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Agenda item 87: Protection of persons in the event of disasters**

Statement by: Delegation of Micronesia

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Chair,

As this is the first time that my delegation is taking the floor in this Committee this session, I extend to you and the rest of the Bureau our congratulations on your election and assure you of my delegation's full support for the discharge of your work. Micronesia also aligns with the statement delivered by Antigua and Barbuda on behalf of AOSIS in this agenda item.

Chair,

Micronesia welcomes this Committee's engagement on the topic of protection of persons in the event of disasters. The International Law Commission's 2016 draft articles on this issue are a significant contribution in this regard. In response to the recommendation of the Commission, and in light of strong support expressed by delegations in the General Assembly last session, Micronesia supports the commencement of negotiations to elaborate a convention based on the Commission's draft articles. Such a convention must recognize that disasters include adverse impacts of climate change and other related phenomena, such as sea-level rise and ocean acidification, which threaten the livelihoods of our people and could force their displacement.

Vulnerable populations currently at the frontlines of severe climate change-induced disasters cannot afford any more delays in ambitious global responses to such disasters. The World Meteorological Organization and the UN Office for Disaster Risk Reduction recently announced that climate and weather-related disasters surged five-fold in the last 50 years, causing over two million deaths and \$3.64 trillion in economic losses. More than 91% of these deaths occurred in developing countries. While the report predicted an increase in the severity of climate change-induced disasters, the report found a glimmer of hope. Early warning systems and proper disaster management from 1970 to 2019 decreased the mortality rate threefold. The UN Special Representative and head of the Office for Disaster Risk Reduction acknowledged that "more lives are being saved thanks to early warning systems," but warned that "more international cooperation is needed to tackle the chronic problem" of human displacement each year by

floods, storms and drought. This demonstrates that the lethal impacts of climate change can be mitigated by a legal regime that, among other things, thoroughly outlines State obligations.

A convention elaborated on the basis of the Commission's draft articles can help address this major challenge. In its commentary on draft article 3, the Commission cites sea-level rise as a "slow-onset event" that is covered by the draft articles, as well as references events such as droughts and tsunamis that science predicts will occur with greater intensities and frequency due to climate change. The draft articles also define "disaster" as an event that results in at least one of four outcomes: widespread loss of life, great human suffering and distress, mass displacement, or large-scale material or environmental damage that leads to a "serious disruption of the functioning of society." It is foreseeable that adverse impacts of climate change will cause mass displacement as well as large-scale material or environmental damage that seriously disrupts society. This has already begun in some parts of the world, including in the Pacific.

Furthermore, the draft articles refer to treaties and other agreements as measures to address disasters. Draft article 9 obligates each State to take actions to "prevent, mitigate, and prepare" for disasters. In its commentary on draft article 9, the Commission cites instruments such as the Paris Agreement and the 2030 Agenda for Sustainable Development as "instruments concerned with reducing the risk of disasters" and underscores that there is "a positive obligation on States to take the necessary and appropriate measures to prevent harm from impending disasters." In that connection, Micronesia suggests that any convention elaborated on the basis of the draft articles must contain an obligation of international cooperation with respect to tackling adverse impacts of climate change, including through new and existing multilateral, regional, and bilateral instruments. This obligation already exists in international law and must be reflected accordingly.

Finally, Micronesia notes the linkages between this agenda item and the current work of the Commission's Study Group on sea-level rise in relation to international law, particularly the Study Group's consideration of the sub-topic of protection of persons. Any elaboration of a convention should take into account the Study Group's related work. Echoing the work of the Study Group, we see a new convention as fostering legal stability, security, certainty, and predictability. Without adequately defined legal standards, chaos in this area of the law will continue, and vulnerable populations will continue to suffer.

I thank you.