

U.S. Intervention Regarding the UN ISDR Provisional Rules of Procedure
Made During the Disaster Reduction Preparatory Committee
May 7, 2004

Mr. Chairman, my delegation and representatives of the EC (i.e., the European Community and the European Commission) held several extensive discussions that were supplemented by consultations with our respective capitals, in an effort to resolve our differences over references to the EC in the Provisional Rules of Procedure (PRoP). Regrettably, despite our serious efforts, we have not yet been unable to reach a mutually acceptable resolution.

The EC is not a State, but rather an observer organization whose participation in the work of this conference, including its preparatory committees, can be fully ensured by the provisional rules that pertain to "Other Participants and Observers." The U.S. is therefore unwilling to approve rules that would allow the EC preferential status to conduct itself and to exert influence tantamount to that of a State. We are prepared to continue our discussions with the EC in further efforts to reach a mutually acceptable resolution, if possible, by the next PrepComm.

Pending resolution of our efforts to resolve the dispute, we reiterate our request to keep brackets around the six elements in the ProP that my delegation specified yesterday as well as around the entire text of Rule 34, as revised and proposed by the European Community.

Regarding the Chairman's suggested "provisional adoption" of the ProP by the PrepComm and pending final resolution of the matters in dispute, the U.S. is compelled to note for the record that no decisions or actions taken under the provisional rules during the PrepComm process should be regarded as prejudging the outcome of the on-going dispute, and that any such decisions or actions that are inconsistent with U.S. views on EC participation shall be deemed as being of a merely provisional nature and not as binding upon the PrepComm process or the Conference. Thank you.

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The United States supports and welcomes EC participation in this important conference. That said, however, my Government has several concerns regarding certain elements within the Provisions Rules of Procedure (ProP) that relate to the participation of the EC in these proceedings, in its observer status.

We do not wish, at this time, to open a debate on the floor on this issue, which would only divert precious time and attention away from our ambitious agenda. Instead, we are prepared to discuss our concerns with interested delegations in separate consultations.

Until then, insofar as the adoption of the ProP is concerned and pending completion of our sidebar consultations, the U.S. delegation has been instructed and we respectfully request that any references in the ProP to the European Community (or Commission) be bracketed. Specifically, we are referring to:

- Rule 1;
- Rule 3;
- Rule 24(1);
- Rule 24(3);
- Rule 47; and
- Rule 62.

[For similar reasons, in the United States' intervention of May 7, the United State's request to bracket EC-related Rules was extended to the entire text of Rule 34, as revised and proposed by the European Community].

Thank you.

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