



Permanent Mission of Italy  
UN - New York

*Sixth Committee of the 75th UNGA*

*Debate on agenda item 87 “Protection of Persons in the Event of  
Disaster”*

*Statement of Italy*

*October 18th, 2021*

Madam Chair,

My delegation is taking the floor today under the present agenda item to reiterate Italy’s support for the recommendation of the International Law Commission to elaborate a convention on the basis of the Draft Articles on the Protection of Persons in the Event of Disaster adopted in 2016.

At the same time, our delegation would like to refer to the statement we delivered in this committee in 2020 and to the written observations Italy submitted on the basis of resolution 73/209, in which several areas were identified where further legal refinement and clarification could be achieved in a State-driven process leading to the adoption of a convention.

Madam Chair,

We would like to take this opportunity to make two points.

Five years have passed since the adoption by the ILC of the draft articles and its relevant recommendation. The issue of disasters – and their impacts on societies and populations – remains of paramount importance for the international community. This Committee recognized precisely that in 2018 when it noted “with concern the increasing number of disasters in the world, as well as their intensity and impact

on affected populations” and that “the subject of the protection of persons in the event of disasters is of major importance in the relations of States” (preambular paragraphs 3 and 5 of resolution 73/209). On the eve of the COP 26, which will meet in Glasgow in two weeks time, those statements must be read in the context of the present grave climate crisis and its dire consequences on societies. The latest report of the World Meteorological Organization on weather-related disasters published on 31 August this year has highlighted the vulnerability of populations and economies to climate change-related increasing disastrous events, including floods related to the phenomenon of sea-level rise. According to the WMO report, the number of weather disasters has increased by a factor of five over the 50-year period, driven especially by climate change and more extreme weather, climate and water events, with a daily average of \$202 million dollars in economic losses and 115 deaths. In terms of deaths these disasters disproportionately affect countries with less developed

systems of early warning and low coastlines. However, the WMO report shows that the brunt is also felt in countries and regions with more developed systems. Three of the costliest weather-related disasters occurred in 2017: Hurricanes Harvey, Maria and Irma accounted for 35% of the total economic losses of the top 10 weather-related disasters around the world from 1970 to 2019. The 2003 and 2010 heatwaves in Europe were responsible for around 80% of the deaths due to weather-related disasters in Europe over the period 1970 to 2019, amounting to over 127,000 deaths. These numbers refer to weather-related disasters only and yet they show that global multilateral cooperation with regard to disasters' preparedness and disaster response, including through the development of appropriate legal instruments, is something that requires urgent attention by States and cannot be, once again, postponed by this Committee without a proper determination as to how better engage with the recommendation of the International Law Commission.

Madam Chair,

This leads us to our second point today. Elaborating a convention on the international cooperation on the protection of persons in the event of disasters would fill an important gap in international law. It would not be a mere exercise in progressive development detached from State practice and existing international law and without any added value in terms of certainty, predictability and preparedness as compared to soft law arrangements. On the contrary. The current state of the international law on disaster risk reduction and response shows that international cooperation in this field is commonly regulated through international legally binding instruments. Contemporary international law sees an impressive number of bilateral and regional legal instruments (104 bilateral treaties according to the memorandum prepared by the Secretariat in 2008, over 150 including regional instruments according to the updated online database of the Federation of the Red Cross) and

some multilateral agreements dealing with certain specific issues, such as the 1998 Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations. What is missing is a universal legal framework, which should play a subsidiary and practical function – when regional and bilateral treaties and specialized instruments are not in place with regard to a specific disaster – and which should inspire future bilateral, regional and sectorial agreements, leading to a convergence of legal solutions and arrangements.

In conclusion Madam Chair,

Italy supports progress towards the elaboration of a universal convention on the protection of persons in the event of disaster. At the same time, we are cognizant of different views expressed in this Committee in this regard. Precisely because of the diversity of views, my delegation believes that a more focused and in-depth discussion is

needed in order to identify common grounds and make a collective decision on whether to proceed and how to proceed, avoiding the ritual of roll-over decisions. With regard to this year's resolution, my delegation, together with other delegations from different regional groups, will present to the coordinator a proposal in the interest of substantive engagement on the recommendation of the International Law Commission. We count on all delegations showing concrete commitment in strengthening the relationship between the International Law Commission and the Sixth Committee, including on this important agenda item.

I thank you Madam Chair.