

# Editorial Comments—Legal Issues of the Humanitarian Assistance after the 2007 Earthquake in Pisco, Peru

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This article reflects a striking trend. A decade ago, the subject of law and international disaster response in peacetime barely existed in medical or legal literature. The law of humanitarian assistance during military conflict has been a subject of interest in professional literature, but until recently, this has not been the case in relation to peacetime emergencies. International humanitarian assistance has been growing in the public and private sectors in a way that has not been seen since the birth of systematic, international, humanitarian assistance in the late nineteenth century. Law and legal frameworks have not caught up with this growth yet, but as this article demonstrates progress has been made.

The article sketches out linkages from the highest (and perhaps most theoretical and controversial) sources of international law that some argue make disaster assistance a human right, down to the operational level where states enact rules for disaster response. Dr. Bambaren provides a close-up look at the operation of Peruvian law and regulation in the wake of the Pisco Earthquake. From a legal perspective, the article is especially enlightening on several counts.

As proactive development of legal and regulatory frameworks for international humanitarian response during disasters due to natural hazards still is an emerging line of effort and inquiry, this article is a pioneering case study—a progress report—on the state of legal preparedness for major disasters. It also provides lessons on the strengths and weaknesses of current legal regimes. Other members of the WADEM community can follow Dr. Bambaren's pioneering example and continue providing similar case studies on the interface of law and humanitarian assistance in other emergencies. Dr. Bambaren's study offers concrete perspective of the kind that is still infrequent, but quite essential to effective development of legal frameworks and guidance for humanitarian assistance.