



Statement by H.E. Archbishop Bernardito Auza
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Agenda item 82: **Report of the International Law Commission on the
work of its seventieth session (Cluster I)**
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Mr. Chair,

As the *Report of the International Law Commission* warns, “more than 70 States” that is, more than one third of the members of the international community, “are or are likely to be directly affected by sea-level rise.”¹ Many other States are likely to be affected indirectly, not only by land loss, but also by the displacement of peoples and by the loss of natural resources. The global rise in sea-level is thus a major challenge which requires a global response.

Mr. Chair,

Addressing such a complex reality demands above all an integrated ethical approach. We cannot speak about marine and coastal ecosystems without considering the men and women who rely on them, since the human and the natural environment flourish or deteriorate together. In his Encyclical Letter *Laudato Si'*, Pope Francis underscores the need for an “*integral ecology*, one which clearly respects [the] human and social dimensions”² of nature. “[W]e cannot adequately combat environmental degradation,” he said, “unless we attend to causes related to human and social degradation. ... For example, the depletion of fishing reserves especially hurts small fishing communities without the means to replace those resources; water pollution particularly affects the poor who cannot buy bottled water; and rises in the sea level mainly affect impoverished coastal populations who have nowhere else to go.”³

An ethical approach to the challenges posed by sea-level rise must also respect the rights and needs of future generations. As Pope Francis reminds us, “intergenerational solidarity is not optional, but rather a basic question of justice, since the world we have received also belongs to those who will follow us.”⁴ While care for our common home benefits us, it is also a gift to future generations, sparing

¹ A/73/10, Annex B, 1.

² Pope Francis, Encyclical Letter *Laudato Si'*, 137.

³ Ibid, 48.

⁴ Ibid, 159.

them from paying the price of environmental deterioration and ensuring that they are able to enjoy its beauty, wonder, and manifold endowment.

Mr. Chair,

Building on this ethical approach, the Holy See welcomes the decision of the International Law Commission to place the topic of “Sea-level rise in relation to international law” on its long-term programme of work. We are particularly grateful to those members of the Commission who have worked on this issue and who have mapped the legal challenges posed by sea-level rise in the areas of the law of the sea, statehood, human rights and human migration.⁵ However, since the humanitarian repercussions of sea-level rise are particularly pressing, my Delegation would urge the ILC to move the question of the legal protection of the persons that migrate or that are internally displaced to its current programme of work, with a view to studying it with the urgency that it deserves.⁶

Such a study should not be just an academic exercise but rather a pointed effort towards the progressive development of International law in order to respond to the ever-growing humanitarian needs of the populations threatened by sea-level rise. The attention that the ILC would give to this question would thus fill in a lacuna in current International law and would prepare better those States and communities directly concerned, as well as the international community as a whole, to meet the challenges that face them.

Thank you, Mr. Chair.

⁵ A/73/10, Annex B, 15-17.

⁶ Ibid. 17 (vi).