The Routledge Handbook of Human Rights and Disasters provides the first comprehensive review of the role played by international human rights law in the prevention and management of natural and technological disasters.

Each chapter is written by a leading expert and offers a state-of-the-art overview of a significant topic within the field. In addition to focusing on the role of human rights obligations in disaster preparation and response, the volume offers a broader perspective by examining how human rights law interacts with other legal regimes and by addressing the challenges facing humanitarian organizations.

Prefaced by a foreword by the International Law Commission’s Special Rapporteur on the Protection of Persons in the Event of Disasters, the volume is divided into four parts:

- Part I: Human rights law and disasters in the framework of public international law
- Part II: Role and application of human rights law in disaster settings
- Part III: Categories of rights of particular significance in a disaster context
- Part IV: Protection of vulnerable groups in disaster settings

Providing up-to-date and authoritative contributions covering the key aspects of human rights protection in disaster settings, this volume will be of great interest to scholars and students of humanitarian law, international law, disaster management and international relations, as well as to practitioners in the field of disaster management.

Flavia Zorzi Giustiniani is Assistant Professor of International Law at the International Telematic University Uninettuno, Italy.

Emanuele Sommario is Assistant Professor of International Law at the Scuola Superiore Sant'Anna of Pisa, Italy.

Federico Casolari is Associate Professor of European Union Law at the Alma Mater Studiorum – University of Bologna, Italy.

Giulio Bartolini is Associate Professor of International Law at the University of Roma Tre, Italy.
This book series offers an interdisciplinary platform for the study of issues pertaining to humanitar-
ianism, such as humanitarian principles, humanitarian space, audience, safety and security,
international law of humanitarian action, to mention but a few. It aims to broaden understanding
of these issues and their interconnection from different angles—such as politics, law, econom-
ics, philosophy, psychology, sociology—brought together under the heading of Humanitarian
Studies.

Routledge Handbook of Human Rights and Disasters
Edited by Flavia Zorzi Giustiniani, Emanuele Sommario,
Federico Casolari and Giulio Bartolini
ROUTLEDGE HANDBOOK OF HUMAN RIGHTS AND DISASTERS

Edited by Flavia Zorzi Giustiniani, Emanuele Sommario, Federico Casolari and Giulio Bartolini
CONTENTS

Contributors xi
Foreword xiii
Eduardo Valencia-Ospina xvi
List of abbreviations xv

PART I
Human rights law and disasters in the framework of public international law 1

1 Introduction and acknowledgments 3
Flavia Zorzi Giustiniani, Emanuele Sommario, Federico Casolari, and Giulio Bartolini

2 A taxonomy of disasters in international law 10
Giulio Bartolini

3 R.I.P. R2P: on the controversial ‘responsibility to protect’ doctrine and why it adds no value to disasters 27
Karen da Costa

4 Assistance to disaster victims in an armed conflict: the role of international humanitarian law 45
Sarah Williams and Gabriele Nenc

v
<table>
<thead>
<tr>
<th>PART II</th>
<th>Role and application of human rights law in disaster settings</th>
<th>63</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>A right to international (humanitarian) assistance in times of disaster: fresh perspectives from international human rights law</td>
<td>65</td>
</tr>
<tr>
<td>6</td>
<td>The human rights approach of the International Law Commission in its work on the protection of persons in the event of disasters</td>
<td>84</td>
</tr>
<tr>
<td>7</td>
<td>Limitation and derogation provisions in international human rights law: their nature and their use in disaster settings</td>
<td>98</td>
</tr>
<tr>
<td>8</td>
<td>States’ failure to take preventative action and to reduce exposure to disasters as a human rights issue</td>
<td>119</td>
</tr>
<tr>
<td>9</td>
<td>Integrating human rights into disaster management normative, operational and methodological aspects</td>
<td>132</td>
</tr>
<tr>
<td>10</td>
<td>Non-State Humanitarian Actors and human rights in disaster scenarios: normative role, standard setting and accountability</td>
<td>149</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PART III</th>
<th>(Categories of) rights of particular significance in a disaster context</th>
<th>165</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>Mapping basic subsistence rights in post-disaster scenarios</td>
<td>167</td>
</tr>
<tr>
<td>12</td>
<td>The human right to adequate housing in post-disaster contexts</td>
<td>180</td>
</tr>
<tr>
<td>13</td>
<td>Addressing discrimination in disaster scenarios: an international and EU law perspective</td>
<td>193</td>
</tr>
<tr>
<td>14</td>
<td>The right to a healthy environment: delineating the content (and contours) of a slippery notion</td>
<td>211</td>
</tr>
</tbody>
</table>
Contents

15 The right to know: the role of transparency access to information and freedom of expression in overcoming disasters
Alice Riccardi 228

16 Economic and social rights in times of disaster: obligations of immediate effect and progressive realization
Elvira Nohle and Gilles Giacca 245

17 Cultural rights in the prevention and management of disasters
Eleni Polymenopoulou 261

PART IV
Protection of vulnerable groups in disaster settings 275

18 A human rights-based vulnerability paradigm: lessons from the case of displaced women in post-quake Haiti
Ingrid Nifosi-Sutton 277

19 Indigenous communities: from victims to actors of disaster management
Kevin Haydeveld 291

20 The protection of migrants in disasters
Alice Sironi and Lorenzo Guadagno 308

21 Temporary protection after disasters: international, regional and national approaches
Flavia Zorzi Giustiniani 329

22 Disaster displaced persons in the age of climate change: the Nansen Initiative’s Protection Agenda
Walter Kälin 346

23 Conclusions
Gabriella Venturini 364

Tables of documents 368
Index 386
Giovanna Adinolfi is Associate Professor of International Law at the University of Milan. She has written on public international law, international economic law, and international disaster law. In her latter area, her research is focused on international legal disciplines concerning trade obstacles to relief consignments and access of affected populations to foreign goods and equipment. She has also been the academic contributor of the Summer School on EU Disaster Response Law in an International Context, funded by the European Union Jean Monnet Programme (European Module, 2013–2016).

Giulio Bartolini is Associate Professor of International Law at the Department of Law, University of Roma Tre, where he is also responsible of the Jean Monnet Module on International and European Disaster Law funded by the EU Commission. In the area of international disaster law he has been legal assistant to the ILC Special Rapporteur on the protection of persons in the event of disasters, and co-responsible of the HDB International Disaster Law Project and training courses organized with the ECHO and the Italian Red Cross. He has obtained the Diploma in Human Rights Law by the European University Institute, Academy of European Law.

Federico Casolari (PhD Bologna) is Associate Professor of European Union Law at the Alma Mater Studiorum – University of Bologna where he also teaches International Organizations Law. In 2015 he has been elected as member of the Executive Council of the Italian Society of International and European Law for the period 2015–2018. Federico Casolari has widely published on the relationship between European Union law and international law, the external relations of the European Union, the general principles of EU law (particularly the principles of solidarity, non-discrimination and loyalty), and the international & European disaster response law.

Annalisa Creta is Research Fellow in International Law at the Scuola Superiore Sant’Anna of Pisa where she focuses on issues related to civilian crisis management, with a particular emphasis on policy and training-related matters. Her main interests lie in Human Rights law, international law, the Use of Force, Collective Security Law, and International Disaster Response Law, and she is the author of several publications on the above topics.

CONTRIBUTORS
Contributors

Karen da Costa is Senior Lecturer in Human Rights at the School of Global Studies, University of Gothenburg, Sweden, where she teaches in the European Masters Programme in Human Rights Policy and Practice. Her current research covers human rights and disasters, and her publications include the monograph ‘The Extraterritorial Application of Selected Human Rights Treaties’ ( Brill/Martijn Nijhoff Publishers, 2013) and several peer-reviewed academic articles. Karen holds a PhD (2011) in International Studies (International Law) from the Graduate Institute of International and Development Studies, University of Geneva, Switzerland.

Gilles Giacca is Legal Adviser at the ICRC. He previously worked as a Research Fellow and Programme Coordinator at the Law Faculty of Oxford University and currently is Research Associate at the Oxford Institute for Ethics, Law and Armed Conflict. Gilles Giacca has advised States, international organizations and NGOs on matters of international law, including arms trade. His most recent publications include ‘Economic, Social and Cultural Rights in Armed Conflict’ (Oxford University Press, 2014) and ‘The Arms Trade Treaty: A Commentary’ (Oxford University Press, 2016).

Lorenzo Guadagno manages the IOM programme on ‘Reducing the vulnerability of migrants in emergencies’. He has published and worked at operational and policy level with various international and non-governmental organizations on disaster risk reduction and climate change adaptation. Specifically, professional interests include human mobility, ecosystem management and urbanization. He holds a Law degree from the Federico II University of Naples and a PhD in Sociology from the University of Sannio, Benevento.

Kristin Hausler is the Dorset Senior Research Fellow in Public International Law at the British Institute of International and Comparative Law, where she provides training in international human rights law. She is a member of the ILA Cultural Heritage Committee and a principal investigator in a research project funded under the EU’s Joint Programming Initiative on Cultural Heritage and Global Change. Previously, she worked on a repatriation project with Indigenous communities in Canada.

Marlies Hesselman is Lecturer in International Law at the Department of International Law of the University of Groningen. She publishes widely in the area of disaster management and human rights protection, and teaches in International Disaster Law in the NOHA-Master Programme. As an Academic Member of the ETO-consortium on extra-territorial human rights obligations, Marlies research interests also include “transnational” or “extra-territorial” human rights obligations, and issues of (sustainable) development.

Marco Inglese is Postdoctoral Researcher at the University of Fribourg. Marco already carried out postdoctoral research at the University College Dublin and the University of Sarajevo. He has been Assistant Professor of International and European Law at the China-Europe School of Law in Beijing. Marco Inglese holds a joint PhD in European and Public Law (Universities of Bologna and Strasbourg).

Walter Kälin is Professor Emeritus for international and (Swiss) constitutional law, University of Basel/Neuchâtel. He is the former Eminent of the Names Initiative on disaster induced cross-border displacement (2012-2015) and permanent adviser to the Chair of the Platform on Disaster Displacement. Prof. Kälin also served as a member of the UN Human Rights Committee.
Rónán McDermott is Researcher within the Centre for Humanitarian Action at University College Dublin. Rónán’s research to date has been conducted from the perspectives of the inter-disciplinary field of socio-legal studies. He is currently engaged in a research project concerning urban preparedness and resilience, which focuses on the cities of Bogota, Nairobi and Jakarta.

Tommaso Natoli is Research Fellow of International Law at Roma Tre University. Tommaso’s research interests focus on International Human Rights Law, International Humanitarian Law and International and European Disaster Law. He has obtained a PhD in International Law and Human Rights (University of Rome) with a thesis on ‘The Humanitarian Response to Major Disasters: Legal Issues and Normative Dynamics’. In the context of his research and teaching activities dealing with disaster law, he investigated legal instruments and case law on the human rights protection in disaster contexts as well as on national and regional protection systems.

Ingrid Nifosi-Sutton is Adjunct Professor of Law at the American University Washington College of Law where she has designed and taught course on international disaster response law. She has authored various works on international humanitarian law and conducted research on the impact of the protection available to persons affected by disaster under international humanitarian law. Her book ‘The Protection of Vulnerable Groups under International Human Rights Law’ (Routledge, 2017) contains analysis of human rights monitoring bodies’ conceptualization of the vulnerability of disaster victims and ensuing legal implications.

Ellen Nohle works in the field of international human rights law. She has a BCL from the University of Oxford, and has previous experience from the Swedish Armed Forces and from the field of migration and refugee law. Other publications include ‘Proportionality and precautions in attack: The reverberating effects of using explosive weapons in populated areas’ in IRRC (2016) and ‘Positive Obligations of the Occupying Power: Economic, Social and Cultural Rights in the Occupied Palestinian Territory’ in Human Rights Law Review (forthcoming).

Eleni Polymenopoulou is Lecturer in Law at Brunel University and visiting lecturer at the University of Grenoble2 (France). She has published several book chapters and articles in leading peer-reviewed journals of international human rights law. Her research focuses on the intersections between culture and the law, as well as the role of human rights courts. Alongside her academic appointments, she has also worked as a practicing lawyer and has collaborated with a number of NGOs, such as the Greek Council for Refugees and the international organization Article19.

Alice Riccardi is Research Fellow of International Law at Roma Tre University. Previously, she was Research Fellow (2013–2016) at Università di Trieste (Italy) i.e. the research unit coordinating the project on ‘IDR: Rules and Principles of International and EU Law’ funded by the Italian Ministry of Education, University and Research. In that context she investigated international hard- and soft-law instruments dealing with IHL. She continues to research and teach IHL to Law School students and staff of humanitarian actors. Her interests also cover IHL, IBHR and
Contributors

Raquel Rolnik is a professor, architect and urban planner with over 35 years of scholarship, activism and practical experience in planning, urban land policy and housing issues. Based in São Paulo, she is a professor at the Faculty of Architecture and Urbanism of the University of São Paulo. In her career, she has held various government positions including Director of the Planning Department of the City of São Paulo (1989–1992) and National Secretary for Urban Programs of the Brazilian Ministry of Cities (2010–2017) as well as NGO activities, such as Urban Policy Coordinator of the Polis Institute (1997–2002). From May, 2008, Ms. Raquel Rolnik was appointed by the UN Human Rights Council as UN Special Rapporteur on adequate housing for a six years mandate, ending, June 2014. She is the author of several books, including Guerra dos Lugares: A colonização da terra e da moradia na era das finanças (to be launched in English by VERSO in 2018) and A cidade e a lei among others.

Gabrielle Simm is Chancellor’s Postdoctoral Research Fellow, Faculty of Law, University of Technology Sydney and a Visiting Fellow, Australian Human Rights Centre, University of New South Wales Law. She is the author of Sex in Peace Operations (Cambridge University Press, 2013), and her research interests in international law, disasters, humanitarianism, refugee and migration law and international law and film. Prior to becoming an academic, she was an international lawyer in the Australian government, a diplomat in Southeast Asia, and a refugee lawyer in Melbourne.

Alice Sironi is Migration Law Specialist at IOM (Geneva). She trains governments officials and other stakeholders on international migration law; reviews national legislation in the area; and advises IOM offices to ensure that the activities of the Organization comply with international standards. Her current research interests are environmental migration, the protection of migrants in disasters and migration detention. She holds a Law degree of the Sorbonne University in Paris and of the University of Florence and a PhD in International Law and Human Rights of the University of Naples.

Emmanuele Sommario is Assistant Professor of International Law at the Scuola Superiore Sant’Anna of Pisa. He has written on human rights law, international humanitarian law and international disaster law. In this latter area, he has been an adviser to the ILC Special Rapporteur on the protection of persons in the event of disaster, and one of the coordinators of a government-funded project on international disaster law. He is also a consultant and trainer for various operational agencies, such as the EU Civil Protection Mechanism and the Italian Civil Protection.

Manlio Sossai (PhD Siena) is Associate Professor of international law at the Law Department of the Roma Tre University, where he teaches international human rights law and law of international organizations. Co-founder of the RIL research group on UNS sanctions and international law Member of the Editorial Board of the Journal of Conflict and Security Law. He published a monograph on Bruno on the peremptory norms in international law and edited with Christian Richter the book Multilevel Regulation of Military and Security Contractors: the Interplay between International, European, and Domestic norm (Ford, 2012).
Gabriella Venturini is Professor Emerita of International Law, University of Milan, Italy. She is the President of the Italian Branch of the International Law. She taught and wrote extensively in the field of public international law and EU law and collaborated with the Italian Ministry of Foreign Affairs as a member of the Italian delegation at several international meetings, conferences and negotiations.

Sarah Williams is Professor of International Law in the Faculty of Law, UNSW Sydney and an Associate of the Australian Human Rights Centre, UNSW Sydney. She is the author of Hybrid and Internationalized Criminal Tribunals (Hart, 2012) and of forthcoming text on the role of the Amicus curiae in international criminal justice (Hart, 2018). Her research interests include international criminal law, international humanitarian law and disaster response, and she is involved in two Australian Research Council projects, one on civil society in international criminal justice and one on reparations.

Flavia Zorzi Giustiniani is Assistant Professor of International Law and also a lecturer in European Union Law at Uninettuno University. In January 2014 she has been awarded the National Habilitation to the position of Associate Professor in International Law. She holds a PhD in International Law (2006) and a Diploma in International Humanitarian Law awarded by the ICRC (2003) and two JDs in Political Science (2002) and Law (2011). Since 2010 she has been an appointed member of the Scientific Committee of the Italian Red Cross Commission for International Humanitarian Law. She is the coordinator of the International Disaster Law Project.
It constitutes for me a signal honor to have been invited to write the Foreword to this Handbook by its Editors, Giulio Bartolini, Federico Casolari, Emanuele Sommario and Flavia Zorzi Gius- tiniani. The Handbook is the felicitous result of the pioneering work carried out by them in the context of the joint ‘International Disaster Law Project’ of their respective Italian Universities, to wit, Bocconi University, Scuola Superiore Sant’Anna of Pisa and Università di Bologna. Their invitation carries for me a very special meaning as all four Editors, acting within the confines of the same Project, rendered me invaluable assistance in the discharge of my functions as the Special Rapporteur of the United Nations (UN) International Law Commission (ILC) on the topic ‘Protection of Persons in the Event of Disasters’.

As it is well known, the ILC was established by the UN General Assembly as a means of implementing the task imposed on it by Article 13(1)(a) of the UN Charter to initiate studies and make recommendations for the purpose of ‘encouraging the progressive development of international law and its codification’. In fulfillment of its mandate and on the proposal of the UN Secretary-General, the ILC in 2007 included as its program of work ‘Protection of Persons in the Event of Disasters’ as one that reflected new developments in international law and pressing concerns of the international community at large and appointed me to be its Special Rapporteur thereon.

The ILC having, commencing since 2008, eight consecutive reports by the Special Rapporteur, brought in 2016 to a successful conclusion its uninterrupted work on the topic, with the adoption by consensus of a final set of 18 Draft Articles and a Preamble, accompanied by their corresponding Commentaries. The whole was then submitted to the UN General Assembly, together with the recommendation, also approved by consensus, that an international convention be elaborated on the basis of the Draft Articles. By Resolution 71/141 of 13 December 2016 the UN General Assembly decided to include in the provisional agenda of its 2018 regular session an autonomous item to consider the comments of Governments on the ILC’s recommendation.

The publication of this Handbook could, therefore, not have been more timely. Its comprehensive and systematic coverage of disasters from the perspective of Human Rights Law, fully described in the Introduction, will certainly furnish a most relevant conceptual framework to aid the UN General Assembly in assessing the political viability of the ILC’s recommendation to elaborate, for the first time at the universal level, a ‘hard law’ framework international instrument on the basis of its final product.
After all, as the Special Rapporteur explicitly stated already in his First, Preliminary report: ‘The title of the topic also imports a distinctive perspective, that is, of the individual who is a victim of a disaster, and therefore suggests a definite rights-based approach to the treatment of the topic.’ The essence of such an approach, concordant in many of the provisions of the ILC’s final Draft, is the identification of a specific standard of treatment to which the individual, the victim of a disaster, is entitled. To paraphrase the UN Secretary-General, a rights-based approach deals with situations not simply in terms of human needs, but in terms of society’s obligation to respond to the inalienable rights of individuals, empowering them to demand justice as a right, not as charity and giving communities a moral basis from which to claim international assistance when needed.

But the Handbook’s unquestionable value goes well beyond its impact on the action that the UN General Assembly may take. This remarkable work represents the first instance in the existing legal literature of a thorough treatment being given to all aspects of the crucial role played by International Human Rights Law in defining the rights and duties of States and other actors in the ‘disaster cycle’, encompassing the pre-disaster, the disaster proper and the post-disaster stages. The Handbook extends in a similar vein its in-depth treatment to the important question of the relationship of disasters with, inter alia, International Humanitarian Law and International Law on Displaced Persons.

The Handbook, therefore, not only fills a void but does so in a manner that makes it, at the same time, the indispensable point of reference on the subject. Thanks to the high scholarly merit of the many and diverse contributions highlighted in the almost exhaustive Table of Contents, it thus represents a well-deserved tribute to the foresight and enterprise of its distinguished Editors.

Eduardo Valencia-Ospina
ILC Special Rapporteur on the Protection of Persons in the Event of Disasters
Geneva
<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACHR</td>
<td>American Convention on Human Rights</td>
</tr>
<tr>
<td>ACHPR</td>
<td>African Charter on Human and Peoples' Rights</td>
</tr>
<tr>
<td>ACtHPR</td>
<td>African Court on Human and Peoples Rights</td>
</tr>
<tr>
<td>AIAN</td>
<td>Association of East Asian Nations</td>
</tr>
<tr>
<td>AU</td>
<td>African Union</td>
</tr>
<tr>
<td>CBH</td>
<td>Cultural Built Heritage</td>
</tr>
<tr>
<td>CEDAW</td>
<td>Convention on the Elimination of All Forms of Discrimination against Women</td>
</tr>
<tr>
<td>CESCR</td>
<td>United Nations Committee on Economic, Social and Cultural Rights</td>
</tr>
<tr>
<td>CHR</td>
<td>Commission on Human Rights</td>
</tr>
<tr>
<td>CHS</td>
<td>Core Humanitarian Standard on Quality and Accountability</td>
</tr>
<tr>
<td>CoE</td>
<td>Council of Europe</td>
</tr>
<tr>
<td>CommEDAW</td>
<td>Committee on the Elimination of All Forms of Discrimination against Women</td>
</tr>
<tr>
<td>CommERD</td>
<td>Committee on the Elimination of Racial Discrimination</td>
</tr>
<tr>
<td>CommRC</td>
<td>Committee on the Rights of the Child</td>
</tr>
<tr>
<td>CommRPD</td>
<td>Committee on the Rights of Persons with Disabilities</td>
</tr>
<tr>
<td>CROn</td>
<td>Civil Society Organizations</td>
</tr>
<tr>
<td>CRPD</td>
<td>Convention on the Rights of Persons with Disabilities</td>
</tr>
<tr>
<td>CRC</td>
<td>Convention relating to the Status of Refugees</td>
</tr>
<tr>
<td>DGERO</td>
<td>Directorate General European Civil Protection and Humanitarian Aid Operations</td>
</tr>
<tr>
<td>DRR</td>
<td>Disaster Risk Reduction</td>
</tr>
<tr>
<td>ECHR</td>
<td>European Convention on Human Rights</td>
</tr>
<tr>
<td>ECJ</td>
<td>Court of Justice of the European Union</td>
</tr>
<tr>
<td>ECOWAS</td>
<td>Economic Community of Western African States</td>
</tr>
<tr>
<td>ECtHR</td>
<td>European Court of Human Rights</td>
</tr>
<tr>
<td>EMC</td>
<td>European Medical Corps</td>
</tr>
<tr>
<td>ESCRs</td>
<td>Economic, Social and Cultural Rights</td>
</tr>
<tr>
<td>ETs</td>
<td>European Treaty Series</td>
</tr>
</tbody>
</table>
List of abbreviations

EU European Union
FPIC Free, Prior and Informed Consent
GHG Greenhouse Gas
HRBA Human Rights-Based Approach
HRC United Nations Human Rights Council
HRComm United Nations Human Rights Committee
IACR Inter-American Court of Human Rights
ICAI International Atomic Energy Agency
ICG Inter-Agency Standing Committee
ICBL International Campaign to Ban Landmines
ICHR International Covenant on Civil and Political Rights
ICD CHR International Covenant on Economic, Social and Cultural Rights
ICJ International Court of Justice
ICRC International Committee of the Red Cross
ICDRR  International Centre on the Rights of All Migrant Workers and Members of Their Families
IDL International Disaster Law
IRDP Internally Displaced Person
IDBL International Disaster Response Law
IDRC International Displacement Response Centre
IDRO Intergovernmental Organizations
IHRL International Human Rights Law
ILHR International Labour Law
ILC International Law Commission
ILR International Labour Organization
IOM International Organization for Migration
IPCC Intergovernmental Panel on Climate Change
IRU International Red Cross and Red Crescent Societies
LNTS League of Nations Treaty Series
NGOs Non-Governmental Organizations
NOAA National Oceanic and Atmospheric Administration
NSAs Non-State Actors
OSAA Non-State Humanitarian Action
OAS Organization of American States
OAU Organization of African Unity
OCHR United Nations Office of the High Commissioner for Human Rights
PAAH Pan African Association for Health Organization
PSID Platform on Disaster Displacement
SAAO South Asian Association of Regional Cooperation
SCBR Stabilization Committee for Burundi and Rwanda
TEK Traditional Ecological Knowledge
TFEU Treaty on the Functioning of the European Union
TPS Temporary Protected Status
TRIPS Trade-Related Aspects of Intellectual Property Rights
UN United Nations
UNDP United Nations Development Programme
UNPFEO United Nations Declaration on the Rights of Indigenous Peoples
<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>UNESCO</td>
<td>United Nations Educational, Scientific and Cultural Organization</td>
</tr>
<tr>
<td>UNFCCC</td>
<td>United Nations Framework Convention on Climate Change</td>
</tr>
<tr>
<td>UNGA</td>
<td>United Nations General Assembly</td>
</tr>
<tr>
<td>UNICEF</td>
<td>United Nations Children's Fund</td>
</tr>
<tr>
<td>UNISDR</td>
<td>United Nations Office for Disaster Risk Reduction</td>
</tr>
<tr>
<td>UNOSHA</td>
<td>United Nations Office for the Coordination of Humanitarian Affairs</td>
</tr>
<tr>
<td>UNSC</td>
<td>United Nations Security Council</td>
</tr>
<tr>
<td>UNSG</td>
<td>United Nations Secretary-General</td>
</tr>
<tr>
<td>UNTS</td>
<td>United Nations Treaty Series</td>
</tr>
<tr>
<td>VCLT</td>
<td>Vienna Convention on the Law of Treaties</td>
</tr>
<tr>
<td>WHO</td>
<td>World Health Organization</td>
</tr>
</tbody>
</table>
PART I

Human rights law and disasters in the framework of public international law
Empirical evidence points to the increased frequency and destructive potential of natural and technological disasters. From data collected at Leuven University by the Centre of Research on the Epidemiology of Disasters (CRED), we know that 11,713 disasters have taken place between 2000 and 2016, killing more than 1.4 million people, injuring almost 5 million, and leaving almost 38 million homeless. More than 3.6 billion people have been affected, and the material damage has exceeded USD 2 trillion. Notwithstanding a slight decrease in the number of catastrophic events over the last few years, the overall trend shows a clear surge in their incidence and the economic damage caused.

Against this background, it was more surprising that the existence of disaster risk drivers— and more broadly the role of humans in transforming a natural hazard into a disaster— had already been anticipated by Jean-Jacques Rousseau in the wake of the Lisbon earthquake of 1755, with the ensuing tsunami and massive fire. This event set off the first major debate on natural catastrophes and their effects on human beings. The human toll and material damage caused by the event were terrific. Nonetheless, the fact that it struck on All Saints’ Day, in a city that was deeply Catholic, but also troubled and awash with corruption and vice, prompted many at that time—including the great Enlightenment philosopher Voltaire—to attribute the event to the will of God. This stood in stark contrast to the position of Rousseau, who, categorically rejecting the notion that human behaviour had nothing to do with the event, keenly observed that it was hardly nature who assembled there twenty-thousand houses of six or seven stories. If the residents of this large city had been more evenly dispersed and less densely housed, the losses would have been far less or perhaps none at all.

He then noted here, after the quake, many more were lost to a disorganised evacuation: ‘[How] many unfortunates perished in this disaster for wanting to take—one his clothing, another his papers, a third his money?’. History has proven Rousseau right. For it is now apparent that human activity weighs significantly in shaping the types of disasters that take place and their number. Leaving aside technological disasters—whose impact, though substantial, is negligible compared to that of natural disasters—statistics show that floods, storms, and droughts are the phenomena that most severely affect individuals and property. As a result, 11 out of 100 types of hazards are considered to be linked...
to climate change, which in turn leads to the primary cause of (human-made) greenhouse gas emissions. In its 5th Assessment Report, the Intergovernmental Panel on Climate Change (IPCC) unequivocally confirmed this connection, stating that "human influence on the climate system is clear, and recent anthropogenic emissions of greenhouse gases are the highest in history. Recent climate change has had widespread impacts on human and natural systems." 7

The Assessment Report went on to identify the rising frequency of natural disasters as contributing to the adverse impact of climate change and pointed out that the vulnerability of human and natural systems will multiply the impact of extreme events. According to the report, vulnerability is the product of interacting social processes that result in inequalities in socio-economic status and income, as well as in exposure. Such social processes include, for example, discrimination on the basis of gender, race, ethnicity, age and (dis)ability. 8 It is now evident that disasters disproportionately affect poorer communities because of their greater vulnerability and significantly impede progress towards sustainable development. 9 This situation is exacerbated by other disaster-risk drivers, such as unplanned and rapid urbanisation and poor land management, along with various compounding factors (demographic change, weak institutions, policies that do not take risks into account, etc.). 10

It is now established beyond doubt that disasters are never completely "natural" and that human behaviour plays a role in both their occurrence and their consequences. For a long time, however, the kind of response these events have required was called for in humanitarian terms. Many of the treaties concluded over the last few decades to facilitate cooperation between States in times of disaster – and forming what is now commonly referred to as International Disaster Law (IDL) – were exclusively predicated on this assumption, and little or no consideration was given to the human rights ramifications of disaster events. However, in recent years it has come to be recognised that human rights must be protected even in these contexts and that relief aid is but one of the means that States have at their disposal to meet their international obligation to respect and protect human rights. In addition, it is now widely accepted that the role of human rights is not limited to disaster response. In fact, States have positive obligations to ensure effective disaster prevention and preparedness activities, as well as to compensate the harm that disasters can do to a population.

The extent to which disasters exacerbate the inequalities inherent in life and society significantly turns on the question of how governments and humanitarian actors integrate human rights into their disaster preparedness and response plans. The purpose of this volume is precisely to consider whether and to what extent the human rights discourse has been integrated into disaster prevention and response activities. It is widely accepted that appropriate actions at all stages in the so-called disaster management cycle lead to greater preparedness, better warnings, and reduced vulnerability and that an approach that is sensitive to human rights can mitigate the effects of disasters on people, property, and the environment. It is for this reason that this volume seeks to provide an in-depth analysis of the extent to which human rights have been mainstreamed into disaster prevention and response activities. It is widely recognised that human rights concerns must be taken into account in the design and implementation of disaster response and recovery plans. The purpose of this volume is precisely to consider whether and to what extent the human rights discourse has been mainstreamed into disaster prevention and response activities. It is widely accepted that appropriate actions at all stages in the so-called disaster management cycle lead to greater preparedness, better warnings, and reduced vulnerability and that an approach that is sensitive to human rights concerns can mitigate the effects of disasters on people, property, and the environment. It is for this reason that this volume seeks to provide an in-depth analysis of the extent to which human rights have been mainstreamed into disaster prevention and response activities. It is widely recognised that human rights concerns must be taken into account in the design and implementation of disaster response and recovery plans.
Introduction and acknowledgments

other actors involved in preventing and responding to natural and human-made disasters and in
ensuring preparedness. Significantly, over the last few years a number of monitoring bodies and
other human rights protection mechanisms (e.g. Special Rapporteurs, the Universal Periodic
Review, international courts, etc.) have focused their attention on disaster-related issues, high-
lighting the central role of human rights in this domain. In addition, in 2016 the International
Law Commission (ILC) adopted the final version of its Draft Articles on the Protection of
Persons in the Event of Disasters (ILC Draft Articles),11 where provisions dealing with human
dignity and human rights have been included, and a full range of soft law instruments on the
rights of disaster victims have been adopted at the global and regional levels. There is therefore
abundant material deserving careful study.

Despite the many developments in the practice of human rights bodies, relief agents, and
other stakeholders, we still lack a thorough academic investigation of these topics, as shown by
the absence of monographs or edited volumes specifically devoted to them. This stands in stark
contrast to the increasing attention the humanitarian and academic communities accord to the
subject of disasters. This volume thus intends to bridge this gap and provide a careful appraisal of
the important role that human rights play in disaster situations, while addressing the main legal
issues involved in their implementation in such contexts.

Yet IHRL is not the only branch of international law that comes to bear in disaster settings.
Issues concerning state sovereignty and the principle of non-intervention in the internal affairs
of States have been central to the debate on disaster response. In addition, the International
Humanitarian Law (IHL) applicable to armed conflicts may also become relevant, both because
of the possibility that a disaster should fall in a conflict-affected State and because of the immu-
nity provisions on humanitarian aid contained in IHL treaties. These and other general topics
starting from the legal definition of the term disaster in international law) are addressed in the
present volume.

At the same time, it is necessary to consider how IHRL operates in disaster settings. More to
the point, the questions that need to be considered are here and to what extent this body of law
is applicable to additional topics and what the role of States and non-state actors is in implemen-
ting disaster prevention and response measures. Equally important is an appraisal of the circum-
cumstances and conditions under which States can limit or suspend the enjoyment of
certain rights and take extraordinary measures to deal with an emergency.

A comprehensive survey of the topics on which the human rights discourse is likely to shape
IHL cannot ignore how IHRL affects the enjoyment of specific rights or categories of rights in
disaster scenarios. In this respect, the volume takes up important questions such as the content of
minimum guarantees that need to be ensured for affected individuals and their right not to suffer
discriminations in the enjoyment of such rights, as well as certain specific rights that become particularly
critical in disaster contexts, such as the right to shelter or the right to be informed. At the same
time, attention needs to be devoted to the role of certain rights when the IHL is not the

comprehensive survey of the topics on which the human rights discourse is likely to shape
IHL cannot ignore how IHRL affects the enjoyment of specific rights or categories of rights in
disaster scenarios. In this respect, the volume takes up important questions such as the content of
minimum guarantees that need to be ensured for affected individuals and their right not to suffer
discriminations in the enjoyment of such rights, as well as certain specific rights that become particularly
critical in disaster contexts, such as the right to shelter or the right to be informed. At the same
time, attention needs to be devoted to the role of certain rights when the IHL is not the

comprehensive survey of the topics on which the human rights discourse is likely to shape
IHL cannot ignore how IHRL affects the enjoyment of specific rights or categories of rights in
disaster scenarios. In this respect, the volume takes up important questions such as the content of
minimum guarantees that need to be ensured for affected individuals and their right not to suffer
discriminations in the enjoyment of such rights, as well as certain specific rights that become particularly
critical in disaster contexts, such as the right to shelter or the right to be informed. At the same
time, attention needs to be devoted to the role of certain rights when the IHL is not the

A comprehensive survey of the topics on which the human rights discourse is likely to shape
IHL cannot ignore how IHRL affects the enjoyment of specific rights or categories of rights in
disaster scenarios. In this respect, the volume takes up important questions such as the content of
minimum guarantees that need to be ensured for affected individuals and their right not to suffer
discriminations in the enjoyment of such rights, as well as certain specific rights that become particularly
critical in disaster contexts, such as the right to shelter or the right to be informed. At the same
time, attention needs to be devoted to the role of certain rights when the IHL is not the

A comprehensive survey of the topics on which the human rights discourse is likely to shape
IHL cannot ignore how IHRL affects the enjoyment of specific rights or categories of rights in
disaster scenarios. In this respect, the volume takes up important questions such as the content of
minimum guarantees that need to be ensured for affected individuals and their right not to suffer
discriminations in the enjoyment of such rights, as well as certain specific rights that become particularly
critical in disaster contexts, such as the right to shelter or the right to be informed. At the same
time, attention needs to be devoted to the role of certain rights when the IHL is not the

A comprehensive survey of the topics on which the human rights discourse is likely to shape
IHL cannot ignore how IHRL affects the enjoyment of specific rights or categories of rights in
disaster scenarios. In this respect, the volume takes up important questions such as the content of
minimum guarantees that need to be ensured for affected individuals and their right not to suffer
discriminations in the enjoyment of such rights, as well as certain specific rights that become particularly
critical in disaster contexts, such as the right to shelter or the right to be informed. At the same
time, attention needs to be devoted to the role of certain rights when the IHL is not the

A comprehensive survey of the topics on which the human rights discourse is likely to shape
IHL cannot ignore how IHRL affects the enjoyment of specific rights or categories of rights in
disaster scenarios. In this respect, the volume takes up important questions such as the content of
minimum guarantees that need to be ensured for affected individuals and their right not to suffer
discriminations in the enjoyment of such rights, as well as certain specific rights that become particularly
critical in disaster contexts, such as the right to shelter or the right to be informed. At the same
time, attention needs to be devoted to the role of certain rights when the IHL is not the

A comprehensive survey of the topics on which the human rights discourse is likely to shape
IHL cannot ignore how IHRL affects the enjoyment of specific rights or categories of rights in
disaster scenarios. In this respect, the volume takes up important questions such as the content of
minimum guarantees that need to be ensured for affected individuals and their right not to suffer
discriminations in the enjoyment of such rights, as well as certain specific rights that become particularly
critical in disaster contexts, such as the right to shelter or the right to be informed. At the same
time, attention needs to be devoted to the role of certain rights when the IHL is not the

and Disasters in the Framework of Public International Law' (Part I), 'Role and Application of Human Rights Law in Disaster Settings' (Part II), 'Categories of Rights of Particular Relevance in a Disaster Context' (Part III), and 'Protection of Vulnerable Groups in Disaster Settings' (Part IV).

Part I (Chapters 1–4) sets the stage for the other contributions, as it explains the topicality of the subject and describes how the international rules involved may interact with other principles and bodies of international law, such as the principle of state sovereignty and International Humanitarian Law. In the first chapter, Giulio Bartolini explores the preliminary question of the contours of the notion of disaster in international law so as to identify the material scope of the relevant sets of rules and thus ascertain who and what is entitled to legal protection. Subsequently, Karen da Costa provides an overview of the 'responsibility to protect' doctrine and reflects on the suitability of extending this doctrine to the area of disasters, thereby identifying the main advantages and shortcomings at both the conceptual and the practical levels. The contributions by Sarah Williams and Gabrielle Simone consequently outline the way that IHL bears on the provision of aid to disaster victims in armed conflicts and the relation between IDL and IHL in such mixed contexts.

Part II (Chapters 5–10) then focuses on the role and application of IHRL in disaster settings. We start out with Marlies Hesselman, who looks at the purported existence of a right to receive international (humanitarian) aid in a disaster context under IHRL by analysing some recent legal initiatives and developments concerned with this issue. An appraisal of the ILC’s approach to human rights in its work on the protection of persons in the event of disasters is then carried out by Rónán McDermott, who among other questions addresses the ambiguous concept of protection deployed by the ILC and illustrates the tension between sovereignty and human rights that can be discerned in the ILC Draft Articles. Providing assistance to disaster victims can be controversial particularly when the disaster takes place in a situation of international or non-international armed conflict. Emanuele Sommario’s chapter then focuses on the international legal framework on limitations on human rights and derogations from human rights treaties in disaster situations and then – looking at the practice of the main relevant judicial bodies – proceeds to assess how these prerogatives have been employed in such contexts. The relevance of a human rights approach in the context of prevention and disaster risk reduction is then analysed by Mirko Sossai, who specifically evaluates the implications of this approach by reference to the relevant case law and to the solutions adopted by the ILC Draft Articles. In the next chapter, Annalisa Creta illustrates how human rights standards and principles can be integrated into disaster management policies in order to strengthen prevention measures, and recovery efforts, while increasing the protection of the affected individuals and communities. Lastly, Tommaso Natoli’s contribution turns to the practices of humanitarian actors (intergovernmental and non-governmental humanitarian bodies) as an example of a consistent implementation of human rights into conflict legislation on the work of these bodies, and seeks to constitute a new toolkit to be ultimately complement the States’ monopoly over the production and implementation of international norms on the protection of individual rights in disaster situations.

Subsequently, Part III (Chapters 11–17) ‘zooms in’ and assesses how certain rights or categories of rights may become relevant in disaster scenarios. Specific attention is here devoted to three sets of guarantees which in a disaster context become of particular relevance: the right to international humanitarian protection, the right to engage in international humanitarian protection, and the right to international humanitarian protection. Special attention is paid to the way that these rights are employed in the aftermath of a disaster, in search of a method to ultimately complement the States’ monopoly over the production and implementation of international norms on the protection of individual rights in disaster situations.

Subsequently, Part III (Chapters 11–17) ‘zooms in’ and assesses how certain rights or categories of rights may become relevant in disaster scenarios. Special attention is here devoted to three sets of guarantees which in a disaster context become of particular relevance: the right to international humanitarian protection, the right to engage in international humanitarian protection, and the right to international humanitarian protection. Special attention is paid to the way that these rights are employed in the aftermath of a disaster, in search of a method to ultimately complement the States’ monopoly over the production and implementation of international norms on the protection of individual rights in disaster situations.

The contributions by Marco Inglese, who lays the conceptual framework provided by the ILC Draft Articles, and by Raquel Rolnik, who focuses on the specific challenges and problems posed by this approach by reference to the relevant case law and to the solutions adopted by the ILC Draft Articles. In the next chapter, Anna Maria Costa illustrates how human rights standards and principles can be integrated into disaster management policies in order to strengthen prevention measures, and recovery efforts, while increasing the protection of the affected individuals and communities. Lastly, Tommaso Natoli’s contribution turns to the practices of humanitarian actors (intergovernmental and non-governmental humanitarian bodies) as an example of a consistent implementation of human rights into conflict legislation on the work of these bodies, and seeks to constitute a new toolkit to be ultimately complement the States’ monopoly over the production and implementation of international norms on the protection of individual rights in disaster situations.
in keeping with the principle of non-discrimination. An assessment of this principle’s legal scope of application in disaster scenarios is then offered by Federico Casolari, who analyses the different approaches taken in the relevant legal instruments and then focuses on the solution adopted by the ILC and on its possiblealled value. Giovanni Pelizzon’s chapter is instead concerned with the right to a healthy environment within the specific context of IDL. His chapter discusses the impact of the measures that States take to protect and promote this right in the prevention phase as well as in a post-disaster situation. In the following chapter, Alice Riccardi examines the nature of the right to know prior to a disaster occurring in particular whether this right can be deemed a freestanding right or whether it is an instrumental obligation that stems from the prevention of other human rights violations. The focus then shifts to economic and social rights. Ellen Noble and Gilles Giaccia survey the practices of human rights treaty-monitoring bodies and of other national and international courts and find that special procedures are in place to illustrate how and to what extent economic and social rights remain applicable in disaster settings to afford legal protection to affected groups and individuals. The last contribution of Part III is instead devoted to the little-explored area of culture and cultural rights in times of disaster. By mating on these cultural rights that seem more pertinent when a disaster strikes, Eleni Polymenopoulou explores the role of culture in disaster risk prevention and management from a legal perspective.

Finally, Part IV (Chapters 18–22) looks at groups of persons who (a) may be particularly vulnerable in disaster-stricken areas or (b) have been displaced as a consequence of a disaster. Ellen Nohle and Gilles Giaccia survey the practice of human rights treaty-monitoring bodies and of other national and international courts and that of UN special procedures in order to illustrate how and to what extent economic and social rights remain applicable in disaster settings to afford legal protection to affected groups and individuals. The last contribution of Part III is instead devoted to the little-explored area of culture and cultural rights in times of disaster. By mating on these cultural rights that seem more pertinent when a disaster strikes, Eleni Polymenopoulou explores the role of culture in disaster risk prevention and management from a legal perspective.

Part IV (Chapters 18–22) looks at groups of persons who (a) may be particularly vulnerable in disaster-stricken areas or (b) have been displaced as a consequence of a disaster. Ellen Nohle and Gilles Giaccia survey the practice of human rights treaty-monitoring bodies and of other national and international courts and that of UN special procedures in order to illustrate how and to what extent economic and social rights remain applicable in disaster settings to afford legal protection to affected groups and individuals. The last contribution of Part III is instead devoted to the little-explored area of culture and cultural rights in times of disaster. By mating on these cultural rights that seem more pertinent when a disaster strikes, Eleni Polymenopoulou explores the role of culture in disaster risk prevention and management from a legal perspective.

Finally, Part IV (Chapters 18–22) looks at groups of persons who (a) may be particularly vulnerable in disaster-stricken areas or (b) have been displaced as a consequence of a disaster. Ellen Nohle and Gilles Giaccia survey the practice of human rights treaty-monitoring bodies and of other national and international courts and that of UN special procedures in order to illustrate how and to what extent economic and social rights remain applicable in disaster settings to afford legal protection to affected groups and individuals. The last contribution of Part III is instead devoted to the little-explored area of culture and cultural rights in times of disaster. By mating on these cultural rights that seem more pertinent when a disaster strikes, Eleni Polymenopoulou explores the role of culture in disaster risk prevention and management from a legal perspective.

Finally, Part IV (Chapters 18–22) looks at groups of persons who (a) may be particularly vulnerable in disaster-stricken areas or (b) have been displaced as a consequence of a disaster. Ellen Nohle and Gilles Giaccia survey the practice of human rights treaty-monitoring bodies and of other national and international courts and that of UN special procedures in order to illustrate how and to what extent economic and social rights remain applicable in disaster settings to afford legal protection to affected groups and individuals. The last contribution of Part III is instead devoted to the little-explored area of culture and cultural rights in times of disaster. By mating on these cultural rights that seem more pertinent when a disaster strikes, Eleni Polymenopoulou explores the role of culture in disaster risk prevention and management from a legal perspective.

Finally, Part IV (Chapters 18–22) looks at groups of persons who (a) may be particularly vulnerable in disaster-stricken areas or (b) have been displaced as a consequence of a disaster. Ellen Nohle and Gilles Giaccia survey the practice of human rights treaty-monitoring bodies and of other national and international courts and that of UN special procedures in order to illustrate how and to what extent economic and social rights remain applicable in disaster settings to afford legal protection to affected groups and individuals. The last contribution of Part III is instead devoted to the little-explored area of culture and cultural rights in times of disaster. By mating on these cultural rights that seem more pertinent when a disaster strikes, Eleni Polymenopoulou explores the role of culture in disaster risk prevention and management from a legal perspective.

Finally, Part IV (Chapters 18–22) looks at groups of persons who (a) may be particularly vulnerable in disaster-stricken areas or (b) have been displaced as a consequence of a disaster. Ellen Nohle and Gilles Giaccia survey the practice of human rights treaty-monitoring bodies and of other national and international courts and that of UN special procedures in order to illustrate how and to what extent economic and social rights remain applicable in disaster settings to afford legal protection to affected groups and individuals. The last contribution of Part III is instead devoted to the little-explored area of culture and cultural rights in times of disaster. By mating on these cultural rights that seem more pertinent when a disaster strikes, Eleni Polymenopoulou explores the role of culture in disaster risk prevention and management from a legal perspective.
reduce the destructive potential these phenomena have on humans and on the material resources they hold on.

Several activities carried out under the IDL Project have been instrumental in bringing out this volume. In particular, the initial research results were presented and discussed at the international conference titled ‘The Protection of Persons in Times of Disasters: International and European Perspectives,’ held on 3–4 March 2016 in Rome at the Representatives of the European Commission and the European Parliament in Italy. The authors of many of the chapters included in this volume presented their interim findings at the conference, drawing great benefit from the ensuing discussions.

In addition, the authors were able to take advantage of two innovative open-access databases created and managed by the project’s team. One is the International Disaster Law Database, which collects international instruments (treaties, secondary law produced by international organisations, and soft law documents) relating to the various phases of the disaster cycle and making it possible to perform full-text searches on all the content. The second is the Human Rights Protection and Disasters Database, systematising the practice of international and regional human rights bodies dealing with disasters and their impact on the enjoyment of the relative human rights.

The editors wish to thank all partners of the IDL Project for their invaluable contribution in making this volume possible. These are the International Federation of Red Cross and Red Crescent Societies, the Italian Red Cross, the International Institute of Humanitarian Law (Sanremo), the Italian Department of Civil Defence, and the Action Learning Network for Accountability and Performance in Humanitarian Action (ALNAP). We also owe a debt of gratitude to all research fellows involved in the IDL Project — Mauro Gatti, Chiara Macchi, Claudia Morini, Tommaso Natoli, Alice Riccardi, and Susanna Villani — for their precious support at all stages of the research.

Many thanks go as well to the academic and research institutions that hosted us in the course of the research project, providing working environments that proved very fruitful in conceiving and finalising the present volume, namely, the Australian National University (Canberra), the British Institute of International and Comparative Law (London), the Geneva Centre for Security Policy (Geneva), the Graduate Institute of International and Development Studies (Geneva), and the Kalshoven-Gieskes Forum on IHL at Leiden University (Leiden).

A debt of gratitude is owed to all those who have contributed to this study and to all the chairs and speakers who, while not appearing in this volume, have taken part in the events that made it possible. We are deeply grateful to Eduardo Valencia-Ospina, who agreed to write the foreword to this volume.

A special thank goes to Claudia Morini and Alice Riccardi for their assistance in the editorial process leading to the completion of this edited volume, and to Chris Callan, Anna Halder, Eve Joye, and Filippe Tarditi for the language revision of the manuscript. We also acknowledge that the language revision of the volume was partly funded under the Jean Monnet module ‘International and European Disaster Law’ of the Erasmus+ Programme managed at Roma Tre University by Giulio Bartolini. The publication process has been greatly facilitated by the smooth cooperation with Routledge.

Last but not least, we are indebted to the CoP Academics de Gétigny (Sorbonne Université Saint-Denis), Marco Grinco (University of Milan and Bologna University), and Gabriella Venturini (University of Milan), whose work, especially in International Disaster Response Law, has carried us a long way among the academic pioneers of the discipline of International Disaster Law and who have encouraged us to continue our research on these stimulating and constantly evolving subjects.
The CRED runs the Emergency Events Database (EM DAT), a global database on natural and technologic disasters that contains core data on the occurrence and effects of more than 21,000 disasters starting from 1900. For a disaster to be entered into the database, at least one of the following criteria need to be satisfied: (a) 10 or more people are reported killed, (b) 100 or more are reported as having been affected, (c) a state of emergency has been declared, or (d) a call for international assistance has been made. Affected people comprise all individuals requiring immediate assistance during an emergency, including displaced or evacuated people. Full information available at www.emdat.be/, accessed on 10 July 2017.


In 2016, out of 344 natural disasters reported, 260 (75%) were either droughts, floods, or storms, which affected over 110 million people and caused over USD 100 billion in damages. By comparison, 50 years earlier (in 1966) the total number of individuals affected by all types of natural disasters was 12 million, and the material damage was estimated at USD 15 billion (inflation-adjusted).


An overview of the Project is available at www.ieudl.eu/, accessed on 22 July 2017.