



**Statement on behalf of the European Union**

**by**

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**Delegation of the European Union to the United Nations**

**at the Sixth Committee**

**on the agenda item 82-II**

**Report of the International Law Commission on the work of its Seventy Second Session  
(Cluster 2)**

**on Sea Level Rise**

**United Nations**

**New York**

**28 October 2021**

**— CHECK AGAINST DELIVERY —**

Ms/Mr Chairperson,

1. The European Union has the honour to address the 6<sup>th</sup> Committee on the topic of sea level rise in relation to international law, which was considered by the International Law Commission (ILC) and the progress made is reflected in Chapter IX of its report.
2. The Candidate Countries the Republic of North Macedonia\*, Montenegro\*, Serbia\* and Albania\*, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, as well as Ukraine, the Republic of Moldova, and Georgia, align themselves with this statement.
3. The European Union refers to the first issues paper which was presented in 2020 by the Co-Chairs of the now reconstituted Study Group, setting out the main legal issues of sea level rise in relation to the law of the sea, and takes the opportunity to express its appreciation for the work done so far by the Co-Chairs of the Study Group, Mr. Aurescu and Ms. Oral. The European Union looks forward to the second issues paper which is due next year on the issues related to statehood and the protection of affected persons.
4. The European Union notes the preliminary character of the work of the Study Group, in line with its mandate, which is, as recalled in point 285 of the ILC Report, to perform “*a mapping exercise of the legal questions raised by sea-level rise and its interrelated issues*”. In view of the close links between law of the sea issues and statehood and protection issues, the European Union is of the opinion that any possible recommendations could only be considered by the ILC together, which will be possible only at a later stage, i.e. when both issues papers have been presented and analysed and when the necessary further studies on the relevant sources of law and principles and rules of international law, as well as on state practice and *opinio juris*, have been conducted. The EU will engage constructively in such a debate including all aspects.
5. In light of the above, the European Union will limit its current intervention to one main remark.
6. The European Union would like to underline from the onset its deep attachment to the integrity of the United Nations Convention on the Law of the Sea, and therefore with respect to point 267 of the ILC Report, welcomes the general agreement that, in line with

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\* The Republic of North Macedonia, Montenegro, Serbia and Albania continue to be part of the Stabilisation and Association Process.

point 14 of the Mandate of 2018, the Study Group will not propose amendments to the Convention.

7. It is in light of this general approach that the different legal issues in relation to sea level rise should be considered and discussed by the ILC and the Study Group, and such consideration should be based on both issues papers setting out all the legal issues of law of the sea, statehood and protection of persons.

Ms/Mr Chairperson,

8. In conclusion, the European Union once again congratulates the ILC and the reconstituted Study Group for the excellent work done so far on a matter that is of very high importance for the whole international community and looks forward to further discussions and considerations with due respect for the integrity of the United Nations Convention on the Law of the Sea.

Thank you for your attention.