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Sixth Committee

Agenda item 77: Report of the International Law Commission on the work of its seventy-third session, Cluster II

Statement by the delegation of the Federated States of Micronesia

New York, 1 November 2022

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Chair,

Micronesia aligns itself with the statements delivered under this Cluster by Antigua and Barbuda on behalf of the Alliance of Small Island States, and by Samoa on behalf of the Pacific Small Island Developing States.

For this Cluster, Micronesia will focus on the topic of sea-level rise in relation to international law. We are grateful to Mr. Juan Jose Ruda Saubidó for his contribution in the second issues paper that

become uninhabitable owing to exceptional circumstances outside their will or control, a strong presumption in favour

As the paper additionally notes the preservation of statehood is also linked to the preservation of the rights

As a small island developing State that is particularly vulnerable to and specially affected by sea-level rise and other adverse effects of climate change, Micronesia cannot accept any interpretation of international law that deprives us of our Statehood and the rights and entitlements that flow from such Statehood simply because we lose land territory due to the actions and omissions of others, particularly those of developed countries and other major emitters of greenhouse gas emissions. If the criteria for Statehood from the Montevideo Convention on the Rights and Duties of States are to be accepted, then they can only be accepted for determining whether a State has been created. They do not automatically apply when determining whether Statehood persists once initially created. Under international law, the extinguishing of Statehood should be particularly difficult, especially for those States whose

