



Permanent Mission of the Federated States of Micronesia to the UN

300 East 42 Street, Suite 1600
New York, N.Y. 10017

Telephone: (212) 697-8370

Facsimile: (212) 697-8295

e-mail: fsmun@fsmgov.org

<http://www.fsmgov.org/>

**79h Session of the United Nations General Assembly
Sixth Committee**

Agenda item 86: Protection of persons in the event of disasters

Working Group, ILC Recommendation

Statement by: Delegation of the Federated States of Micronesia

New York, 9 October 2024

Check against delivery

Chair,

Micronesia supports the elaboration of a convention on the basis of the ILC's draft articles on the protection of persons in the event of disasters. We do so for a couple of reasons.

First, it is a matter of principle for Micronesia that as a default approach, the international community, particularly the General Assembly, should proceed to elaborate conventions on the basis of draft articles that are produced through careful and competent work by the International Law Commission ("ILC"). This is a key element of the United Nations Charter, which tasks the General Assembly to "initiate studies and make recommendations for the purpose of ... encouraging the progressive development of international law and its codification." Treaty-making is a core function of States and is essential for the fostering and maintenance of orderly relations in the international community.

Second, unlike with most products of the ILC, the Sixth Committee has actively assessed the work of the ILC on this particular topic over several years through the framework of a focused Working Group, and this has fostered a particular degree of maturity in the discussions that lends itself well to launching a treaty-making exercise. This Working Group process has clarified initial views on the scope and content of the draft articles, highlighted the need to tighten or otherwise revise some of the draft articles to address various concerns, and generated interesting possible ways to bridge differences in those views. My delegation has made multiple interventions over the last several years in the Working Group and the broader Sixth Committee that pointed out some of our questions and concerns about the scope and

content of the draft articles, including with respect to the definition of “disaster” and the need to avoid weakening existing obligations of States under international law, such as obligations to address root causes and adverse impacts of climate change. We are confident, however, that a treaty-making exercise will aid in sharpening this discourse in a positive and constructive way, building on the work done in this Working Group and the broader Sixth Committee over the last several years and allowing for necessary refinements to the draft articles from the ILC.

To conclude, to echo what the distinguished delegate of Italy mentioned earlier this morning, we agree that the work of the ILC is not a perfect product, but it is a strong foundation for States to do the work that we as States are uniquely positioned to do as treaty-making actors.

I thank you.