

**Draft Statement by Pakistan on the Sixth Committee Debate
on the Agenda Item “Protection of Persons in the events of
disasters”
4 October 2023**

Mr. Chairman,

Pakistan appreciates the ongoing discussion regarding the draft articles on the Protection of Persons in the Event of Disasters. These articles, adopted by the International Law Commission during its sixty-eighth session, reflect a significant step towards global disaster management and human protection.

2. Natural disasters are not confined to any specific region or country; they pose a global challenge and necessitate collective action. It is essential to acknowledge that without global cooperation, it will be challenging to adequately protect any nation or its persons from the potential disasters and calamities associated with climate change.

3. Given the escalating frequency of natural disasters, including earthquakes, floods, tsunamis, and biological threats like the COVID-19 pandemic, the draft articles from the International Law Commission (ILC) offer valuable guidance for Member States. However, my delegation believes that these Draft Articles should draw inspiration from already existing international humanitarian law instruments, including the United Nations Guiding Principles on Humanitarian Assistance. By

integrating these principles, the Draft Articles can provide a comprehensive and robust framework for addressing disaster risk and ensuring effective humanitarian assistance.

Mr. Chairman,

4. Pakistan continues to face the daunting task of executing a comprehensive plan to recovery and reconstructions of the last year's devastating floods that impacted 30 Million people. Despite financial challenges; the Government of Pakistan has demonstrated outstanding resolve and showcased its commitment for the protection and need of its people during and in the aftermath of the floods.

5. Pakistan stands fully committed to replicate the successful framework and meet the Sendai framework thresholds. Well planned measures in Disaster Risk Reduction take a transformative approach by Pakistan in mitigating the risk and disaster management, building due resistance for the potential disaster management and addressing all disasters and climate related emergencies.

Mr. Chairman,

6. With regards to the draft ILC Articles, my delegation would like to share the following observations,

First, In the preliminary part, both natural and human-made disasters are explicitly mentioned. However, any forthcoming Convention based on these Articles should maintain a distinct separation between natural and man-made disasters. This distinction is crucial as different type of disasters are regulated by different legal rules.

Second, Disasters tend to magnify the vulnerability of already disadvantaged groups and countries, such as the economically underprivileged. Consequently, it is imperative that special focus is given to the disaster-prone countries in the Global South. This should include providing them with necessary financial assistance for reconstruction and rehabilitation activities in the aftermath of such debilitating events. In this regard, the Loss and Damage Fund agreed at COP28 should be urgently operationalized, similarly we call for institutionalized support to sufficiently fund the Central Emergency Relief Fund to address climate change consequences.

Third, it is crucial that the wording of Draft Article 11 is meticulously crafted to respect the sovereignty of the member states. It should not impose obligations to seek external assistance indiscriminately, irrespective of the actual need. Any such provisions must always align with the UN Guiding Principles of Humanitarian Assistance, as outlined in General Assembly resolution 46/182.

Fourth, the disaster affected countries must have the sole right to both request and conclude external assistance. The principles governing humanitarian aid must respect sovereign equality, territorial integrity, and non-interference in states' internal affairs. Draft Article 13, paragraph (2), which suggests that a State's consent to external assistance should not be arbitrarily withheld, is ambiguous and open to politically influenced interpretation. Therefore, the drafting of articles should eliminate any potential for arbitrary interpretation.

Mr. Chairman,

7. In conclusion, given the differing perspectives on several Articles, my delegation believes that it is vital to further study the draft Articles to comprehend how the draft articles' provisions would intersect with existing legal frameworks. We deem it necessary to further refine the draft articles' text, considering the interests of the concerned countries, before contemplating the formulation of a Convention based on these draft articles. We, therefore, look forward to the continued discussions on these Articles in the framework of a working group.

I thank you