



**Papua New Guinea (Written) Statement to the Twenty-First Open-Ended Informal Consultative Process (ICP) on Oceans and the Law of the Sea on the Theme of "Sea-level rise and its impacts"**  
**Item 3: General Exchange of Views, 14 June 2021**

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Papua New Guinea is pleased to note the increasing attention accorded by the international community to sea-level rise and its impacts and the relevance to the wellbeing and security of humanity and society, particularly coastal communities, and low-lying islands, including Small Island Developing States.

We therefore welcome the General Assembly's consideration of this topical issue under the auspices of the Informal Consultative Process in 2021 under the theme of "Sea-level rise and its impacts", as being timely and fundamentally important; and thank the Secretary-General for his insightful Report on the Oceans and law of the sea, as contained in document A/75/70, to assist guide the discussions.

Papua New Guinea also reiterates its strong support for the inclusion of the important topic of "Sea-level rise in relation to international law" in the programme of work of the International Law Commission (ILC); the establishment of an open-ended Study Group on this topic; and welcomes the issuance of a First Issues Paper by Bogdan Aurescu and Nilüfer Oral, Co-Chairs of the ILC Study Group.

The ILC First Issues Paper serves as a good basis for further work and progress on this critically important topic. In particular, we concur with the observations contained in paragraphs 104(e) and (f) of the First Issues Paper.

The threats posed by sea-level rise, further compounded by climate change, is a defining issue for Papua New Guinea, like many other countries, including in the Pacific Small Island Developing States, where we are specially affected, as it imperils our people's lives and livelihoods, wellbeing and undermines the realisation of a peaceful, secure and sustainable future.

Climate-related sea-level rise is a real, urgent and serious concern that Papua New Guinea is working together with our other members of the Pacific Islands Forum to address under the regional narrative of the Blue Pacific Continent. It is in this spirit that Papua New Guinea aligns its statement with that made by the distinguished Chair of the Pacific Islands Forum – Tuvalu.

Given that sea-level rise will impact coastlines and maritime features, the relationship between sea-level rise and maritime zones under the UN Convention on the Law of the Sea (UNCLOS) is a fundamental concern for Papua New Guinea.

Papua New Guinea reaffirms its position that the UN Convention on the Law of the Sea (UNCLOS) is the legal framework within which all activities in the oceans and seas must be carried out.

Indeed, Papua New Guinea, in part, has planned our sustainable development in reliance on the rights and entitlements provided under UNCLOS. However, sea-level rise threatens this planning and puts at risk our progress in sustainable development.

For Papua New Guinea, as an archipelagic State, the potential loss of small islands or other maritime features as basepoints due to sea-level rise may be particularly crucial. Such changes could be construed to affect maritime zone rights and entitlements.

Papua New Guinea recognizes the need for legal stability, security, certainty, and predictability, to maintain peace and security and orderly relations between States, and to avoid conflict, which are reflected as principles and objectives that underpin UNCLOS and international law.

We further recognize that there are no provisions in UNCLOS that require States to keep under review and update their baselines and outer limits of maritime zones once the relevant information has been deposited with the Secretary-General of the United Nations in accordance with UNCLOS.

In Papua New Guinea's considered view, baselines and outer limits of maritime zones of a State that have been established in accordance with UNCLOS, and their rights and entitlements, can be maintained and continue to apply, without reduction, notwithstanding physical changes connected to climate change-related sea-level rise.

Other important concerns relating to sea-level rise, worthy of consideration by the international community, include the displacement, migration, relocation, and evacuation of people within and beyond national boundaries, and thereby implicate human rights and humanitarian considerations.

There are gaps in international law to deal with these critical issues. Notwithstanding, we note that the duty to cooperate is a fundamental principle of international law.

International cooperation is crucial to assist States, in particular the small island developing States, in addressing human migration issues related to sea-level rise, in line with international human rights and humanitarian standards.

It is also in this spirit that we share the Secretary-General's encouragement for meaningful partnership between stakeholders to leverage the United Nations Decade of Ocean Science for Sustainable Development to build capacity in countries such as ours and others, where marine science-policy interface remains a concern, to better understand the impacts of sea-level rise and the responses needed.

Papua New Guinea looks forward with keen interest to work with other delegations and the ILC on the important topic of sea-level rise and its impacts.

Finally, we appreciate the distinguished Co-Chairs of Monaco and Tonga for the manner in which their respective mandates under this process has been undertaken in a rather challenging COVID-19 pandemic circumstances and also acknowledge the contributions from the panelists.