

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

*In the Name of God, the Most Compassionate, the Most Merciful*

**Statement by the representative of the Islamic Republic of Iran  
Before the Sixth Committee of Seventy-ninth Session of General Assembly  
Working Group on Protection of Persons in the Event of Disasters  
Cluster IV: draft articles 10,11, 13 and 14  
October 2024-New York**

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**Mr. Chair.**

Generally, on the Draft Articles including on this cluster; we would like to reiterate a couple of points.

- Affected states have the central and unique role; the sovereignty as well as sovereign rights and prerogatives of affected States should be respected.
- Assistance should be made upon request of affected States and States have the discretionary right to determine and choose whom they wish to ask for assistance.
- Affected States have the exclusive discretion including on whether to accept an offer of assistance.

As such, it is important that the Draft Articles including draft article 10 contain a formulation that in a clearer manner ensure that nothing in the draft article prejudices these important elements. On paragraph 1 of the draft article 10, however, we are not convinced of its added value, it is not clear how the obligation to ensure protection of persons within a territory could be realized. In light of the scope of the Draft Articles, inclusion of such provision is superfluous.

On draft article 11, it is debatable whether sufficient and uniform practice exists among states regarding a duty to seek external assistance. As the Commission has highlighted in the commentary, States are best placed to determine the gravity of an emergency situation and to frame appropriate response policies. Requesting for assistance by affected states could not be considered as a duty rather it is a discretionary matter which decision rests with affected states. Asserting for such duty would open up avenues for contending interpretations and conflicting views and might be abused as a pretext for intervention in the internal affairs of the affected state. Placing an undue and ambiguous obligation on affected states to request for assistance runs afoul of the principles of sovereignty and sovereign equality. The duty to seek assistance from other assisting actors such as non-governmental organization is also fraught with legal difficulties as we elaborated earlier and is not acceptable. It should be left to affected states to assess their capacity and the gravity of disasters and to assess whether they would need external assistance. The Draft Articles does not need to address this matter.

On draft article 13, paragraph 1, we appreciate the particular attention of the Commission to the important element of consent of affected states. Along this line, it is important also to consider that assistance, as we mentioned, should be made upon request of the affected State. Paragraph 2 of draft article states that “consent to external assistance shall not be withheld arbitrarily.” Paragraph 2 does not reflect states practice nor could be an appropriate matter for progressive development of international law. The Commission has made reference to the UN Security Council resolutions for explaining its rationale for this paragraph; we believe that it is not appropriate to make such references. Paragraph 2 which is ambiguous in nature could lead to politicization and could also undermine the principle of sovereign equality of States which include their right to exercise their prerogatives and powers without dictation by other states.

**I thank you.**