

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 III: draft articles 7, 8 and 12
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Mr. Chair.

We would like to touch upon of a few points on this cluster:

Discussions on international cooperation is intertwined with the consideration of the role of affected States and their consent with respect to assistance including in the event of disasters. International cooperation which constitutes an important component in effective responses to disasters, should be addressed in a balanced manner whereby sovereignty and territorial integrity of States is fully respected. The International Law Commission has considered the necessity of the consent of affected States in implementation of international relief assistance as a core principle and fundamental to international law. We concur with this specific view of the commission which is also a corollary of the principles of sovereignty and sovereign equality.

Draft article 7 requires that States in application of the draft articles shall cooperate also with other assisting actors. The Commission has pointed to the purposes of the Charter of the United Nations as well as the Declaration on the Principles of International Law concerning Friendly Relations and Cooperation among States to articulate the rationale for cooperation among States in this area. Cooperation among States is an important component in preparing for and responding to disasters, in similar vein, cooperation of assisting states in support of provision of assistance to affected states by international organizations such as the United Nations is important. Nevertheless, the Commission in elaboration of this draft articles pointed to “other

assisting actors” which ostensibly has a merely broad range of non-state entities in view of the Commission. The rationale that has made the commission arrive at this conclusion is not clear. Asserting on the duty of affected States to cooperate with “other assisting actors” needs to be reexamined. The relations between States and non-governmental organizations which is governed by domestic laws is that of an exhortatory nature not obligatory, it could not follow the cooperation envisaged among states.

Given the diverse range of disasters and varieties in the form of relief cooperation for that matter, it is important to make sure the draft article 8 could withstand and correspond to differing situations and calamities. For example, it might be the case where an assisting state is not necessarily in a position to provide the actual and in-kind humanitarian assistance, relief personnel, equipment and goods, and scientific, medical, and technical resources

I thank you.