



PAPUA NEW GUINEA STATEMENT

BY

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AT THE

**GENERAL ASSEMBLY 79TH SESSION SIXTH COMMITTEE
AGENDA ITEM 79 CLUSTER I ON THE REPORT OF THE
INTERNATIONAL LAW COMMISSION CHAPTER X ON SEA-
LEVEL RISE IN RELATION TO INTERNATIONAL LAW**

NEW YORK, 23 OCTOBER 2024

"Check against delivery"

Mr. Chair, Excellencies, distinguished members of the International Law Commission and fellow delegates;

This being the first occasion for my delegation to speak at this Committee's 79th session, I would like to congratulate you, Mr. Chair and the respective Bureau members for your mandates and also for the commendable leadership and manner you are steering our work and wish you all well. You can be assured of our constructive support.

We align our remarks with those made by the respective distinguished delegations of Tonga and Samoa, as Chairs of the Pacific Islands Forum (PIF) and the Alliance of Small Island States (AOSIS). In our national capacity, we would like to make additional comments on Chapter Ten of Cluster One of Agenda Item 79.

Mr. Chair, at the outset, we welcome, once again, to this Committee's work this year, the distinguished members of the International Law Commission (ILC) and also thank them for their valued and insightful work as reflected in the 2024 Annual Report of the ILC that is before us.

In particular, our delegation greatly appreciates the important contributions made by the Study Group on sea-level rise in relation to international law and also applauds members of the ILC for their ongoing constructive and welcome dialogue at various relevant fora, where this topical issue is center-stage.

Let me underscore that Papua New Guinea considers the topic of sea-level rise in relation to international law as critically important for the sustainable future of our country, and our region, the Blue Pacific Continent, and also for the international community. As such, our delegation wishes to make brief remarks on this topic, in our national capacity.

Firstly, we wish to reaffirm our strong support for the following declarations:

- (1) The 2021 Pacific Islands Forum (PIF) Declaration on Preserving Maritime Zones in the face of Climate Change-Related Sea-Level Rise;
- (2) The 2023 PIF Declaration on the Continuity of Statehood and the Protection of Persons in the face of Climate Change-Related Sea-Level Rise; and
- (3) The 2024 Alliance of Small Island States (AOSIS) Declaration on Sea-Level Rise and Statehood.

Mr. Chair, in the 2021 PIF Declaration, our Leaders proclaimed that our maritime zones, as established and notified to the Secretary-General of the United Nations in accordance with the UN Convention on the Law of the Sea (UNCLOS), and the rights and entitlements that flow from them, shall continue to apply, without reduction, notwithstanding any physical changes connected to climate change-related sea-level rise.

PIF Leaders also recorded our position that maintaining maritime zones established in accordance with UNCLOS, and rights and entitlements that flow from them, notwithstanding climate change-related sea-level rise, is supported by both UNCLOS and the legal principles underpinning it.

The 2023 PIF Declaration declares that the statehood and sovereignty of PIF Members will continue, and the rights and duties inherent thereto will be maintained, notwithstanding the impact of climate change-related sea-level rise.

It further declared that PIF Members, individually and collectively, bear an important responsibility for ensuring protection of our people, and are committed to protecting such persons affected by climate change-related sea-level rise, including with respect to human rights duties, political status, culture, cultural heritage, identity and dignity, and meeting essential needs.

In view of the high priority accorded to these critical issues at our national level and also in our Blue Pacific Continent, our Forum Leaders further reaffirmed this in their 53rd Forum Communique issued in August 2024 in Tonga, where the call for a standalone agenda item in the General Assembly was also underscored.

Mr. Chair, the 2024 AOSIS Declaration declares that international law is premised on a principle of continuity of statehood, consistent with broad state practice over the past century.

It also declares that the statehood and sovereignty of Small Island Developing States and our membership in the United Nations, its specialized agencies and other intergovernmental organizations will continue, and the rights and duties inherent thereto, will be maintained, notwithstanding the impacts of climate change-related sea-level rise.

Papua New Guinea welcomes the strong support that many members of the international community have expressed for these Declarations.

We encourage further support from other States, consistent with the duty of cooperation and the principles of equity, fairness, and sovereign equality of States.

Secondly, Mr. Chair, our delegation has previously drawn attention to the fact that preservation of the maritime rights and entitlements of States is closely linked to the continuity of statehood as well as the maintenance of resources that will be important for the protection of persons affected by sea-level rise.

In this respect, we draw further attention to the principle of permanent sovereignty over natural resources.

Our delegation believes that the principle of permanent sovereignty over natural resources should be considered in the context of the possible legal implications of sea-level rise on maritime entitlements as well as on statehood and the protection of persons affected by sea-level rise.

Permanent sovereignty over natural resources is also consistent with the provisions of international human rights covenants. We refer to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

As such, we welcome the consideration by the Study Group of the principle of permanent sovereignty over natural resources in its Final Report, including as an additional layer of support for the preservation of maritime entitlements and the continuity of statehood, as well as having relevance for the protection of persons in the face of sea-level rise.

Mr. Chair, in closing, Papua New Guinea looks forward to the issuance of the Final Report by the Study Group in 2025, which should guide further work by the international community on this important issue.

In this regard, we are keenly interested in continuing to work with other delegations and Commission members.

Thank you.