



**United Nations General Assembly | Sixth Committee
Protection of persons in the event of disasters**

31 October 2018

(check against delivery)

Mr. Chairman,

Brazil expresses its deep appreciation to the Special Rapporteur on the protection of persons in the event of disasters, Eduardo Valencia Ospina, for his careful analysis of the topic and successful work on the elaboration of the draft articles. We also commend the International Law Commission for the completion of the draft articles, and thank the United Nations Secretary-General for his report on the subject. Brazil aligns itself with the statement delivered by El Salvador of behalf of CELAC and takes this opportunity to build on some ideas from a national perspective.

Mr. Chairman,

The draft articles are generally well balanced on the international law principles applicable to the matter. They contribute to fill a gap on the protection of persons in certain situations of disasters.

As a general comment, my delegation has some concerns regarding the broad scope of the draft articles, as suggested by the proposed preamble and by the broad definition of “disaster” in the draft articles. Addressing in the same instrument both natural and human-made disasters, the draft articles blend situations that relate to completely different law systems. Although the Commission attempted to address this shortcoming in commentary (8) to draft article 5, as well as in draft article 18, there are still several challenges on trying to apply the same set of rules to very different scenarios. For Brazil, it is important to preserve a clear distinction between natural and human-made disasters, since the international regimes that address the challenges posed by those situations are completely different.

My delegation appreciates the fact that the Commission reserved a self-standing draft article on the inherent dignity of the human person, followed by a provision on the need to respect and protect the human rights of persons affected by disasters. It is important never to lose sight of the human rights perspective when addressing disaster displacement.

Brazil coincides with the Rapporteur’s view that one of the consequences of major disasters is mass displacement. Every year, thousands of victims of natural disasters move within their own countries or across borders in search of safety and secure livelihood. Brazil takes part in international initiatives such as the Platform on Disaster Displacement, which aims to assist States to prevent and prepare for displacement before a disaster strikes, as well as to better respond to situations when people are forced to flee from disaster affected areas within their own country or even across an international border. The Platform follows-up on the Nansen Initiative Protection Agenda, which calls for increased preparedness and cooperation by States, regional and sub-regional organizations and the international community to prevent, avoid, and respond to disaster displacement.

Thank you.