IUCN Policy Brief on Sea Level Rise

High-level meeting of the General Assembly on addressing the existential threats posed by sea level rise, and its follow up process.

New York City, USA – 25 September 2024

Background

The President of the General Assembly H.E. Mr. Dennis Francis organized an informal plenary on sea level rise in October 2023 and following that initiated the process of having a **high-level plenary meeting on addressing the existential threats posed by sea-level rise** in September 2024. Member states agreed on the modalities of the meeting which will take place on the 25th September 2024 and consist of a plenary debate and four interactive dialogues on the topics: (i) Knowledge, data and science to inform sea level rise risk assessments and decision-making"; (ii) Adaptation, finance and resilience in relation to sea level rise; (iii) Livelihoods, socioeconomic challenges and culture and heritage in relation to sea level rise; (iv) Sea level rise and its legal dimensions. In addition, the resolution requests for the Secretary-General to produce a summary report of the meeting.

The International Union for Conservation of Nature (IUCN), in accordance with its objective to influence, encourage and assist societies throughout the world to conserve the integrity and diversity of nature and to ensure that any use of natural resources is equitable and ecologically sustainable, is gravely concerned about the implications of **sea level rise and other impacts of climate change for people and the planet**; **and notes with alarm the increase in the rate of sea level rise and its multiple impacts. It is imperative for the international community to take decisive action.**

The Intergovernmental Panel on Climate Change (IPCC) 6th Assessment Report and the Special Report on the Ocean and Cryosphere, chapter 4, unequivocally outline the impact that climate change will have on sea level rise. The IPCC warns that "over the next 2000 years, global mean sea level will rise by about 2–3m if warming is limited to 1.5°C and 2–6m if limited to 2°C". For the period 2081–2100, the IPCC projects global mean sea level to increase by between 0.26 and 0.55 m for a low emission scenario, and between 0.45 and 0.82 m for a high emission scenario. According to the IPCC, "**sea level rise is unavoidable for centuries to millennia due to continuing deep ocean warming and ice sheet melt, and sea levels will remain elevated for thousands of years**". (IPCC, AR6, SYN, SPM, B.3.)

Sea level rise is likely to become one of the major impacts of climate change on the terrestrial and marine environment and human populations over the coming centuries, including by coastal erosion, saltwater intrusion in freshwater aquifers, and terrestrial and marine habitat destruction with adverse effects on ecosystems and species. Rising temperatures also affect vegetation and reef-building species such as corals and mangroves, which protect coastlines from erosion and sea-level rise. Other impacts include the de-salination of ocean waters and consequential elevation and re-routing of deep ocean conveyor belt currents, ocean acidification, the intensification and spread of coral reef bleaching, and range changes of marine species.

The relocation of large numbers of people in several coastal and island communities is already occurring and is expected to increase. In addition to sea level rise, coastal communities and habitats are threatened by the related hazards of intensifying tropical storms and storm surges due to climate change.

IUCN further expresses its concerns about the potential impacts of sea level rise on maritime entitlements, human rights, human mobility and the very existence of states.

Sea Level Rise and current international legal processes

Currently, questions of international law with respect to climate change are being elaborated at the highest juridical level in the UN system.

In March 2023, the UN General Assembly requested of the International Court of Justice (ICJ) an advisory opinion on states' obligations in respect of climate change. Public hearings on the request for an advisory opinion are scheduled to start on December 2, 2024. The ICJ authorized the IUCN as one of 13 organizations to participate in these advisory proceedings. The IUCN submitted its written statements in April and August this year.

Two further advisory proceedings on climate change are conducted at the International Tribunal for the Law of the Sea (ITLOS), requested by the Commission on Small Island States on Climate Change and International Law (COSIS), and at the Inter-American Court of Human Rights (IACtHR), requested by Colombia and Chile. The IUCN submitted written statements to both, ITLOS and the IACtHR, and participated in both oral proceedings.

In the written statement of the IUCN World Commission on Environmental Law to ITLOS, IUCN noted that, under the United Nations Convention of the Law of the Sea (UNCLOS), States have a duty to protect and preserve the marine environment and that specific obligations with respect to pollution require that States base the measures they take on appropriate scientific criteria and international standards. IUCN called for warming to be limited to 1.5°C by rapid, deep, and immediate GHG emission reductions in all sectors, reaching net-zero emissions by 2050.

In its advisory opinion of 21 May 2024, ITLOS clarified that anthropogenic greenhouse gas emissions are pollution of the marine environment and that UNCLOS States Parties have the obligation to prevent, reduce and control such pollution by taking all necessary measures with stringent due diligence. The Tribunal also discussed sea level rise as an important climate change impact and referred to IPCC statements that it will exacerbate coastal hazards and stress coastal ecosystems that already suffer non-climatic pressures from human activities on ocean and land. It called particular attention to the obligation to protect and preserve rare or fragile ecosystems, and to maintain ecosystem health and the natural balance of the marine environment as well as to the duty to restore degraded ecosystems. The Tribunal found that UNCLOS requires States Parties to take conservation measures for the marine environment, including adaptation and resilience-building.

IUCN priorities for the High-Level Meeting on Sea Level Rise

1. Climate change mitigation and adaptation

- IUCN is gravely concerned about the implications of ocean warming, acidification resulting from carbon dioxide emissions, sea level rise and other impacts of climate change on nature and for the billions of people reliant on the ocean for food and livelihoods; We further note with concern, that the accelerating deep ocean warming and melting of polar ice sheets and glaciers will increase sea level rise and other ocean impacts.
- IUCN therefore stresses that states have an obligation to urgently address the core cause of climate change and sea level rise by taking ambitious action to reduce GHG emissions.
- We call on all member states to commit to Nationally Determined Contributions (NDCs) under the Paris Agreement at the level of their highest possible ambition to hold temperature increases to well below 2.0°C and pursuing efforts to holding increases to 1.5°C, recognising the impact of deep sea warming and ice sheet and glacier melting on sea level rise and of carbon dioxide on ocean acidification. We also strongly encourage to continue including ocean protection as a priority topic in the global climate change dialogue and the Global Climate Action Agenda. IUCN urges all States Parties to the Paris Agreement to actively prepare and communicate new and ambitious 1.5°C-aligned NDCs at the latest by 10 February 2025[1], noting that these will be the most consequential climate policy documents produced so far this century.
- IUCN reiterates the urgency of accelerating action in this decade to transform the world's energy sector, including through tripling renewable energy capacity globally, transitioning away from fossil fuels in energy systems, in a just, orderly and equitable manner, phasing

out fossil fuel subsidies, and accelerating efforts towards net zero emission energy systems by around mid-century, as agreed to in the 2023 global stocktake decision.

- IUCN calls for a greater proportion of climate financing to flow towards high-integrity Nature-based Solutions for adaptation and mitigation, and, particularly, for increased direct access funding and financing for Indigenous Peoples and local communities, who are presently custodians and stewards of the world's most intact ecosystems.
- In addition, and separate from the Paris Agreement, member States have the legal obligation under UNCLOS to take all necessary measures with a stringent degree of due diligence to prevent, reduce and control pollution of the marine environment by anthropogenic greenhouse gas emissions from all sources, whether land-based, vessel-based or atmospheric.
- Furthermore, IUCN stresses that States have a legal obligation under UNCLOS and under customary international law to conduct environmental impact assessments, including cumulative impacts on species and ecosystems, to address marine pollution from anthropogenic GHG emissions.

2. Protection and preservation of the marine environment

- Under UNCLOS, States Parties have an obligation to take climate change mitigation and adaptation measures in order to protect and preserve the marine environment, including marine biodiversity.
- IUCN calls on member states to effectively implement those obligations **by promoting Nature-based Solutions to climate change through protected areas and other area-based management tools and conserving and restoring marine ecosystems.** This includes the protection, preservation and restoration of coral reefs and blue carbon ecosystems such as mangroves, salt marshes, seagrass beds, and the ocean twilight zone, **recognising their multiple benefits for climate adaptation, mitigation including through carbon sequestration as well as habitat protection.**
- **IUCN further calls on member States, who have not already done so, to ratify and implement the Biodiversity Beyond National Jurisdiction (BBNJ) Agreement**.
- **IUCN further urges urban and infrastructure development and agriculture authorities**, as well as the private sector, to adequately consider the provision of ecosystem services by mangroves, **to systematically consider climate projections for sea-level rise with a view to allowing ecosystems to migrate inland, to adopt ecosystem-based solutions** and ridge-to-reef approaches that consider upstream impacts on mangroves, saltmarshes, and to ensure sustainable use of wetlands.
- **Using area-based management tools such as marine protected areas can reduce climate change impacts on species and ecosystems.**
- **IUCN also emphasizes the obligation to take special measures to protect fragile marine ecosystems and the habitats of depleted, threatened or endangered species.**

3. Protection of the human rights of those affected by sea-level rise in particular those living in SIDS, low-lying developing countries and other particularly vulnerable countries.

- SIDS and low-lying developing countries need to be supported to improve climate resiliency efforts and to address common threats such as sea level rise, ocean acidification, pollution, displacement of Indigenous culture, loss of biodiversity, overfishing, and natural disasters.
- Strategies to protect coastal communities and resources from coastal hazards and sea level rise can have an impact on the ecosystem services on which coastal communities depend, thereby potentially increasing social and economic vulnerability. The design and implementation of sustainable and nature-sensitive strategies aimed to mitigate the impact of sea level rise should include the full and equal participation of coastal communities.

4. **Addressing the further legal dimensions of Sea Level Rise**
    - Multilateral agreements, customary international law, the guidance of international judicial bodies, and national laws provide ready tools for cooperation, capacity building and planning that address the cause of and support adaptation to sea level rise. The effective implementation of existing agreements should therefore be accelerated.
    - In accordance with international law, States are required to take measures to address the adverse impacts of climate change, including sea-level rise, to marine living resources. Such measures must embody a precautionary approach as well as an ecosystem approach.
    - In complying with their duties to protect and preserve the marine environment from the impacts of climate change, States' obligations are further shaped by other norms flowing from general international law. An important obligation, in this regard, is the responsibility to prevent significant environmental damage to the territory of other states or to areas beyond national jurisdiction, such as the high seas.
    - The environmental rule of law and robust institutions are essential to respond to increasing environmental pressures that threaten the ecological integrity of the Earth, including sea-level rise, in a way that respects fundamental rights and principles of justice and fairness. States, sub-national governments, regional integration organisations and other relevant international organisations, legislators, civil society, and the private sector are therefore urged to contribute to the building, maintenance, and promotion of the environmental rule of law.

Relevant IUCN Resolutions

- 7.032 Ocean impacts of climate change
- 7.078 Conservation, restoration and sustainable management of mangrove ecosystems
- 7.114 Integrated solutions to the climate change and biodiversity crises
- 7.013 Supporting the Lower Mekong Basin countries with the transboundary management of water resources, ecosystems and biodiversity
- 6.057 Take greater account of the ocean in the climate regime
- 6.097 Pacific region climate resilience action plan
- 6.107 Integration of nature-based solutions into strategies to combat climate change
- 5.168 Conserving coastal ecosystems to reduce risks in coastal areas in Africa
- 5.059 The importance of adaptation and disaster risk reduction in coastal areas
- 4.129 Strengthening the integrated management of coastal areas

IUCN Publications

- Ocean and Climate Change - Issue Brief
- Ocean warming - Issue Brief

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