



Statement to the 6th Committee on Agenda Item 79: Cluster 1: Report of the ILC on the work of its 75th Session – chapter I, II, III, VII (immunity of State officials from foreign criminal jurisdiction), X (sea level rise in relation to international law) and XI (other decisions and conclusion)

**By
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Tuvalu Permanent Representative
UN Trusteeship Chamber, 24-25 October 2024**

Mr. Chair, Excellencies, Distinguished Delegates,

As this is the first occasion for my delegation to speak at this committee's 79th session, I would like to congratulate the chair and the respective bureau members for your mandates and clear manner you are steering this committee. Tuvalu assures the chair of their constructive engagement. Tuvalu aligns itself with the statements delivered under this Cluster by Samoa on behalf of the Alliance of Small Island States and by Tonga on behalf of the Pacific Islands Forum.

At the outset, Tuvalu wishes to express its deep gratitude to the International Law Commission and its Study Group on Sea-Level Rise for their continued work and dedication to addressing the complex legal challenges posed by sea-level rise. The ILC's focus on this issue has been pivotal for small island developing states like Tuvalu, as we navigate the legal uncertainties that accompany this unprecedented crisis. We look forward to the final report of the Study Group, confident that it will provide both a thorough assessment and a roadmap for how international law can evolve to meet the realities of climate change.

For Tuvalu, this is not just a legal exercise; it is a matter of national survival. Sea-level rise is an existential threat that endangers not only our land but also our culture and identity. Every day, we face the encroaching ocean, and with it, the erosion of the very fabric of our nation.

While international discussions have long focused on the broader global impacts of climate change, for Tuvalu and other low-lying atoll nations, sea-level rise poses a direct and immediate threat to our survival as a nation. Communities are already being displaced, freshwater is becoming scarce due to salinization, and with every tide, we lose more of the precious land that has sustained our people for generations.

But let me be clear: Tuvalu is not asking for pity. We are not resigning ourselves to fate. Our people are resilient, and we will continue to fight for our place in the world, both physically and legally. As our islands face rising waters, we stand firm in our resolve to assert our rights under international law.

The principle of statehood continuity is of paramount importance. The physical impacts of climate change cannot be allowed to undermine Tuvalu's sovereign status. The continuity of statehood is not only a fundamental principle of international law but also an essential safeguard for the dignity and identity of our people. We must recognize and enshrine this principle, ensuring that Tuvalu and other vulnerable states remain sovereign entities with full international recognition, regardless of the changes to our physical territory.

Our maritime zones, as established under the United Nations Convention on the Law of the Sea (UNCLOS), must also remain intact. These zones are critical to our economic survival and must be respected, even as the seas rise. Tuvalu, like other small island states, depends on these maritime zones for its livelihood and the exercise of its sovereign rights, and we reaffirm that they are non-negotiable.

Moreover, we call upon the international community to recognize the human dimension of sea-level rise. For Tuvalu, this is not just about preserving borders on a map—it is about preserving the identity, heritage, and dignity of our people. The displacement of our people, forced by rising waters, is a crisis that demands urgent legal and humanitarian responses. We must ensure that those displaced by climate change are protected, and that their rights are upheld with dignity.

In September 2024, Tuvalu had the honor to address the High-Level Meeting on Sea-Level Rise. During that meeting, we called for a new international declaration that acknowledges the right of states like Tuvalu to continue to exist, regardless of the physical impacts of climate change. Our sovereignty must not be diminished by the rising seas.

As we anticipate the final report of the International Law Commission's Study Group on Sea-Level Rise, we look forward to a clear path forward that will help shape international law in a way that addresses the profound challenges posed by climate change. We trust that the ILC's work will lay a critical foundation for future legal frameworks that ensure no nation's statehood or rights are diminished due to circumstances beyond their control.

Every delay means more land lost, more lives disrupted, and more uncertainty for our future. The international community must step up with concrete actions, including establishing legal frameworks that protect the displaced, securing funding mechanisms for adaptation, and reaffirming the sovereign rights of states facing the impacts of climate change.

Mr. Chair,

Tuvalu may be small, but our voice will not be silenced. We will continue to fight for justice, for

the survival of our nation, and for the protection of our people and their rights under international law. This is not just a matter of survival—it is a matter of dignity, sovereignty, and our rightful place in the global community.

Thank you.