

Protection of Persons in the Event of Disasters

Introduction of draft resolution A/C.6/76/L.20

Madam Chair,

On behalf of the coordinator, Mr. Muhammad Taufan, I have the honour to introduce this year's draft resolution submitted under agenda item 87, "Protection of persons in the event of disasters", as contained in document A/C.6/76/L.20.

The proposal reflects the outcome of several rounds of informal consultations, as well as bilateral conversations held with interested delegations, both those that made proposals for text to be included in the draft resolution envisaging the establishment of a dedicated process, based on an Ad Hoc Committee, to discuss the fate of the 2016 draft articles on the protection of persons in the event of disasters, as well as with those delegations who expressed reservations about such proposals.

By the end of the process, no across-the-board agreement on the way forward had been reached. Nonetheless, the view of the coordinator was that there existed a significant amount of common ground among delegations, which could be captured in a coordinator's text.

The proposal for a draft resolution now before the Sixth Committee reflects the coordinator's "fall-back" proposal which he submitted to delegations for their consideration at the end of the process, and in which he sought to include elements found in the various proposals submitted by interested delegations. His proposal for a draft resolution seeks to establish a way forward for the work on this agenda item in a manner which, in his opinion, reflects the center among the various positions taken by interested delegations and could thus enjoy the most widespread support.

The coordinator's proposal for the draft resolution was subsequently placed under a silence procedure and I am happy to report that silence was not broken.

Madam Chair,

I will now introduce the draft resolution, paragraph by paragraph.

Only technical updates were made to the preambular paragraphs, which are based on the last resolution adopted on this agenda item, namely General Assembly resolution 73/209.

Operative paragraph 1 reflects the standard expression of appreciation of the International Law Commission's continuing contribution to the codification and progressive development of international law.

In operative paragraph 2, the General Assembly would once again take note of the draft articles on the protection of persons in the event of disasters, presented by the International Law Commission.

Under the terms of operative paragraph 3, the General Assembly would also take note of the views and comments expressed, during the debates in the Sixth Committee and those received in writing from Governments, on the question of any future action on the draft articles.

By the terms of operative paragraph 4, the General Assembly would decide to examine, within the framework of a Working Group of the Sixth Committee, the draft articles and to consider further the recommendation of the Commission for the elaboration of a convention by the General Assembly or by an international conference of plenipotentiaries on the basis of the draft articles, or any other potential course of action with respect to the draft articles. Such examination would take place in the light of the views and comments expressed in the debates of the Sixth Committee, as well as the comments and observations received from Governments, referred to in operative paragraph 3. The working group would be convened for four full consecutive days at the seventy-eighth and seventy-ninth sessions of the General Assembly for purposes of carrying out such examination.

In accordance with operative paragraph 5, the goal would be for the working group to report to the Sixth Committee at the seventy-ninth session of the General Assembly on the outcome of its deliberations, with a view to the Sixth Committee making a recommendation to the General Assembly as to any further action to take in respect of the draft articles.

In operative paragraph 6, the General Assembly would encourage Member States to continue the substantive dialogue on an informal basis inter-sessionally.

Finally, under operative paragraph 7, the General Assembly would revert to the consideration of the agenda item at the seventy-eighth session, in 2023.

Madam Chair,

On behalf of the coordinator, permit me to make an oral revision in operative paragraph 6. Initially that paragraph was written on the assumption that the General Assembly would be considering the agenda item at the seventy-seventh session, next year. However, a late change was introduced in operative paragraph 7 to instead consider the agenda item at the seventy-eighth session, in 2023. The Secretariat has drawn our attention to the fact that the corresponding technical change should have been made to operative paragraph 6, so that Member States would be encouraged to continue the substantive dialogue on an informal basis during the period up until the seventy-eighth session. Accordingly, the reference to “seventy-seventh” session in operative paragraph 6, should read “seventy-eighth” session.

Madam Chair,

This concludes the introduction of the draft resolution A/C.6/76/L.20.

As indicated earlier, while it does not reflect the preferences of all delegations, in the view of the coordinator it nonetheless could serve as a basis for consensus, in the sense that it reflects the preponderance of views within the Sixth Committee. The fact that it did not attract any objections during the silence procedure serves to confirm such assessment.

Accordingly, on behalf of the coordinator, I commend the draft resolution, as orally revised, to the attention of the Sixth Committee and recommend that it be adopted without a vote.

Before concluding, I wish to convey the coordinator’s gratitude to all delegations for their constructive engagement in the work on a topic of seminal importance to the international community as a whole. Particular gratitude goes to all delegates for the flexibility and spirit of compromise shown during the negotiations and for the faith that they, and the Bureau, entrusted in the coordinator.

On behalf of the coordinator, I also wish to thank the Secretariat, in particular the Codification Division, for its support throughout the process.

Thank you Madam Chair.