



**78<sup>th</sup> Session of the United Nations General Assembly**

**Sixth Committee**

**Item 86: Protection of persons in the event of disasters**

**Statement by H.E. Ambassador Mohan Pieris**

**Wednesday, 04 October 2023**

Mr. Chairman,

We are presently at war with our own planet. A war in which we are surely on the losing side as the planet and its inhabitants experience disaster after disaster by the activity of a what appears to be a very angry planet. We have just last week, at the high level week laid the foundation of how we will declare peace, appease and befriend the planet which is our only home. We have, however, the protection of individuals in the event of disasters which is of utmost importance. The world we inhabit is increasingly plagued by a rising frequency and severity of both natural and man-made disasters, and these catastrophic events not only pose a significant threat to our sustainable development efforts but also strike at the very foundations of our societies.

Mr. Chairman,

Sri Lanka, like many nations, has experienced the devastating consequences of such disasters firsthand. Our island nation is particularly vulnerable to a range of natural hazards, from cyclones and floods to landslides and tsunamis. The lessons learned from these experiences have deepened our unwavering commitment to the protection and well-being of our citizens and communities.

Mr. Chairman,

In this context, Sri Lanka wishes to reiterate the profound significance of safeguarding individuals during disasters as a priority. It is our moral obligation to uphold human rights, preserve human dignity, and ensure the well-being of all, especially the most vulnerable among us. Disasters can inflict immense suffering, displacement, and loss of life, making it our duty to establish legal provisions that can mitigate these consequences and provide timely assistance and protection to those affected.

Mr. Chairman,

It is with this unwavering commitment that Sri Lanka lends its unequivocal support to the draft articles proposed by the International Law Commission, aiming to elaborate a convention based on these draft articles for the protection of persons in the event of disasters. These draft articles offer a comprehensive and much-needed framework, outlining the responsibilities of states, the importance of international cooperation, and the rights of affected individuals.

Mr. Chairman,

Sri Lanka has taken concrete steps to implement legal provisions in line with the ILC draft articles. These steps include the obligation on states to cooperate with each other and international organizations in preventing and responding to disasters imposes on states in keeping with the principles of due diligence to take appropriate measures to prevent and mitigate disasters within their jurisdiction it recognizes recognizing the right to life, the duty to provide timely information and the obligation to ensure non-discrimination in disaster response without discrimination based on race, sex religion and other factors. We are pleased to note that it also includes the protection of vulnerable groups, such as children, women, the elderly and persons with disabilities during disasters whilst-emphasizing the need for environmental protection by protecting the environment during and after disasters, including minimizing environmental damage, and promoting Sustainable Development. it must, however, be appreciated

that whilst they serve as important guidelines for states and international organizations-these principles are not legally binding.

Mr. Chairman. We must also take cognizant of the fact that there are several other applications on states in dealing with disaster management that arise from international law, such as treaties, customary international law and soft law, instruments, such as international human rights, law, international humanitarian law, international environment, law, international refugee law, and the international law of state responsibility the last one of each imposes, a Responsibility on States, for failing to prevent or mitigate foreseeable disasters. It must be appreciated that this includes obligations to take appropriate measures, provide timely warnings as they refer to before and cooperate with other states, and international organizations. It must, however, be appreciated that the specific obligations on states Mayberry, depending on the nature of the disaster, and the applicable legal framework states are definitely encourage to adapt, comprehensive legal framework and policies play address, disaster management, and seek to include these concepts into the domestic legislation and practices in keeping with their competencies

Our commitment is exemplified by the Disaster Management Act No. 13 of 2005, which laid the legal foundation for a comprehensive disaster risk management system within our nation. At its core stands the National Council for Disaster Management (NCDM), an inter-ministerial body providing crucial direction for disaster risk management across our country. Additionally, we established the Disaster Management Center (DMC) as the lead agency responsible for disaster risk management.

Mr. Chairman,

Furthermore, we established the Ministry of Disaster Management Division in 2006, underscoring the importance of integrating human rights principles into disaster management. Sri Lanka's national policy on disaster management is a comprehensive strategy aimed at reducing vulnerability to both natural and man-made disasters. It

places great emphasis on preparedness, response, recovery, and risk reduction through strong governance and collaboration.

Over the last thirty-five years, there have been over fourteen thousand non-conflict disasters worldwide, resulting in more than 2.3 million deaths and affecting an astonishing 5.8 billion persons.<sup>s</sup> In the overwhelming majority of these disasters, the governments, civil society and communities of the affected States have borne the brunt of relief efforts and recovery themselves. However, international response activities have also necessarily been frequent and are increasing in proportion to the growing number and severity of disasters in recent years? Moreover, international disaster operations can sometimes be just as legally challenging as conflict relief, commonly involving barriers to the entry and effective use of relief personnel, goods, equipment and transport vehicles, as well as regulatory dilemmas for affected States-particularly in light of the growing number and diversity of international disaster responders.\_

For their part, military actors have long been engaged in disaster relief but their involvement at the international level also appears to be on the rise. This increased engagement has led to a greater concern among military lawyers about the legal pitfalls involved, as well as concerns in the humanitarian community about the consequences of the "militarization" of international disaster assistance.

Mr. Chairman,

In conclusion, Sri Lanka firmly believes that the protection of persons in the event of disasters is a shared responsibility that transcends borders, guided by the principles set forth in the ILC's draft articles. We must unite in our efforts, safeguarding the lives, livelihoods, and well-being of our global community. Together, we can build a safer, more resilient world for current and future generations.

Sri Lanka also stands ready to engage in discussions within the working group on the protection of persons in the event of disasters. We look forward to fruitful deliberations ahead. Thank you.