



**New Zealand Permanent Mission to the United Nations
Te Aka Aorere**

United Nations General Assembly: Sixth Committee Seventy-Ninth session – Report of the International Law Commission on the work of its seventy-fifth session

**New Zealand statement delivered by
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23 October 2024

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New Zealand thanks the International Law Commission for its report on the work of the seventy-fifth session. We would like to register our deep appreciation for the Commission's ongoing contributions to international law.

We especially welcome Chapter 10 of the Commission's Report on sea-level rise in relation to international law.

Sea-level rise is a global issue of significant importance to the international community, particularly low-lying islands and coastal communities, as demonstrated by the submissions made to the International Law Commission, the statements made in Sixth Committee in relation to the Commission's work, the focus of the UN General Assembly at a recent High-level Meeting on addressing the threats posed by sea-level rise including the legal dimension, and of course prominent state practice.

New Zealand supports in full the statement made on behalf of Pacific Islands Forum members. In recent years, the Leaders of the 18 members of the Pacific Islands Forum have made clear their position that our statehood, sovereignty and maritime zones, and associated legal rights and entitlements, will continue notwithstanding sea-level rise. The Pacific Islands Forum has called for international cooperation on these matters.

We commend the Study Group and its Co-Chairs for their ongoing insightful work on sea-level rise in relation to international law, including the Co-Chairs for their recent additional paper to the second issues paper, and the recent report of the Study Group. We continue to welcome and support the approach the Commission has taken to examining this topic.

We wish to emphasize three observations that are recorded in the Commission's Report of its work for the seventy fifth session:

First, New Zealand welcomes that the Report records that the Study Group: generally supported the continuity of statehood, and assessed that the criteria in article 1 of the 1933 Montevideo Convention on Rights and Duties of States related to the establishment of statehood and did not address the question of the continuity of statehood; that State practice had revealed a degree of flexibility in the application of international law to the issues of statehood; and that there are a range of principles and rights under international law that provide a basis for continuity of statehood.

Secondly, New Zealand agrees with the Study Group's view, recorded in the

Commission's Report, that states have a right to provide for their preservation, and that international cooperation was essential including between affected States and other members of the international community based on the sovereign equality of States, as well as considerations of equity and fairness.

Thirdly, New Zealand welcomes the continued insights of the Study Group on protection of persons affected by sea-level rise, and highlights that continuity of statehood is inherently linked to protection of persons. In this regard, the Pacific Islands Forum Leaders 2023 Declaration on the Continuity of Statehood and the Protection of Persons in the Face of Climate Change-Related Sea-Level Rise acknowledged that *"States carry an important duty in ensuring protection of their people, and continuity of statehood is necessary and fundamental for that protection to be implemented and to endure"*.

Finally, New Zealand welcomes that the Study Group will in 2025 consider a joint final report on the topic as a whole consolidating the work undertaken so far on the three subtopics associated with sea-level rise.

The final report of the Study Group will be valuable for the international community as it further considers international cooperation on addressing the threats posed by sea-level rise, and in particular for the General Assembly as it progresses its Decision on "enhancing action on sea level rise" made on 1 August 2024. In this decision the General Assembly agreed to hold a further high-level meeting on sea level rise to result in a concise, action-oriented and intergovernmentally negotiated declaration agreed by consensus.

To close, we thank the Commission again for its valuable work on this topic. We reaffirm our high regard for the Commission's work, which helps ensure that international law contributes to international stability and certainty for States.