

Preliminary proposals of the Islamic Republic of Iran on the Draft Articles on Protection of Persons in the Event of Disasters

PP2pre Recalling the Declaration of Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, of 1970,

PP6bis Reiterating that international community should adequately assist developing countries in strengthening their capacity in disaster prevention and mitigation,

PP6ter Reaffirming the importance of international cooperation for the development of developing countries thereby contributing to reducing the impact of future natural disasters and emergencies on such countries, and recognizing also the importance of adequate assistance in the transition from relief to development,

PP7 quarter Emphasizing that economic growth and sustainable development are essential for prevention of and preparedness against natural disasters and other emergencies and therefore assistance should be accompanied by a renewal of commitment to economic growth and sustainable development of developing countries,

PP7ter Reaffirming the national ownership of affected states in initiation, organization, coordination, authorization and implementation of assistance and all other relevant activities within their territory including in mitigating the consequences of natural disasters,

Article 2

Purpose

The purpose of the present draft articles is to

a) promote, facilitate, and support international cooperation and technical assistance in particular to developing countries to strengthen their capacity and address their self-identified challenges in protecting persons in the event of disasters; and

b) facilitate the adequate and effective response to disasters, and reduction of the risk of disasters, so as to meet the essential needs of ~~the persons concerned~~ affected countries with a view to supporting their efforts in protecting persons in the event of disasters.

Article 4pre
Protection of Sovereignty

(a) 1. States Parties shall carry out their obligations under this Convention in a manner consistent with the principles of sovereign equality, territorial integrity of States and that of non-intervention in the domestic affairs of other States. Nothing in the present Convention shall prejudice the fundamental principles of international law.

Article 7
Duty to cooperate

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2. State Parties should cooperate in the promotion of economic growth throughout the world, especially that of the developing countries to strengthen the capacity of affected countries in protecting persons in the event of disasters.

3. States Parties shall promote and enhance, through international cooperation, including technology transfer, technical assistance, access to knowledge, as appropriate, to support national measures of, in particular, developing countries for protection of persons in the event of disasters.

Article 9
Reduction of the risk of disasters

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3. A Trust Fund is hereby established under the auspices of the United Nations to assist developing countries, upon their request, in strengthening their capacity in disaster risk reduction, prevention and mitigation.

Article 13
Consent of the affected State to external assistance

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2. Consent to external assistance shall not be withheld arbitrarily.

Article 15bis
Competent authorities and points of contact

1. Each State Party shall designate a central authority that is authorized in accordance with its domestic laws or regulations to make and receive requests for and to accept offers of assistance on the basis of this Convention.

2. The Secretary-General of the United Nations shall be notified if a central authority has been designated for this purpose at the time each State Party deposits its instrument of ratification, acceptance, or approval of or accession to this Convention.

3. Requests for assistance shall be transmitted to the central authorities designated by the States Parties. This requirement shall be without prejudice to the right of a State Party to require that such requests and communications be addressed to it through diplomatic channels or, where the respective States Parties agree, through the United Nations.

Article 17pre
Means of implementation

1. States Parties in a position to do so shall provide coordinated, sustained, and adequate international support for disaster response and risk reduction to developing countries, including technical assistance, financial support, and the transfer of technology on concessional and preferential terms with a view to strengthening national capacities.

2. States Parties shall take appropriate measures to ensure access of developing countries to finance, relevant technologies, scientific knowledge and innovation, inter alia, through existing bilateral, regional, and multilateral mechanisms, including cooperation within the United Nations.

Article 17pre bis
Implementation of the convention through economic development

1. States Parties shall take measures conducive to the optimal implementation of this Convention to the extent possible, through international cooperation in support of economic growth and sustainable development of developing countries, taking into account that economic growth and sustainable development are essential for prevention of and preparedness against natural disasters and other emergencies.

2. States Parties shall make concrete efforts to the extent possible and coordination with each other, as well as with international and regional organizations:

(a) To enhance their cooperation at various levels with developing countries, with a view to strengthening the capacity of the latter to protect persons in the event of disasters;

(b) To enhance financial and material assistance to support the efforts of developing countries to protect persons in event of disasters and to help them implement this Convention successfully;

(c) To provide technical assistance to developing countries and countries with economies in transition to assist them in meeting their needs for the implementation of this Convention.

3. These measures shall be without prejudice to existing or future foreign assistance commitments or to other financial cooperation arrangements at the bilateral, regional or international level.

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The present preliminary proposals are without prejudice to the rights of the Islamic Republic of Iran to propose further amendments to the ILC Draft Articles on the Protection of Persons in the Event of Disasters.

The Islamic Republic of Iran reserves its right to propose amendments including on provisions of the Draft Articles other than those referred to herein or to supplement or modify its proposals, whenever it deems appropriate.

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