

*Translated from Arabic*

## **Proposed preliminary amendments to the draft convention on protection of persons in the event of disasters**

*Article 1.* The articles should be amended to read as follows: “The present article applies to the protection of persons affected by disasters, whether human-made or natural, with a view to protecting the fundamental rights of such persons and preserving their lives, well-being and property in accordance with international law”.

*Article 2.* The article should be amended by adding the phrase “and to facilitate the provision of adequate and effective assistance for recovery, rehabilitation and reconstruction”, after the phrase “reduction of the risk of disasters”. The article would thus read as follows:

The purpose of the present draft articles is to facilitate the adequate and effective response to disasters and reduction of the risk of disasters, and to facilitate the provision of adequate and effective assistance for recovery, rehabilitation and reconstruction, so as to meet the essential needs of the persons concerned, with full respect for their rights.

*Article 3 (a).* The paragraph should be amended to read as follows:

“Disaster” means a calamitous event or series of events, or a protracted process that ensues or is expected to ensue therefrom, or that is expected to result in widespread loss of life, great human suffering and distress, mass displacement, or large-scale material and environmental damage.

*Article 3 (b).* The paragraph should be amended to read as follows: “‘affected State’ means a State in whose territory, or in territory under whose jurisdiction or control, a disaster or the effects thereof take place.

*Article 4.* The article should be deleted.

*Articles 7 and 8.* Amendments should be made to the two articles by borrowing wording from the following paragraphs of the Sendai Framework:

- Paragraph 27, to emphasize the need to provide developing countries, including middle-income countries, with support for national capacity-building with a view to preparing for disasters and emergencies, through technical and financial support, and technology transfer.
- Paragraph 28, to encourage States to engage in regional cooperation to safeguard transboundary natural resources and protect their ecosystems, including rivers, and joint plans to use disasters and reduce their effects.

- Paragraph 31, to emphasize the need for the business community, international financial institutions and other stakeholders to provide funding to reduce the effects of disasters, including with a view to addressing the long-term economic effects of the disasters.

- Paragraphs 38 to 42: these paragraphs address the forms of support that developed States and united entities should provide to developing States to reduce the effects of disasters. Those paragraphs provide that developed States, organizations and individuals should provide technical and financial assistance to developing States at every stage of the disaster response, work to mitigate the repercussions, encourage technology transfer, and encourage international financial institutions to provide support to developing States in order to mitigate the degradation resulting from disasters.

*Article 10.* The word “primary” should be replaced with “sole”.

*Article 11.* The article should be amended to read as follows: “To the extent that a disaster manifestly exceeds its national capacity, the affected State has the duty to seek assistance from, as appropriate, other States, the United Nations or other assisting actors.”

*Article 13.* Paragraph 2 should be deleted.

*Article 14.* The word “may” should be replaced with the term “has the right to”, to read as follows: “The affected State has the right to place conditions on the provision of external assistance. Such conditions shall be in accordance with the present draft articles, applicable rules of international law...”

*Article 15 (a).* The following phrases should be deleted: “privileges and immunities” and “freedom of movement”.