



**STATEMENT BY
DELEGATION OF THE REPUBLIC OF INDONESIA
TO THE UNITED NATIONS**

**at the Sixth Committee of the
Seventy-seventh session of the UN General Assembly**

**Agenda Item 77:
“Report of the International Law Commission
on the Work of its Seventy-Third Session”**

Cluster II

NEW YORK, 1 NOVEMBER 2022

Madam Chair,

1. Allow me to begin by expressing Indonesia's appreciation to Professor Dire D. Tladi and all members of the ILC for their contributions to the Commission's work during its seventy-third session.
2. Indonesia also extends its appreciation to the Commission for the report presented in Doc. A/77/10.
3. My delegation will take this opportunity to comment on Chapter IX of the Commission's Report on *Sea-Level Rise in Relation to International Law*.

Madam Chair,

4. The recent IPCC's Sixth Assessment Report concluded that the global mean sea level has risen faster since 1900 than over any preceding century in at least the last three thousand years.
5. Under a moderate emissions scenario, the global mean sea level will likely rise by between 0.44 and 0.76 meters by 2100. But it also could rise as much as 1.01 meters under a very high emissions scenario.
6. Consequently, sea level rise is already a global phenomenon. It poses obvious challenges to humanity, for both present and generations to come.
7. The rising sea level has far-reaching effects that must be addressed. Questions of maritime zone entitlement, loss of territory or even statehood, the migration of people, the marine environment, and the distribution of fish stocks in the global ocean all the way up to marine biodiversity.
8. Therefore, the ILC's study on this topic is important.

9. Indonesia thanks the Study Group of the Commission and expresses appreciation to Professors Galvao Teles and Ruda Santolaria for the publication of the Study Group's second paper on the topic.
10. The paper offers valuable insights and serves good basis for future research and studies on issues related to statehood and the protection of persons affected by sea level rise.
11. In this regard, Indonesia considers it essential for the Commission to conduct exhaustive studies focusing **solely on the legal aspects of the topic**, given that some aspects of the subject matter are delicate, complex and highly sensitive.
 - This also in line with the Commission's mandate to progressively develop and codify **international law**.
 - The Commission need to **avoid speculative scenarios** and to distinguish matters of policy from matters of international law.
12. Indonesia also strongly encourages the Co-Chairs to actively engage with states, international organizations, and other entities, especially scientific and academic institutions,
 - to collect sources of law and evidence of state practice and *opinio juris*; and
 - to generate greater interest, comprehension, and contributions from the general public to aid the Commission in developing its study on the issue of sea level rise.
13. Indonesia also supports the future work plan of the Study Group to comprehensively study the subtopic issues on the law of the sea in 2023, and statehood and the protection of persons affected by sea level rise in 2024, with a view to finalize the substantive report on the topic as a whole in 2025.

Madam Chair,

14. Before I conclude my Statement, allow me to have the indulgence to convey the following.
15. When UNCLOS was negotiated in the 1970s and 1980s, climate change was not well understood, and as a result the convention is rather “climate silent”.
16. In the 21st century, when the impacts of climate change, in particular the rise of sea level, becomes a reality of life, this presents a number of challenges.
17. As the largest archipelagic country, Indonesia cannot stress enough the importance for the Commission to:
 - identify comprehensively the nexus between law of the sea and sea level rise issues; and
 - strike a balance between the need for stability and security in the law of the sea with the objective of promoting equity in responding to climate change.
18. My Delegation emphasizes its strong commitment to the integrity of the United Nations Convention on the Law of the Sea and recognizes the Convention as the “Constitution of the Oceans” which provides an overarching framework for all maritime and oceans concerns.
19. I thank you.

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