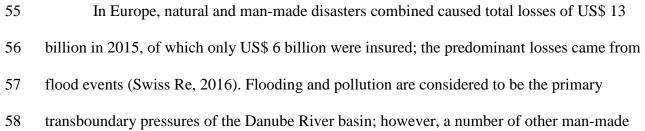
1	What Does	Nature	Have	to Do	with It?
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Reconsidering Distinctions in International Disaster Response Frameworks in the Danube Basin
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Abstract
This article examines the international policy and institutional frameworks for response to
natural and man-made disasters occurring in the Danube basin and the Tisza sub-basin, two
transnational basins. Monitoring and response to these types of incidents have historically been
managed separately. We discuss whether the policy distinctions in response to natural and man-
made disasters remain functional given recent international trends toward holistic response to
both kinds of disasters. We suggest that these distinctions are counterproductive, outdated, and
ultimately flawed, illustrate some of the specific gaps in the Danube and the Tisza, and conclude
by proposing an integrated framework for disaster response in the Danube basin and Tisza sub-
basin.
Keywords: International Disaster Response Frameworks; Natural Disasters; Man-made Accidents; Industrial Accidents; Natech Accidents; Danube River basin; Tisza River Sub-basin

39 **1 Introduction**

The actors engaged in disaster response¹ have historically been determined by the nature 40 41 of the disaster (i.e., natural disaster, industrial accidents, nuclear accidents, marine oil spills), and 42 legal frameworks typically divide response between natural and man-made disasters. However, 43 there is growing recognition that anthropogenic climate change and other human activities such 44 as land use change are driving more extreme and sometimes cascading events (Sun, 2016). 45 Cascading events refer to cases in which a primary threat is followed by a sequence of secondary 46 or additional hazards that require complex and often overlapping types of response (Pescaroli 47 and Alexander, 2015). We conjecture that the tight coupling of human and environmental systems and the intensive nature of natural resource extraction and management, industrial 48 49 activity and agriculture have increased the risk of cascading events. Thus, the question of 50 eliminating the natural/man-made dichotomy in disaster response policy is brought to the 51 forefront. We focus on transboundary response frameworks because they present exceptional 52 logistical and technical challenges, particularly in watersheds such as the Danube and the Tisza, 53 where countries have very disparate histories, levels of economic development, and are governed 54 by different statutes.



¹ While disaster response is considered part of the disaster management cycle, disaster management includes the application of policies and actions regarding disaster risk (i.e., prevention, preparedness and mitigation, response, and recovery). Each have their own set of policy frameworks, actors and mechanisms for implementation. This paper focuses on the disaster response phase specifically, on the policy frameworks and actors related to requesting and receiving assistance immediately following a disaster, and the legal mechanisms by which responders are deployed.

59 accidents occurred in the region (ICPDR, 2015a). Specifically, in 2000, the Baia Mare and Baia 60 Borsa mine-tailing pond failures mobilized approximately 100,000 m³ of metal-contaminated 61 water into the Tisza River, eventually polluting the Danube River and Black Sea. Since the 62 industrial accidents occurred originally as a result of significant rainfall and flooding, these 63 events are an example of what are commonly referred to as natech accidents – technological 64 accidents triggered by natural disasters – and which lack regulation to analyze, prepare for, or 65 mitigate (Krausmann, Cruz, Salzano, 2017). In 2010, an industrial accident occurred in the 66 Hungarian portion of the Danube River when a dam containing alkaline red sludge collapsed, 67 releasing 1.5 million m³ of sludge into the surrounding land (approximately 4000 hectares) and waterways (including Kolontár, Torna Creek, and the Danube River), killing 10 people and 68 69 injuring several hundred more (ICPDR, 2010). In 2014, following Cyclone Tamara, over 1,000 70 landslide events occurred in Serbia as well as significant flooding, resulting in damage to 71 properties and infrastructure and the inundation of agricultural land. Due to concern over 72 possible breaches to mine tailing dams in the surrounding area, and the harmful effects on human 73 health, technical experts investigated mining sites and provided recommendations for local 74 evacuations (NERC, 2014). In all three disasters, the need for disaster response exceeded the 75 capacity of national actors; therefore, international response involved the United Nations, the 76 European Commission, and various other international organizations. Thus, adequate 77 international disaster response frameworks have already been put to task in the Danube and the 78 Tisza. However, while international humanitarian law is generally well defined, the law of 79 international disaster response is still incomplete (Fisher, 2008). Historically, a distinction has 80 been drawn between the scope of response to natural disasters and man-made disasters; however, 81 this distinction is absent from the 2015 Sendai Framework for Disaster Risk Reduction, which

82 adopts a multi-hazard risk approach providing management tools for disasters that are both 83 natural and man-made (UNISDR, 2015). The Sendai Framework places unprecedented emphasis 84 on the interaction between hazards (natural and man-made), exposure levels, and pre-existing 85 vulnerability (Aitsi-Selmi and Murray, 2016). It calls for improving decision making through a stronger science-policy-practice interface, with four priority areas for action buding 86 87 strengthening disaster governance with regard to shared resources and at the basin level 88 (UNISDR, 2015). The European Union's disaster response framework is also holistic and 89 includes natural and man-made disasters, and some multilateral sub-regional agreements are also 90 taking similar approaches, such as those adopted by the Association of South East Asian Nations (ASEAN) and the Baltic Sea Economic Cooperation (BSEC; ASEAN 2012, BSEC, 1998). 91 92 Adopting a multi-hazard, or all-hazards, approach to disaster response allows for recognition of 93 94 damage to or loss of infrastructure and property; or social, economic and environmental 95 functional degradation (Kappes et al., 2012). 96 With international policies starting to shift toward more holistic frameworks of response 97 that incorporate both natural and man-made disasters, this article explores policy frameworks for momoring and response in the Danube basin and Tisza sub-basin, which continue to distinguish 98

between types of disasters, and resultantly have separate response options depending on the type
of disaster, and what the holistic frameworks trend could mean for regional institutions in the
study basins.

This article begins with an overview of the study area and a description of the methodology.
Next is a discussion of the historical distinctions in response between natural disasters and
industrial accidents – how and why they have been treated differently and how recent

developments in international law and practice are raising questions about the merits of these distinctions. It is followed by an examination of the international frameworks governing disaster response in the Danube basin and Tisza sub-basin, and an analysis of the monitoring and response to natural disasters and industrial accidents in the basins. The article concludes with a reflection of how the transition of international policies toward more holistic frameworks for response might affect the Danube basin and Tisza sub-basin.

111 **2 Overview of study area**

The Danube River basin covers more than 800,000 km² – over 10 percent of continental Europe – and flows through the territories of 19 countries with nearly 80 million people residing within the basin. Today, 14 of the 19 countries, plus the EU, have committed to transboundary cooperation in protecting the Danube via the Danube River Protection Convention (DRPC), and work jointly toward the sustainable management of the Danube basin and the implementation of both the European Union's Water Framework Directive (WFD) and Floods Directive (EU FD) (ICPDR 2015a).

119 Among the tributaries of the Danube River, the Tisza sub-basin has the largest catchment 120 area, and covers approximately 160,000 km² (20 percent of the Danube basin's area), with 121 approximately 14 million people (Fig. 1). There exists a distinct socio-economic contrast in the 122 basin between western and former socialist countries, however, since the end of communism in 123 the late 1980s, the central and lower Danube has experienced a rapid shift to free market 124 democracy within the context of increased globalization, privatization, and deregulation. This 125 has been accompanied by changes in governments and institutions, affecting the continuity of 126 policies and international arrangements which could potentially impact the international 127 frameworks countries adhere to.





129 **Fig. 1** Map of Danube River basin and Tisza River sub-basin. Source: The authors.

International measures regulating the Danube were first undertaken in 1882 for flood protection 130 131 and navigation. Dams were constructed within the upper basin for flood mitigation, hydroelectric 132 power generation, and regulation of river levels for navigation. The operation of these dams has 133 been associated with altering the flow regime of this segment of river and consequently varying 134 the ecological disturbance regime within the river and on the floodplain resulting in substantial changes in the riverine ecosystem (ICPDR, 2009a). The flow regulation provided by the dams 135 136 and the construction of levees has allowed for the conversion of floodplains and riverine 137 wetlands into areas suitable for agricultural and urban development. Today, only 12 small 138 reaches (<1 km in length) of the Upper Danube remain relatively untransformed (Schneider,

139 2010, 197). In the Middle and Lower Danube, the river bed has been dredged repeatedly to 140 maintain a navigable river channel. Along these segments of the Danube River, levees and dams 141 mitigate or prevent inundation of over 72 percent of the floodplain. The substantial reduction in 142 Danube's connection with its floodplain combined with wastewater discharge from agricultural 143 and industrial sources, and increasing levels of pollutants along these river segments, have 144 substantially altered or damaged the riverine ecosystem and reduced the resilience of urban and 145 rural communities to large floods, which exceed the protection level of their flood mitigation 146 measures (Schneider, 2010; UNECE, 2011). The degree of industrial development and amount 147 of pollution created by the industrial sector varies among Danube countries. In general, pulp and paper industries represent the largest contributors of pollution, followed by chemical, textile, and 148 149 food industries (ICPDR 2009a).

The Tisza headwaters are located in the Carpathian Mountains in Ukraine. From these headwaters the Tisza River flows southwest across central portions of the great Hungarian Plain into the Danube River in Serbia (Fig. 1; ICPDR, 2008). Intense, concentrated rainfall and the steep terrain coupled with deforestation and channelization of many streams result in some of the most sudden and high-energy flooding in Europe (Nagy et al., 2010). The sudden water level rises, coupled with the high energy of the flows, often threaten human lives and result in substantial damage to infrastructure and croplands (ICPDR, 2008).

While industrial production has dropped drastically in the Tisza region since the 1990s, a variety of industries remain, and the legacy of heavily concentrated industrial activities continues to threaten the surrounding ecosystems. The main industrial regions of the Tisza sub-basin are located in Romania and Hungary, where the potential for flood damage and losses is also greatest. Chemical and petrochemical industries (including oil refinery, storage, and transport)

are important for both Hungary and Ukraine, and the cellulose and paper, textile, and furniture
industries are also present predominantly in the upper portion of the Tisza in Slovakia, Romania,
and Ukraine (ICPDR, 2011).

165 Mining activities, and the accidental spills of chemical substances, have affected the 166 aquatic environment and water quality within the Tisza sub-basin, as exemplified by the 2000 167 Baia Mare and Baia Borsa natech accidents (JEU, 2000). Natech accidents present significant 168 challenges, as natural events can trigger multiple and simultaneous accidents in one installation, 169 or depending on the impact of the natural hazard, in several hazardous facilities at the same time 170 (Krausmann and Baranzini, 2012). A 2009 assessment identified more than 92 potential sources 171 for industrial and waste deposits; however, the list does not include abandoned mine sites and 172 their mine tailing dams – only those from currently operational mines (ICPDR, 2015a). 173 Therefore, the potential risk of accidental pollution could be substantially higher (ICPDR, 174 2015a). Furthermore, natechs present additional difficulties as they remain absent from disaster

175 response frameworks (Krausmann, Cruz, and Salzano, 2017).

176 **3 Methodology**

177 The policy and institutional frameworks for monitoring of and responding to natural and 178 man-made disasters in the Danube and Tisza were examined with a combination of primary and 179 secondary data collection and analysis. The primary data consisted of semi-structured interviews, 180 while the secondary data included analysis of the legally binding mechanisms, conventions, and 181 directives in the region (Table 1). A review of bilateral agreements (Table 2), and of peer-182 reviewed publications and white papers on the provision of disaster response within the Danube 183 basin and Tisza sub-basin highlighted the international laws, policies, and institutions present in 184 the region. Semi-structured interviews were conducted over an eight-month period from January 185 to August 2013. This format of interviews was chosen so that the pre-determined set of interview

186 questions could be expanded through the natural course of conversation and allow for a more

187 thorough understanding of what was initially queried – in particular, each expert interviewed was

188 provided with the freedom to express their personal views in their own terms.

- **Table 1.** List of legally binding mechanisms for the Danube basin and Tisza sub-basin.
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Governing Body	Convention	Type of Instrument	Description of Instrument
UN Economic Commission for Europe	Industrial Accidents Convention	Legally binding for parties to convention.	Determines actions of request for assistance and response for industrial accidents specifically.
European Commission	Water Framework Directive	Legally binding for EU member states, and through Danube Convention for non- EU member states.	Sets basin-level management of water quality and quantity.
European Commission	Floods Directive	Legally binding for EU member states, and through Danube Convention for non- EU member states.	Requires action regarding flood mapping at the basin level.
European Commission	Seveso Directives	Legally binding for EU member states.	Requires corporations to list possible risk of industrial accident, and develop preparedness plans.
European Commission	Civil Protection Mechanism Directive	Legally binding for EU member states.	First EU-wide law to include multiple-hazards in disaster risk strategies.
International Commission for the Protection of the Danube River (ICPDR)	Danube River Protection Convention	Legally binding for Danube member states.	Provides integrated framework for all Danube countries to participate in basin-level management, regardless of EU affiliation.

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Countries	Transboundary Watercourses	Disasters / Emergencies
Serbia and Montenegro – Hungary	1955**	1955*
Serbia and Montenegro – Romania	1955**	Under Discussion
Austria – Hungary	1956	1959 (Floods Only)
Austria – Slovenia	1956***	1956* (Floods Only)
Hungary – Slovakia	1956*	2014 (Floods Only)
Austria – Czech Republic	1967*	1994 (Floods Only)
Austria – Slovakia	1967*	1994 (Floods Only)
Croatia – Slovenia	No Date	1977*** (Coastal Pollution)
Hungary – Romania	1986	2003 (Floods Only)
Croatia – Hungary	1994	1994 (Floods Only)
Hungary – Slovenia	1994	1994 (Floods Only)
Moldova – Ukraine	1994	-
Ukraine – Slovakia	1995	2000 (Floods Only)
Ukraine – Romania	1997	1952*** (Floods Only)
Hungary – Ukraine	1997	1998 (Floods Only)
Czech Republic – Slovakia	1999	-
Bulgaria – Romania	2004	2004 (Floods Only)
Moldova – Romania	2010	2010 (Floods Only)
Bosnia and Herzegovina – Serbia and Montenegro**	-	2011 (Flood EWS)
Bulgaria – Serbia	Draft	Draft (Floods Only)
Croatia – Serbia	-	-

195
Table 2. List of bilateral agreements within countries in the Danube basin and Tisza sub-basin.

* Agreement formed with Czechoslovak Socialist Republic

196 197 198 199 ** Agreement formed with Yugoslavia ***Agreement formed with Union of Soviet Socialist Republics

- No Information Available
- 200
- 201 Seventy-one interviews were conducted in various locations throughout Europe. The interviews took place with experts in the International Commission for the Protection of the 202 203 Danube River, the expert groups of the International Commission for the Protection of the 204 Danube River (i.e., Tisza group, river basin management, flood protection, and accident

205 prevention and control), with respondents working at the national ministries, water management 206 directorates, and non-governmental organizations in the Tisza and Danube countries, as well as 207 with experts in the European Commission and the United Nations. Those interviewed were 208 chosen based on their knowledge of and work within the Danube River basin and Tisza sub-209 basin. Specifically, all individuals interviewed held positions (as reflected in Table 3) within the 210 countries of the Danube basin and Tisza sub-basin, and were contacted through the International 211 Commission for the Protection of the Danube River (ICPDR) expert groups and through a 212 snowball method whereby one person interviewed would suggest additional people to interview. 213 Given public roles, the interviews are intentionally left anonymous to ensure candidness in the responses. Thus, only the type of organization the experts work for is identified the numbers 214 215 appearing in brackets in the table below refer to the interview citations in text; multiple 216 interviews were conducted within each level of governance indicated (Table 3). The 217 classification distinguishes between international (global) organization experts, professionals 218 working in institutions within the Danube basin (regional), and experts working at national 219 agencies/ministries. The questions focused on how international frameworks affected Danube 220 basin and Tisza sub-basin policies and laws, and how these were implemented in practice. The 221 interviews also elicited as the opinion of the experts regarding the adequacy of existing 222 international frameworks and their impacts on policy implementation of disaster monitoring and response throughout the Danube basin and Tisza sub-basin.² 223

² Questions relevant to international frameworks for disaster response included: (1) What are the respective roles in multilevel governance in regard to response for natural and man-made disasters? (2) To what extent are natural and man-made disasters included in policy frameworks for response; in what context and at what level, and what is the language being used? (3) What gaps exist between policies and practice in regard to response for natural and man-made disasters? (4) What constraints or opportunities exist in including policies for response to natural and man-made disasters; which type would be most effective and at what level?

Table 3. Organizations from which experts were drawn for interviews.

		226
International	United Nations, United Nations Economic Commission for	227
	Europe, and United Nations Environment Programme	228
	(UNEP)/UN Office for the Coordination of Humanitarian	229
	Affairs (OCHA) Joint Environment Unit [1]	230
Regional	European Commission [2]	231
	International Commission for the Protection of the Danube	232
	River (ICPDR) and Expert Groups (Tisza Group, River Basi	in233
	Management, Flood Protection, and Accident Prevention an	d 234
	Control) [3]	235
National	National Ministries of Environment, Rural Development,	236
	Interior, Environment Agency [4]	237
	Water Directorates [5]	238
Non-State Actors	NGOs [6]	239
		240

* Numbers in brackets refer to interview citations in text.

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4 Distinctions between natural and man-made disasters in policy frameworks

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245	The approaches used for describing, limiting, and categorizing disasters fundamentally
246	shape the methods for monitoring and responding to disasters. They determine the solutions
247	utilized, the resources allocated, and the governance frameworks selected by categorizing the
248	types of disaster into either natural or man-made. It is therefore important to recognize the
249	etiology of disaster to understand why the distinctions among the various types of disasters still
250	remain.
251	Natural hazards are naturally occurring physical phenomena, which can include
252	earthquakes, landslides, tsunamis, volcanoes, and floods, with a potential to create losses or
253	dangers to humans (Smith, 2013). If the potential is realized, disasters occur. These disrupt the
254	functioning of societies due to exposure, vulnerability, and risk – leading to human, material,
255	economic and environmental losses and impacts. ³ Natural disasters have historically been

³ Exposure is understood as people, infrastructure and housing, production capacities and other human assets located in hazard-prone areas. Vulnerability is defined as a set of physical, social, economic and environmental factors or processes that increase the susceptibility of an individual, a community, assets or systems to the impacts of hazards. Disaster risk is the potential loss of life, injury, or damaged assets occurring to an individual or community as a function of hazard, exposure and vulnerability (UNISDR, 2015).

characterized either (1) as a direct form of punishment from God for the sins of humanity, or (2)
in more recent history as an "act of God" that removed humans from culpability (Rozario, 2007).
However, such a dichotomous view masks the fact that natural disasters are a function of where
people reside and their overall vulnerability, including aging infrastructure, and their
consequences depend on people's ability to monitor and prepare for these events (Peel and
Fisher, 2016).

262 Industrial and other man-made disasters are traditionally governed and responded to 263 separately from natural disasters. The fragmented nature of disaster response is a historical 264 artifact, resulting from the need to address specific types of disasters, in specific regions, or 265 response modalities. More recently, evidence of increased losses due to disasters (Barredo, 2009; 266 Cutter and Emrich, 2005), legal barriers to disaster response (Janssen et al. 2009; Venturini, 267 2012), and the absence of unified response have led to increased attention at a variety of levels 268 for more integrated international frameworks (IFRC, 2007). However, currently, natural disasters 269 and industrial and nuclear accidents have established frameworks for response, while natech 270 accidents are often missing from response programs (OECD, 2015). Natech accidents can lead to 271 the release of toxic substances, fires, or explosions and result in injuries and fatalities; therefore, 272 the lack of consideration for natech response mechanisms, planning tools or response programs 273 can be an external risk source for chemical and nuclear facilities (Krausmann and Baranzini, 274 2012). Nuclear accidents are an exception, as they are holistically covered by the Convention on 275 Assistance in the Case of a Nuclear Accident or Radiological Emergency and the Convention on 276 Early Notification of a Nuclear Accident, which were adopted almost immediately following the 277 Chernobyl nuclear accident. However, there still remains no similar overarching global 278 framework for notification or assistance in response to industrial accidents, or for natech

accidents more broadly (Bruch et al., 2016). Other disaster frameworks, like the Tampere
Convention, apply only to a single sector or area of relief. Conversely, the ability to provide
disaster response for natural disasters is quite broad and is included in a number of international
frameworks. A question of applicability of agreements arises, however, when a cascading
disaster or a natech occurs and multiple institutions have a mandate for response, but it is unclear
which institution should take the lead in responding or coordinating response efforts (Bruch et
al., 2016).

5 Disaster frameworks in the Danube basin and Tisza sub-basin, and their treatment of disasters

288 The Danube and the Tisza have experienced numerous natural and man-made disasters, 289 including natech accidents (e.g., Baia Mare Cyanide Spill, Hungarian Chemical Accident, and 290 recent Serbian landslides) (European Commission, 2016). There have been over 40 reported 291 disasters in the Danube basin between 2000 and 2012, ranging from natechs to earthquakes and 292 industrial fires. A majority of them involved more than one country at the same time (European 293 Commission, 2016). However, the frameworks for disaster response at the levels of the United 294 Nations, the European Union, and those utilized by the ICPDR are restricted to particular types 295 of disasten – monitoring and response to flooding is the most advanced throughout the basin, 296 while pollution is monitored, but does not have the same frameworks for response. Additionally, 297 there remain a variety of natural and man-made disasters that that are not integrated into any type 298 of basin monitoring or response framework, including fire, and drought.

Response to these disasters is governed by a range of global, regional, and national laws, policies, and soft law instruments, that is, "normative provisions contained in non-binding texts" (Shelton 2000, p. 292). In the Danube basin and Tisza sub-basin, this includes the Industrial

302 Accidents Convention and the Seveso Directive, the Water Framework Directive and the Floods 303 Directive, as well as treaties and policies developed at the level of the Danube and Tisza. As 304 such, natural and man-made disasters continue to be treated as distinct and separate issues, their 305 monitoring and response are managed independently, and consideration for natech accidents is 306 missing from policy guidance. Here, we discuss some of the issues that have arisen from the 307 international/global and regional (EU and basin wide) frameworks for response to natural 308 disasters in the Danube and the Tisza. We consider frameworks in decreasing geographical 309 scope.

310 At the international level, since there are agencies experienced in particular types of 311 international disasters, but they are often without a mandate or capacity for response, the 312 approaches used fall under the soft law umbrella. For the Danube and the Tisza, in 1994, the 313 United Nations Environment Programme (UNEP) and the UN Department of Humanitarian 314 Affairs (DHA, the predecessor of OCHA), developed an administrative arrangement through an 315 exchange of letters (Bruch et al., 2016). The resulting Joint UNEP/UN OCHA Environment Unit 316 (JEU) plays a leading role in facilitating coordination among international organizations in the event of natural and man-made disasters. This includes natech accidents, which are the broadly 317 318 termed environmental emergencies (UNEP, 2011). The JEU has a number of existing agreements 319 and interface procedures in place with these organizations, in order to facilitate response. For 320 example, the JEU facilitated international agreements and interface procedures to aid with 321 response between UN Disaster Assessment and Coordination (UNDAC) and the EU Civil 322 Protection Mechanism to the 2014 Serbian landslides following Cyclone Tamara (NERC, 2014). 323 During the 2000 Baia Mare natech accident in the Tisza River sub-basin, sixteen experts from 324 seven countries deployed for response to the natech accident. The JEU assisted to coordinate

response efforts among UNDAC, the European Commission, the Military Civil Defence Unit,
the World Health Organization, and a variety of other actors (JEU, 2000).

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327 Also at the international level, response for industrial accidents is provided via the United 328 Nations Economic Commission for Europe's (UNECE) Industrial Accident Convention. UNECE 329 applies to land-based, non-military, and non-radiological industrial accidents, and response is 330 provided through bilateral or multilateral arrangements (UNECE, 2009). If no prior agreements 331 exist, an affected country can request assistance from other parties through mutual assistance 332 agreements. However, in these situations, it is the responsibility of the requesting country to 333 cover all costs, unless otherwise agreed upon among the responding countries (UNECE, 2009). If 334 an industrial accident occurs as a result of flooding, or other environmental effects, multiple 335 disaster response frameworks must be triggered, therefore the Convention is not comprehensive 336 enough to address cascading disasters in a holistic manner.

337 At the regional level, in our study areas, the Danube countries developed the Danube 338 River Protection Convention (DRPC) in 1994, which is a legally binding instrument that ensures 339 sustainable management of the Danube River (ICPDR, 1994). Through the ICPDR, the DRPC 340 requested the ICPDR to coordinate the activities of the EU Water Framework Directive (WFD) 341 and EU Floods Directive among the Danube member states. The WFD and Floods Directive are 342 legally binding to members of the European Union, but through the DRPC become legally 343 binding to all Danube member states, regardless of EU member status. The WFD combines the 344 monitoring and assessment of water quality in the basin, and the Floods Directive instructs 345 national authorities to establish flood risk management plans by 2015, linking the objectives of 346 the WFD and the risk to these objectives from flooding or coastal erosion through the Floods 347 Directive, and integrating them into basin level activities via the ICPDR. However, because not

all countries of the Danube are EU member states, not all measures and outcomes of the WFD
and Floods Directive are implemented equally among the basin countries. Though the Flood
Directive was expected to reduce flood risk, interviewees voiced disappointment regarding the
limitations of integrating disaster risk more broadly, particularly in relation to water quality and
accidental pollution [3]. Thus, the Water Framework Directive and Flood Directive have
substantial policy limitations to, as neither of the two directives require the integration of disaster
risk of both floods and accidental pollution.

355 The European Union's Civil Protection Mechanism (EU CPM) is an instrument for 356 disaster response that protects people, the environment, property, and cultural heritage in the 357 event of natural or man-made disasters, occurring within or outside of the European Community 358 (European Commission, 2016). Disasters are monitored internationally through the Emergency 359 Response Coordination Centre (ERCC) in cooperation with the JEU and with participating 360 states. The ERCC and JEU interface with a diverse system of response among the Danube basin 361 countries due to the variety of disasters experienced. Some utilize a single Civil Protection 362 Mechanism, while others rely on multiple parties among Ministries of the Interior, Ministries of 363 Rural Development, Water Directorates, and a variety of additional local protection committees 364 [4, 5]. Interviews indicated that not all responders/parties are sufficiently trained, and many lack 365 managerial or technical capacity to manage specific disasters appropriately [4]. There is also 366 large compartmentalization of tasks at lower levels – both regional and local – where integration 367 among the various types of disaster, as well as increased cooperation is needed [2, 3]. Other than 368 the fact that these diverse actors are providing certain types of disaster assistance, there is 369 nothing uniting them – there is no international or regional disaster response system. Limitations 370 in funding, technical expertise, and capacity were confirmed in interviews with experts at various

371 levels, who also noted how this leads to uneven implementation of EU Directives within the 372 basin that can create pockets of vulnerability to both flood risk and risks from industrial 373 accidents [2, 3, 4]. Experts also expressed the need for formal agreements with specific language 374 on integrated mapping of cascading disasters, as well as provisions addressing response to both 375 natural and man-made disasters, particularly if additional grants could be given from the EU to 376 support these activities [2, 3, 4, 5]. Some interviewees reflected that the regional Danube 377 Strategy depended on stronger countries helping the weaker ones, but limitations with funding 378 and capacity are difficult to overcome [2].

379 In the 2015 Annual Report on implementation of the Danube Strategy produced by the 380 Danube countries, all projects focused on implementation of the Floods Directive. The only 381 mention of industrial accidents was to reflect the failure to include an updated Inventory of 382 Potential Accidental Risk Spots along the Danube, which is also discussed in the 2015 Danube 383 River Basin Management Plan (DRBMP) (EUSDR, 2015; ICPDR, 2015b). Given past issues 384 with mine tailing collapses and other pollution disasters associated with flooding, the 2015 385 DRBMP acknowledged the need to update the Inventory of Potential Accidental Risk Spots 386 promptly (ICPDR, 2015b). Unfortunately, this recommendation from the 2015 DRBMP, and 387 initially expressed in the first Danube River Basin Management Plan of 2009, has yet to be 388 realized.

The Danube River Protection Convention is supplemented by a series of non-binding Memoranda of Understanding (MOU) referred to as the Danube Declarations, first agreed upon in 2004, revised in 2010, and updated in 2016. Within this umbrella, the Danube River basin countries engage currently in two separate systems: the Emergency Flood Alert System (associated with the EU) for flood monitoring, and the Principal International Alert Centres

394 (PIACs) of the Danube Accident Emergency Warning System (Danube AEWS, not associated 395 with EU institutions) to monitor pollution from man-made accidents. These two separate systems 396 well illustrate the issues associated with separate response mechanisms and institutional 397 arrangements. The Emergency Flood Alert System has been functioning since 2003 at the Joint 398 Research Centre, a Directorate General of the European Commission, and works in collaboration 399 with the national authorities of the member states. Note that a MOU has been signed with 400 several, but not all of the Danube countries. The Emergency Flood Alert System provides 401 national authorities the ability to develop response measures, including opening temporary flood 402 retention areas, building temporary flood protection structures such as sandbag walls, and 403 adopting civil protection measures such as closing down water supply systems (ICPDR, 2009b). 404 The MOU does not include tributaries draining areas less than 4,000 km<sup>2</sup>, therefore the 405 Emergency Flood Alert System neither addresses flood risks in the Tisza, nor in certain basin 406 countries where significant flood concerns arise, such as Ukraine [1]. 407 The Principal International Alert Centres (PIACs) of the Danube Accident Emergency 408 Warning System monitor accidental water pollution incidents in the Danube River basin. Unlike 409 the Emergency Flood Alert System, which is linked to monitoring conducted by the European 410 Commission and is transmitted to national authorities (without involving the ICPDR in the 411 monitoring process), the Danube AEWS system is managed by the ICPDR, but does not involve 412 the European Commission. While all contracting parties of the DRPC cooperate with the Danube 413 AEWS, they also are expected to have national policies regarding response to accidental 414 pollution in the Danube that connects to the Principal International Alert Centres. The PIACs are 415 expected to operate on a 24-hour basis within each country, and are in charge of all international 416 communications. When a message of a potentially serious accidental pollution is received, the

417 PIAC is responsible for communicating the accident to the ICPDR, it decides whether it is 418 necessary to notify downstream countries and engage experts to assess the impacts of the 419 pollution, and it determines which response activities need to be taken at the national level 420 (ICPDR, 2014). Challenges to the monitoring capabilities of the Danube AEWS include 421 territorial gaps (several areas along the Danube and Tisza are not monitored) [3, 4, 5], a limited 422 number of bilateral agreements for response in case the accident exceeds national capacity 423 (Table 2), and a non-comprehensive list of man-made accidents being monitored. The failure to 424 monitor pollution events in a consistent and effective manner creates problems for downstream 425 countries [4]. This is particularly problematic in the Tisza countries where the lack of monitoring of both flood and accidental pollution events, combined with limited bilateral agreements, raise 426 427 concern among several countries [4, 5].

428 Bilateral agreements are also in place to address transboundary flood measures among 429 Danube countries and, to a smaller extent, to respond to man-made disasters. Bulgaria, Moldova, 430 Romania, Serbia, and Ukraine are parties to the DRPC, but have separately engaged in the BSEC 431 Agreement on Response to Natural and Man-made disasters (Bruch et al., 2016). Furthermore, 432 the Danube Delta countries (Moldova, Romania, and Ukraine) are working together with the 433 UNECE Industrial Accidents Convention due to the large concentration of oil-related industries 434 in the area in order to improve hazard management, increase transboundary cooperation, and 435 strengthen operational response [1].

#### 436 **6 Building holistic approaches for integrating multilevel disaster response**

While "natural" disasters may be a commonly used term, no disaster can be regarded as
entirely natural if people have the capacity to avoid, mitigate, or reduce the risk from it (Picard,
2016). Generally, the vulnerability to lives and livelihoods can be reduced with disaster

440 preparedness and response, such as the proper placement, function, and use of early warning 441 systems, and mitigation activities. Additional shifts in what is considered a natural disaster have 442 come from the acknowledgement of the anthropogenic influences on natural disasters. Besides 443 climate change, there are also induced earthquakes occurring as a result of slipping faults from 444 fluid injection in hydraulic fracturing (Legere, 2016), landslides from subsidence and increased 445 land use activities including urbanization (Smith, 2013), and pandemics from deforestation and 446 habitat conversion (Greger, 2007), to name a few.

447 Human, economic, and environmental losses can be worse in highly populated, urbanized 448 areas; with increased urbanization and climate change, these areas are placed at increased risk to 449 natural and man-made hazards (Bruch and Goldman, 2012; Huppert and Sparks, 2006). This is 450 especially true for natech accidents and other cascading disasters, since simultaneous response 451 efforts are required to attend to the industrial, chemical, or technological accidents as well as the 452 triggering natural disaster. The overlap from numerous responders, the activation of numerous – 453 and disparate – response frameworks, and the difficulties in integrating the separate response 454 activities make fragmented frameworks of disaster response costly and ineffective. Therefore, 455 expanded definitions that reflect multiple types of disaster, as well as improved comprehensive 456 response frameworks, are needed in order to recognize that many disasters can arise from 457 multiple, potentially co-located hazards, to take the necessary measures to reduce the risks of 458 those hazards and to holistically address their impacts. Otherwise, piecemeal, uncoordinated 459 responses may result in duplication of costs and activities and, more importantly, overlooked 460 health and environmental consequences.

461 The process of building holistic approaches to planning, preparedness, and response can 462 strengthen frameworks for responding to natural and man-made disasters (i.e., adopting a multi-

463 hazard approach). These approaches may be implemented at the global, regional, bilateral, or 464 national levels. By adopting a multi-hazard framework for disaster response, the expertise and 465 practices of responders can be increased to include improved modeling and assessment 466 approaches, response methodologies and tools, and enhanced measures to prevent or mitigate the 467 consequences from natech accidents (Krausmann, Cruz, and Salzano, 2017). 468 The review of legal and policy frameworks and interviews reflected that while some 469 planning and preparedness activities take place regarding flood hazard, this is not the case for 470 accidental pollution (at least in the Danube and Tisza context), and natech accidents are absent in 471 the framework language [2, 3, 4, 5, 6] (European Commission, 2010; ICPDR, 2015a). 472 Monitoring gaps are reported along the length of both the Danube and the Tisza for both flooding 473 and accidental pollution, and these gaps should be corrected in future planning efforts. The Tisza 474 sub-basin and smaller water bodies are beyond the scope of the WFD, consequently, no holistic 475 monitoring or response measures are in place; regional agreements at the basin or sub-basin level 476 could aid in developing improved response frameworks [2, 3] (McClain et al., 2016). 477 Improving the mapping of hazards to reflect not only flood hazard, but also risks from 478 man-made disasters and natech events – and integrating these risks into a comprehensive map of 479 vulnerability to disaster – would provide a foundation for more holistic policies and 480 programming to manage disaster risks. It would also aid in improving measures for preparedness 481 at the national and local levels. Interviews indicate that harmonized approaches to natural and 482 man-made disasters offer additional opportunities to strengthen capacity among transboundary 483 actors [1, 4].

In order to avoid fragmentation among response to natural and man-made disasters, and
empower, guide, and facilitate the institutional arrangements and mandates necessary to improve

486 these activities, the legal and policy frameworks need to provide the necessary mandates and 487 procedures - this is accomplished by incorporating an integrated, multi-hazard approach to 488 disaster response. Though this is can be challenging, there is a growing literature on the 489 development of the technical and policy tools necessary (Kappes et. al., 2012, Holub and Fuchs, 490 2009), and on how to address fairness considerations (Thaler and Hartmann, 2016). There are 491 multiple examples of more holistic and comprehensive approaches being used in the EU 492 countries (Greiving et al. 2012, Thaler et. al, 2016). Such approaches emphasize stakeholder 493 involvement and adaptive management, and could form a blueprint for efforts in the Danube and 494 the Tisza.

With regard to the Danube basin specifically, a more holistic approach that accounts for 495 496 the specific challenges of the basin could be implemented in a variety of ways. The Danube 497 River Protection Convention has not been updated or amended since it was originally drafted in 498 1994, but it unites all countries of the Danube basin and its tributaries under a formal, legal 499 agreement. Cooperation among Danube countries was generally reported as good [3]; therefore, 500 continuing the use of the ICPDR and its expert groups as a mechanism to gain cooperation 501 among the countries on a regional framework for improving monitoring and response could be 502 considered [3, 4, 5]. Another possibility would be to expand the numerous bilateral agreements 503 among the Danube and Tisza countries regarding flooding to also include man-made disasters 504 and natech events. Working on agreements at a regional level improves communication, breaks 505 down barriers (particularly in transboundary situations), and aids in the development of a 506 common legal language among participating parties [1, 2].

507 Updating conventions and other hard law (e.g., legal frameworks) can be difficult; 508 countries are sometimes unwilling to adopt binding obligations, particularly in the face of

| 509                                           | uncertainty (e.g., climate change), or when they feel there might be a need to act quickly to                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 510                                           | changing circumstances. Often find soft law (e.g., policies and guidelines) can be a more flexible                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 511                                           | tool. In this regard, updating the Danube Declaration and the corresponding Tisza MOUs can                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 512                                           | provide particularly viable options. Through the Declarations and MOUs, the Danube or Tisza                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 513                                           | countries could decide whether to engage in a particular action through a separate strategy, or                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 514                                           | pilot project, or whether to incorporate the issue into the broader basin or sub-basin management                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 515                                           | plan (e.g., improvement of accidental pollution and flood monitoring, integrated accidental                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 516                                           | pollution and flood maps). Improved vertical and horizontal cooperation was a request of several                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 517                                           | interviewees, particularly in regard to the risks posed from man-made accidents and how to                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 518                                           | respond to these accidents [4, 5].                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 519<br>520                                    | 7 Conclusions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 520<br>521                                    | The historic distinction between natural and man-made disasters is outdated,                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 522                                           | counterproductive, and ultimately flawed. The recognition of this has resulted in the need to                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 522<br>523                                    | counterproductive, and ultimately flawed. The recognition of this has resulted in the need to address disasters holistically, regardless of the contributing causes and aggravating factors. This                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 523                                           | address disasters holistically, regardless of the contributing causes and aggravating factors. This                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 523<br>524                                    | address disasters holistically, regardless of the contributing causes and aggravating factors. This trend is noted in the Sendai Framework, which adopts a multi-hazard risk approach and provides                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 523<br>524<br>525                             | address disasters holistically, regardless of the contributing causes and aggravating factors. This trend is noted in the Sendai Framework, which adopts a multi-hazard risk approach and provides tools for responding to disasters that are both natural and man-made (UNISDR, 2015).                                                                                                                                                                                                                                                                                                                                                                               |
| 523<br>524<br>525<br>526                      | address disasters holistically, regardless of the contributing causes and aggravating factors. This<br>trend is noted in the Sendai Framework, which adopts a multi-hazard risk approach and provides<br>tools for responding to disasters that are both natural and man-made (UNISDR, 2015).<br>The Danube and Tisza countries have already been affected multiple times by                                                                                                                                                                                                                                                                                          |
| 523<br>524<br>525<br>526<br>527               | address disasters holistically, regardless of the contributing causes and aggravating factors. This<br>trend is noted in the Sendai Framework, which adopts a multi-hazard risk approach and provides<br>tools for responding to disasters that are both natural and man-made (UNISDR, 2015).<br>The Danube and Tisza countries have already been affected multiple times by<br>transboundary natural and man-made disasters and natech accidents. Nevertheless, though                                                                                                                                                                                               |
| 523<br>524<br>525<br>526<br>527<br>528        | address disasters holistically, regardless of the contributing causes and aggravating factors. This trend is noted in the Sendai Framework, which adopts a multi-hazard risk approach and provides tools for responding to disasters that are both natural and man-made (UNISDR, 2015). The Danube and Tisza countries have already been affected multiple times by transboundary natural and man-made disasters and natech accidents. Nevertheless, though approaches for integrating holistic frameworks for disaster response are recognized at multiple                                                                                                           |
| 523<br>524<br>525<br>526<br>527<br>528<br>529 | address disasters holistically, regardless of the contributing causes and aggravating factors. This<br>trend is noted in the Sendai Framework, which adopts a multi-hazard risk approach and provides<br>tools for responding to disasters that are both natural and man-made (UNISDR, 2015).<br>The Danube and Tisza countries have already been affected multiple times by<br>transboundary natural and man-made disasters and natech accidents. Nevertheless, though<br>approaches for integrating holistic frameworks for disaster response are recognized at multiple<br>levels, implementation within the Danube basin and Tisza sub-basin remains distinct and |

| governing response to natural and man-made disasters. This could be negotiated through updates                                                                                                                                                                                                                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| to the Danube Convention or through bilateral treaties between the basin countries. Improving                                                                                                                                                                                                                                        |
| planning and preparedness through more integrated monitoring and mapping of natural and man-                                                                                                                                                                                                                                         |
| made disasters, such as combining the flood risk areas with the Inventory of Potential Accidental                                                                                                                                                                                                                                    |
| Risk Spots, could be elaborated upon in Declarations and MOUs at the basin and sub-basin                                                                                                                                                                                                                                             |
| levels. Such negotiations and the resulting increased coordination will become even more critical                                                                                                                                                                                                                                    |
| as climate change is likely to increase the frequency and severity of extreme events in the                                                                                                                                                                                                                                          |
| foreseeable future.                                                                                                                                                                                                                                                                                                                  |
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