



Declaration on Sea-Level Rise and Statehood

Adopted by the Heads of State and Government of the Alliance of Small Island States (AOSIS)

**New York
23 September 2024**

Introduction

Since the 1989 Small States Conference on Sea Level Rise in the Maldives, SIDS have been at the forefront of the development of international law as it relates to the climate crisis and to sea level rise. From the early proposals at the UNFCCC to recent declarations on maritime zones, SIDS have helped international law to evolve to meet the climate crisis and the disproportionate effect that it has on SIDS.

But in this era of unprecedented and relentless sea-level rise, international law must do more. The practice of states over the past century have indicated that statehood is a fundamental principle of the international order. The United Nations system is built on the idea of stability of states. But some still question the durability of statehood in the face of climate change related sea level rise.

SIDS now take the next step in developing a just and equitable international order through this AOSIS Declaration on Sea Level Rise and Statehood. The Declaration clearly articulates that sea level rise is not an existential threat to statehood, sovereignty and UN membership. This is a concrete step forward which signals to the world that SIDS will not be erased. SIDS are critical members of the international community and their interests must be reflected in the law that governs all of us.

Preamble

Recalling that Small Island Developing States (SIDS) have been sounding the alarm on sea level rise for many decades, collectively beginning with the Malé Declaration on Global Warming and Sea Level Rise adopted in Maldives in November 1989,

Recalling also that SIDS as oceanic States, countries and territories place great value on our ocean, seabed, and land, and cherish their deep connection to our communities, natural environment, resources, lives, livelihoods, identities, culture, and traditional knowledge,

Underlining that SIDS are disproportionately impacted and specially affected by climate change-related sea-level rise,

Recognising that the serious and irreversible threats and adverse impacts of climate change-related sea-level rise are a global crisis that will disproportionately imperil the lives, livelihoods, food security, ecosystems, and wellbeing of SIDS' peoples and communities,

Reaffirming our 2021 AOSIS Leaders Declaration, which affirms that our maritime zones, as established and notified to the Secretary-General of the United Nations in accordance with the United Nations Convention on the Law of the Sea, and the rights and entitlements that flow from them, shall continue to apply, without reduction, notwithstanding any physical changes connected to climate change-related sea-level rise,

Recognising that under international law there is a principle that a State, once established, will continue to exist and endure, and maintain its status and effectiveness, and that international law does not contemplate the demise of statehood in the context of climate change-related sea-level rise,

Further recognising that continuity of statehood in the face of climate change-related sea-level rise is consistent with important principles and rights of international law, including the right of peoples to self-determination, the right to a nationality, the protection of territorial integrity and political independence, principles of equity and fairness, the maintenance of international peace and security which in turn requires stability in international relations, the right of a state to provide for its preservation, the duty of cooperation, the sovereign equality of states, and permanent sovereignty over natural resources,

Acknowledging that international cooperation, including through the provision of technical, financial or other support, will be required to protect persons and communities affected by climate change-related sea level rise including, inter alia, protecting their culture, cultural heritage, identity and dignity, and meeting their essential needs,

Further acknowledging that States have an important duty in ensuring protection of their people, and continuity of statehood is necessary and fundamental for that protection to be implemented,

We, the Heads of State and Government of the Alliance of Small Island States, therefore:

1. *Declare* that international law is premised on a principle of continuity of statehood, consistent with broad state practice over the past century,
2. *Affirm* that consistent with the principles of equity, fairness and sovereign equality of states, statehood cannot be challenged under any circumstances of climate change-related sea-level rise,
3. *Declare* that the statehood and sovereignty of SIDS and our membership in the United Nations, its specialized agencies and other intergovernmental organizations will continue, and the rights and duties inherent thereto will be maintained, notwithstanding the impacts of climate change-related sea-level rise
4. *Also declare* that consistent with the right to self-determination, the statehood and sovereignty of SIDS and our membership in the United Nations, its specialized agencies and other intergovernmental organizations will cease only if another form of expression of the right to self-determination of a SIDS population is explicitly sought and freely exercised by that population, and –
5. *Call upon* the international community, consistent with the duty to cooperate, to support this Declaration and cooperate in achieving its purposes.

Agreed in New York, 23 September 2024



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