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|  |  | A/CN.4/SR.3xxx |
|  |  | Provisional**For participants only**… June 2016Original: English |

**International Law Commission**

**Sixty-eighth session (first part)**

**Provisional summary record of the 3xxxth meeting**

Held at the Palais des Nations, Geneva, on Tuesday, … June 2016, at 10 a.m.

Contents

Protection of persons in the event of disasters (*continued*)

***Present***:

*Chairman*: Mr. Comissário Afonso

*Members*: Mr. Adoke

 Mr. Al-Marri

 Mr. Caflisch

 Mr. Candioti

 Mr. El-Murtadi

 Ms. Escobar Hernández

 Mr. Forteau

 Mr. Gómez-Robledo

 Mr. Hassouna

 Mr. Hmoud

 Mr. Huang

 Ms. Jacobsson

 Mr. Kamto

 Mr. Kittichaisaree

 Mr. Kolodkin

 Mr. Laraba

 Mr. McRae

 Mr. Murase

 Mr. Murphy

 Mr. Niehaus

 Mr. Nolte

 Mr. Park

 Mr. Peter

 Mr. Petrič

 Mr. Saboia

 Mr. Singh

 Mr. Šturma

 Mr. Tladi

 Mr. Valencia-Ospina

 Mr. Vázquez-Bermúdez

 Mr. Wako

 Mr. Wisnumurti

 Sir Michael Wood

***Secretariat***:

Mr. Llewellyn Secretary to the Commission

*The meeting was called to order at 10.05 a.m.*

 Protection of persons in the event of disasters (agenda item 2) (*continued*) (A/CN.4/696 and A/CN.4/697)

 **The Chairman** invited the members of the Commission to continue their consideration of the eighth report on the protection of persons in the event of disasters (A/CN.4/697).

 **Mr. Petrič** said he agreed with the Special Rapporteur that it would be inadvisable to incorporate in the draft articles any proposed amendments which would alter the delicate balance between the paramount principles of the sovereign equality of States and non-interference, on the one hand, and the equally vital protection of individuals affected by a disaster, on the other. An international instrument protecting human beings in the event of disasters was needed but, in order to be accepted, it would have to respect the two above-mentioned principles of contemporary international law. Without that balance, which had been established after lengthy, in-depth discussions in the Commission, the whole project would fail. Although States’ comments were vital for the Commission’s work, they sometimes reflected the specific interests of a given State and should be treated with care. Thus, the original text of the draft articles should be changed only when there was good reason to do so. With regard to the relationship between codification and progressive development, he fully subscribed to the comments made by Mr. McRae at the end of the 3293rd meeting.

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 **Mr. Šturma** (Chairman of the Drafting Committee) said that the Drafting Committee on the topic of protection of persons in the event of disasters was composed of Mr. Forteau, Mr. Hmoud, Mr. Huang, Mr. Kamto, Mr. Kittichaisaree, Mr. Kolodkin, Mr. McRae, Mr. Murphy, Mr. Nolte, Mr. Petrič, Mr. Saboia, Mr. Singh, Mr. Vázquez-Bermudez and Sir Michael Wood, together with Mr. Valencia-Ospina (Special Rapporteur) and Mr. Park (Rapporteur), *ex officio*.

*The meeting rose at 1.15 p.m.*