

Statement by the representative of the Islamic Republic of Iran
Before
the Sixth Committee of Seventy-ninth Session of General Assembly
Agenda Item 86: Protection of Persons in the Event of Disasters
General Debate
4 October 2024-New York

Madam Chair,

I would like to express gratitude to the International Law Commission for the efforts made in preparing draft articles on the topic for the efforts

provisions of the draft articles under various clusters of the working group, nevertheless, we would like to seize the opportunity to touch upon a few preliminary comments under this agenda item.

First, the exclusive role of affected states and national ownership should be the central and integral part of discussions surrounding protection of persons in the event of disasters. As has also been affirmed in the commentary, an affected State is in the best position to determine the magnitude and severity of a disaster situation and the limits of its national response capacity. Nothing in the draft article should prejudice this central status as well as the requirement of the consent of affected states for any form of assistance. This is important to ensure that sovereignty as well as sovereign rights and prerogatives emanating therefrom, are respected. As such, more should be elaborated in the provisions of the draft articles on the centrality of the role of affected states and their consent as a requisite for assistance.

Second, protection of sovereignty remains the key element in this context. Adherence to and compliance with the fundamental principles of international law, in particular, sovereign equality, non-intervention and territorial integrity is essential to ensure rule of law, trust and cooperation. While the commission has expressed in the commentary that it bases itself on the fundamental principles of State sovereignty and non-intervention, these cardinal principles of international law have not been addressed sufficiently therein. In our view, given the very nature and circumstances in the event of disasters which might be abused to violate these principles, it is essential that a standalone provision on the protection of sovereignty be included in the draft articles.

Third, we concur that the draft articles should aim to enhance international cooperation to assist affected states, upon their request, in responding to disasters and protecting their people; nonetheless, the draft articles should not aim to impose undue obligations and burden on affected states especially duties that are not grounded in *lex lata*. In addition, striking a balance between the rights and obligations of affected state vis-à-vis those of the assisting States is important.

Fourth, the draft articles has failed to effectively address the impediments such as unilateral coercive measures that impair responses to disasters. Unilateral coercive measures, which are flagrant violation of international law including international humanitarian law, impede capacit