

**Working group on the protection of persons in the event of disasters – debate on cluster
1 of the draft articles (7.10.2024)
Remarks of Greece
delivered by Alexandros Kolliopoulos**

Mr./Madam Chair,

Greece aligns itself with the statement made by the distinguished representative of the EU and would like to make an additional remark about the exact wording, rather than the substance, of article 18 par. 2.

This Provision stems from the uncontested premise that IHL takes precedence, as *lex specialis*, in situations of armed conflict. This being said, we should also envisage the scenario where IHL prescribes the course of action to be undertaken in case of a disaster occurring in an area of armed conflict in rather general terms, while a provision of the draft articles, being fully consistent with the applicable IHL rule, provides more precise regulatory guidance. In such a case, the “response to a disaster” is indeed governed by IHL in the sense of article 18 paragraph 2, but a complementary recourse to the draft articles might be of added value. Paragraph 9 of the ILC’s commentary on draft article 18 points towards this direction, however we wonder whether this facilitative function of the draft articles could be better reflected in the wording of this provision.

I thank you.