



Statement by Mr. Bahram Heidari
the Representative of the Islamic Republic of Iran
before the Sixth Committee
on agenda item 86:
“Protection of persons in the event of disasters”
New York, 4 October 2023

In the Name of God, the Compassionate, the Merciful

Mr. Chair,

My delegation would like to raise some preliminary and general comments, regarding the draft articles on Protection of persons in the event of disasters and will go into details on five clusters for the Working group in subsequent days.

My delegation commends the efforts made by the International Law Commission in preparing draft articles on the protection of persons in the event of disasters.

Mr. Chair,

Some of the provisions of the draft articles fail to streak a balance between the rights and obligations of affected state vis-à-vis those of the assisting States and other relevant assisting actors providing humanitarian assistance in the event of disasters.

The draft Articles do not address the role, rights and obligations of transit States to facilitate the transfer of humanitarian assistance as well as the obligations of the relevant actors to fully respect the domestic laws and regulations of transit States.



The draft Articles cannot be considered as an action-oriented instrument, as some practical situations that negatively affect humanitarian assistance and narrow humanitarian space have not been addressed adequately. While the draft Articles identify a “duty to cooperate” on the basis of the principles of humanity, neutrality, impartiality, and non-discrimination, however, they fail to address the adverse effects of Unilateral Coercive Measures (UCMs) that not only erodes cooperation among States but also hinder effective responses to alleviate the human suffering and damages caused by disasters at all levels. The Unilateral Coercive Measures also prevent targeted States from meeting their obligations under the current legal frameworks to address and respond disasters effectively and adequately.

We believe that in providing assistance to those affected by disasters, all principles enshrined in the UN Charter, especially sovereign equality of States and non-interference in their internal affairs, should be strictly observed. Based on the principle of national sovereignty, the affected State has the exclusive right to determine the severity of the disaster and to assess its response capacities. Therefore, all assistance must be provided in response to a request from that State.

And, finally, the draft articles should not leave any room for potential arbitrary interpretations that could in one way or another justify interfering in the internal affairs of affected states under the guise of humanitarian assistance.

Mr. Chair,

Regarding the final form of the draft articles, my delegation is of a view that the time is not ripe for adopting these provisions in the form of a treaty as the content of several provisions contained in the draft Articles are not supported by sufficient, uniform and consistent State practice.



Permanent Mission of the Islamic Republic of Iran to the United Nations

622 Third Ave New York, NY 10017 ny.mfa.gov.ir Tel:+1(212)687-2020 Fax:+1(212)867-7086 E-mail: Iranunny@mfa.gov.ir

Thank you.