



United Kingdom Mission  
to the United Nations

Mr. Chairman,

1. I would like to begin by thanking the Chairperson of the Commission, Mr Pedro Comissário Afonso, for his report to the Sixth Committee and all members of the Commission for a successful final year of the current

7. The United Kingdom also takes note of the Commission's recommendation to hold the first part of its seventieth anniversary session in 2018 in New York.

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Mr. Chairman,

1. Turning to the topic of **protection of persons in the event of disasters**, the United Kingdom wishes to thank the Commission for all of the work carried out on this topic and to express its appreciation to the Special Rapporteur, Mr Eduardo Valencia Ospina, for his dedicated efforts in the preparation of the draft Articles.
2. The United Kingdom remains in broad agreement with the substance of the draft Articles as adopted by the Commission on second reading at its sixty-eighth session. In particular, the United Kingdom appreciates the careful balance achieved by Article 13 (Consent of the affected State to external assistance). The United Kingdom supports draft Article 13(2), which provides that the consent of affected States to the provision of external assistance shall not be withheld arbitrarily. The United Kingdom notes that, in the context of armed conflict, such a refusal can amount to a breach of international humanitarian law.
3. Finally, the United Kingdom notes the Commission's decision to recommend to the General Assembly the elaboration of a convention on the basis of these draft Articles. The United Kingdom continues to be of the view that the development of guidelines to inform good practice would be most helpful for States and others engaged in disaster relief, rather than a legally binding instrument, on the basis that such guidelines appear more likely to enjoy widespread support and acceptance. Nonetheless, the United Kingdom will continue to monitor developments on this issue with interest.

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Mr. Chairman,

1. Turning now to the topic of the **identification of customary international law**, the United Kingdom welcomes the adoption by the Commission of 16 draft conclusions, together with commentaries, on

first reading at its sixty-eighth session. The United Kingdom is pleased

respond to the Secretariat's related questionnaire addressed to States before 1 May 2017. The United Kingdom looks forward to sight and further discussion of that