

**Contribution of the Republic of Indonesia to
the Report on the Topic of “Sea-level Rise and its impacts” for
the 2020 United Nations Open-Ended Informal Consultative Process on
Oceans and the Law of the Sea**

With reference to the Note from the Office of Legal Affairs of the United Nations LOS/SGR/2020/1/ST dated 16 December 2019 regarding the invitation for States to submit views towards the theme “Sea-level Rise and its impacts”, the Republic of Indonesia submits the following views:

Indonesia welcomes the United Nations General Assembly Resolution 74/19 and further applauds the efforts of the Informal Consultative Process in enhancing awareness and engagement amongst stakeholders on the current state of opportunities and vulnerabilities of the oceans.

Indonesia acknowledges that the oceans are one of the key elements of the global system. They are a fundamental yet delicate part of the Earth’s biosphere and essential to sustaining life on the planet. One of the impacts from climate change is sea-level rise that threatens among others the lives of the people in coastal regions and maritime delimitation.

Climate change is placing increasing pressure on coastal regions of archipelagic and Island States which are already seriously affected by intensive human activity. This raises the question of whether – or to what extent – these areas will retain their residential and economic value in the decades and centuries to come, or whether they may instead pose a threat to the human race. Also, it will impact the coastal ecosystems and habitats such as mangroves, coral reefs, seagrass meadows and salt marshes that provide the livelihood of coastal communities in many places, especially in archipelagic and island States.

More than a billion people – most of them in Asia Pacific – live in coastal regions. Approximately more than 200 million people worldwide live along coastlines less than 5 meters above sea level. In Europe an estimated 13 million people would be threatened by a sea-level rise of 1 meter. One of the implications would be high costs for coastal protection measures. In extreme cases relocation may be the only solution, especially for low-lying States. A total of a billion people worldwide now lives within 20 meters of mean sea level on land measuring about 8 million square kilometers.

Most of archipelagic and island States, especially low-lying States, are highly vulnerable to the impacts of climate change especially the risks associated with rising ambient temperatures and sea levels. If current predictions of sea level rise are realized, some States will become completely submerged. The resulting deterritorialization will likely mean, among other things, a total loss of baselines and of the maritime zones generated by coastal territory and measured from those baselines.

Indonesia's Initiative

Indonesia took note that there are several international foundations for cooperation to address climate change and its impacts such as United Nation Framework Convention on Climate Change and UN Resolution on Oceans and the Law of the Sea.

However, Indonesia is of the view that there is a need to form another specific cooperation. Archipelagic and island States should develop cooperation among each other comprehensively to leverage the true importance to address negative impact of climate change and sea level rise. Archipelagic and island States will not be able to handle those challenges by themselves. In that regard, Indonesia and 20 other archipelagic and island States agreed to establish Archipelagic and Island States Forum on 1st November 2018. AIS Forum agreed to strengthen their commitment to be part of a collaborative action to address their common challenges in the areas of: (a) climate change mitigation, adaptation, and disaster management; (b) economic challenges and opportunities which consist of blue economy, responsible and sustainable fisheries and aquaculture, economic growth and creation of decent working opportunities; (c) marine plastic debris; and (d) good maritime governance.

Furthermore, with the same idea, Indonesia, together with its neighbors i.e Malaysia, Papua New Guinea, the Philippines, Solomon Island and Timor Leste, established The Coral Triangle Initiatives on Coral Reefs, Fisheries and Food Security in Manado, North Sulawesi on the May 15th 2009, to safeguard marine resources while also strengthening the capacities to mitigate impacts of climate change for the region.

Indonesia's Role in UN Framework on Climate Change

During COP 25 UN Framework on Climate Change (UNFCCC) in Madrid last December, Indonesia, Fiji, Panama, Costa Rica and Seychelles has submitted submissions of the Proposal Integrating Ocean-Climate Change Issues into UNFCCC to Chile as the COP 25 Presidency. Indonesia invites Parties to promote and enhance the science-based research on ocean and climate change and also strengthen existing efforts addressing ocean and climate issues, whilst considering the Intergovernmental Panel on Climate Change Special Report on the Ocean and Cryosphere. Indonesia encourages Parties to submit a submission regarding a dialogue on the ocean and climate change to consider how to strengthen mitigation and adaptation actions via the UNFCCC Submission Platform.

International Law of the Sea: Indonesia's Perspective

Indonesia takes note several forums have been established to specifically discuss and address the issue of sea-level rise and its impact on territory of States and maritime boundary.

Indonesia observes that there is a debate amongst scholars on the impact of sea-level rise to the boundary agreement. Indonesia is of the view that the stability of boundary agreements should be uphold regardless of coastline's movement due to

the sea-level rise. Therefore, the sea-level rise will not affect the maritime boundary agreement and the existing agreement remains prevail.

Indonesia further takes note that there is an emerging pattern of practice in the Pacific region whereby States are unilaterally declaring and publicizing their maritime jurisdictional baselines, limits and boundaries. The practice aims to ensure that the sea-level rise does not result in the loss of all or of parts of State territory and maritime zones of the relevant States.

Indonesia would like to encourage the international community to seek an acceptable - best solution in addressing and settling the legal dilemma of articles in the UNCLOS 1982 relating to baseline and maritime boundary impacted from sea level rise. In this regard, States should be encouraged to identify the relevant technical and legal problems as well as to produce the acceptable solution in regional and international forums in the form of a binding instrument.