



**Statement by H.E. Miss Amatlain E. Kabua, Republic of the Marshall Islands,
on behalf of the Pacific Islands Forum members with Permanent Missions in
New York**

**UNGA 73: Sixth Committee: Report of the International Law Commission on the
work of its seventieth session (agenda item 82): Cluster I**

I have the honour to deliver these remarks on behalf of the Pacific Islands Forum members with Permanent Missions in New York, namely, Australia, Fiji, Kiribati, Federated States of Micronesia, Nauru, New Zealand, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu and my own country Republic of the Marshall Islands.

We would like to start by thanking the members of the International Law Commission for their hard work over the past year and for their decision to include the topic of “sea-level rise in relation to international law” in the Commission’s long-term programme of work.

Sea-level rise is a subject of increasing importance, particularly for low-lying small island States in the Pacific. The impacts on our communities are more varied and complex than is often assumed. For example, we are concerned that salinization is already threatening crops and livelihoods and coastal erosion will result in more destructive storm surges and natural disasters. We are also concerned about the potential impacts of sea-level rise on our maritime zones, from which we generate significant revenue and have a close cultural connection. The rights of archipelagic States under the law of the sea should also be taken into account in this regard.

The issues relating to statehood, statelessness and climate induced migration are of direct relevance to our region, with the possibility that whole atolls may be entirely submerged. We note that current legal instruments do not explicitly address the movement of persons across borders as a result of climate change-related harm and draw the Commission’s attention to relevant international legal principles and frameworks, including in the areas of international cooperation, disaster risk management and reduction, and climate change.

While low lying islands are already feeling some of these impacts, in the coming years more than 100 States are likely to be directly impacted by sea-level rise, including continental States with low-lying coastal areas. The Intergovernmental Panel on Climate Change predicts that average global sea-level could rise by nearly a metre by 2100, with some regions of the world like the Pacific likely to experience sea-level rise sooner and to a greater extent than others during this century. Urgent

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2 action is therefore required to study the international law implications of sea-level rise.

In September, our Forum Leaders met in Nauru and acknowledged the urgency and importance of securing the region's maritime boundaries as a key issue for the development and security of our region. Action is therefore being taken on maritime boundary delimitation and to resolve outstanding maritime boundary claims. We look forward to formally communicating this and other examples of relevant State practice to the Commission once it begins its active study of the topic.

While sea-level rise poses significant development, economic and environmental challenges, the phenomenon also raises complex and pressing questions in international law. We therefore call on the Commission to move the topic of "sea-level rise in relation to international law" to its current programme of work in order to examine the international law implications of sea level rise as a matter of extreme urgency.