



PERMANENT MISSION

NEW YORK

NEW YORK, OCTOBER 2021

CHECK AGAINST DELIVERY

GENERAL ASSEMBLY, SIXTH COMMITTEE

AGENDA ITEM 82-II, CLUSTER II: REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS SEVENTY-FIRST SESSION (CLUSTER II)

STATEMENT BY MR. MATTHEW EDBROOKE, POLITICAL AND SCIENTIFIC ADVISOR

PERMANENT MISSION OF THE PRINCIPALITY OF LIECHTENSTEIN TO THE UNITED NATIONS

Chairperson,

Liechtenstein welcomes the 71st session of the International Law Commission and wishes to place on record our support for its important work. Under this cluster we wish to take the floor on the role in encouraging the progressive development of international law and its codification. The ILC's work on rising sea-levels poses a serious threat to the lives and livelihoods of millions of people in the vast majority of Member States. Efforts made by the ILC to address its wide ramifications for international law are befitting of its urgency. Liechtenstein appreciates in particular the decision to include subtopics on the protection of persons affected by sea-level rise and on statehood, which indicate the importance of a person-centered and human rights-focused approach.

>] Z š v • š] v [• %o œ • %o š] Å } v š Z] •] • • μ] • P œ } μ v] v } μ œ } v the right of self-determination, which is a prerequisite for the enjoyment of human rights as a whole. In this respect, Liechtenstein stresses the novelty of the implications of sea-level rise for understandings of statehood. Legal challenges to the persistence of particular States and

countries have in the past arisen in situations of the loss of control over territory or over the population belonging to that State or residing in that territory. Instead, a different State or government assumes control over the aforementioned territory and population. Such a challenge to State persistence rests on the failure of the first State to fulfil the first three $Z D \} v \check{s} \dot{A}] \}$ $\text{\textcircled{E}}] \check{s} \text{\textcircled{E}}] [\}$ ($\% \text{\textcircled{E}} u v v \check{s} \%$ } $\% \mu o \check{s}] \}$ $v U$ ($] v \check{s} \text{\textcircled{E}} \text{\textcircled{E}}] \check{s} \}$ $\text{\textcircled{E}} \text{\textcircled{C}} U$ territorial inundation due to sea-level rise differ in this respect, as the territory and the population residing therein does not necessarily fall under the control of a different State or government. Instead, in situations of sea-level rise, it can be presumed at the very least that the population, and thus the government with control over it, persists at the point of inundation.

Given the concerning trajectory for our world set out in the IPCC