

Permanent Mission of Cuba to the United Nations

The Permanent Mission of Cuba to the United Nations presents its recommendation by the International Law Commission that a convention be elaborated on the basis of the draft articles on the topic “Protection of persons in the event of disasters”. The draft articles were adopted by the Commission at its sixty-eighth session and are reproduced in paragraph 48 of its report (Official Records of the General Assembly, Seventy-first session, Supplement No. 10 (A/71/10)).

The Republic of Cuba reaffirms its support for the Commission’s efforts to improve the protection of persons affected by disasters and agrees with the recommendation that a convention be elaborated on the basis of the draft articles. However, the final wording of the articles should continue to be discussed by Governments to ensure that a text is adopted that enjoys broad consensus.

The Republic of Cuba hereby transmits proposed amendments to the aforementioned draft articles as follows:

1. Regarding paragraph 2 of article 9 on reduction of the risk of disasters, the following wording is proposed: “Disaster risk reduction measures include, among other things, the conduct of risk assessments, the collection and dissemination of risk and past loss information, compliance with technical standards in investment, to foster increased resilience by reducing prospective vulnerabilities, the introduction of climate change adaptation and mitigation measures with an emphasis on areas such as safe water, food security and health, the preparation of the population at risk and the installation and operation of early warning systems.”
2. Concerning paragraph 1 of article 10 on the role of the affected State, the following wording is proposed: “The affected State, by virtue of its sovereignty and in accordance with its national legislation, has the duty to ensure the protection of persons and provision of disaster relief and assistance in its territory.”
3. Regarding article 11 (Duty of the affected State to seek external assistance), the following wording is proposed: “To the extent that a disaster exceeds the affected State’s national response capacity, the affected State shall request international assistance from other States, the United Nations and relevant non-governmental organizations and relevant non-governmental organizations.”

4. On article 12 (Offers of exte