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

Mr. Argüello Gómez

Mr. Akande

Mr. Asada

Mr. Aurescu

Mr. Cissé

Mr. Fathalla

Mr. Fife

Mr. Galindo

Ms. Galvão Teles

Mr. Grossman Guiloff

Mr. Jalloh

Mr. Lee

Ms. Mangklatanakul

Mr. Mavroyiannis

Mr. Mingashang

Mr. Nesi

Mr. Nguyen

Ms. Okowa

Ms. Oral

Mr. Ouazzani Chahdi

Mr. Oyarzábal

Mr. Paparinskis

Mr. Patel

Mr. Reinisch

Ms. Ridings

Mr. Ruda Santolaria

Mr. Sall

Mr. Savadogo

Mr. Tsend

Mr. Zagaynov

***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.*