

Sixth Committee (Legal questions)

Debate on the work of the International Law Commission and the Report of the International Law Commission

October 28 to November 6, 2019

Sea-level rise in relation to international law Statement by Canada

Thank you very much, Chairperson.

Canada greatly appreciates this important opportunity to participate in meetings of the 6th Committee on the important work of the International Law Commission, as evidenced by the Report of the 71st session of the Commission. We welcome the chance to contribute to the significant dialogue that has been, and will be, taking place this week with the Commission.

We wish to specifically highlight our satisfaction with the International Law Commission's decision, last year, to include the topic "*sea-level rise in relation to international law*" in its long-term programme of work, and its subsequent decision to add the topic to the Commission's regular programme of work, so it can be addressed in the shorter term. We are also supportive of the Commission's decision to establish an open-ended study group on the topic, with the appointment of five co-chairs to serve on a rotating basis.

Turning now to the substantive discussion before us, while I won't repeat everything that we said last year, I reiterate that Canada readily recognizes the need to study and address sea-level rise, a climate change-driven phenomenon, and that we share the concerns expressed by vulnerable low-lying coastal States and small island developing States with respect to the significant impacts of this phenomenon on various aspects of life, including the potential for related humanitarian and economic disasters.

Having the longest coastline in the world, we are keenly aware that portions of our coastline, notably in Canada's north, are especially vulnerable to this phenomenon.

We therefore see high value in having the International Law Commission pursue the matter of sea-level rise in relation to international law.

We note that some of the law of the sea issues related to sea level rise may trigger broader debates, unnecessarily complicating the task at hand. In those instances, maintaining a more focused approach to the review would be advisable. For example, when considering the possible legal effects of sea-level rise on the status of islands and rocks, the Commission should indeed consider those potential effects, but without entering into the complex debate over the specific characteristics that may grant the status of "rock" or "island."

Similarly, when considering the measurement of baselines, together with the outer limits of maritime zones measured from baselines, Canada is mindful of exchanges of views on whether baselines should be allowed to be moved as a consequence of sea-level rise. We would look to the International Law Commission to follow a cautious approach on those matters - an approach that supports certainty and stability for the delimitation of maritime boundaries.

In closing, Chairperson, Canada wishes to express our gratitude to the International Law Commission for its work throughout the year, and to reiterate its support for the work of the Commission on sea-level rise.

Thank you very much, Chairperson.