

Developments within the UN System (2021)

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1 Introduction

This section analyses developments relevant to disaster law that occurred within generalist and specialised United Nations (UN) bodies during the course of 2021. In particular, it will address 1) the adoption by the UN General Assembly (GA) of a number of Resolutions on disaster-related topics; and 2) the work of the International Law Commission (ILC) on two topics relevant to disasters, namely the protection of the atmosphere and sea-level rise. The analysis of the debate within the GA's Sixth Committee on the 2016 Draft Articles (DAS) on the protection of persons in the event of disasters prepared by the International Law Commission (ILC) will not be addressed in depth as a specific contribution within this section deals with the issue at length.¹

2 Adoption by the GA of Resolutions on Disaster-Related Topics

Between 9 and 17 December 2021, the UNGA adopted seven resolutions relevant to disaster situations, four of which were devoted to specific aspects of the COVID-19 emergency. The first part of this section will deal with the three resolutions dealing with disasters in general, while the second will focus on the COVID-related texts.

2.1 *Resolutions concerning Disasters in General Terms*

Resolution 76/128 on 'International cooperation on humanitarian assistance in the field of natural disasters, from relief to development'² reiterates a number of principles that were affirmed in eponymous resolutions adopted in recent years. From a legal perspective, the text encourages Member States to strengthen operational and legal frameworks for international disaster relief and initial recovery and 'to adopt and implement national laws and regulations,

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1 See the contribution by Arnold Pronto in this section of the Yearbook.

2 UNGA, 'International cooperation on humanitarian assistance in the field of natural disasters, from relief to development', UN Doc A/RES/76/128, adopted on 10 December 2021 (17 December 2021).

as appropriate, to reduce the impact of the underlying drivers of disaster risk and vulnerability'.³ States are also invited to ameliorate their domestic law by drawing on relevant soft law instruments, such as the IFRC Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance (2007).

The GA also adopted its yearly resolution on 'Disaster risk reduction'.⁴ By the terms of the document, the Assembly urged States to conduct multi-hazard disaster risk assessments, considering climate change projections, to support evidence-based disaster risk reduction strategies, and to promote risk-informed development investments by the private and public sectors. As could be expected, the Resolution devotes lengthy passages to the COVID-19 pandemic, noting the severe negative impact on human health, safety and well-being caused by the disease, as well as the severe disruption to societies and economies and the devastating impact on lives and livelihoods. The text identifies a number of risk-reduction measures against future crises and pandemics, including the strengthening of health systems and the implementation of universal health coverage. It also acknowledges that equitable and timely access for all to safe and affordable COVID-19 vaccines, therapeutics and diagnostics are an essential part of a global response.⁵

Resolution 76/119 on the 'Protection of persons in the event of disasters'⁶ marks an important milestone in the path to the possible conclusion of a flagship treaty on disaster prevention and response. As evidenced by Pronto,⁷ States appear less sceptical vis-à-vis the adoption of a new instrument, an attitude that can probably be traced back to the challenging experience of the COVID-19 pandemic that highlighted the need for increased cooperation in the face of disasters.⁸ The Resolution establishes a working group within the Sixth Committee tasked with examining the ILC's recommendation for the

3 *Ibid.*, para. 19.

4 UNGA, 'Disaster risk reduction', UN Doc A/RES/76/204, adopted on 17 December 2021 (5 January 2022).

5 *Ibid.*, 3.

6 UNGA, 'Protection of persons in the event of disasters', UN Doc A/RES/76/119, adopted on 9 December 2021 (17 December 2021).

7 Pronto (n 1) 468.

8 This seems to emerge from the statements made within the Sixth Committee over the last two years, in which many State representatives characterized the pandemic as a disaster and stressed the need for enhanced levels of legal preparedness to tackle similar threats in the future, see UNGA, 'Sixth Committee – Summary record of the 17th meeting' (11 November 2020), UN Doc. A/C.6/75/SR.17, 30 November 2020; 'Sixth Committee – Summary record of the 18th meeting' (13 November 2020), UN Doc. A/C.6/75/SR.18, 16 December 2020; 'Sixth Committee – Summary record of the 13th meeting' (21 October 2021), UN Doc. A/C.6/76/SR.13, 19 April 2022.

conclusion of a treaty, as well as ‘any other potential course of action’, considering the various views expressed since 2016. The working group will have to submit a final report to the Sixth Committee by 2024.

2.2 *General Assembly Resolutions on COVID-Related Topics*

First among those specifically devoted to the COVID-19 pandemic is Resolution 76/184 on ‘Strengthening criminal justice systems during and after the coronavirus disease (COVID-19) pandemic’.⁹ The pandemic radically altered criminal justice systems across the world.¹⁰ It has impacted on the typology and patterns of crime, the authorities’ ability to detect certain criminal conduct, as well as on the way in which different justice systems have dealt with its consequences. The GA noted that, in responding to the pandemic, States have taken measures that often resulted in the disruption of normal criminal justice services, temporarily affecting the capacity and challenging the ability of prison staff, as well as law enforcement, prosecution services, the judiciary and others, to prevent and combat crimes and maintain fully functioning institutions of justice.¹¹ New working methodologies were introduced, technologies employed to facilitate remote working and protocols adapted to prioritise high risk offences. The Resolution takes note of these developments and stresses the centrality of a multidisciplinary approach to strengthening criminal justice systems, including the involvement of relevant stakeholders and public-private partnerships. Having a strong human-rights overtone, the text suggests that States should encourage the application of important soft law instruments aimed at promoting acceptable standards of treatment for prisoners and other offenders, including the ‘United Nations Standard Minimum Rules for the Treatment of Prisoners’ (the Nelson Mandela Rules),¹² the ‘United Nations Rules for the Protection of Juveniles Deprived of their

9 UNGA, ‘Strengthening criminal justice systems during and after the coronavirus disease (COVID-19) pandemic’, UN Doc A/RES/76/184, adopted on 16 December 2021 (11 January 2022).

10 For an overview of the legal and policy tools developed in over forty-five national jurisdictions to tackle the consequences of the pandemic see Frieder Dunkel, Stefan Harrendorf, Dirk van Zyl Smit (eds), *The Impact of Covid-19 on Prison Conditions and Penal Policy*, Routledge, 2022.

11 UNGA (n 9) 2.

12 The Standard Minimum Rules were adopted at the first United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Geneva in 1955. Their revised version was adopted by the General Assembly in 2015, see UNGA, ‘United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)’, UN Doc A/RES/70/175, adopted on 17 December 2015 (8 January 2016).

Liberty'¹³ and the 'United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders' (the Bangkok Rules).¹⁴ The GA also requests the United Nations Office on Drugs and Crime (UNODC) 'to conduct further studies on the impact of COVID-19 on criminal justice systems and to provide recommendations on advancing reforms, with an emphasis on future preparedness, in particular by prison systems, to tackle challenges arising from pandemics and widespread health-related issues'.¹⁵

On 16 December 2021, a second COVID-related Resolution was adopted on 'Inclusive social development policies and programmes to address homelessness, including in the aftermath of COVID 19'.¹⁶ The Resolution was adopted by consensus and constitutes a novelty with respect to the GA's previous records. It urges States to eliminate all forms of discrimination against individuals experiencing homelessness, recommending measures such as the decriminalisation of homelessness and the promotion of social integration for young people, people with disabilities, migrants, and indigenous people. With respect to the pandemic, the GA notes that people experiencing or at risk of homelessness are 'disproportionately affected by serious health concerns, which further increase their vulnerability to global pandemics such as COVID-19' and recognises 'that this is influenced by a lack of housing and housing inadequacy, nutritious food, a lack of access to safe drinking water and sanitation and health-care services, as well as inequalities and poverty, particularly in the wake of lockdowns'.¹⁷ The Resolution calls on States to address the structural drivers of homelessness, including inequalities, poverty, loss of housing and livelihood as well as the lack of decent job opportunities, access to affordable housing, social protection, land access, and the high costs of energy and health care. The text draws on existing UN instruments in the area of social rights, including the Covenant on Economic, Social and Cultural Rights,¹⁸ which recognises the right of everyone to an adequate standard of living, embracing adequate food,

13 UNGA, 'United Nations Rules for the Protection of Juveniles Deprived of their Liberty', UN Doc A/RES/45/113, adopted on 14 December 1990 (2 April 1991).

14 UNGA, 'United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)', UN Doc A/RES/65/229, adopted on 21 December 2010 (16 March 2011).

15 UNGA (n 9) 5.

16 UNGA, 'Inclusive social development policies and programmes to address homelessness, including in the aftermath of COVID 19', UN Doc. A/RES/76/133, adopted on 16 December 2021 (5 January 2022).

17 *Ibid.*, 4.

18 International Covenant on Economic, Social and Cultural Rights, adopted on 16 December 1966, in force since 3 January 1976, 993 UNTS 3 (1976).

clothing and housing, as well as the Convention on the Rights of the Child¹⁹ and the Programme of Action of the World Summit for Social Development.²⁰ The Resolution indeed suggests that States should take action ‘in accordance with their obligations under international law’²¹ to remove obstacles to the enjoyment of human rights, including the right to an adequate standard of living, including housing.

The third Resolution concerned with COVID-19 has again a strong human rights component. Resolution 76/174 on ‘Implementing the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms through providing a safe and enabling environment for human rights defenders and ensuring their protection, including in the context of and recovery from the coronavirus disease (COVID-19) pandemic’ was adopted by consensus. As is known, public health measures and the expansion in government powers prompted by the pandemic posed additional threats to the freedoms and rights of human rights defenders. Some governments, and non-state actors, have been using the emergency situation to attack defenders in new ways, stifle civic freedoms, and impose tough restrictive measures. Human rights defenders have become easier to target, even more so due to the loss of protective accompaniment and the lack of media attention to their situation.²² The text reiterates the importance of the 1998 Declaration on human rights defenders,²³ which was adopted by consensus by the GA and recognises the central role of human rights defenders in the realisation of the principles enshrined in the Universal Declaration of Human Rights and legally binding treaties. The Resolution invites States to ensure that COVID-related emergency measures are not misused to jeopardise the safety of human rights defenders or unduly hinder their work. In particular, governments must ensure that the criminalisation and prosecution of terrorism or national security

19 United Nations Convention on the Rights of the Child, 20 November 1989, in force since 2 September 1990, 1577 UNTS 3 (1989).

20 Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995, UN Doc. A/CONF.166/9, adopted on 12 March 1995.

21 UNGA (n 16) 6.

22 For examples of alleged violations of civil liberties suffered by human rights defenders since the COVID-19 pandemic has started see Human Rights Council, ‘Report of the Special Rapporteur on the situation of human rights defenders – Observations on communications transmitted to Governments and replies received’, UN Doc. A/HRC/46/35/Add.1, 15 February 2021.

23 UNGA, ‘Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms’, UN Doc. A/RES/53/144, adopted on 9 December 1998 (8 March 1999).

offences are in accordance with their obligations under international human rights, and both develop and implement appropriate and effective protection mechanisms for human rights defenders at risk or in vulnerable situations.²⁴ The text stresses the need that emergency measures taken by Governments in response to the COVID-19 pandemic are indeed necessary, proportionate to the risk and applied in a non-discriminatory and transparent way, and in particular that they have a specific focus and temporal dimension, in accordance with the State's obligations under applicable international human rights law.²⁵

Lastly, by a recorded vote of 179 in favour to none against, with 7 abstentions (Armenia, Australia, Israel, Japan, Republic of Korea, United Kingdom, United States), GA Resolution 76/133 on 'Ensuring equitable, affordable, timely and universal access for all countries to vaccines in response to the coronavirus disease (COVID-19) pandemic' was adopted.²⁶ The text highlighted the urgent need to ensure the right to the highest attainable standard of health and invites States to 'facilitate the development of robust health systems and universal health coverage, encompassing universal, timely and equitable access to all essential health technologies, diagnostics, therapeutics, medicines and vaccines in response to the COVID-19 pandemic and other health emergencies, in order to ensure full access to immunisation for all, in particular people in vulnerable situations.'²⁷ Since the development of COVID-19 vaccines, the question of their equitable distribution has been at the focus of international debate, also because the emergence of new viral variants such as Omicron has demonstrated the vital role of global herd immunity. The focus on vaccine distribution has also been taken up by the UN Security Council (UNSC), notably with respect to armed conflict and post-conflict situations.²⁸ A central issue acknowledged by the Resolution is the ongoing discussion on a potential patent waiver for COVID-19 vaccines.

The adoption of the Resolution – which was discussed within the GA's Third Committee – was marked by expressions of discontent by several States,

²⁴ *Ibid.*, 7.

²⁵ On the criteria that should inform State behavior when imposing limitations in case of bacteriological and similar emergencies see Emanuele Sommario, Ordinary and Extraordinary Limitations on Human Rights Introduced to Tackle CBRN Threats, in Andrea de Guttry et al. (eds), *International Law and Chemical, Biological, Radio-Nuclear (CBRN) Events: Towards an All-Hazards Approach* (Brill 2022) 501–518.

²⁶ UNGA, 'Ensuring equitable, affordable, timely and universal access for all countries to vaccines in response to the coronavirus disease (COVID-19) pandemic', UN Doc. A/RES/76/133, adopted on 16 December 2021 (10 January 2022).

²⁷ *Ibid.*, 5.

²⁸ UNSC, 'Maintenance of international peace and security', UN Doc. S/RES/2565 (2021), adopted on 26 February 2021.

including some of those eventually voting in favour of the text. According to some States, the negotiation phase was characterised by a lack of transparency and adequate communication, which had hindered the ability of various delegations to provide their input.²⁹ Others lamented the inclusion in the Resolution of elements unrelated to the subject of the initial draft, such as debt payment.³⁰ Yet the most common complaint was the omission from the final text of previously agreed language that would reflect a human-rights-based approach to the subject. In particular, a number of States³¹ remarked that the text adopted was less progressive than the one used in Human Rights Council (HRC) Resolution 46/14,³² which was devoted to the same topic. Compared to this document, the GA Resolution was missing references to gender equality and the special needs of persons and groups in vulnerable situations.

3 The Work of the ILC on Areas Germane to Disaster Law

The ILC held the first part of its seventy-second session from 26 April to 4 June 2021 and the second part from 5 July to 6 August 2021 at the United Nations Office in Geneva. Among the topics addressed by the Commission were the 'Protection of the atmosphere' and 'Sea-level rise in relation to international law', and in both discussions, interesting links to disasters emerged.

3.1 *The ILC's Draft Guidelines on the Protection of The Atmosphere*

In 2013, the Commission decided to include the topic 'Protection of the atmosphere' in its programme of work and appointed Mr. Shinya Murase as Special Rapporteur.³³ Over the next five years, the ILC considered five Reports on the topic, on the basis of which, in 2018, it provisionally adopted twelve

29 See for instance the declaration by the Mexican delegate, UNGA, 'Third Committee – Summary record of the 16th meeting' (18 November 2021), UN Doc. A/C.3/76/SR.16, 29 March 2022, 5.

30 The point was made by the Swiss delegation, *ibid.*

31 The point was made by the Slovenian delegate (who was speaking on behalf of the EU and several other European States), and by the delegates of Armenia, Tunisia, New Zealand, Mexico, Switzerland, Australia, Canada and Hungary, *ibid.*, 3–6.

32 HRC, 'Ensuring equitable, affordable, timely and universal access for all countries to vaccines in response to the coronavirus disease (COVID-19) pandemic', UN Doc. A/HRC/RES/46/14, adopted on 23 March 2021 (29 March 2021).

33 ILC, 'Report of the International Law Commission on the work of its sixty-fifth session (6 May–7 June and 8 July–9 August 2013)', UN Doc. A/68/10, 115.

Draft Guidelines (DGs) and a preamble, together with commentaries thereto.³⁴ At its 2021 session, the Commission had before it the sixth report of the Special Rapporteur³⁵ along with comments and observations received from Governments and international organisations.³⁶ The report revisited the DGs, introducing slight amendments to the text on the basis of the feedback received. The Commission then decided to refer DGs 1 to 12 (and the preamble) to the Drafting Committee, taking into account the debate in the Commission. The report of the Drafting Committee³⁷ – containing the final version of the DGs and the related commentaries – was then adopted by the ILC.³⁸

It bears recalling that the Special Rapporteur's task in defining the scope and content of his work was not free of challenges. From the outset, within the Sixth Committee, several key delegations recorded reservations on the topic, questioning the need 'to codify rules in that area'.³⁹ This was one of the reasons that led the ILC to change the format of the proposed output of the project from "draft articles" to non-binding "draft guidelines".⁴⁰ Moreover, the project was carried out on the basis of an "Understanding", which, on political grounds, excluded any discussion of several relevant legal concepts.⁴¹ First, work on the topic would proceed in a manner so as not to interfere with relevant political negotiations, including on climate change, ozone depletion

34 ILC, 'Report of the International Law Commission – Seventieth session (30 April–1 June and 2 July–10 August 2018)', UN Doc. A/73/10, 161–200.

35 ILC, 'Sixth report on the protection of the atmosphere by Murase Shinya, Special Rapporteur', UN Doc. A/CN.4/736, 11 February 2020.

36 ILC, 'Protection of the atmosphere. Comments and observations received from Governments and international organizations', UN Doc. A/CN.4/735, 11 February 2020.

37 ILC, 'Protection of the atmosphere. Texts and titles of the draft guidelines and preamble adopted by the Drafting Committee on second reading', UN Doc. A/CN.4/L.951, 15 May 2021.

38 ILC, 'Report of the International Law Commission – Seventy-second session (26 April–4 June and 5 July–6 August 2021)', UN Doc. A/76/10, 9–51.

39 This was the comment made by the United States delegation, see UNGA, 'Sixth Committee – Summary record of the 20th meeting' (26 October 2011), UN Doc. A/C.6/66/SR.20, 4. France and the UK made similar statements, see *ibid.*, 9 and UNGA, 'Sixth Committee – Summary record of the 19th meeting' (25 October 2011), UN Doc. A/C.6/66/SR.19, 3. Note that similar objections were raised in 2019 against the selection of the new topic 'sea-level rise in relation to international law', see UNGA, 'Sixth Committee – Summary of the 24th meeting' (29 October 2019), UN Doc. A/C.6/74/SR.24, 70 for the statement of the United States delegation.

40 ILC, 'Summary record of the 3197th meeting' (9 August 2013), UN Doc. A/CN.4/SR.3197, 162. For a general discussion of the Commission's work on the topic, see Peter H. Sand, 'The Discourse on "Protection of the Atmosphere" in the International Law Commission' (2017) 26 *RECIEL* 201, 205.

41 ILC (n 33) 78.

and long-range transboundary air pollution. In addition, the topic would not deal with questions such as the liability of States and their nationals, the “polluter pays” principle, the precautionary principle, common but differentiated responsibilities and the transfer of funds and technology to developing countries, including intellectual property rights. As is evident, many of the above principles are also relevant to disaster law, notably to disaster risk reduction activities. Second, the topic would also not deal with specific substances, such as black carbon, which were the subject of negotiations among States. Third, questions relating to outer space, including its delimitation, were not part of the topic. As a consequence, commentators have argued that the ILC’s efforts did ‘not live up to the mission of the ILC to promote the progressive development of international law and its codification’, and that ‘its interpretation of the general international law applicable to global environmental concerns such as climate change is incomplete and at times regressive’.⁴²

These shortcomings notwithstanding, the DGs and their commentaries contain elements that are relevant to disaster studies. First, the preamble to the DGs established a clear link between atmospheric degradation and sea-level rise, a phenomenon that the ILC has found to be included in the definition of ‘disaster’ developed within its work on the protection of persons in the event of disasters.⁴³ The commentary to the provision recalls that sea-level rise, linked to the current level of greenhouse gas emissions, ‘may pose a potentially serious, maybe even disastrous, threat to many coastal areas, especially those with large, heavily populated and low-lying coastal areas, as well as to small island developing States’.⁴⁴ Therefore, the DGs might play a role in preventing or at least mitigating these negative outcomes. Second, the commentary to Draft guideline 7 (Intentional large-scale modification of the atmosphere) refers to the potentially virtuous effects of so-called geo-engineering technologies, which might prove decisive in ‘preventing, diverting, moderating or ameliorating the adverse effects of disasters and hazards, including drought, hurricanes, tornadoes, and enhancing crop production and the availability of water’.⁴⁵ Yet such activities might have unforeseeable and undesired effects in the long run, which prompted the ILC to stress that they should only be conducted ‘with prudence and caution, and subject to any applicable rules of international law,

42 Benoit Meyer, ‘A Review of the International Law Commission’s Guidelines on the Protection of the Atmosphere’ (2019) 20 *Melbourne Journal of International Law*, 457.

43 ILC, ‘Report of the International Law Commission: Sixty-Eighth Session (2 May–10 June and 4 July–12 August 2016)’ UN Doc A/71/10, 18.

44 ILC (n 38) 18.

45 *Ibid.*, 34.

including those relating to environmental impact assessment'.⁴⁶ Lastly, in commenting on Draft guideline 8 (International Cooperation), the Commission stresses the importance of scientific and technical knowledge. Defining the notion of cooperation, the commentary states that it must be aimed at averting, minimising and addressing loss and damage associated with the adverse effects of climate change, and it envisages assistance in such areas as '(a) early warning systems; (b) emergency preparedness; (c) slow onset events; (d) events that may involve irreversible and permanent loss and damage; (e) comprehensive risk assessment and management; (f) risk insurance facilities, climate risk pooling and other insurance solutions; (g) non-economic losses; and (h) resilience of communities, livelihoods and ecosystems'.⁴⁷ Again, such forms of cooperation do resemble those foreseen by art. 8 of the DA on the protection of persons in the event of a disaster.⁴⁸

3.2 *The ILC's Work on Sea-Level Rise in Relation to International Law*

As evidenced in the previous paragraph, the prospect of rising sea levels as an adverse impact of climate change is becoming a paramount concern for a significant part of the international community. More than 70 States are expected to see their territories partially or totally inundated as a result of this slow-onset phenomenon, which is putting at risk the lives and livelihoods of millions of individuals.⁴⁹ Many other States are likely to be indirectly affected (for instance, by the displacement of people or the lack of access to resources). Sea-level rise has become a global phenomenon and thus creates global problems, impacting on the international community as a whole. Therefore, it came to little surprise when in 2018 the ILC decided to include the topic of 'Sea-level rise in relation to international law' in its long-term programme of work⁵⁰ and one year later in its active agenda. The Commission also decided to establish an open-ended Study Group on the topic, to be co-chaired, on a rotating basis, by five of its members.⁵¹ The focus of the ILC's work will be concentrated on three main sub-topics connected to sea-level rise: issues related to the law of the sea, issues related to statehood, and issues related to the protection of persons affected by sea-level rise.⁵²

46 *Ibid.*, 33.

47 *Ibid.*, 38.

48 ILC (n 43) 39–42.

49 ILC (n 34) 326.

50 *Ibid.*, 299.

51 ILC, 'Report of the International Law Commission – Seventy-first session (29 April–7 June and 8 July–9 August 2019)', UN Doc. A/74/10, 340.

52 *Ibid.*

While the work of the Commission is still at an early stage, the influence of international disaster law on its work is already apparent. To start with, the Study Group noted already in its 2018 report that sea-level rise had been explicitly included within the definition of 'disaster' in the sense of the 2016 DAS on the protection of persons in the event of disasters.⁵³ In the words of one of its members, the two topics 'are clear signs that, from the point of view of the International Law Commission, there is certainly an awareness that the issue of protection of persons in the context of disasters and climate change are extremely important and that international law can help by providing a better, clearer, and more coherent legal framework for the international community to deal with these challenges'.⁵⁴ The 2022 report of the Study Group will be conducting a mapping exercise of the existing legal frameworks potentially applicable to the protection of persons affected by sea-level rise. Since sea-level rise has also been characterised as a disaster and is an adverse effect of climate change, international and regional legal regimes concerning the protection of persons in the event of disasters and international law concerning disasters and climate change will surely play a central role in the analysis.

53 ILC (n 34) 327.

54 Patrícia Galvão Teles, 'Remarks on "Protecting People in the Context of Climate Change and Disasters"', (2021) 115 Proceedings of the ASIL Annual Meeting, 159.