

Statement of the Hashemite Kingdom of Jordan
Before the Sixth Committee of the 76th Session
of the United Nations General Assembly
On the item
"Protection of persons in the event of disasters"

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Madam Chair,

Jordan would like this opportunity to commend the work made by the International Law Commission that led to the adoption of the draft articles regarding the protection of persons in the event of disasters. It is an important tool for the provision of disaster relief assistance. We express our support for the draft articles and the rights-based approach contained therein.

The draft articles strike a balance between the various legal interests involved, including the sovereign rights of the affected states, the rights of people affected by disaster, and the rights of assisting states and assisting actors.

The draft articles also establish a duty of cooperation among States, and with relevant entities, for the purpose of protection during disasters. This is a crucial component of the project that purports to provide effective protection that extends through the different phases of a disaster.

Madam Chair,

The humanitarian principles contained therein, namely the principles of humanity, neutrality, and impartiality, provide an important guarantee against abuse in the process of response to disasters.

And while the affected State has the primary role in relief assistance, direction, control and supervision, that state is as well under the duty to ensure the protection of persons and provision of disaster relief assistance. The affected State is also under obligation to seek external assistance if it is unable to provide relief response. Such obligations, duties, and rights act in tandem. This ensures that the provision of protection in the event of disasters achieves its humanitarian purposes without infringing of the affected states legitimate legal interests.

While the draft articles mention in the preamble the principle of solidarity, it is unfortunate that the articles did not reflect this principle in the form of specific obligations on States that are able to provide relief assistance. In any case, the duty of cooperation under draft article 7 should be read in an expansive manner to develop such an obligation on such States.

Madam Chair,

The draft articles are *lex generalis* that apply to the extent that International Humanitarian Law does not in a situation of disaster. They fill a gap and do not prejudice any wider protection under the relevant rules of IHL, including the rights of relief and towards humanitarian organizations during armed conflict.

Jordan, therefore, offers its support on the elaboration of a convention based on the draft articles proposed by the ILC. To this end, we agree on the establishment of an ad-hoc committee or a working group to discuss the text and the observations made by member states which could culminate in the adoption of a convention.