

4. Displacement

4.0 Develop and support measures to address the issues associated with the displacement of coastal and island populations as a result of climate change, which will necessitate improvement of international law in terms of definitions, rights and procedures for climate-induced refugees and migrants, including the development and implementation of appropriate financing measures.

Definitional Issues of Climate-Induced Displacement

The legal status, and thus the human rights to which people displaced due to impacts of a changing climate may be entitled, hinges on evolving definitional issues. Displacement is defined by the UN as “The forced movement of people from their locality or environment and occupational activities.”¹⁶⁶ There are two types of population displacement; the direct form is actual displacement of people from their locations, while indirect displacement leads to a loss of livelihood. A refugee is defined as “any person who is outside their country of origin and unable or unwilling to return there or to avail themselves of its protection, on account of a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular group, or political opinion,” while an environmental refugee is defined as “a person displaced owing to environmental causes, notably land loss and degradation, and natural disaster.”

Estimating the numbers of people who are or will be migrating due to climate change requires means to distinguish them from those who move for other reasons, in addition to ascertaining whether displacement is undertaken willingly or not.

Given that the 2014 IPCC report finds the most vulnerable members of the population are often most impacted by the effects of climate change,¹⁶⁷ defining their status is important. The International Federation of Red Cross and Red Crescent Societies (IFRC) finds displaced populations leave their homes in groups, usually due to a sudden impact such as a storm, flood, threat or conflict—and there is usually an intention to return home. Thus operationally, migration and displacement are interlinked, but must be distinguished. Displaced

populations—either across borders such as refugee influxes, or within a country because of disasters (or conflict)—usually need relief operations combined with efforts aiming at collective and lasting solutions. Migration, on the other hand, usually involves more individual social assistance, legal protection and personal support. The displacement of populations often leads people to move further and to become migrants.¹⁶⁸

Migrants are people who leave or flee their home to go to a new place—usually abroad—to seek better or safer surroundings. Migration can be voluntary or forced, but generally a combination of choices and constraints are involved, as well as the intent to live abroad for an extended period. Many migrants succeed in establishing themselves in their new communities, but others face difficulties and it is these people who are of primary concern to the IFRC. With their traditional support systems removed, they are often unable to access basic health and welfare services. They may lose links with their families and communities, and be subject to people smuggling and trafficking, or be exploited in informal labour arrangements. As part of the migration process, they may be detained and deprived of their freedom. There are often challenges such as cultural and language barriers, discrimination, exclusion, or even violence to overcome. Women and children are particularly at risk. The IFRC is committed to addressing the needs and vulnerability of migrants in order to provide protection and assistance.¹⁶⁹

The humanitarian sector acknowledges that climate change is here to stay, will accelerate, and although a global issue with impacts all over the world, those people with the least resources have the least capacity to adapt and are therefore the most vulnerable. While developing countries and more particularly their poorest inhabitants, lack the means to fend off floods and other natural disasters; to make matters worse, their economies tend to be based on climate/weather-sensitive sectors such as agriculture and fisheries, which makes them all the more vulnerable.¹⁷⁰ Going forward, as climate-induced displacement becomes more frequent and involves more and more people in all parts of the world, in order to develop appropriate criteria for determining

rights and protections these definitional issues will have to be further discussed and agreed upon.

What Does Climate-Induced Displacement Look Like?

Walter Kälin, former representative of the UN Secretary-General on the human rights of internally displaced persons, identified five scenarios qualifying as climate-induced displacement arising from environmental issues: “sudden onset disaster, slow onset environmental degradation, sinking small island states, high risk zones designated by governments, and unrest that disturbs public order.”¹⁷¹

Those displaced by flooding and sea level rise are perhaps the easiest to define as climate refugees because there is less likely to be an element of choice and these drivers of movement are readily attributable to climate change. As sea levels continue to rise, states will continue to lose land, resulting in millions of climate change refugees.¹⁷² For some nations, this will eventually lead to total submersion, resulting in a loss of sovereignty. For other countries, there will be a shift in maritime baselines and the boundaries set in the UN Law of the Sea may need to be revisited.

Climate-induced displacement is an issue of particular importance to coastal and SIDS populations. For these populations, climate change and sea level rise are direct threats to their economies, culture, and lifestyle. Mitigation is crucial to protecting these populations from displacement. Because a 2.0C limit is widely considered insufficient to protect many coastal and island populations, the temperature limit target supported by SIDS countries is “1.5C to stay alive.”

Current and Projected Scope of Climate-induced Displacement

Estimates from various organizations of the number of refugees that could be displaced within the century range from 50 million to 1 billion. The International Organization for Migrants (IOM), an inter-governmental organization of the UN system acts with its partners in the international community to assist in meeting the operational challenges of migration. It is mandated to advance understanding of migration issues, encourage social and economic development through migration and uphold the

human dignity and well-being of migrants. It is committed to the principle that humane and orderly migration benefits migrants and society and defines environmental refugees as: persons or groups of persons who, for compelling reasons of sudden or progressive change in the environment that adversely affects their lives or living conditions, are obliged to leave their habitual homes, or choose to do so, either temporarily or permanently, and who move either within their country or abroad.

The IOM projects 200 million will be displaced by 2050 due to overall environmental changes.¹⁷³ Reflecting on the ground-breaking integration of displacement in the newly adopted Sendai Framework on Disaster Risk Reduction 2015-2030, Walter Kälin cites only a few of the growing statistical evidence that disaster risk reduction is highly relevant for displaced persons: between 2008 and 2013, sudden-onset disasters including cyclones and floods displaced an estimated 164 million people. Most of them became internally displaced persons, such as the more than four million displaced survivors of Typhoon Haiyan/Yolanda in 2013.¹⁷⁴ The IFRC notes that global sea level rise of several cm per decade, which will affect coastal flooding, water supplies, tourism, fisheries etc. Tens of millions of people will be forced to move inland.¹⁷⁵

Taking into account the combined effects of population growth, changing settlement patterns and more extreme sea levels, Vafeidis et al (2011)¹⁷⁶ estimate that by 2030 the number of people exposed to coastal flooding in Asia will increase by 50% over 2000 levels. Changes in the spatial distribution of some extreme events due to a changing climate may result in new areas being exposed to extremes, potentially leading to previously unseen impacts. In Vietnam, 1 million people could be displaced by 2050, and 60% of the Mekong delta (which produces over 50% of the world's rice), could be flooded nearly year-round.¹⁷⁷ In Bangladesh, 3 million people could be displaced by 2050. Higher sea level projections foresee a 25% overall loss of land area by 2100.¹⁷⁸

Examples of populations that are already vulnerable include Kiribati, where at least two islands have already disappeared, and the government is actively pursuing negotiations to secure means for migration with dignity.¹⁷⁹ The World Bank estimates that by 2050, Kiribati will need to spend 13-27% of its GDP on climate damages.¹⁸⁰ In the Maldives, according to

mid-range sea level rise (SLR) projections, 77% of the land could be gone by 2100.¹⁸¹ The Maldives has already spent \$100 million to make a “safe” island, though millions more will be necessary to shore up enough space for the entire population.¹⁸²

A 2013 World Bank study on climate-driven risk finds that developing-country cities move up the most vulnerable list when flood costs are measured as a percentage of municipal GDP, and cites the 10 most vulnerable cities to flood risk as: 1) Guangzhou; 2) New Orleans; 3) Guayaquil; 4) Ho Chi Minh City; 5) Abidjan; 6) Zhanjing; 7) Mumbai; 8) Khulna; 9) Palembang; and 10) Shenzhen. Rapid urbanization also tends to push the poor into the most vulnerable neighborhoods, which are often in low-lying areas and along waterways prone to flooding.¹⁸³

It is important to note that saltwater intrusion and actual land loss are only some of the more direct drivers of climate induced-displacement. Although arguably the easiest direct causes to predict, they may not be the largest. The impacts of climate change, such as instability in food and water supplies, are likely to fuel shortages and conflicts which in turn trigger migration.¹⁸⁴ Complex climate-induced drivers are likely to be more difficult to define, as the links between migration and climate change will not always be clear.

Climate-related extreme disasters have risen by 44% over a 1994-2000 average, and while it remains challenging to assign specific attributions in cases of events like hurricanes and hundred-year floods,¹⁸⁵ progress is being made in the scientific basis for establishing direct causality. The 2016 report of the US National Academies of Sciences, Engineering and Medicine committee on extreme weather events and climate change attribution notes that the past decade has seen a remarkable increase in interest and activity in the extreme event attribution field. Since the 2004 publication of the first attempt at attributing an extreme weather event to climate change--analyzing the 2003 European summer heat wave that killed tens of thousands of people--the American Meteorological Society Bulletin has inaugurated a special annual issue dedicated to articles on extreme weather events, and from 2012 to 2015, the number of research groups submitting studies to this issue grew by more than a factor of five.¹⁸⁶

State of Play Within the UNFCCC

The climate change refugee is a new concept, and there is still no international law which addresses environmental displacement. Since 2009, states convening under UNFCCC have recognized the importance of addressing displaced environmental refugees. There have been workshops, panels, and reports which address this concern, notably the Global Forum on Migration and Development and a focus in chapter 13 of the IPCC’s Fifth Assessment Report. However, stronger action in the form of specific policy is required.¹⁸⁷ Seeking a UN General Assembly resolution to better define refugee status qualifications could produce the necessary definitional progress.

Climate-induced displacement falls within a “protection gap” between the definition of a migrant and a refugee/stateless person. The 1951 UN Convention Relating to the Status of Refugees distinguishes migrants from refugees.¹⁸⁸ Migrants are those who voluntarily leave their country to take up residence elsewhere. Migrants are not guaranteed the rights of refugees, who are defined as unable or unwilling to return to their countries. The UN High Commissioner for Refugees (UNHCR) has responsibilities to provide international protection to refugees. UNHCR is also mandated to promote the conclusion and ratification of international conventions for the protection of refugees, and is responsible for proposing amendments thereto, which offers a way forward in defining the legal status, criteria for and rights pertaining to climate-induced refugees.

A further complicating issue is the lack of an agreed definition of loss and damage under the UNFCCC. Loss and damage must be formally addressed, according to the IPCC’s Fourth Assessment Report, in those circumstances where mitigation and adaptation would not be enough to avoid major consequences, including population displacement for many countries. A proposed working definition of loss and damage as it pertains to climate change is “the negative effects of climate variability and climate change that people have not been able to cope with or adapt to.”¹⁸⁹ Loss and damage can be divided into three categories; avoided, unavoided, and unavoidable.¹⁹⁰ Unavoided loss and damage is defined as those situations that could have been avoided by preemptive mitigation or adaptation but

were not, and these are likely to be the situations where international insurance or social safety nets may be appropriate in relevant circumstances.

A certain amount of climate-induced displacement is now considered unavoidable; whether progress on loss and damage will ultimately yield a mechanism for providing designated safety nets remains to be seen. Loss and damage as a result of the impacts of climate change can be economic, cultural, or social; the consequences of displacement also intersect these categories. The Warsaw Loss and Damage Mechanism is the UNFCCC's attempt to address the loss and damage associated with the impacts of climate change, which include both extreme and slow-onset events. In the future, dealing with the costs of climate-induced displacement may be possible through this mechanism if such displacement is categorized under loss and damage. Both funding and loss and damage are further discussed in Part 5 of this report.

Opportunities and Pathways to Advance this Issue

The non-binding but highly authoritative Sendai Framework offers a wealth of opportunities to further engage and establish closer ties with the disaster risk reduction community to strengthen the protection of internally displaced people (IDPs) worldwide. Its Preamble specifically acknowledges the large number of displaced persons in recent years as one of the devastating effects of disasters and one of seven targets of the Framework is to “substantially reduce the number of affected people globally by 2030, aiming to lower the average global figure per 100,000 between 2020-2030 compared to 2005-2015.” In light of the yearly average of 27.5 million newly displaced persons in the past six years as reported by the Internal Displacement Monitoring Center, Kälén underlines that this target is clearly not ambitious enough. Nevertheless, it provides an important basis for improving the protection of disaster displaced persons. To effectively mainstream displacement into regional, national, and local disaster risk reduction strategies, investment in capacity building is required at all levels.¹⁹¹

Climate-induced displacement should also be considered in the UN Secretary-General's Anticipate, Absorb, Reshape (A2R) climate

resilience initiative which aims to mobilise action and investment in the context of the Sustainable Development Goals. A2R aims specifically to help address the needs of the nearly 634 million people, or a tenth of the global population who live in at-risk coastal areas just a few meters above existing sea levels, as well as those living in areas at risk of droughts and floods. It brings together 13 UN entities—FAO, UNEP, UNFCCC, UN-Habitat, UNICEF, UNESCO, UNFPA, UNOPS, UNISDR, WFP, OCHA, WHO, and WMO—to strengthen the ability of countries to anticipate hazards, absorb shocks, and reshape development to reduce climate risks.¹⁹² Anticipating hazards through investments in early warning systems should specifically identify risks that could lead to displacement and trigger actions to reduce these risks. Absorbing shocks should include measures to smooth impacts that could result in people becoming climate refugees. Resilient development cannot be achieved unless and until criteria are defined and measures are designed to reduce the risk of climate-induced displacement, to address the needs of the most vulnerable for those risks which cannot be avoided, and to make provisions for unavoidable impacts that result in climate-induced displacement.

According to the International Federation of Red Cross and Red Crescent societies, displacement is always traumatic: in addition to basic needs, the IFRC aims to provide psychological support to displaced persons. While the responsibility for refugees and all displaced populations primarily rests with the host government, it is the mandate of the United Nations High Commissioner for Refugees to protect and assist refugees. The World Food Programme has a mandate to provide emergency food relief, although it may require assistance with supplies and distribution. Red Cross Red Crescent operations respond to displaced populations who are vulnerable or in need, providing some or all of the following:

- material and social assistance
- protection against abuse, exploitation and the denial of rights
- advocacy for the rights of refugees and internally displaced people

The needs of the host population are also taken into account. In general, the immediate Red Cross Red Crescent response to a sudden population movement

prioritizes safe water and basic sanitation, emergency medical care and basic health services, temporary shelter, and distribution of food and other urgently needed items.

Clearly, disaster risk reduction is highly relevant for displaced persons. While the Sendai Framework underlines the need to prepare for “ensuring rapid and effective response to disasters and related displacement, including access to safe shelter, essential food and non-food relief supplies,” building resilience through the reconstruction and recovery phase is also important. In this context, states are encouraged to adopt, at national and local levels, “policies and programs addressing disaster-induced human mobility to strengthen the resilience of affected people and that of host communities as per national laws and circumstances.” Kälin notes that mention of host communities is significant as they too are affected by displacement.¹⁹³

The conventional wisdom suggests that mitigation, preemptive disaster risk reduction, and adaptation can avoid and reduce human suffering and long-term costs of displacement. Pursuing a formalized definition for climate-induced displacement and refugee status through the UN Convention Relating to the Status of Refugees (1951) should serve as a foundation for moving forward. Any solution dealing with the coming refugee crisis from climate change will have to come to grips with the definitional issues related to refugees and migrants. Vulnerable populations give preference to a more liberal definition of refugee in order to protect coastal and SIDS populations.

Funding the mitigation and adaptation methods to deal with the impacts of climate change in the context of sustainable development is difficult and expensive. The Green Climate Fund, adopted in 2011, is one potential source of financial aid. An international insurance fund has been presented as an option by some advocates for SIDS and coastal populations. Regardless of the mechanism or level of participation, it is vital for funding methods to be proactive, reliable and mobilized for the areas with the highest need. Identification of the areas of greatest risk and need should be prioritized.¹⁹⁴

The IFRC promotes bridging of climate change adaptation and disaster risk reduction through integrated social, economic and environmental

resilience-building approaches to sustainable development. The Red Cross Red Crescent Climate Centre is a dedicated scientific reference centre which supports the “movement” (the world’s largest humanitarian organization) through activities based on the “triple A” principle, which readily applies to advancing rights and protections for vulnerable people at risk of or subject to climate-induced displacement:

Awareness: Implementing information and education activities about climate change and extreme weather events within the Red Cross/Red Crescent Movement, including through its role as auxiliary to government and as a civil society organization, among the general public;

Action: Supporting the development of concrete climate adaptation activities within the existing context of disaster risk reduction and climate-resilient development programs;

Advocacy: Bringing concerns about the impacts of climate change on vulnerable people and experience with climate adaptation and disaster risk reduction programs to the places of policy development, both within the International Federation, as in other relevant international fora

In 2006 a “fourth A” was introduced:

Analyses: Analysing climate change risk reduction issues and building a body of evidence in the context of experiences to better inform policy, investment and practice.¹⁹⁵

Going forward, it is difficult to prescribe, but important to learn from practical experience in developing the best methods for ensuring human security and providing the social, economic, environmental, and in some cases sovereign protections to the populations most likely to be affected by climate-induced displacement. Coastal and SIDS populations voiced their preferences in the run-up to COP 21. The Polynesian Leaders Group, for example, set forth a list of actions that they believe can help protect them against the repercussions of displacement.¹⁹⁶ These Leaders called for the UNFCCC to recognize that climate change represents an existential threat to their sovereignty, and in some cases, their existence as nations with physical land to occupy. They propose an inter-national protection regime for climate

displaced populations, including the fixing of EEZ areas defined in UNCLOS around threatened SIDS to protect economic livelihoods. In cases where entire islands may disappear, some SIDS fear the loss of their natural resources if areas formerly within their EEZ become part of the high seas.

The proposal put forth by SIDS leaders would theoretically provide a mechanism for identifying those who are at risk of being or have been displaced by climate change and have no choice but to leave their country. The proposal asserts that this categorization should be included in the UNHCR definition of refugee with all of the protections of refugee status. Delaying the development of universal climate refugee criteria and appropriate financial mechanisms will only allow the economic and humanitarian toll from climate-induced displacement to rise.

Recommendations

- *Proactively address the “protection gap” by determining criteria and definitions of refugee status within the UNHCR.* The international community requires criteria for classifying displacements as climate-induced in order to better prepare and assist displaced populations.¹⁹⁷

- *Identify vulnerable populations with a high risk of displacement using best available science.* It is possible to preemptively identify and prepare vulnerable populations in the case of slow-onset impacts such as sea-level rise, for which case studies exist.¹⁹⁸
- *Develop early warning indicators and risk reduction actions linked to these triggers for populations at risk of displacement.*
- *Build coherence and complementarity by leveraging linkages and synergies across the UNFCCC, Sendai Framework and SDG processes in criteria and targets related to vulnerable people at risk of or subject to climate-induced displacement.*
- *Consider proposals for financial mechanisms to address climate-induced displacement from various stakeholders.* It will ultimately be necessary to develop fair and balanced financial mechanisms before large displacement events occur. Such mechanisms can best be created with input from all relevant stakeholders.¹⁹⁹