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and 65<sup>th</sup> Sessions:

Part III: Protection of Persons in the Event of Disasters / Formation and Evidence of Customary International Law / Provisional Application of Treaties / Protection of the Environment in Relation to Armed Conflicts / Extradite or Prosecute / Most-Favored Nations Clause

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Thank You, Mr. Chairman. I would like to thank the Chairman of the Commission, Professor Bernd Niehaus, for his introduction of the Commission's report. I appreciate the opportunity to comment on the topics that are currently before the Committee.

**Protection of Persons in the Event of Disasters**

Mr. Chairman, turning first to the topic of "Protection of Persons in the Event of Disasters," the United States appreciates the Commission's ongoing work and in particular the efforts of the Special Rapporteur, Mr. Eduardo Valencia-Ospina.

We appreciate the Commission's continued work on Dr

emphasis, in order to stress that States, the United Nations, and intergovernmental organizations are not only entitled but encouraged to make offers of assistance, while non-governmental organizations have a different nature and legal status. We suggest eliminating the distinction and providing instead that States, the United Nations, intergovernmental organizations, and non-governmental organizations “may” offer assistance to the affected State, in accordance with international law and applicable domestic laws. While there is no doubt that States, the United Nations, and intergovernmental organizations make offers of assistance



Once again, we commend Mr. Wood for his work on this topic thus far, and welcome its further elaboration according to the plan established in his initial note.

**Provisional application of treaties**

Mr. Chairman, turning to the topic, "Provisional Ap

Although bringing additional clarity to this area of the law may indeed result in more frequent use of provisional application, we would urge the Special Rapporteur to focus on provisional application itself rather than on increasing its use.

### **Protection of the Environment in Relation to Armed Conflict**

The United States congratulates Ms. Marie Jacobsson on her appointment as the Special Rapporteur for the topic entitled “Protection of the environment in relation to armed

found at Annex A of the ILC 2013 Annual Report for the sixty-fifth session. The report ably recounts the extensive work by the Commission