

Working Group – Protection of Persons in the Event of Disasters (Cluster 5)

Thank you Mr Chair,

On **Cluster 5**, the European Union and its Member States would have the following observations.

- The practical significance of **draft Article 15** cannot be overstated in that it will help overcome obstacles in the delivery of disaster relief in a timely fashion. Although it refers in a non-exhaustive fashion to the areas where facilitation measures shall be adopted, adding to these and providing further details would increase the usefulness of the draft article by offering further guidance.

We would like to highlight the **applicability of the humanitarian principles** to the facilitation of disaster relief. It is of relevance to recall here Resolution 78/120 on ‘International cooperation on humanitarian assistance in the field of natural disasters, from relief to development’ which in OP 46 ‘[e]ncourages all Member States to facilitate, to the extent possible, the transit of emergency humanitarian assistance and development assistance and the entry of humanitarian personnel and supplies, provided in the context of international efforts, including in the phase from relief to development, in full accordance with the provisions of resolution 46/182 and the annex thereto, and **in full respect of the humanitarian principles of humanity, neutrality, impartiality and independence, and their obligations under international law, including international humanitarian law;**’ (emphasis added)

- We support strongly the obligation to protect relief personnel, equipment and goods contained in **draft article 16**.
- Turning last to **draft article 17**, it contains **important procedural obligations** in the form of ‘appropriate notification’ of the intention to terminate external

assistance and ‘consult[ation]’ with respect to the termination as well as its modalities. These would go a long way in preventing an abrupt termination with adverse consequences on affected persons. Still, an express reference to the **needs of affected persons** in the draft articles would be useful to ensure that these are at the centre of consultations and an eventual decision to terminate external assistance.

Thank you.