**Explicación de posición de México en el Comité Preparatorio de la Conferencia de Plenipotenciarios sobre Protección de Personas en casos de Desastres.**

Gracias, señor Presidente.

México desea dejar constancia de su posición respecto del proyecto de Reglamento de la Conferencia y, en particular, de las disposiciones relativas a la toma de decisiones.

Desde el inicio de este proceso, México ha apoyado plenamente la celebración de la Conferencia, y comparte el objetivo de que ésta cuente con las condiciones necesarias para desarrollar sus trabajos de manera eficiente y efectiva, con miras a la adopción de una Convención sobre la Protección de las Personas en Caso de Desastre.

En ese espíritu, México no se ha opuesto a la adopción de un reglamento específico para la Conferencia que facilite la conducción ordenada de sus trabajos. Sin embargo, para nuestra delegación, la adopción de un reglamento específico no debe traducirse en la creación de mecanismos, requisitos o condicionantes adicionales para la toma de decisiones no previstos por la Asamblea General ni en su Reglas de Procedimiento.

En particular mi delegación se enfocó en dejar claro que, una vez agotados todos los esfuerzos de buena fe para alcanzar un acuerdo por consenso, el Reglamento de la Conferencia debe preservar plenamente los derechos de voto de la membresía, y ofrecer certeza respecto del procedimiento aplicable.

Nuestra más reciente propuesta de compromiso presentada el día de hoy, reflejaba nuevamente este enfoque. México propuso recurrir a lenguaje acordado por consenso en la resolución 72/249, preservando expresamente la obligación de agotar todos los esfuerzos de buena fe para alcanzar un acuerdo por consenso, y buscando, al mismo tiempo, ofrecer certeza respecto del procedimiento aplicable una vez agotados esos esfuerzos.

Con ello, México buscaba recurrir a un precedente multilateral exitoso como base para acercar posiciones.

Lamentablemente, la formulación de la regla 34 recomendada a la Conferencia no atiende las preocupaciones expresadas por México de manera consistente. La formulación actual no dota de la claridad deseable sobre la procedencia del voto, una vez agotados todos los esfuerzos de buena fe para alcanzar un acuerdo por consenso.

En estas circunstancias, México no está en posición de acompañar una recomendación del Comité Preparatorio sobre las Reglas de Procedimiento, y subrayamos que esta recomendación no sienta un precedente para futuras negociaciones u otros procesos.

Nuestra posición no constituye una objeción a la celebración de la Conferencia, a su mandato, a la adopción de un reglamento específico ni al principio del consenso. México continuará trabajando constructivamente para que la Conferencia pueda cumplir exitosamente el mandato conferido por la Asamblea General, y se reserva plenamente el derecho de revisar esta cuestión cuando la Conferencia considere la adopción de su Reglamento.

Para efectos del registro, México solicita que la presente explicación de posición quede debidamente reflejada en el informe del Comité Preparatorio y sea transmitida a la Conferencia. Asimismo, solicitamos que se incorpore y transmita el texto de su más reciente propuesta en materia de toma de decisiones, incluida la fuente de dicha propuesta, que corresponde a lenguaje acordado en el proceso BBNJ, a fin de que la Conferencia cuente con un registro completo de las posiciones y propuestas formuladas, y pueda ejercer plenamente las facultades que le corresponden al considerar y adoptar su propio Reglamento.

Muchas gracias, señor Presidente.

- **Courtesy translation -**

**Explanation of Position by Mexico in the Preparatory Committee for the Conference of Plenipotentiaries on the Protection of Persons in the Event of Disasters**

Thank you, Mr. Chair.

Mexico wishes to place on record its position regarding the draft Rules of Procedure of the Conference and, in particular, the provisions concerning decision-making.

Since the beginning of this process, Mexico has fully supported the convening of the Conference and shares the objective of ensuring that it has the necessary conditions to conduct its work efficiently and effectively, with a view to the adoption of a Convention on the Protection of Persons in the Event of Disasters.

In that spirit, Mexico has not opposed the adoption of specific Rules of Procedure for the Conference that would facilitate the orderly conduct of its work. However, for our delegation, the adoption of specific Rules of Procedure should not result in the creation of additional mechanisms, requirements or conditions for decision-making that were not envisaged by the General Assembly or under its Rules of Procedure.

In particular, my delegation has focused on making clear that, once all good-faith efforts to reach agreement by consensus have been exhausted, the Rules of Procedure of the Conference should fully preserve the voting rights of the membership and provide certainty as to the applicable procedure.

Our most recent compromise proposal, presented earlier today, once again reflected this approach. Mexico proposed drawing on language agreed by consensus in resolution 72/249, expressly preserving the obligation to exhaust all good-faith efforts to reach agreement by consensus while, at the same time, seeking to provide certainty as to the procedure applicable once those efforts have been exhausted.

In doing so, Mexico sought to draw on a successful multilateral precedent as a basis for bridging positions.

Regrettably, the formulation of rule 34 recommended to the Conference does not adequately address the concerns consistently expressed by Mexico. The current formulation does not provide the desired clarity as to when a vote may be taken once all good-faith efforts to reach agreement by consensus have been exhausted.

In these circumstances, Mexico is not in a position to join a recommendation of the Preparatory Committee on the Rules of Procedure, and we underscore that this recommendation does not constitute a precedent for future negotiations or other processes.

Our position does not constitute an objection to the convening of the Conference, its mandate, the adoption of specific Rules of Procedure, or the principle of consensus. Mexico will continue to work constructively to enable the Conference to successfully fulfil the mandate entrusted to it by the General Assembly, and fully reserves its right to revisit this matter when the Conference considers the adoption of its Rules of Procedure.

For the record, Mexico requests that this explanation of position be duly reflected in the report of the Preparatory Committee and transmitted to the Conference. We further request that the text of Mexico's most recent proposal on decision-making, including the source of that proposal, namely language agreed in the BBNJ process, be included and transmitted, so that the Conference has a complete record of the positions and proposals put forward and may fully exercise its prerogatives when considering and adopting its own Rules of Procedure.

Thank you, Mr. Chair.

## Annex

## VII. Decision-making

### Rule 34
### Consensus

1. The Conference shall exhaust every effort in good faith to reach agreement on matters of substance by consensus.

~~2. If, in the consideration of any matter of substance, every effort in good faith to reach agreement by consensus has been exhausted, the President of the Conference shall consult the Bureau and recommend the steps to be taken, which may include the matter being put to the vote in accordance with rule 36.~~

### Rule 35
### Voting rights

Each State participating in the Conference shall have one vote.

### Rule 36
### Majority required

1. Subject to rule 34, decisions of the Conference on matters of substance, including the adoption of the text of the convention on the protection of persons in the event of disasters as a whole, shall be taken by a two-thirds majority of the States present and voting, before which, the President shall inform the conference that every effort to reach agreement by consensus has been exhausted;[1]

2. Decisions on matters of procedure shall be taken by a simple majority of the States present and voting.

3. If the question arises as to whether a matter is one of procedure or of substance, the President of the Conference shall rule on the question. An appeal against this ruling shall be put to the vote immediately, and the President's ruling shall stand unless overruled by a simple majority of the States present and voting.

4. If a vote is equally divided, the proposal or motion shall be regarded as rejected.

[1] Text from A/RES/72/249, adopted by consensus.