



**PERMANENT MISSION  
OF THE KINGDOM OF TONGA  
TO THE UNITED NATIONS**

**Statement delivered by H.E. Mr. Viliami Va'inga Tone, Permanent Representative,  
Permanent Mission of the Kingdom of Tonga to the United Nations,  
On Agenda Item 79: The Report of the International Law Commission  
at its 73<sup>rd</sup> and 74<sup>th</sup> Sessions (Cluster I)  
At Sixth Committee of the 78<sup>th</sup> Session of the United Nations General Assembly**

**Trusteeship Council Chamber,  
United Nations Headquarters, New York,  
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*Check against delivery.*

**Mr. Chair,**

1. Thank you for giving us the floor. Tonga continues to place a great value in the mandate of the Sixth Committee, specifically the crucial role plays by the International Law Commission (ILC) in promoting the progressive development of international law and its codification.
2. We therefore acknowledge with much gratitude the commendable work of the ILC and appreciate further advancement of “*Sea-level rise in relation to international law*” which shall be the focus of this intervention as has been extensively covered by the Co-Chairs under Chapter VIII of the report. We express gratitude to Mr. Aurescu and Ms. Oral for the submission of the Additional Paper to the first Issues Paper which elaborates on relevant legal issues pertaining to the Law of the Sea.

**Mr. Chair,**

3. Tonga aligns her statement with that delivered by Fiji on behalf of the Pacific Islands Forum (PIF), and Samoa on behalf of AOSIS. We agree that sea level rise poses an existential threat which require certainty and stability of baselines and maritime zones.
4. Climate change remains an existential threat to the livelihoods, security and well-being of our people, and recent studies have shown an accelerated rise in sea level. Tonga reiterates her commitment to securing the limits of the Blue Pacific Continent in support of the 2021 Declaration on Preserving Maritime Zones in the face of Climate Change-related Sea-

level rise, with the view to promoting the stability, security, certainty, and predictability of maritime entitlements irrespective of the impacts of Climate Change-Related Sea-Level Rise.

**Mr. Chair,**

5. Tonga welcomes and agrees with the report by the Co-chairs that there is a direct relevance of sea level rise to the question of peace and security. And rightly so as tensions are deepening due to loss of territories, scarce in resources, increased displacement and so forth as voiced during Security Council Arria-formula meetings.
6. It is crucially important in this regard that UNCLOS must be interpreted and applied in a way that respects the rights and sovereignty of vulnerable small island states. It is for this that PIF leaders endorsed a declaration on preserving maritime zones in the face of climate change-induced sea level rise.

**Mr. Chair,**

7. As earlier mentioned, we maintain the importance of preserving baselines and outer limits of maritime zones measured therefrom and their entitlements, despite climate change-induced sea level rise. We are committed to ensuring maritime zones of Pacific Member States are delineated in accordance with UNCLOS which should not be challenged or reduced due to climate change-induced sea level rise.
8. We agree with the preliminary observation of the Co-Chairs brought up by the distinguished delegate of Singapore that there is no obligation under UNCLOS to keep baselines and outer limits of maritime zones under review nor to update charts or lists of geographical coordinates once deposited with the Secretary-General of the United Nations.
9. The work of this working group fills the gap in this unprecedented reality, which was not contemplated more than 40 years ago, when the legal regime for ocean governance under the 1982 United Nations Convention on the Law of the Sea (UNCLOS) was being negotiated. This is by way of strengthening the UNCLOS framework to address the modern realities of sea-level rise.

**Mr. Chair,**

10. We remain committed to our collective effort in progressively develop international law of the sea in response to the stark realities of rising sea levels.

**I thank you.**

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