



AN APPRAISAL OF THE IMPACT OF CLIMATE CHANGE ON THE ENVIRONMENT

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Abstract

The imperative to tackle climate change and its far-reaching consequences on both the environment and humanity is unquestionable. Climate change is the most challenging global threat that the planet has to face together. As one of the most pressing issues confronting human society, climate change has brought immense challenges to almost all aspects of our lives. This is also the case with the world's oceans. In responding to its adverse impacts, the international community has faced legal, political, and scientific challenges. This also applies to the law of the sea regime represented by the United Nations Convention on the Law of the Sea (UNCLOS). It is on the basis of the foregoing that this paper aims to appraise the impact of climate change on the environment and to examine how the United Nations Convention on the Law of the Sea, 1982, can mitigate its effects. The paper finds that although the term 'climate change' is not expressly used in the United Nations Convention on the Law of the Sea (UNCLOS), 1982, the Convention nonetheless made far-reaching provisions relevant to addressing issues associated with climate change. This paper recommends that for UNCLOS to meet its intended objectives, states must demonstrate political will to ensure its effectiveness through full compliance with its provisions. Only then can the true efficacy of UNCLOS be realized.

Keywords: *Appraisal, Climate Change, Environment*

1.0 Introduction

Since the beginning of the pre-industrial era, the oceans have absorbed over 90 per cent of the heat and more than 25 per cent of the carbon dioxide released into the atmosphere from human-induced greenhouse gas emissions.¹ These emissions, have already inflicted considerable damage on the marine environment, triggering sea-level rise, ocean acidification and ocean warming. The implications of these developments are severe, posing an existential threat to both nature and humanity. Take sea-level rise as an example, the impact of it is especially concerning. It's anticipated to directly affect more than a third of the countries all over the world, making this an international issue of considerable magnitude. Coastal cities and small island states are most at risk, with rising seas threatening infrastructure, freshwater supplies, and entire ways of life. Climate refugees, individuals forced to flee their homes due to the environmental impacts of climate change, are becoming an increasingly common

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¹ Climate Change Act, 2021 section 10



phenomenon. This is not a distant threat either, many states are already grappling with the ramifications.²

The international community has encountered enormous legal and political challenges in searching for means and mechanisms to protect the affected states. Against this background, the paper examines how the real and potential impacts of climate change have affected the oceanic systems and the low-lying states as SIDS, explore the viabilities of the UNCLOS as the ‘Constitution for the Ocean’ in implying a collective duty on the part of signatory states to implement strategies to combat climate change, and assess the extent to which possible cause of action may be sought for from the UNCLOS regimes to protect the affected states.³

As the primary instrument governing the oceans and the most comprehensive multilateral treaty ever concluded, the UNCLOS, adopted in 1982 and entered into force in 1994, comprises various norms of customary international law and legal rules pertaining to the oceans and applicable to relations between states.⁴

Climate change is the most challenging global threat that the planet has to face together. There is abundant scientific research informing our understanding of how climate change is impacting the world’s oceans. For example, many studies have explained the impact of increased water temperature causing “sea level rise and a reduction in the capacity of the oceans to absorb CO₂.”⁵ According to Janis Searles Jones, Chief Executive of Ocean Conservancy, a non-profit organization working to conserve the oceans, there is enough evidence showing that the ocean has already absorbed 90% of the excess heat from global warming and has become 30% more acidic since the Western Industrial Revolution.⁶ As excessive heat and energy warms the ocean, the change in temperature leads to unparalleled cascading effects, including ice-melting, sea-level rise, marine heatwaves, and ocean acidification. Moreover, marine heat-waves have doubled in frequency, and have become longer-lasting, more intense and extensive. As a result, the United Nations Environment Programme has

² Intergovernmental Panel on Climate Change (IPCC), *Climate Change 2007: Synthesis Report -- Summary for Policymakers* (New York: Cambridge University Press 2007) <http://www.ipcc.ch/pdf/assessment-report/ar4/syr/ar4_syr_spm.pdf> accessed 17 May 2024

³ N Oreskes, ‘Beyond the Ivory Tower: The Scientific Consensus on Climate Change’ [2004] (306)(5702) *Science*; 1686; The text of UNCLOS and relevant implementation agreements are available at <<http://www.un.org/Depts/los>> accessed 3 May 2024.

⁴ *ibid*

⁵ M Rhein and others, ‘Observations: Ocean’ in T F Stocker and Others (eds.), *Climate Change 2013: The Physical Science Basis, Contribution of Working Group to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change* (Cambridge University Press 2013) 255.

⁶ J S Jones, ‘To Solve Climate Change, Remember the Ocean’ (*Nature*, 19 September 2019) <<https://www.nature.com/thesiss/d41586-019-02832-w>> accessed 7 May 2024.



warned that every one of the world's coral reefs could bleach by the end of the century if the water continues to warm.⁷

2.0 Issues and Challenges in Combating Climate Change in Nigeria

Climate change is the most challenging global threat that the planet has to face together. There is abundant scientific research informing our understanding of how climate change is impacting the world's oceans. For example, many studies have explained the impact of increased water temperature causing "sea level rise and a reduction in the capacity of the oceans to absorb CO₂."⁸ According to Janis Searles Jones, Chief Executive of Ocean Conservancy, a non-profit organization working to conserve the oceans, there is enough evidence showing that the ocean has already absorbed 90% of the excess heat from global warming and has become 30% more acidic since the Western Industrial Revolution.⁹ As excessive heat and energy warms the ocean, the change in temperature leads to unparalleled cascading effects, including ice-melting, sea-level rise, marine heatwaves, and ocean acidification. Moreover, marine heatwaves have doubled in frequency, and have become longer-lasting, more intense and extensive. As a result, the United Nations Environment Programme has warned that every one of the world's coral reefs could bleach by the end of the century if the water continues to warm.¹⁰

However, the response of the global community has been insufficient to eliminate or tackle the challenges of climate change on our oceans. For example, the target of restricting global temperatures to within 2°C above pre-industrial levels that was agreed to in the 2015 Paris climate agreement is insufficient. The Intergovernmental Panel on Climate Change (IPCC) predicts that if global temperatures rise by 1.5°C, perhaps 10–30% of coral reefs will survive, diminishing the habitat of roughly one-quarter of all ocean species, and affecting coastal storm protection, food, jobs, recreation and even medicines.¹¹ However, in an atmosphere that is 2°C warmer, "only 1% of reefs might survive, a remnant that could be too small to support all the species that depend on reefs."¹² This is just an example showing that the needs and dangers of oceans and the organisms that live within them have not been taken into account by decision-makers. Moreover, as of today, the 2015 Paris Agreement has not been fully applied in practice as there is no comprehensive policy with specific measures that could instruct how this goal could be achieved. As a result, progress is very slow.

⁷ P S Low, *Climate Change and Africa* (New York: Oxford University Press 2005) 661

⁸ M Rhein and others, 'Observations: Ocean' in TF Stocker and Others (eds), *Climate Change 2013: The Physical Science Basis, Contribution of Working Group to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change* (Cambridge University Press 2013) 255

⁹ JS Jones, 'To solve climate change, remember the ocean' (Nature, 19 September 2019) <<https://www.nature.com/articles/d41586-019-02832-w>> accessed 7 May 2025.

¹⁰ *ibid*

¹¹ Rhein (n 1)

¹² *ibid*



The current international rules governing oceans is the “UN Convention on the Law of the Sea (UNCLOS)” which came into force in 1994 and replaced the four treaties of the 1958 Convention on the High Seas. UNCLOS lays down a comprehensive regime of law and order in the world's seas and conveys sovereign rights to coastal states over the seabed and subsoil of their continental shelf. Moreover, it provides obligations for the peaceful uses of the seas, the equitable and efficient utilization of their resources, the conservation of their living resources, and the study, protection and preservation of the marine environment. However, according to Professor Schofield, Head of Research of the World Maritime University-Sasakawa Global Ocean Institute, it is “not adequate” for responding to climate change challenges.¹³ The reason for that may be, as he highlighted, that climate change was not well understood in the 1970s and 1980s when UNCLOS was negotiated, and as a result the convention is “largely climate silent”.¹⁴

a. Deteriorating Environment and Worsening Ecosystems

Climate change is undoubtedly the most serious environmental crisis facing the world today, and its impacts take many forms. The biggest existing one has been the ultimate threat of total biodiversity loss through global extinction due to a lack of ability of ecosystems and species to adapt to the rapid changes.¹⁵ This is because ecosystems, the biodiversity and services they support, are intrinsically dependent on climate.¹⁶ Temperature alteration and ocean acidification in magnitude and frequency will accelerate the potential impacts on biodiversity occurring in concert with other established stressors.¹⁷

Plenty of scientific attention has looked at the physical impact and potential danger of ocean acidification on marine ecosystems. The observation data showed that coastal environment and marine ecosystems are intimately linked to climate and are vulnerable to increasing coastal populations, habitat loss, and anthropogenic pollution.¹⁸ With the rise in sea levels, coastal ecosystems, including tidal zones, estuaries and wetlands may migrate further inland resulting in habitat loss and fragmentation, invasive species, environmental contamination, and the species that utilise them will

¹³ Corrected oral evidence: UNCLOS: fit for purpose in the 21st century? International Relations and Defence Committee, House of Lords November (2021) at Q60 <<https://committees.parliament.uk/oralevidence/3063/html/>> accessed 7 May 2025.

¹⁴ T Stephens, ‘Warming waters and souring seas: climate change and ocean acidification’ in DR Rothwell and others (eds), *The Oxford Handbook of the Law of the Sea* (Oxford University Press, 2015) 797.

¹⁵ A Shah, ‘Climate Change Affects Biodiversity, Global Issues, 04 March 2012 <<http://www.globalissues.org/article/172/climate-change-affects-biodiversity>> accessed 2 May 2025.

¹⁶ R R Costanza and Others, ‘The Value of the World’s Ecosystem Services and Natural Capital, *Nature*’ [1997] (1)(9) *Journal of World Environment*; 387, 253 - 260.

¹⁷ S C Doney and Others, ‘Climate Change Impacts on Marine Ecosystems’ [2012] (4) *Annual Review of Marine Science*; 11–37.

¹⁸ *ibid*



all experience impacts.¹⁹ Thus, acidification and temperature alteration are worsening the problems already occurring in the ecosystems, and directly affect the pattern of marine biodiversity. Extreme events, increasing in frequency and intensity, put the ocean ecosystems under new combinations of stress, being described as “multiple jeopardy”.²⁰

b. Challenges in Climate Change Litigation

UNCLOS is a core legal organ, outside of the scope of climate change regime, which could be used for litigating climate change disputes. However, there are various issues that could arise under these circumstances, including: causation, attribution, the issue of establishing jurisdiction, liability and responsibility.²¹ In particular, the difficulty is found on the claimant’s inability to prove a causal link between the State’s failure to meet its obligation and the damaging consequences of climate change on the marine environment on the other.²² The difficulty in relation to the latter arise from the fact that most of the climate change effects appear delayed and therefore, it is hard to establish causation. It follows that it would be a challenge to measure the magnitude to which the State’s contribution to climate change can be considered a sufficient legal cause for liability. Ambiguities such as the way that a state’s contribution to climate change can be appropriately measured, the state’s actual ability to mitigate pollution and the contribution of the state’s activities to the global levels of pollution,²³ are factors that cannot be easily proved and pose great obstacles to litigation.

Moreover, the dispute settlement system under UNCLOS is problematic because raising a dispute in such a forum relies on the parties’ willingness. Furthermore, the mechanism is only applicable under Part XV when there is a “dispute” that concerns either the “interpretation” or “application” of the Convention.²⁴ However, climate change case law demonstrates the insufficiency of UNCLOS to regulate matters that are beyond the Convention’s interpretation. In particular, UNCLOS is weak in addressing disputes relating to the right to sue for breaches of duties that contribute to climate change, the suitability of available remedies and their sufficiency in compensating the affected party, the

¹⁹ M D Staudinger and Others, Impacts of Climate Change on Biodiversity, Ecosystems, and Ecosystem Services: Technical Input to the 2013 National Climate Assessment. Cooperative Report to the 2013 National Climate Assessment, 2012 <<http://downloads.usgcrp.gov/NCA/Activities/Biodiversity-Ecosystems-and-Ecosystem-Services-Technical-Input.pdf>> accessed 2 May 2025.

²⁰ G Hofmann and Others, ‘Ocean Acidification Impacts on Calcifying Marine Organisms in Marine Ecosystems’ [2010] (41) Annual Review Ecology Evolution System; 127 – 147 <[http://www.mbari.org/staff/barry/papers_\(pdf\)/Hofmann%20et%20al.%202010%20-%20OA%20on%20calcifying%20organisms.pdf](http://www.mbari.org/staff/barry/papers_(pdf)/Hofmann%20et%20al.%202010%20-%20OA%20on%20calcifying%20organisms.pdf)> accessed 30 April 2025.

²¹ K Boom, ‘Exposure to Legal Risk for Climate Change Damage Under the UNFCCC, Kyoto Protocol and LOSC: A Case Study of Tuvalu and Australia’ (Dphil Thesis, University of Wollongong 2012) 229.

²² E Biber, ‘Climate Change, Causation, and Delayed Harm’ [2008] (3)(7) Hofstra Law Rev; 975.

²³ S Lee and L Bautista, ‘Part XII of the United Nations Convention on the Law of the Sea and the Duty to Mitigate against Climate Change: Making out a Claim, Causation, and Related Issues’ [2018] (45) Ecology LQ; 129, 153.

²⁴ UNCLOS, Art. 286.



contribution of private corporations to the overall pollution level of a state and the appropriate sharing of responsibility for multiple wrongdoers. As a result, UNCLOS creates legal loopholes and fails to address such matters adequately.²⁵

Finally, the next point of concern is the court's role in relation to climate change. In a world with a warming atmosphere, alteration of glaciers, and the rising of the seas, courts need to raise their voice. The International Court of Justice (ICJ), for example, could play a great role in future litigation concerning climate change as it is the principal judicial organ of the United Nations, maintaining a general subject matter jurisdiction at a global scale.²⁶ The rise in climate change cases will assist the ICJ's contributions to the evolution of the rules and through their existence and activity to raise consciousness on climate change matters, they will help the international community understand what needs to be done as a matter of urgency, or if what is being done is sufficient.²⁷ Thus, climate change could potentially have a positive effect on UNCLOS by requiring the Courts to resolve ambiguities in the rules and evolve them through their interpretation in order to suit current needs.

c. Depleted Resources and Damaged Habitat

Oceans generate considerable economic wealth through fisheries, aquaculture, tourism and mining, and marine ecosystems provide irreplaceable services including coastal defence, oxygen production, nutrient recycling and climate regulation.²⁸ Fish are a precious natural resource of enormous ecological, social and economic value, and in many parts of the world, millions of people make their living from fishing, and for most of them fishing goes far beyond being just a source of income, it is a way of life.²⁹ Fish contribute to at least 50% of total animal protein intake in some SIDS.³⁰ Widespread physical changes to the ocean, including rapid warming sea waters and reduced calcification in ocean plankton and reef corals could result in a substantial decline in fisheries productivity in some regions, threaten coastal systems of low-lying estuaries and tidal flats, and impact the biological distribution of marine mammals and seabirds of both tropical and temperate species.³¹

²⁵ K Boom, 'Exposure to Legal Risk for Climate Change Damage Under the UNFCCC, Kyoto Protocol and LOSC: A Case Study of Tuvalu and Australia' (Unpublished D. Phil. Thesis, University of Wollongong 2012) 229.

²⁶ R Verheyen and C Zengerling, 'International Climate Change Cases' in Oliver Ruppel and others (eds), *Climate Change: International Law and Global Governance: Volume I: Legal Responses and Global Responsibility* (Nomos Verlagsgesellschaft 2013) 777.

²⁷ P Sands, 'Climate Change and the Rule of Law: Adjudicating the Future in International Law' [2016] (28) *Journal of Environmental Law*; 19, 22.

²⁸ J Harrison, *Saving the Oceans through Law: The International Legal Framework for the Protection of the Marine Environment* (Oxford: Oxford University Press 2017)

²⁹ E Johansen and Others, *The Law of the Sea and Climate Change: Solutions and Constraints* (1st edn, Cambridge University Press 2020)

³⁰ J Arato, 'Subsequent Practice and Evolutive Interpretation: Techniques of Treaty Interpretation over Time and Their Diverse Consequences' [2010] (9) *The Law & Practice of International Courts and Tribunals*; 443.

³¹ M Nordquist and Others, *United Nations Convention on the Law of the Sea 1982: A Commentary* (Vol. 4 Martinus Nijhoff Publishers 1985) 661



As “oasis in a marine desert” and “rainforests of the seas”, coral reefs cover an area of over 280,000 km² and provide home and shelter to over 25% of ocean fish and up to two million marine species, and a nursery for the juvenile forms of many marine creatures.³² Coral reefs also provide numerous ecosystem services to benefit environment and humans, such as assisting in recycling the nutrients, protecting shores from the impact of waves and storms, serving as a vital input of food into the tropical/sub-tropical marine food-chain, and serving humans in the form of medicine and economic benefits to local communities from tourism. Goods and services de-rived from coral reefs are roughly estimated to be between \$172 to \$375 billion dollars per year.³³

Coral reefs have extremely narrow temperature tolerances between 25-29°C, with some species in Pacific Islands currently living near their threshold of thermal tolerance. Rising ocean temperatures and increasing ocean acidification have negatively affected coral reefs in many parts of the world, to name a few, the Pacific and Indian Oceans, the Red Sea and Caribbean Sea, leading to the loss of 50% of the subsistence and artisanal fisheries owing to coral bleaching.³⁴ Global threats to coral reefs have been increasing in the context of wider environmental degradation, so that the value of coral reefs may be even greater because they are integral to the wellbeing of the oceans, and loss of coral reefs may result in decreased net productivity and stunted growth in certain species.³⁵ Rising sea levels will destroy vast areas of mangrove trees on the world’s tropical coastlines and wipe out critical beach habitats (for sea turtles) that could adversely affect many species more directly.³⁶

d. The Statehood Dilemma and Compensation Challenges

In the light of wide-ranging effects of current global warming and sea level rise, two broad policy responses have been adopted in addressing the negative impacts. One is mitigation, which searches for actions aimed at slowing down climate change by reducing net GHG emissions, the other is adaptation, which seeks for actions taken in response to, or in anticipation of, projected or actual changes in climate.³⁷ While scientists, managers and resource users work actively to design adaptation strategies that reduce the vulnerability of marine species, systems and industries to climate change, legal scholars

³² D J Werksman, ‘Could a Small Island Successfully Sue a Big Emitter? Pursuing a Legal Theory and a Venue for Climate Justice’ in Michael B Gerrard and Gregory E Wannier (eds), *Threatened Island Nations* (1st edn, Cambridge University Press 2013) 331

³³ International Bar Association, *Achieving Justice and Human Rights in an Era of Climate Disruption: Current Legal Challenges in Climate Change Justice*, 2014.

³⁴ D J Werksman, ‘Could a Small Island Successfully Sue a Big Emitter? Pursuing a Legal Theory and a Venue for Climate Justice’ in M B Gerrard and G E Wannier (eds.), *Threatened Island Nations* (1st edn, Cambridge: Cambridge University Press 2013) 881

³⁵ J Paine, ‘The Judicial Dimension of Regime Interaction beyond Systemic Integration’ in S Trevisanut and Others, (eds.), *Regime Interaction in Ocean Governance: Problems, Theories and Methods* (London: Brill 2020) 881

³⁶ D Anderson, ‘Peaceful Settlement of Disputes Under UNCLOS’ in J Barrett and R Barnes (eds.), *Law of the Sea: UNCLOS as a Living Treaty* (London BIICL, 2016) 442.

³⁷ D Freestone and R Rayfuse, ‘Iron Ocean Fertilization and International Law’ [2008] University of New South Wales, Faculty of Law Research Series 37, 1–12.



have been trying to search for means of possibilities to legally maintain the statehood and maritime entitlement of the affected states in the event of inundation.³⁸

Questions have been raised about who will bear the costs of adaptation measures of the affected states and who has to pay for the damages and compensate the climate exiles for their loss of homelands and property, the damage to their health and life?³⁹ How can these states be better protected through the path of international legal remedies with regard to states' responsibilities and environmental liability? However, current international law does not adequately address the statehood dilemma and continued maintenance of their entitlements in the context of sea level rise. The cross-cutting issues of climate exiles link to many areas of key interests of those dislocated people, including development, national security, and human, indigenous, and cultural rights.

The emerging issues relating to the statehood dilemma and climate exiles are particularly pressing in the context of vulnerable SIDS whose very existence is threatened. In an attempt to build pressure to force states to take action on climate change, a widespread consensus on the need for international legal protection of climate migrants has emerged by turning to the courts as a means and strategy to bringing about major change and promote greater action to address the adverse impacts,⁴⁰ and to seek to hold those responsible for GHG emissions accountable for the impacts of their past and future actions.⁴¹

To rescue their 'disappearing' territory and statehood, the SIDS have also been trying to seek assistance from international law for adaptation, stability, and a future,⁴² whereas, the issue regarding to international legal remedies for the affected states has been hotly debated. Views are divided regarding whether international law offers a possibility for states injured by climate change-related impacts to claim, and be awarded, compensation for the damage suffered, and to what extent the GHG emitting states are responsible to compensate the injured states.⁴³

The literature reveals regrettably that international attempts to hold emitters accountable have not been successful. Tuvalu's threat to sue the United States and Australia at the International Court of Justice,

³⁸ F Ghina, 'Sustainable Development In Small Island Developing States–The Case of the Maldives' [2003] (5) Environment, Development, and Sustainability; 139 - 165.

³⁹ J L Hafetz, 'Fostering Protection of the Marine Environment and Economic Development: Article 121(3) of the Third Law of the Sea Convention' [2000] (15)(3) American University International Law Review; 583 - 596.

⁴⁰ D Hinrichsen, *Coastal Waters of the World: Trends, Threats, and Strategies* (Washington D.C., Island Press 1998)

⁴¹ T P Hughes and Others, 'The Wicked Problem of China's Disappearing Coral Reefs' [1998] (27)(2) Conservation Biology; 261–269

⁴² I Kelman, 'Dealing with Climate Change on Small Island Developing States' [2011] Practicing Anthropology; 28–32.

⁴³ I Kelman and J J West, 'Climate Change and Small Island Developing States: A Critical Review' [2009] (5)(1) Ecological and Environmental Anthropology; 1 - 16, <<https://eea.anthro.uga.edu/index.php/eea/article/view/69/55>> accessed 2 May 2025.



and the Inuit's petition to the Inter-American Commission on Human Rights were both hampered by procedural and substantive legal issues. This indicates the need for a holistic and proactive approach along? the progress to enhance the linkages between climate damages and legal remedy for the affected states to find a solution to protect states as SIDS for their loss in statehood and maritime zones.⁴⁴

3.0 Conclusion

Climate change is already having wide-spreading impacts on the world's oceanic systems and biodiversity. Sea level rise has brought about significant challenges to coastal states' rights to their maritime zones and access to their vital resources. Global warming and rises in sea level induced by global warming have detrimental effects on those low lying states and pose serious threats to human welfare and sustainability. Climate change is projected to become a progressively more significant threat in the coming decades. Against this background, this paper serves as a starting point for further consideration of important issues raised by climate change and issues relating to legal response to its devastating scenario. With a strong focus on remedies, it may be helpful in developing comprehensive research of the wider implications for issues of international legal liability and a better protected and adaptive society against climate change.

The way in which states handle the oceans will be a decisive test of humankind's ability to steer a sustainable course in the future. The failure of the world's major GHG emitting nations to seriously address climate change has made litigation unavoidable.¹⁷⁵ In seeking for possible responses to the climate damages from the law of the sea perspectives, the paper provides key connections and linkages between the UNCLOS regime on marine environmental protection and other international rules and standards in the form of treaties, from pollution definition to GHG emission inclusion, from UNCLOS compulsory dispute settlement to UNFCCC, Kyoto Protocol implementation and emission control. The paper demonstrated the justification of GHG as one of many marine pollution sources and its catastrophic consequences to oceanic systems before going on to scrutinise existing international mechanisms as responses and remedies for such disastrous consequences.

4.0 Recommendations

Flowing from the findings of this paper, the following recommendations are made:

1. This paper recommends that in order to ensure that the United Nations Convention on the Law of the Sea (UNCLOS), 1982 live up to expectations, states must demonstrate the political will to see that the Convention works by complying with its provisions. It is only when this is done, that we can see the effectiveness of UNCLOS.

⁴⁴ J Y Kim, 'International Marine Affairs & Territory Research Department, KMI, Special Edition, Dokdo Research Journal 11, 101-105.



2. This paper further recommends that a single legislation should be enacted by the National Assembly to specifically handle issues relating to climate change. The Climate Change Act, 2021 seems to achieve this point but with the presence of legislations like NESREA Act, Harmful Waste (Special Provisions) Act, etc seems to have witted-down on the effectiveness of the Climate Change Act. In other words, NESREA Act and other legislations that tend to ‘encroach’ on issues dealing with climate change should be repealed to enable us have a single legislation that deals with climate change related issues.
3. This paper further recommends that UNCLOS should have a means of ensuring compliance with its provisions so states can be held accountable when the provisions of UNCLOS are violated by states.
4. This thesis finally recommends that proper funding and training should be given to the various institutions saddled with climate change related mandate. This is so because, climate change is a very serious issue that must be given the seriousness it deserves. By not properly funding the institutions that is saddled with combating climate change could weaken the fight against climate change.