

[check against delivery]



Sixth Committee

“Protection of persons in the event of disasters”

Statement by Wieteke Theeuwen

Legal Adviser of the Permanent Mission the Kingdom of the Netherlands to the United Nations

NEW YORK, 4 October 2024

Madam/Mr. Chair,

The Kingdom of the Netherlands welcomes the resumed discussions on the protection of persons in the event of disasters within the context of this Committee.

The Kingdom of Netherlands recognizes the global need for better protection of those suffering from disasters and for better coordination in disaster responses. As such, we welcomed the adoption of the draft articles of the ILC back in 2016. These articles have contributed to clarifying the different roles, responsibilities and duties of the main actors involved in disaster relief. We remain of the view, the draft articles in their current state are useful as non-binding guidelines that may assist in better protection of persons affected by disasters.

The draft articles strike a balance between assistance offered in response to acute needs of victims and the responsibilities of the affected State. The Kingdom of the Netherlands supports that aid that is not in conformity with accepted principles on humanitarian assistance may be refused, but consent to external assistance shall not be withheld arbitrarily.

The Kingdom of the Netherlands has consistently argued that disaster relief has to always fully respect human rights and all the humanitarian principles. Furthermore, we believe it paramount to acknowledge that, during armed conflict, international humanitarian law constitutes a *lex specialis* in relation to the Draft Articles.

Madam/Mr. Chair,

Concerning possible next steps in relation to the draft articles, the Kingdom of the Netherlands acknowledges that there is no coherent international legal framework on this topic. We also note that some of the draft articles go beyond existing international law and that their scope is relatively broad.

Nevertheless, the Kingdom of the Netherlands maintains a constructive approach to this working group with and is willing to engage in an open discussion about exploring next steps.

Thank you, Madam/Mr. Chair