



PERMANENT MISSION OF HUNGARY  
TO THE UNITED NATIONS  
NEW YORK

**United Nations General Assembly  
Sixth Committee (79<sup>th</sup> session)**

**National Statement of Hungary  
on the**

**‘Report of the International Law Commission on the work of  
its seventy-fifth session’**

**Cluster I.**

21 October 2024

Intervention by

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Mr. Chairperson,

As this is my first intervention on the Report of the International Law Commission, I would like to commend the Commission for its productive session and thank the ILC Chair for introducing the Report.

As regards the topics discussed by the Commission this year, today we would like to address the question of **sea level rise**. Hungary aligns itself with the statement delivered by the European Union, and wishes to add some remarks in its national capacity.

Hungary is a landlocked country; nonetheless, we fully acknowledge the significant challenges posed by sea-level rise and the need for collective international efforts to address them. In this context, we welcome the additional paper to the second issues paper prepared by two of the Co-Chairs of the Study Group, Ms. Patrícia Galvão Teles and Mr. Ruda Santolaria. We also noted with appreciation that besides the rich material, in some instances, some structural organizational guidelines were introduced that aim to provide practical assistance to states. As an example, we commend the additional paper for recognizing the slow-onset nature of sea-level rise and for adopting a scenario-based approach in its analysis of general human rights obligations.<sup>1</sup> We find this structure to be both practical and forward-thinking, and we would encourage its consistent application throughout the Study Group's final product as a guiding organizational principle.

Concerning the subtopic **statehood**, Hungary acknowledges the strong presumption of continuity of statehood and emphasizes the importance of self-determination, recognized as a *jus cogens* norm in the ILC's Draft conclusions on peremptory norms of general international law.

Regarding the subtopic on the **protection of persons**, as an overall observation, Hungary acknowledges the comprehensive list of proposed elements for legal protection in the context of sea-level rise, but notes that these elements vary in nature. Some are well-defined conclusions, such as the recognition of general human rights obligations, while others are more exploratory, like the suggestion for States to develop tools to prevent statelessness. Hungary would welcome a unified approach in the final conclusions, clarifying States' duties and responsibilities. While we value the breadth of questions raised by the Study Group's papers,

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<sup>1</sup> A/CN.4/774, par. 207.

we reiterate that the aim is to assess the extent to which current international law can address sea-level rise and identify areas where States need to develop practical solutions.<sup>2</sup>

We remain cautious about referencing soft law instruments that provide 'guidelines for the protection of persons displaced by sea-level rise'. While such instruments may reflect States' opinio juris, they remain essentially policy-driven, and the ILC should avoid engaging into policy discussions.

Lastly, we welcome the increased focus on protecting the cultural heritage of individuals and communities, as clarifying States' obligations toward affected communities is vital for future work.

Turning briefly to **Other decisions**, we commend the inclusion of the topics of compensation for damage caused by internationally wrongful acts and due diligence in international law, respectively, in the Commission's long-term programme of work. We believe that achieving a common understanding of due diligence will provide States with crucial guidance, both in fulfilling their international obligations and during treaty negotiations.

Thank you for your kind attention.

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<sup>2</sup> Official Records of the General Assembly, Seventy-third Session, Supplement No. 10 (A/73/10), annex B. Par. 5.