



**75<sup>th</sup> session of the Sixth Committee**  
**Protection of Persons in the Event of Disasters**  
**(*Agenda item 89*)**  
**Statement by Portugal – Mr. Sergio Carvalho (Legal Adviser)**

Mr. Chairman,

Portugal believes the topic on the respect for and protection of the human dignity and the human rights of persons affected by disasters to be of great relevance.

We thank the Secretary General for his report on this matter and commend the States who have submitted their comments for this report, by presenting their views on any future action regarding the articles on the protection of persons in the event of disasters.

Mr. Chairman,

As previously stated before this Committee, Portugal believes that the Draft Articles on the Protection of Persons in the Event of Disasters provide an important contribution by the International Law Commission for the progressive development of international law on this subject.

The Draft Articles represent a good framework, reflecting the human-rights-based approach taken by the ILC during the course of its work and achieving a good balance between the imperatives of protecting human rights and facilitating international cooperation, while upholding the fundamental principle of State sovereignty and the primary role of the affected State in providing disaster relief assistance.



For these reasons, Portugal always defended that the result of this work of the Commission should be translated into an international legally binding instrument.

We could consider submitting the Draft Articles to a Working Group to further analyse its viability to become an international convention, should they gradually gather consensus among States.

Mr. Chairman,

To illustrate the relevance of having a convention on this matter, let us highlight something that is evident: the consideration of this agenda item takes place during a pandemic.

The broad definition of "disaster" contained in Draft Article 3 emphasises that it is the consequences of an event – rather than its characterisation – that renders it a disaster.

Portugal understands that the coronavirus disease (COVID-19) pandemic could fit this definition, as "a calamitous event", "resulting in widespread loss of life, great human suffering and distress" and "causing serious disruption of the functioning of society" (Draft Article 3, subparagraph a).

As such, we believe this is a most fitting chance to ponder on elements for an effective response, on the basis of the Draft Articles that could be part of a future Convention, to the needs of persons affected by this pandemic, namely on the advantages of States cooperating amongst themselves and with other relevant international actors – such as the United Nations and the components of the Red Cross and Red Crescent Movement, as mentioned in Draft Article 7.

Thank you, Mr. Chairman.