



PERMANENT MISSION OF CUBA TO THE UNITED NATIONS

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**STATEMENT BY THE CUBAN DELEGATION AT THE INTERNATIONAL
LAW COMMISSION (CLUSTER I)**

New York, October 23rd, 2023

Mr. President:

Cuba shows great satisfaction with the format of conclusions containing selected comments, as a result of the analysis of the topic "General Principles of Law".

The rapporteur's reports and draft conclusions will undoubtedly help to lay the foundation for filling the gaps that exist at the conventional level.

We welcome that the Commission members agree on aspects such as taking account of the legal nature of the general principles of law as a source of international law.

At the same time, we are pleased that the principles common to the national legal systems are taken into consideration.

Mr. President,

On the subject of the sea-level rise and international law, we recognize that United Nations Convention on the Law of the Sea (UNCLOS) provides no answer to the questions raised on this issue, due to the historical moment in which it was adopted. In spite of this, we must defend the unconditional respect for its postulates regarding the maritime limits and borders, even if these undergo physical changes due to sea-level rise.

We consider that the baselines or maritime borders should not suffer changes due to sea-level rise. This would imply

an additional expense that would be very difficult for small island states to assume, in addition to the legal insecurity that it generates, due to the loss of natural resources necessary for their economies.

As regards the possible extinction of statehood in the face of sea-levels rise, caused by the loss of territory, one must be very cautious and maintain the principle that, should an effect of this magnitude occur in small island states, they would not lose their status as international subjects, with all their attributes. In this sense, this is an issue where international cooperation plays an essential role.

Cuba is carrying out several national plans to address and adapt to the impacts of the loss of coastal area due to sea-level rise.

We express our full willingness to share our experiences in protecting people living in coastal areas from the impact of extreme climate events, similar to sea-level rise. One of the components of the “*Tarea Vida*” (Life Task, a Cuban State

Plan to face up climate change) is the displacement of 41 thousand people living in coastal areas that could disappear with the rise in sea level.

Lastly, Cuba commends the work of the ILC on the issues to be discussed under this cluster, and will closely monitor its results.

Thank you