



**General Assembly**

Distr.  
LIMITED

A/CN.4/L.758  
24 July 2009

Original: ENGLISH

---

INTERNATIONAL LAW COMMISSION  
Sixty-first session  
Geneva, 4 May-5 June and 6 July-7 August 2009

**PROTECTION OF PERSONS IN THE EVENT OF DISASTERS**

**Texts of draft articles 1, 2, 3, 4 and 5 as provisionally  
adopted by the Drafting Committee**

**Article 1**

**Scope**

The present draft articles apply to the protection of persons in the event of disasters.

**Article 2**

**Purpose**

The purpose of the present draft articles is to facilitate an adequate and effective response to disasters that meets the essential needs of the persons concerned, with full respect for their rights.

**Article 3**

**Definition of Disaster**

“Disaster” means a calamitous event or series of events resulting in widespread loss of life, great human suffering and distress, or large-scale material or environmental damage, thereby seriously disrupting the functioning of society.

#### **Article 4**

##### **Relationship with International Humanitarian Law**

The present draft articles do not apply to situations to which the rules of international humanitarian law are applicable.

#### **Article 5<sup>1</sup>**

##### **Duty to cooperate**

In accordance with the present draft articles, States shall, as appropriate, cooperate among themselves, and with the United Nations and other competent intergovernmental organizations, the International Federation of the Red Cross and Red Crescent Societies and the International Committee of the Red Cross, and with relevant non-governmental organizations.

-----

---

<sup>1</sup> Draft article 5 was adopted on the understanding that a provision on the primary responsibility of the affected State will be included in the set of draft articles in the future.