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**78th Session of the General Assembly
Report of the International Law Commission on the
Work of its 74rd Session**

Sea-Level Rise in Relation to International Law

**delivered by Dr. Dimana Dramova, Head of
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Mr. Chairperson,

On the subject of the Annual Report of the International Law Commission, today I would like to address the topic of “***Sea-Level Rise in Relation to International Law***”.

Mr. Chairperson,

Bulgaria aligns itself with the statement made by the European Union. I will now make some remarks in our national capacity.

Bulgaria closely follows the work of the International Law Commission on this topic since it was included in its programme of work in 2019. As last year Bulgaria made a statement on the topic of “Sea-Level Rise in Relation to International Law” this year we would like to make some additional comments based on the current work of the Commission.

Sea-level rise is particularly challenging for coastal communities and island states but it also poses a clear risk to the peace and security worldwide. Therefore, I would like to express Bulgaria’s deepest appreciation to the members of the Study Group for their excellent work and specifically to the Co-Chairs of the Group for the preparation of the *Additional paper to the first issues paper* and for the *Report of the Group on its work* at the present session.

In line with what other Member States have stated before me, I would like to once again reaffirm Bulgaria’s position that the United Nations Convention on the Law of the Sea is the “*Constitution of the oceans*”, which together with its implementing agreements, sets out the legal framework within which all activities in the oceans and seas must be carried out.

Mr. Chairperson,

The Convention is regarded by the international community as the most significant achievement in the evolution of the Law of the Sea and the fundamental pillar of ocean governance. In this regard, it is Bulgaria’s position that the process of deriving legal conclusions on the topic of “*Sea-Level Rise in Relation to International Law*” should be undertaken only on the basis and with full respect of the integrity and the relevant principles and provisions of the Convention.

It is Bulgaria's understanding that the Convention enshrines a very delicate balance between states' rights and obligations. Consequently, when the Commission is reviewing state and regional practice or *opinion juris* on the topic in order to formulate conclusions, it should take into account only the practice, which is in line with the relevant principles and provisions of the Convention.

In addition, it should be noted that the Convention does not contain a legal obligation for state parties to regularly review and update their baselines and the borders of their maritime zones, established in accordance with the applicable rules of the Convention. Conclusions that suggest that a periodic review should be carried out by States could potentially have a negative impact on the relations between coastal States and may affect the stability in different regions of the world, especially in cases of already established maritime delimitations.

Furthermore, it is Bulgaria's understanding that the Commission should adopt a very careful approach and exercise high level of caution when considering complex new legal concepts, such as "climate displacement", "climate refugees" and "climate statelessness".

Concerning the sub-item: "Immutability and Intangibility of Boundaries" of the Report, similarly to other Member States, it is Bulgaria's view that this important topic should be addressed taking into account the principle of legal stability. Bulgaria also shares the view that sea-level rise does not constitute a fundamental change of circumstances under Article 62 of the Vienna Convention on the Law of the Treaties. In this regards, it is our understanding that the conclusions of the Commission on the topic of "Sea-Level Rise in Relation to International Law" should underline the importance of preserving the boundaries and rights of coastal states over their maritime spaces, established in line with the principles and relevant provisions of the Convention.

Concerning the question of the form that the results of the work of the Commission should take on the present topic, similarly to the views of other Member States, Bulgaria supports the Commission to produce a set of conclusions providing practical solutions to legal problems caused by sea-level rise. Bulgaria is not convinced of the need to have the Commission prepare an interpretative declaration of the Convention or propose amendments to it.

Mr. Chairperson,

In conclusion, we would like to reiterate once again our appreciation to the work of the Study Group on “Sea-Level Rise in Relation to International Law” and express our continuous support for the work of the International Law Commission.

Thank you for your attention!