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Mr M i S s e

Under Secretary General for Legal Affairs and
United Nations Legal Counsel,

17 Ap 2024

Your excellencies and distinguished guests,

I wish to thank the Permanent Mission of the Philippines, as well as the colleagues in the United Nations Office for Disaster Risk Reduction, and the Asian African Legal Consultative Organization, for the kind invitation to make some brief remarks today.

We are here today to discuss the question of the legal regulation of the impact of disasters in its various dimensions. As we all know, we are witnessing regularly the onset of major disasters, which overwhelm the national capacity of affected States. Many such disasters have a transboundary scope, affecting a multitude of States,



role in international cooperation, including in the prompt and effective provision of international humanitarian assistance.

Indeed, humanitarian assistance is not a field that is foreign to international lawyers. For over a century now, international law has developed an extensive body of specialized rules for the regulation of the humanitarian consequences of armed conflict, which is, in a sense, itself a type of “disaster”. My office is regularly involved, and has developed expertise, in the provision of legal advice on matters of the application of international humanitarian law.

What we are witnessing today is a growing interest among international lawyers in developing a similar body of rules regulating the provision of such assistance following the onset of disasters outside of the context of armed conflict. IHL for disasters! Here I am referring to the body of rules and norms which collectively constitute “international disaster law”.

While the initiative in this area has been taken by the International Federation of the Red Cross and Red Crescent Societies, the United Nations has also become involved in this work. In 2016, the International Law Commission completed its consideration of a draft treaty on the protection of persons in the event of disasters. The treaty would seek to establish a legal framework for international cooperation in risk reduction and humanitarian response following the onset of a disaster. Among other things, the treaty would confirm the centrality of the respect for the human dignity of persons affected by disasters, particularly vulnerable persons,







Finally, and this is the point I wish to leave you with, as we consider such matters we need to recognize the link to climate change. The proposed treaty prepared by the International Law Commission is also about climate change. While the primary focus of contemporary efforts at the international level has been on confronting the causes of climate change, it is important for us to also prepare for its likely



