



**United Nations General Assembly – Agenda item 86
Protection of persons in the event of disasters**

**Statement by the Federal Republic of Germany
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Germany is open to the idea of elaborating an international treaty on the basis of the International Law Commission’s articles on “Protection of persons in the event of disasters”.

Over the past few months only, the world, sadly enough, had more than one occasion to witness the devastating effects that environmental disasters may have. Scientific studies have shown that the number of environmental disasters to be expected in the future will only increase. This alarming trend stands in stark contrast to the lack of instruments that international law has on offer when it comes to responding effectively. There is no comprehensive and binding convention in the field of International Disaster Response law. To Germany, therefore, the time seems ripe for the development of such a convention.

The articles on “Protection of persons in the event of disasters” as developed by the ILC form a good basis and starting point for the elaboration of a new convention as well as future debate. Allow me, at this point, to highlight two aspects of the draft articles that are convincing to Germany.

First, the articles, appropriately, put a strong emphasis on the needs of those struck by a disaster. Art. 4 states that it is the human dignity of all affected persons that must be upheld. Art. 5 explains further that the human rights of these persons must be respected, as indeed required by international law. Germany in this regard also welcomes the statement contained in Art. 6 that the needs of those most vulnerable must be taken into account. Too often it is forgotten that not all are affected in the same way when disasters occur.

Second, Germany approves of the general understanding of the sovereignty of States inherent to the draft articles. According to this understanding a State enjoys rights and privileges as a consequence of its sovereign status while at the same time bearing responsibility for the

protection of persons in the event of disaster, as reflected in particular in Articles 10, 11 and 13. Germany, as a regular provider of relief assistance, in this regard also welcomes Article 16 codifying the duty of the affected State to protect all external relief personnel.

To conclude, Germany is open to the idea of elaborating an international instrument on the basis of the ILC's articles on "Protection of persons in the event of disasters". The time seems ripe for a comprehensive instrument. The articles as developed by the ILC appear to be a good basis and starting point for future debate.

Thank you.