

Unofficial translation

this list is of illustrative nature and should not be exclusive. This Article can hardly be regarded as one creating legal obligations. It is more of a descriptive nature.

We believe it would be important to note in this Article that the forms of assistance offered to the affected State should be based on its request. Who if not the affected State knows better what forms of assistance it requires?

As to Article 5 *ter* on cooperation for disaster risk reduction it should in our view become a part of Article 5 on duty to cooperate. In this connection we would like to make a general comment regarding an obligation to cooperate formulated in Articles 5 and 5 *ter*. There is a general obligation of States "in accordance with the present draft articles" to cooperate among themselves, and with the United Nations and other competent international organizations, including NGOs. We do not see grounds to state that such an obligation has been established in the contemporary international law. In our view the affected State has the right to choose from whom it will receive assistance from and with whom it will cooperate in reducing the risk of disasters and their consequences. This follows from the principle of sovereign equality of states.

Article 14 on the whole does not raise objections. We would like to propose however





practice of states may consist not only of positive acts but also of refraining from acts by the way of "non-declaration" of protests against

