



PACIFIC ISLANDS FORUM STATEMENT

6th Committee – Cluster 1 on the Report of the ILC

Statement delivered by Ms. Fiona Indu – Deputy Permanent Representative of Solomon Islands on behalf of the Pacific Islands Forum group.

Chair, Excellencies, distinguished delegates,

1. I have the honour to deliver this statement on behalf of the Pacific Islands Forum members with presence in New York. This statement will address the topic of “Sea-level rise in relation to international law”, with a particular focus on the Final Report of the Commission’s Study Group on the topic.
2. For years Pacific Islands countries have stressed that the serious and irreversible threats and adverse impacts of climate change-related sea-level rise will disproportionately imperil the lives, livelihoods, food security, ecosystems, and wellbeing of our Pacific peoples.
3. Today we do so again, but with a sense of optimism. We commend the International Law Commission Study Group on Sea-Level Rise in Relation to International Law for their dedication and commitment in preparing a comprehensive and consolidated final report, reflecting serious and thoughtful deliberations over the past 7 years. The Commission’s unanimous support of this report speaks to the importance of this work, and the contributions it will provide to the international community to collectively understand and

address the complex questions posed by climate change-related sea-level rise within the framework of international law.

4. The Final Report presented by the Commission is timely, brings clarity, and reinforces some of our long-standing positions on the issue of climate change-related sea level rise, which our PIF leaders have advocated for.
5. Our group has actively engaged in international legal processes that address the relationship between climate change-related sea-level rise and international law. Over the past year, significant progress has been made in clarifying and reinforcing the principles that underpin the Pacific region's long-standing positions.
6. Chair, we welcome the Final Report's articulation of the widespread support for preservation of baselines and outer limits of maritime zones notwithstanding climate change-related sea-level rise. This has been our long-standing position which has been set out in the *2021 Pacific Islands Forum Declaration on Preserving Maritime Zones in the Face of Climate Change-related Sea-Level Rise*.
7. Moreover, the preservation of maritime zones referenced in the PIF 2021 Declaration contributes to a just international response to climate change-related sea-level rise and underscores that the legal rights and entitlements that flow from such maritime zones shall continue to apply, without reduction, notwithstanding any physical changes connected to climate change-related sea-level rise. This approach is essential to maintaining *legal stability, certainty, and predictability* in the context of climate change-related sea-level rise.
8. On the continuity of statehood, we welcome the Final Report's comments regarding the strong support among States for the *continuity of statehood, sovereignty, and international legal personality*, including the maintenance of membership in international organizations, for States particularly affected by climate change-related sea-level rise. This recognition is essential to ensuring the continued participation and equality of all

States within the international community. That has been the cornerstone of our group's advocacy in this front.

9. We welcome recognition in the Final Report of the *2023 Pacific Islands Forum Declaration on the Continuity of Statehood and the Protection of Persons in the Face of Climate Change-related Sea-Level Rise*. Furthermore, we welcome widespread support for this Declaration from other States and regional organizations, reflecting a growing international consensus to safeguard sovereignty and statehood in the face of climate change-related sea-level rise.
10. Furthermore, the Final Report affirms that the continuity of statehood in the context of climate change-related sea-level rise is essential to prevent loss of nationality and the risk of statelessness and correlates with the right to self-determination of peoples—including Indigenous Peoples—as these peoples cannot be deprived of the continuity of statehood without the consent of these peoples.
11. Chair, peoples and communities in the Pacific have and continue to struggle with the realities of “climate change-related sea level rise” – our homes, land, cultural sites and communities and graveyards are being swallowed by rising waters. Protection of persons in this context, is not an abstract issue – it's one of survival, duty and responsibility that the global community must take seriously.
12. In this regard we welcome the clarity the Final Report provided on Protection of Persons affected by sea level rise. The Final Report reaffirmed that persons affected by sea level rise remain rights holders and States have a duty to respect, protect and fulfil their human rights obligations; and noted that human dignity is a guiding principle for any action to be taken in the context of “climate change related sea level rise”. These comments are consistent with our PIF 2023 Declaration whereby PIF Leaders declared that individually and collectively, PIF Members 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. Furthermore, we note comments in the Final Report about the need for international cooperation to protect persons and communities affected by sea level rise in areas such as protection of culture, cultural heritage and identity.

13. We underscore the Final Report's comments that States particularly affected by climate change-related sea-level rise are entitled to take the measures available to them under international law, including adaptation measures, to respond to the different levels of submergence of land surface or challenges to habitability, while continuing to uphold their international obligations.

14. *Chair*, the Pacific Islands Forum reiterates its unwavering commitment to advancing international cooperation and solidarity in addressing the legal and human dimensions of climate change-related sea-level rise. Our leaders in 2024 called for greater attention to this issue at the United Nations, including its inclusion in the General Assembly agenda. We look forward to the high level meeting on sea-level rise to be held in 2026 and believe the Final Report will augment our position on this issue, complimented by the recent ICJ advisory opinion on Climate Change and ITLOS advisory opinion.

15. We maintain our call for the international community to continue to engage constructively and to support efforts that preserve the rights, sovereignty, and dignity of all Pacific peoples, in full accordance with international law and the principles of equity, justice, and common humanity.

Thank you, Chair.