



PERMANENT MISSION OF NIGERIA TO THE UNITED NATIONS

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STATEMENT

BY

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MINISTER

PERMANENT MISSION OF NIGERIA TO THE UNITED NATIONS

ON

**THE REPORT OF THE INTERNATIONAL LAW COMMISSION ON
THE WORK OF ITS SEVENTY-FIFTH SESSION: AGENDA ITEM 79**

**CLUSTER I - (IMMUNITY OF STATE OFFICIALS FROM FOREIGN
CRIMINAL JURISDICTION) & (SEA LEVEL RISE IN RELATION TO
INTERNATIONAL LAW)**

21 OCTOBER 2024

Mr. Chair

Nigeria aligns itself with the statement delivered by the Distinguished Representation of Uganda on behalf of the African Group. My delegation wishes to thank the Chair of the 75th Session, **Mr. Marcelo Vazquez Bermudez and the members of the Bureau and** commends the Chair for the comprehensive report on the work of the Commission contained in document **A/79/10**. I wish to reaffirm Nigeria's full support to the Bureau. My delegation congratulates the International Law Commission on the Commemoration of the 75th anniversary. My delegation will only make intervention on the sea level rise.

2. We appreciate the Special Rapporteurs and the Chairs of the Study Group, on sea-level rise in relation to international law, on issues related to statehood and to the protection of persons affected by sea-level rise, Co- Chaired by Ms. Galvão Teles and Mr. Ruda Santolaria for conducting a successful session.

3. My delegation thanks the African members of the Commission, **especially Professor Charles Chernor Jalloh, Professor Louis Savadogo, Professor Alioune Sall and Ambassador Ahmed Fathalla** for their briefing to the African group on the progress of the work of the Commission during the 75th Session. As we continue to acknowledge the work of the commission, we reiterate the need for transparency in its decisions and to avoid politicizing the issues. My delegation notes the extensive efforts towards the adoption of the draft principles and

to emphasize the importance of the topics which cut across many areas of concern. We take note of the sub-topics discussed in the meetings of the Study Group. We recognize the importance of including these two topics at this time when the world is faced with the disruptive challenges of sea level rise and its consequences on the affected community.

Mr. Chair

4. Sea level rise is one of the most devastating consequences of climate change. It directly threatens millions of lives, economies, and ecosystems globally. As a result of this phenomenon, coastal erosion, flooding, and saltwater intrusion are increasingly common, leading to the displacement of persons and the loss of arable land. This challenge is not just a distant concern for small island nations or coastal communities; it is a global crisis that demands immediate, concerted, and comprehensive efforts from all Member States. We must acknowledge that those most affected by sea level rise are often the least responsible for causing climate change. Addressing the existential threat posed by sea level rise requires unprecedented levels of international cooperation.

5. In this regard, on the proposals, we agree that the topic is of relevance and crucial importance to the international community and the urgency to address the situation which affects vulnerable populations, including those on the verge of being totally or partially submerged. We agree that the affected States retain the right to provide for the persons affected by sea level rise within its

territory including those whose land has been submerged. We recognise the importance of human rights protections including the dignity of the affected person. However, we wish to clearly state that it is within the obligation of the state to protect the rights of the affected persons in the event of the loss of territory by sea level rise. In addition, we wish to reiterate that the sovereignty and sovereign rights of a State over its territory and in the surrounding maritime zones should be preserved in accordance with international laws. We support including the sea-level rise dimension into the ongoing negotiations on the draft articles on the protection of persons in the event of disasters.

6. While emphasizing the obligation to cooperate, international intervention, in any form of technical assistance, must be with the consent of the states and should be guided by international law on the principle of sovereignty and non-interference. We emphasize the role of regional mechanisms considering the current transnational nature of sea level rise on the affected persons and territories.

Mr. Chair

7. Nigeria will continue to support the work of the Commission and urges it to continue to deepen its collaboration with member states and regional international Law Commission on the relevant topics on International Law. We also stress the need for the Commission to consider ways in which specific topics on which the views of Governments could be of particular interest to the

commission could be framed to help Governments have a better appreciation of the issues especially when timely responses are required.

8. We acknowledge the work of the Commission in assisting with the codification and the development of international law and recognize the ample opportunity which the International Law Commission provides for Nigeria and Africa to play very important roles in the formulation of International Laws and norms that reflect the African perspectives. We reiterate the need to continue to reflect the African customary law taking note of the diversity of the legal system of the region in the Commission's next session.

I thank You