

Canada

United Nations General Assembly

Sixth Committee, 79th Session

Plenary Debate on

Protection of Persons in the Event of Disasters

Statement delivered by

CANZ

October 4, 2024

Thank you, Mr. Chair.

I have the honour to deliver this statement on behalf of Australia, New Zealand and my own country, Canada.

CANZ appreciates the chance to participate in discussions on the “Protection of Persons in the Event of disasters.”

We look forward to the substantive discussions during this year’s Working Group session examining the draft articles adopted by the International Law Commission (ILC) in 2016 and considering further its recommendation for the elaboration of a convention on the basis of these draft articles.

In this regard, we once again commend the ILC for its tremendous work on the topic.

Faced with increased devastating disaster situations that hamper sustainable development and affect countless lives, economies, cultural heritage and livelihoods globally, CANZ remains of the view that these discussions are both timely and crucial in contributing to more coordinated responses to disasters.

Focusing primarily on people’s needs and safety, the draft articles represent a valuable tool for exploring how to enhance States’ preparedness and response capabilities, as well as for better understanding and implementing existing obligations and commitments.

Mr. Chair,

Since their publication in 2016, numerous developments adjacent to or intersecting with the ILC’s draft articles on the protection of persons in the event of disasters have emerged.

This includes the Commission’s ongoing efforts on the protection of persons in the context of sea-level rise, the recent advisory opinion on climate change and the marine environment issued by the International Tribunal for the Law of the Sea (ITLOS) and

ongoing advisory proceeding on the Obligations of States in respect of Climate Change before the International Court of Justice (ICJ).

CANZ also welcomes the General Assembly's decision this year to address at the highest-level issues related to sea-level rise and to continue that work going forward.

We also recall the significant principles contained in the Sendai Framework for Disaster Risk Reduction 2015-2030 aimed at reducing the consequences of disasters and at addressing the root causes of disaster risk for greater resilience.

Ensuring cohesion and alignment within and across all of these efforts is essential.

Consistency with relevant existing international and regional legal frameworks and principles is also crucial, which already provide a basis for both effective disaster response and disaster risk reduction.

Mr. Chair,

From a practical point of view, international cooperation in the provision of disaster relief assistance is essential.

Sharing best practices and initiatives underway at the local, national, and regional levels can usefully advance reflection and enable nimble actions.

The exchange of scientific data, together with policy guidance, administrative measures, and capacity-building initiatives cannot be overstated to ensure sustainability and mitigate climate-related impacts.

CANZ also emphasizes the vital role played by the United Nations in coordinating disaster response.

Specific needs and knowledge of groups who may be in vulnerable situations, including Pacific Island countries, as well as Indigenous Peoples, which are disproportionately affected by the impacts of disaster situations, must be taken into account, as the Sixth Committee continues its consideration of the draft articles this session.

Mr. Chair,

In the event of disasters, States remain under an obligation to respect and protect human rights in accordance with international law. CANZ welcomes the emphasis on international human rights law included in the draft articles.

We also reiterate our view that the affected State maintains the primary role in preventing and responding to disasters, including seeking external assistance where required. The draft articles and their interpretation must carefully balance the protection of affected States' sovereignty with the establishment of effective mechanisms for international cooperation to protect persons in the event of a disaster.

CANZ acknowledges that there are some divergent views on some key draft articles that we expect to continue to be the subject of lively debate in the Working Group this session.

With the debate in the Working Group, we look forward to deepening our discussions on unsettled matters, particularly concerning the current definition of disaster included in the draft articles, as no such agreed legal definition currently exists under international law.

Finally, CANZ reaffirms its commitment to further discussions and collaboration to enhance our collective readiness and abilities to prevent, mitigate and respond to disaster situations.

Thank you.