



PERMANENT MISSION OF THE FEDERATED STATES OF MICRONESIA
TO THE UNITED NATIONS

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The Permanent Mission of the Federated States of Micronesia to the United Nations presents its compliments to the International Law Commission and has the honor to respond to a request from the International Law Commission for comments on the topic of “Sea-level rise in relation to international law,” as referenced in Chapter III, Section C, Paragraphs 31 and 32 of the Report of the International Law Commission on the work of its seventy-first session (U.N. Doc. A/74/10). In that connection, the Federated States of Micronesia aligns itself with the comments made by the Pacific Islands Forum in its official submission to the International Law Commission in response to that request. Additionally, the Federated States of Micronesia hereby supplements that official submission of the Pacific Islands Forum with a copy of a set of observations that the Federated States of Micronesia included in its 24 December 2019 deposit with the Secretary-General of the United Nations of charts and lists of geographical coordinates of points for the Federated States of Micronesia in compliance with article 16, paragraph 2 and article 75, paragraph 2 of the 1982 United Nations Convention on the Law of the Sea (“UNCLOS”). The materials for the deposit—including the set of observations—have been posted on the website of the United Nations Division for Ocean Affairs and the Law of the Sea (see: <https://www.un.org/Depts/los/LEGISLATIONANDTREATIES/STATEFILES/FSM.htm>). Per past practice, the materials will be circulated to UNCLOS States Parties as well as Member States of the United Nations General Assembly as a formal maritime zone notification in due course. In the meantime, the Federated States of Micronesia wishes to highlight the above-mentioned set of observations for the attention and consideration of the International Law Commission, in connection with the International Law Commission’s request for comments on the topic of “Sea-level rise in relation to international law.”

The Permanent Mission of the Federated States of Micronesia to the United Nations avails itself of this opportunity to extend to the International Law Commission the assurances of its highest consideration.



27 December 2019

International Law Commission
GENEVA, SWITZERLAND

Observations by the Federated States of Micronesia in connection with the official deposit of its charts and lists of geographical points of coordinates for maritime baselines and maritime zones in accordance with the 1982 United Nations Convention on the Law of the Sea

The Federated States of Micronesia, as a State Party to the 1982 United Nations Convention on the Law of the Sea ("UNCLOS"), assumes legal obligations and exercises all sovereign and jurisdictional entitlements as legal consequences of being such a State Party. As a State Party to UNCLOS, the Federated States of Micronesia is presently depositing with the Secretary-General of the United Nations charts and lists of geographical points of coordinates for all maritime baselines as well as for the territorial sea, contiguous zone, and exclusive economic zone of the Federated States of Micronesia, as defined under UNCLOS.

In this context, the Federated States of Micronesia notes that the applicable international law as reflected in UNCLOS bestows maritime zones to coastal States, and many small island developing States, such as the Federated States of Micronesia, have planned their development in reliance on the sovereignty, sovereign rights, and jurisdiction generated by such maritime zones. Sea-level rise and climate change challenge this careful planning, including in terms of their effects on relevant geophysical features. The Federated States of Micronesia, a country made up of 607 islands, many of which are low-lying islands and atolls, is specially affected by such sea-level rise and climate change.

The Federated States of Micronesia states its understanding that it is not obliged to keep under review the maritime zones reflected in the present official deposit of charts and lists of geographical coordinates of points, delineated in accordance with UNCLOS, and that the Federated States of Micronesia intends to maintain these maritime zones in line with that understanding, notwithstanding climate change-induced sea-level rise.