



**Australian Mission to the United Nations**

Protecting people from serious harm during disasters is both a challenge and a core responsibility for all humanitarian actors. Australia has a long-standing commitment to the protection of affected populations, recognising that delivering humanitarian assistance in the absence of safety and security has a limited or even detrimental effect. To this end, we continue to encourage humanitarian agencies to adopt an anticipatory approach to managing risks that are inherent in crisis situations. Accordingly, Australia believes that the draft articles provide useful guidance to both affected and assisting States on responding effectively to the significant protection challenges posed by disasters.

Australia continues to support the IFRC's International Disaster Response Law (IDRL) Guidelines and draft Model Act for the Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance. This includes ss

Australia looks forward to considering the continued work of the Commission on this topic in its subsequent sessions.

Australia welcomes the Special Rapporteur's continued work on this topic, and looks forward to the consideration of the relationship between Article 25 and other provisions of the Vienna Convention, and the temporal component of provisional application.

Finally, Australia notes the Commission's request for information on the practice of States concerning the provisional application of treaties and looks forward to contributing to this discussion.

*Obligation to extradite or prosecute*

Mr Chair

Australia welcomes the report of the open-ended Wor



investments of the treaty partner, or substantively the same treatment. Or is the phrase “less favourable treatment” to be accorded some other understanding?

Australia notes the Study Group’s consideration of an informal paper on model MFN clauses post the *Maffezini* case, and further notes the possibility that the Study Group may develop guidelines and model clauses. Australia broadly supports such work, noting that it would be helpful in promoting greater clarity and stability in the field of investment law.

Australia looks forward to reviewing further reports on this issue and applauds the Study Group’s efforts thus far.

Thank you.