

Chapter III

SPECIFIC ISSUES ON WHICH COMMENTS WOULD BE OF PARTICULAR INTEREST TO THE COMMISSION

A. Reservations to treaties

26. Given the dearth of practice with regard to reactions to interpretative declarations and the different opinions of the members of the Commission, the Commission would be grateful if States would kindly respond to the questions below on their concrete practice:

(a) Are there circumstances in which silence in response to an interpretative declaration can be taken to constitute acquiescence in the declaration?

(b) If so, what would those circumstances be (specific examples would be very welcome)?

(c) If silence does not *per se* constitute acquiescence in an interpretative declaration, should it play a part in the legal effects that the declaration may bring about?

27. Taking into account that next year's report by the Special Rapporteur will deal with, *inter alia*, the consequences of interpretative declarations, what are the consequences of an interpretative declaration for:

(a) its author;

(b) a State or international organization which has approved the declaration;

(c) a State or organization which has expressed opposition to the declaration?

28. More generally, what impact do the reactions—whether positive or negative—of other States or international organizations to an interpretative declaration have upon the effects that the declaration may produce (specific examples would be very welcome)?

B. Responsibility of international organizations

29. The Commission would welcome comments and observations from Governments and international organizations on draft articles 46 to 53, dealing with the invocation of the responsibility of an international organization.

30. The Commission would also welcome comments on issues relating to countermeasures against international organizations, taking into account the discussion of these issues, as reflected in chapter VII.

C. Protection of persons in the event of disasters

31. The Commission would welcome any information concerning the practice of States under this topic, including examples of domestic legislation. It would welcome in particular information and comments on specific legal and institutional problems encountered in dealing with or responding to disasters.

32. The Commission would also welcome information from the United Nations on the basis of the following question:

How has the United Nations system institutionalized roles and responsibilities, at global and country levels with regard to assistance to affected populations and States in the event of disasters—in the disaster response phase but also in pre- and post-disaster phases—and how does it relate in each of these phases with actors such as States, other intergovernmental organizations, the Red Cross Movement, non-governmental organizations, specialized national response teams, national disaster management authorities and other relevant actors?

33. Information will also be sought from the International Federation of the Red Cross and Red Crescent Societies on the basis of a similar inquiry, adjusted as appropriate.