document provides an overview of possible modalities and benefits associated with the introduction of a COP25 Agenda Item on the coordination of measures on oceans and climate change.<sup>1</sup>*

## 1. REQUESTED ACTION

1. One country (or group of countries) requests that the UNFCCC Secretariat include a **dedicated COP25 agenda item to “Facilitate the Coordination of Measures on Oceans, Coastal Zones, and Climate Change.”**
2. Other countries support this request by sending their own request to the UNFCCC Secretariat for a new oceans and climate change agenda item.
3. The country or countries above develop and submit a UNFCCC miscellaneous document related to the proposed agenda item, on their own or collectively.
4. Countries conduct bilateral and multilateral discussions on the topic at the highest levels of government, to ensure the most ambitious and cooperative agreement is reached in Chile in December.
5. Collectively, all Parties strive to agree on a strong process-oriented COP25 to set up a comprehensive, durable, and ambitious international response to oceans and climate change.

### *Draft Language for the Request*

The request letter should be addressed to UNFCCC Executive Secretary Patricia Espinosa and COP President Carolina Schmidt, on behalf of the nation’s head of state (as possible) and of the UNFCCC focal point.

Example of language:

*On behalf of COUNTRY, we respectfully request an Agenda Item be added to the provisional agenda for COP25 on the subject “Facilitation of Coordination Measures on Oceans, Coastal Zones, and Climate Change.”*

*Our nation has begun to prepare an informal Miscellaneous Document outlining key facts and communicating with other Parties about oceans, coastal zones and climate change.*

*We thank you for communicating our request for a COP25 Oceans, Coastal Zones, and Climate Agenda Item to other Parties in advance of the first provisional agenda.*

*We look forward to working with the UNFCCC Secretariat, the COP25 Presidency, other Parties and stakeholders in the future to ensure there is a Party-driven and transparent discussion on the interface of oceans and climate change, beginning in Chile this year.*

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<sup>1</sup> This briefing note and accompanying effort to work with Parties in introducing a COP25 Agenda Item on oceans is coordinated by the Global Ocean Forum, The Carbon Institute, Scripps Institution of Oceanography, and the ROCA (Roadmap to Oceans and Climate Action). Parties and Observer organizations interested in cooperating with this effort, are invited to contact John-O Niles, Carbon Institute ([john.niles@carboninstitute.org](mailto:john.niles@carboninstitute.org)) or Biliana Cicin-Sain, Global Ocean Forum ([bilianacicin-sain@globaloceans.org](mailto:bilianacicin-sain@globaloceans.org)).

## 2. WHY IS THIS NEEDED?

The ocean plays a central role in regulating the climate system *producing oxygen, storing carbon, and absorbing excess heat*. In turn, changes in the climate have significant impacts on the ocean, including *ocean warming, acidification, deoxygenation, sea level rise, and altered currents and oceanographic conditions*, all of which have accelerated significantly in recent years, and all of which have significant impacts on people and economies.

The wide range of climate change impacts on the oceans demands urgent action and investment to protect marine environments, coastal zones, biodiversity, people and economies. These impacts and their solutions should be addressed at the highest levels of policymaking at the UNFCCC.

There is some ongoing discussion/work in various bodies and processes of the UNFCCC that relates to oceans and climate.<sup>23</sup> However, these are piecemeal actions that do not add up to a whole, and do not correspond to the magnitude and importance of the ocean and climate nexus. The combined impacts of climate change on oceans, coasts, islands, peoples, and economies in 183 coastal and island nations—must be addressed through an integrated perspective addressing, *inter alia*, the issues noted below.<sup>4</sup> Furthermore, we must learn from shortfalls on capacity building and education in the past, and reinvigorate a more sustainable way to create a new generation of professionals who can address oceans and climate change. All of these elements are intertwined and could be addressed together through a COP discussion.<sup>5</sup>

- Recognition of the central role of oceans in climate and the implications of possible changes in this role*
- Accounting for ocean-based mitigation approaches while securing environmental integrity (such as reduction of GHG emissions from ships, renewable energy, blue carbon)*
- Deploying a wide variety of adaptation measures to safeguard people, economies, infrastructure in coastal and island areas, especially based on ecosystem approaches and integrated coastal and ocean management institutions and in collaboration with disaster risk agencies*
- Fostering low carbon blue economies and coordinating with SDG14 activities*
- Addressing the issues of human displacement, with appropriate legal frameworks and financial support*
- Providing adequate financing to support the needed mitigation and adaptation actions*
- Building the capacity and education needed to address the implications of all aspects of the climate and ocean nexus*
- Promoting coordinated Research and Observations: How can nations cooperate more effectively to understand ocean and climate change interactions and their societal implications?*
- Addressing Technology Transfer: What systems can be shared and how can technology be disseminated that can help ocean adaptation and mitigation*
- Encouraging the inclusion of oceans in Nationally Determined Contributions (NDCs), National Adaptation Plans (NAPs) and in Biennial Transparency Reports (BTRs): How can Parties include oceans in their NDCs, NAPs, and BTRs, and integrate these with the Enhanced Transparency Framework of the Paris Agreement?*

A COP25 oceans and climate change agenda item would, for the first time, provide high-level coordination.

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<sup>2</sup> For example, in the Nairobi Work Programme; Warsaw International Mechanism on Loss and Damage; Marrakech Partnership for Global Climate Action.

<sup>3</sup> In this memo, we sometimes do not always spell out “oceans, coastal zones, and climate change”, but rather simply use “oceans and climate change”. This is simply for the purpose of writing more succinctly, coastal zones are key considerations for this topic.

<sup>4</sup> This is an indicative list only.

<sup>5</sup> See, *inter alia*, Roadmap to Oceans and Climate Action 2016-2021 <https://bit.ly/2fUUPrn>; Assessing Progress on Oceans and Climate 2018 <https://bit.ly/2RBnOOA>.

This is a key time for considering the ocean and climate nexus in the UNFCCC. The discussion will build on the 2018 IPCC Special Report on Global Warming of 1.5°C,<sup>6</sup> and on the forthcoming IPCC report on The Ocean and Cryosphere in a Changing Climate (SROCC) (forthcoming in September 2019). The IPCC 1.5°C report is a landmark report with far reaching implications to oceans and coasts. The 1.5°C Report:

--*Demonstrates predicted impacts of climate change are coming much earlier than expected*--we will most likely reach a warming of 1.5°C as early as 2030 and no later than 2052, posing immediate threats to peoples and ecosystems around the world, especially in coastal countries and SIDS. Global emissions of greenhouse gases have to approach zero already in 2050 to avoid the most harmful consequences;

--*Demonstrates there is a marked difference between keeping to a 1.5 °C scenario versus a 2 °C scenario*—under a 1.5°C scenario, very adverse impacts may be avoided—e.g., displacement of millions of people due to sea level rise, increased frequency and intensity of storms, and other seriously adverse effects. Limiting warming to 1.5°C instead of 2°C would reduce the impacts of rising sea levels, lower the likelihood of an ice-free Arctic in summer, and limit coral-reef decline alongside many other negative consequences of increased temperatures.

Concerted consideration of oceans by the UNFCCC may also benefit the UNFCCC process itself. For the most part, oceans have not been a central focus of inventories, reports, contributions, or other elements of the UNFCCC. By bringing oceans to the COP, new partnerships and alliances could form about a topic that is both central to climate stability and survival of communities and countries. The oceans may provide new energy to the UNFCCC, not based on old lines of difference, but along new lines of cooperation.

### 3. RATIONALE FOR THE REQUESTED ACTION

This section describes the *policy* and *legal* rationale for the requested action. The *science* on oceans and climate change will be synthesized by and for the international community in the forthcoming IPCC Report on The Ocean & Cryosphere in a Changing Climate. However, IPCC reports are specifically not policy prescriptive. It would be an enormous opportunity missed if the science on oceans and climate change is synthesized by the IPCC and then an informed policy discussion is not subsequently held.

#### ***Bringing Oceans into the UNFCCC and the Paris Agreement***

Where is the best place to discuss oceans and climate change within the UNFCCC? We believe this answer is best addressed by governments at the level of the Conference of the Parties (COP).

The COP is the supreme body to facilitate decisions, cooperation, and action under the UNFCCC. A COP25 discussion and decision allows Parties to decide where and how best to address the oceans and climate change nexus in the context of the UNFCCC. This gives nations the opportunity to collectively put all ideas for climate change and oceans into ***one organized system***.

The UNFCCC process is a system of interrelated bodies, including the bureau, the CMA and CMP (governing bodies of the Paris Agreement and the Kyoto Protocol), constituted bodies, subsidiary bodies, and funds and financial entities. Depending on the outcome of discussions, COP25 may decide that ocean and climate change discussions and negotiations should be delegated to various bodies. But the COP needs to ensure any such discussions are coordinated. COP, as the supreme body to the Convention, is the most logical entity to coordinate this important work. Thus, a COP should begin any process and conclude any process on oceans and climate change.

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<sup>6</sup> IPCC. (2018). *Global Warming of 1.5°C*, Special Report of the Working Group I Technical Support Unit, Intergovernmental Panel on Climate Change [Core Writing Team, R.K. Pachauri and L.A. Meyer (eds.)]. IPCC, Geneva, Switzerland, 55 p.

***Given that COP is Governed by the Convention, What is the Relevant Language to this Requested Action?***  
The legal basis to have COP25 discuss a dedicated agenda item on oceans and climate change is warranted by UNFCCC Articles on the Objective, Commitments, COP itself, and other articles. Some initial thoughts are offered below.<sup>7</sup>

For meeting the **objectives** of the UNFCCC, a COP decision on oceans and climate change is needed. Such a COP decision will assist in meeting the objectives of the Convention, “*to achieve stabilization of greenhouse gas concentrations in the atmosphere...within a timeframe that allows ecosystems to adapt naturally to climate change.*” As the ocean is the largest ecosystem on Earth and oceans drive the climate system, the UNFCCC should include oceans in its actual work, given the importance of ecosystems to the objective.

A COP decision on oceans, coastal zones and climate change can help Parties meet their **commitments** under Article 4 of the UNFCCC. Language here includes direct language that may be useful: “*All Parties...shall promote sustainable management, and promote cooperation in the conservation and enhancements ...of sinks and reservoirs of all greenhouse gases, ...including coastal and marine ecosystems.*” This is the most direct linkage to oceans under commitments. Other UNFCCC commitments are also germane to climate change and oceans including: National greenhouse gas inventories, national and regional programs to mitigate climate change, the development application and diffusion on technologies, adaptation, promoting cooperation, education and training, communications by Parties to the COP, and the exchange of relevant scientific, technological, and other information.

Under the Convention Article 7, the **Conference of the Parties** “*shall facilitate, at the request of two or more Parties, the coordination of measures adopted by them to address climate change and its effects.*” This language is important since it *requires* the COP to facilitate coordination of measures, whereas any request for an agenda item is subject to negotiations on whether and how a proposed agenda item moves forward.

#### **4. POSSIBLE MODALITIES FOR THE REQUESTED ACTION**

The following modalities and Q&As may be helpful to Parties examining the process.

##### ***What Language Should be Included in the Request?***

We suggest that language in any country letter to the UNFCCC Secretariat include a clear request for “*a dedicated agenda item to facilitate the coordination of measures on oceans, coastal zones, and climate change*” for COP25. This specific language achieves two things: 1) the request makes clear the country wants a new dedicated COP25 agenda item added to the provisional agenda, even if only one country makes such a request, and 2) in the event that two or more countries make a request, the language to “*facilitate the coordination of measures*” language also will invoke Article 2(7) of the Convention. This will require the COP to provide such facilitation even in the event an agenda item is proposed and not accepted or deferred (see below).

##### ***Timing? When?***

The request should be done as soon as possible, to allow for proper coordination and discussions. **Any letter to the UNFCCC Secretariat must be done at least six weeks prior to a COP**, the deadline for when the Secretariat must send a provisional COP agenda and accompanying materials to Parties. Since the Secretariat *can* send such provisional agenda sooner than six weeks before any COP, we suggest no later than early September 2019.

We suggest at least one country make the request as soon as possible. This will then begin the discussion about *what* COP25 can do for oceans and climate change, rather than *whether* COP25 should do something for climate change and the ocean.

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<sup>7</sup> This is not exhaustive, only indicative of important language in the UNFCCC for oceans and climate change.

### ***Who in Any Country Should Submit the Request for an Agenda Item to the Secretariat?***

Any request for agenda item or submission of a miscellaneous document should come from the UNFCCC Focal Points.<sup>8</sup> We also suggest including Heads of State or other high-ranking officials in any such letters to demonstrate the highest level of political support for this process.

### ***One Country Requesting a COP25 Agenda Item or Many?***

All it takes is one country to request a new COP agenda item and then COP must add that item to the provisional COP agenda. More than one country may make such a request, either on its own or together. The more countries making the request, the stronger chance the agenda item will be adopted and fully deliberated.

Once a single country makes this request, it may wish to coordinate with other interested Parties. Such coordination (before COP25) would be highly beneficial, and could be done by the President, the Executive Secretary, or other less formal systems (such as the UNFCCC Friends of the Oceans group).

### ***What About the Miscellaneous Document?***

Miscellaneous documents are an option for governments to provide their thinking, reasons, national circumstances, and other matters to be considered by other nations. As such, they are valuable tools in the UNFCCC process. To build support and to orient discussions for any proposed agenda item, countries can submit a miscellaneous document to the UNFCCC at any time. We suggest that any such miscellaneous document be clearly linked to the proposed agenda item when it is communicated. **Miscellaneous documents should also be sent to the UNFCCC Secretariat no less than six weeks before the start of any COP.**

We suggest that any miscellaneous document not be overly prescriptive about the expected outcomes of the agenda item. Rather, the document should instead focus on the big picture: The importance for COP25 to address oceans and climate change as a dedicated agenda item, and ideas for how the UNFCCC oceans and climate change process could unfold.

## **5. POSSIBLE EVOLUTION OF THE PROCESS AT COP25 AND BEYOND**

### ***Possible Pathways for a COP25 Agenda Item on Oceans and Climate and Actions Beyond COP25***

A COP25 oceans and climate change decision will likely be procedural. That is, rather than prescribe substantive ocean-climate change outcomes, any decision would likely lay out a process for how the UNFCCC (and its bodies) can help address oceans and climate change.

Schematically, a COP25 decision on oceans and climate change could look like this:

**COP25 → Submissions → Workshop(s) → Other Bodies → COP27**

Under this process, Parties and Observers could submit their views on oceans and climate change, within the context of the UNFCCC and the Paris Agreement. Guidance from the COP about the submissions could help orient subsequent submissions by Parties, and could be synthesized by the Secretariat by a certain date.

The Conference of the Parties when adopting the COP25 agenda may decide to “add, delete, defer, or amend items (rule 13).” In practice, this means that any Party wishing to see a proposed agenda item advance to full discussions at a COP should work to build support for the topic before and during the COP.

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<sup>8</sup> <https://unfccc.int/process/parties-non-party-stakeholders/parties/national-focal-point>

Following submissions by Parties and Observers, workshops on the topic (taking into account the submissions) could then be scheduled, with involvement of civil society. Countries in a position to do so should be willing to pledge and provide funds for such workshops, and make such pledge during COP25. Any new workshop on oceans and climate change is likely to be beyond what the Secretariat has already budgeted for the coming year(s). As such, there would likely be some efforts at COP25, if a workshop were requested, to identify a new donor willing to fund a workshop(s).

Whether the process would then go to other bodies (i.e. SBSTA, SBI) is an open question for the COP discussion.

## **6. LESSONS FROM REDD+**

Thinking about the possible evolution of the issue within the UNFCCC, it is worth reflecting on the origins of what is now known as REDD+ (reducing emissions from deforestation and forest degradation). The original request by Papua New Guinea (submitted before the provisional agenda had been published) to add an agenda item to COP11 was made, and the Secretariat communicated this in the COP11 provisional agenda. Papua New Guinea and several others (including Costa Rica and nine more) then developed and endorsed a miscellaneous document<sup>9</sup> to accompany the agenda item. Then, COP11 met and discussed the topic and considered the accompanying miscellaneous document. COP11 then adopted a process on (what is now) REDD+.<sup>10</sup> This process included, first and foremost, actually making tropical deforestation an agenda item of COP11. From there, the initial REDD+ process largely (though not only) was assigned to SBSTA, after a call for submissions, and a workshop. This led to many subsequent decisions throughout and alongside the UNFCCC process. It all began, however, with one country requesting an agenda item that was long overdue.

## **7. MIGHT THERE BE ANY DOWNSIDES FROM THIS REQUESTED ACTION?**

Conceivably, there may be downsides to bringing oceans to COP25. The main arguments to avoid including oceans as a COP25 agenda item include: 1) the timing is not right, 2) including oceans in the UNFCCC process will be too complicated, and 3) other legal and political processes are better equipped to tackle this issue.

### ***Is the Timing Right?***

With the 1.5°C IPCC report last year on the magnitude of the challenge to stay below 1.5°C and the pending IPCC report on The Ocean & Cryosphere in a Changing Climate (SROCC), this is the time to accelerate ambition of the UNFCCC by bringing oceans into the UNFCCC process, which has, for the most part, ignored oceans.

Even though there is still unfinished work on the remaining elements of the Paris Rulebook, financing, and a host of topics, nations must begin to address oceans and climate change. The current lack of coordination and high-level political dialogue on oceans in the UNFCCC means impacts sustained by ocean nations and possible ocean climate change solutions are not receiving appropriate representation within the UNFCCC process.

There is already some significant momentum on the ocean, coastal zones and climate nexus under the UNFCCC process. The Ocean Pathway, announced by the Fiji Presidency at COP23, with the support of Sweden and a wide range of civil society groups and UN agencies,<sup>11</sup> brought new focus to ocean and climate issues with targeted workshops and meetings of a new “UNFCCC Friends of the Ocean” group. Similarly, through the first

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<sup>9</sup> <https://unfccc.int/documents/4046#beg>

<sup>10</sup> FCCC/CP/2005/5, see agenda item #6.

<sup>11</sup> Inter alia, Global Ocean Forum; Oceano Azul Foundation, Portugal; Ocean Policy Research Institute, Sasakawa Peace Foundation; Roadmap to Oceans and Climate Action; IUCN; FAO; IOC of UNESCO; Ocean Conservancy; Ocean and Climate Platform; Varda Group; others.

and second “Because the Ocean” Declarations, multiple Parties have raised the importance of ocean issues in appropriately addressing climate mitigation and adaptation. Despite the obvious momentum, what is still missing is central coordination at the level of the COP.

Furthermore, the COP25 host country, Chile, is well known as an international ocean champion, and has exhibited leadership on this issue both within the UNFCCC and through other means such as the organization of the Our Ocean conference in Chile. COP25 also comes just before the beginning of the new UN Decade on Ocean Science for Sustainable Development. This suggests that COP25 would be an especially effective time to bring an oceans and climate agenda item to the COP agenda.

### ***Won't This Make an Already Complex UNFCCC Process Even More Complex?***

On complexity of a new topic under the Convention, this is a concern. Especially for small delegations, it is hard to manage the pre-existing complexity of any COP. However, the COP process has been built to address the most intersectoral and complex global challenges through consensus, transparent communication, and Party-driven, bottom-up input.

Ocean solutions are an integral part of both climate change adaptation and mitigation, but they need to be approached through international partnerships by the very nature of how oceans fall within and outside national jurisdictions. Given ample time to prepare for such discussions, we believe that COPs are the venues best suited to addressing complex and cross-sectional issues, including the ocean-climate change interface.

### ***Are There Other Legal And Political Processes Better Equipped to Tackle This Topic?***

Other legal and policy systems address oceans. However, none have the UNFCCC's mandate or capacity to tackle climate change, and thus coordinate action on oceans and climate. Coordination between the UNFCCC and other ocean policy processes (e.g. SDG14, UNCLOS, BBNJ negotiations) is critical to avoid redundancies and maximize synergies. If nations feel other policy processes are the best place for dedicated ocean and climate change action, then that decision can be made during a COP discussion.

We believe the timing could not be better to bring oceans to the COP agenda. With the forthcoming report on oceans and the cryosphere by the IPCC, the issue will be elevated higher than at any time in the past or likely future. Given that the report is to be released several months before COP25, delegations and civil society should have ample time to digest the forthcoming report, consider its implications, and work collectively to define a realistic and ambitious global response under the UNFCCC. With proper support, the concerns about additional complexity and other legal processes can be managed.

## **8. CONCLUSIONS**

If UNFCCC Parties are to limit climate change to 1.5°C, oceans and coastal zones must be part of the solution.

The IPCC and the UNFCCC collaboration represents one of humankind's most outstanding examples of long-term international cooperation. The UNFCCC and its offspring (the Kyoto Protocol and the Paris Agreement) provide a beacon of hope for international partnership for climate action. Year in and year out, the UNFCCC process reaches more consensus decisions than any other parallel process in the world.

No one person, Party, group or initiative can tackle the enormous challenge of climate change and the oceans. For oceans and climate change, the world has an opportunity to learn from earlier efforts, improve on them, and create new urgently needed solutions. This will require additional support from governments, the private sector, and philanthropy. A concerted international response commensurate to the magnitude of the ocean and climate change challenge is essential. An ocean and climate change COP25 agenda item will ensure all ideas from all nations and civil society are organized under one framework. And that framework should be the UNFCCC.