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**Intervention by Thailand at the Working Group on Protection of
Persons in the Event of Disasters
at the Sixth Committee
of the 79th Session of the United Nations General Assembly**

**Cluster 1: General Provisions
(preamble and draft articles 1, 2, 3 and 18)**

New York, 7 October 2024

Mr. Chair,

1. As this is the first time my delegation takes the floor in the Working Group, allow me to extend my delegation's appreciation for your able leadership in steering this important body and assure you of my delegation's fullest support.
2. On the general provisions — the preamble and draft articles 1, 2, 3 and 18, which provide the general context of these draft articles as well as inform their scope, purpose and relationship with other relevant rules of international law, **Thailand is satisfied with their overall substance**. Allow me to focus our comments in this regard on four points:
3. First, we are **satisfied that key elements, of what should be provided in a future convention, are reflected in the preamble**. The 5th preambular paragraph includes an emphasis on the principle of **State sovereignty** and the primary role of the affected State in times of disaster. The 3rd preambular paragraph includes a language on the **essential needs and respect for rights** of persons affected by disasters. We wish to highlight that a careful balance between the principle of State sovereignty and the respect for and protection of human rights must be ensured throughout the text of a future convention.

4. The reference made, in the 4th preambular paragraph, to **all phases of a disaster** is of much importance. Disaster management goes beyond disaster response; it covers prevention and mitigation, preparedness as well as rehabilitation.

5. Second, Thailand views the approach taken by the International Law Commission in **draft article 2 as appropriate**. The draft articles do not seek to ensure adequate and effective disaster response and disaster risk reduction in and of themselves, but in order to meet the essential needs of the persons affected by disasters with full respect for their rights. This distinction is crucial as it is an indication that the **draft articles are not in and of themselves intended to impose new standards upon States**. What the draft articles seek to do is to bring about a comprehensive legal framework to streamline, systematize and bring coherence to today's fragmented regime of international disaster law.

6. Third, with regard to the **definition of “disaster”**, Thailand prefers the approach currently used in subparagraph (a) — to maintain a sufficiently broad definition with a high threshold. The reference to a serious disruption of the functioning of society and losses or damage that must be widespread or large-scale in nature are **used in other relevant international agreements**, including the Tampere Convention and the ASEAN Agreement on Disaster Management and Emergency Response (AADMER).

7. Fourth and my last point, considering the possible concurrence of armed conflict and disasters, we view the approach taken in **draft article 18, paragraph 2, as appropriate**. In such a situation, **the rules of international humanitarian law shall be applied as *lex specialis***, and the draft articles shall not be applied to the extent that the response to a disaster is governed by the rules of international humanitarian law.

Thank you, Mr. Chair.

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