



**President of the General Assembly
Informal Plenary of the General Assembly on
Existential Threats of Sea-level Rise Amidst the Climate Crisis**

**3 November 2023
SUMMARY**

On 3 November 2023, the President of the General Assembly (PGA), H.E. Mr. Dennis Francis convened an informal plenary meeting of the General Assembly to hear from and engage with eminent speakers on the existential threats of sea-level rise amidst the climate crisis. The meeting aimed to discuss concrete solutions from the membership, observers in the General Assembly and ECOSOC accredited NGOs.

Opening

The informal plenary meeting consisted of an opening and a closing segment, and a panel discussion followed by interventions from the floor. The event opened with the remarks of the PGA. He highlighted that sea-level rise was unarguably foremost among the impacts of climate change for low-lying and Small Island Developing States and urged that it was the collective responsibility of the membership to stand with those confronting this existential challenge. He pointed out that these alarming developments had resulted in speculation over profound and sensitive questions – including around the continuity of statehood, territorial and maritime zones, the dignity of nations and membership of the United Nations – and must be discussed at the General Assembly. A short film titled “Rising Nations” was then screened to showcase the plight of people whose lands suffer from sea-level rise.

Panel discussion

The panelists at the informal plenary meeting were **Mr. Talua Nivaga**, Youth advocate, co-founder of NGO Fuligafou (Tuvalu), **Dr. Nilufer Oral**, Co-Chair of the International Law Commission (ILC) Study Group on Sea-level rise in relation to international law, Centre for International Law, National University of Singapore; **H.E. Hon. Anthony G. Sylvestre**, Minister of Legal Affairs and Attorney General of Belize; and **Dr. Bogdan Aurescu**, Co-Chair of the International Law Commission Study Group on Sea-level rise in relation to international law, Professor of International Law, Faculty of Law, University of Bucharest.

Mr. Nivaga focused on the ‘real impact of sea-level rise on real people’; and captured the profound loss of heritage, culture, statehood and dignity, faced by affected communities. Dr. Oral spoke about developing practicable solutions in order to respond effectively to the legal issues prompted by sea level rise. She also raised the question of equity and indicated that while sea-level rise may be an existential threat, it did not mean a loss of existing lawful rights, which should be preserved in the interest of stability and equity.

Minister Sylvestre focused on the multidimensional implications of the challenge and informed of Belize’s lead in advocating for an insurance mechanism to address the impacts of sea-level rise. Asserting the urgency of establishing a Loss and Damage Mechanism, the Santiago Network on Loss and Damage and the establishment of the Loss and Damage Financing Facility, he stressed that the latter must be operationalized and capitalized at COP 28. He also explained that the economy, livelihoods, history, cultural heritage and identity were deeply intertwined with the terrestrial and marine ecosystems and coastline, which were at risk of becoming uninhabitable due to sea-level rise. Dr. Aurescu called for a global solution to the mounting threats of sea-level rise that affected human and state security. He clarified that maritime zones under UNCLOS were central and a coherent approach was required on the issue of freezing of baselines and preservation of statehood. He supported the view that if an area was rendered uninhabitable, there as no legal claim that statehood disappeared.

Interventions

Representatives of Member States, Groups and international organizations made interventions from the floor. Other delegations submitted the texts of their statements in writing. There was an **overwhelming support to address the existential threat of sea-level rise and take urgent action leading to tangible outcomes that would prevent, protect, and resolve situations arising out of it.** A summary of the main messages is as follows:

- It is **critical to safeguard the inalienability of the sovereignty and statehood** of the Member States affected by sea-level rise. Their **UN membership must be constant in perpetuity**. International law supports a presumption of continuity of statehood and does not contemplate its demise in the context of climate change-related sea-level rise.
- Sea-level rise **threatens the rich cultures and traditions** of Small Island Developing States and low-lying communities. **Collective action and support** are needed to protect and preserve their unique heritage.
- A recurrent challenge faced by SIDS and affected regions continues to be timely, and adequate access to **climate financing**. International community must deliver on the commitments made and increase access to **adaptation funding** for small islands.
- Extreme sea-level events represent a peril that, without **immediate and ambitious action**, could devastate **local ecosystems and biodiversity**, force the **displacement** of inhabitants, obliterate cultures with deep historical roots, and ultimately erase the physical existence of these lands and the people who call them home. It is therefore imperative to ensure **predictability, sustainability, and security** to those affected by the climate crisis– and to advance a **collective** approach that prioritizes the foundational pledge to leave **no one** behind.
- **UNCLOS** remained an important contribution to the maintenance of peace, justice and progress for all peoples, as well as to the protection and preservation of the marine

environment and set out the legal framework within which all activities in the oceans and seas must be carried out.

- The **ongoing processes at the International Law Commission and discussions in the Sixth (legal) Committee** reflected the commitment to engaging in the development and application of international law on the issue of sea-level rise that deeply affected many Member States. Delegations also welcomed and encouraged these deliberations in the General Assembly.
- Many Member States acknowledged the significance of the General Assembly's request for an **International Court of Justice (ICJ) advisory opinion** on states' international climate change obligations and looked forward to addressing those complex legal issues in the ICJ advisory proceedings.
- Appreciation was expressed for **forging strong partnerships**, such as the Coalition for Addressing Sea-Level Rise and its existential threat (**C-SET**) and **Rising Nations Initiative**, that ensured concrete actions and solutions by pooling resources, knowledge, and technology.

Closing

PGA reiterated that sea-level rise posed the single greatest menace to livelihoods, security, and safety of the affected communities and appreciated that decisive steps were identified at the informal plenary meeting of the General Assembly towards refining the understanding of the dynamics of sea-level rise and building momentum for urgent and targeted action for redress. These included:

- Addressing the speculations around the continuity of statehood and protecting the maritime territorial integrity of Member States, and the future status of their UN membership.
- Cooperation and Collaboration were essential on matters of existential concern. Mobilizing a coalition of like-minded countries to ensure that Small Island Developing States and low-lying coastal areas are prioritized in climate action and climate finance.
- Shoring up robust advocacy and greater political action on relevant legal issues.
- Safeguarding the cultural heritage of countries threatened by sea-level rise, sustaining their livelihoods, and strengthening their resilience.
