



PERMANENT MISSION OF JAMAICA
TO THE UNITED NATIONS

STATEMENT BY

HIS EXCELLENCY E. COURTENAY RATTRAY
PERMANENT REPRESENTATIVE OF JAMAICA

AGENDA ITEM 89:
PROTECTION OF PERSONS IN THE EVENT OF DISASTERS

IN THE SIXTH COMMITTEE
SEVENTY-FIFTH SESSION OF THE
UNITED NATIONS GENERAL ASSEMBLY

23RD OCTOBER 2020
UNITED NATIONS, NEW YORK

Mr. Chairman,

My delegation is grateful to the International Law Commission for its continued efforts to develop the Draft Articles for the Protection of Persons in the Event of Disasters. We note the current lack of a universal treaty in the area of disaster law and that prior to the development of the Draft Articles, this fragmented area of law had been encumbered by a plethora of international instruments which have sought to address specific issues. As such, we see merit in the development of a well-crafted and clearly articulated flagship instrument.

Notwithstanding, my delegation acknowledges that the Draft Articles are not intended to posit a comprehensive articulation of all the issues, for notable reasons. We recognize that the intention, therefore, is to limit the scope of application to facilitating *'the adequate and effective response to disasters, and reduction of the risk of disasters, so as to meet the essential needs of the persons concerned, with full respect for their rights'*.

Mr. Chairman,

The objective of the Draft Articles is consistent with the rationale that underpinned Jamaica's decision to establish, through its Disaster Preparedness and Emergency Management Act, the Office of Disaster Preparedness and Emergency Management (ODPEM). ODPEM is tasked with identifying disaster threats and risks throughout the country, as well as formulating plans to create a state of readiness to meet the needs of victims when disaster strikes. Through ODPEM, Jamaica is able to undertake a multi-level approach in its emergency

response and management of disasters. This is done at the national level, by way of our domestic legal regime, regionally through The Caribbean Disaster Emergency Management Agency (CDEMA), and internationally, with guidance from the Sendai Framework for Disaster Risk Reduction 2015 – 2030.

We note with concern, the increased frequency and severity of naturally occurring disasters and the growing impact of climate change on vulnerable States. Jamaica and other Small Island Developing States are particularly vulnerable to floods and hurricanes during certain periods of the year and some, such as ourselves, are also at great risk of earthquakes.

Given the catastrophic impact of natural disasters, we see a need for the international community to maintain its consideration of the legal issues that would facilitate the ability of States to assist each other in providing for the essential needs of affected persons, especially where the scale of the disaster exceeds the response capacity of the affected State.

It is imperative that any comprehensive legal approach to international disasters reflect the importance of respecting and protecting the inherent dignity and human rights of persons affected by disasters. We note with appreciation that the draft articles attempt to strike a balance between the provision of humanitarian assistance and the respect for state sovereignty. This is captured in Article 10 of the draft articles, which recognizes that it is the affected State that retains the primary role in the direction, control, coordination and supervision of relief assistance.

Mr. Chairman,

Jamaica is committed to working with its regional partners and the wider international community to further develop and implement measures aimed at mitigating the risk and impact of disasters and facilitating effective and adequate responses in the wake of such events.

Mr. Chairman,

In conclusion, my delegation is in favour of pursuing the development of a formal international arrangement that would address some of the main issues related to natural disasters in a comprehensive manner.