



CLIMATE
REFUGEE
COALITION

NOV
2023

CLIMATE REFUGEE STATEMENT

Our world. Our responsibility.

Table of Contents

Introduction	2
OHCHR Global Youth Consultation	2
Special Rapporteur Mr Ian Fry's Report	3
Calls for Expanding Refugee Definitions and Protocols	4
Rights Up Front	6
Call to Action - How you can get Involved	7
References	8

This Statement was written by Navin Vithana, Partnerships and Projects Lead for Forced To Flee.

Introduction

376 million. That is the number of people who have been displaced by the climate since 2008¹. The future of human rights will revolve around climate change as we witness a world that is struggling to stay alive. Europe is seeing its worst drought in 500 years, China is seeing its heaviest rainfall since 1961, Somalia and Ethiopia are enduring climate related famine, California has seen over 60000 acres of land burn because of wildfires, and Pakistan has witnessed 7 million people lose their homes because of flooding². 376 million. Millions of people are suffering from the effects of climate change, losing their livelihoods, losing their loved ones, losing their rights. The 1951 Convention relating to the Status of Refugees and its 1967 Protocol does not account for those displaced due to climate change. If we want to discuss the future of human rights then we need to recognise that there needs to be institutional change in these definitions.

We are Forced To Flee, a global non-profit organisation who advocates for refugees, education and youth across the world. We strive to inspire the creation of a better tomorrow, working with government, international organisations, and civil society to achieve our vision. Recognising the significance and growth of climate refugees, we wish to see their legal protection in international law³. That is why we have created this statement to raise awareness of this issue and to gather support in pressuring regulatory change.

OHCHR Global Youth Consultation

Our Head of Partnerships and Projects at Forced To Flee, Navin Vithana, spoke at the 2023 Global Youth Consultation - organised by the Office of the High Commissioner for Human Rights⁴. In what was an excellent event that brought together over 200 young and motivated individuals from across the world, we saw the discussion of multiple topics, including that of climate refugees. When discussing what modern day challenges the world faces today, we raised and discussed the fact that:

"Climate change-driven displacement is a growing issue, with millions displaced due to environmental factors. Since the existing legal frameworks, such as the 1951 Refugee Convention, fail to address those displaced by climate change, the global community needs to address the rights of climate migrants and provide them legal protection."

What we see here is a recognition that climate refugees are growing in number but are failed by international law and arbitrary definitions that do not ensure the protection of their rights. This topic being raised at such a gathering, especially by young people, highlights the

¹ Apap, J., & Harju, S. J. (2023). *The concept of 'climate refugee': Towards a possible definition*. Brussels: European Parliamentary Research Service, EPRS.

² Ibid.

³ Forced To Flee. (2018). *Home*. Retrieved from Forced To Flee: <https://www.forcedtoflee.co.uk/>

⁴ UN OHCHR, U. N. (2023). *Human Rights 75 Global Youth Consultation*. Geneva: UN OHCHR.

level of importance that the youth place on climate change and resultant displacement. Therefore, there is a necessity for international institutions to also place such a level of importance and attention to the topic of climate refugees.

Furthermore a common theme throughout this consultation was that climate justice needs to be ensured for future generations, and that humanitarian action should prioritise the climate crisis. However, what has not been recognised enough at the international scale is the unjustness in how climate justice is currently being addressed. The preamble of the Paris Agreement recognises that climate change is a common concern for humanity, but a few countries have to disproportionately deal with the burden of cross border displacements due to climate change⁵. This is furthered by guidelines and principles, such as the 2019 Words into Action Series of Guidelines on Disaster Displacement, placing the responsibility on the affected states to reduce the risk from disaster displacement⁶. Responses to climate displacement focus more on displacement from climate disasters, when the reality is that climate change has been driven by industrialised countries and this is what is forcing numerous regions into vulnerability. Despite this distinction being well documented and supported by science, the international approach to climate change and climate displacement positions it as a global issue even though the accountability can be held to certain nations. Climate change and human rights are interconnected issues and, especially with the topic of climate refugees, there is a necessity for policies and programmes to be developed and implemented with the consideration of social, economic, and environmental discussions from multiple group perspectives.

Special Rapporteur Mr Ian Fry's Report

Therefore, what's positive is that these types of discussions around climate refugees have started to occur and progress at the highest international level. Ian Fry, the Special Rapporteur on the Promotion and Protection of Human Rights in the Context of Climate Change, produced a report to the 53rd session of the UN Human Rights Council using 50 submissions that had been conducted in liaison with Civil Service Organisations⁷. This report was titled "Providing legal options to protect the human rights of persons displaced across international borders due to climate change". He reports that, in 2021, 22.3 million people were displaced by weather related events but, as has been mentioned before, these individuals did not meet the definition of refugees under the 1951 Convention and its 1967 Protocol⁸. On the other hand, Mr. Fry did recognise that the UN High Commissioner for Refugees (UNHCR) has begun to acknowledge that the Convention can be applied in certain

⁵ UNFCCC. (2019). *Paris Agreement, 21st Session of the Conference of the Parties*. Paris: UNFCCC.

⁶ UNDRR. (2019). *Disaster Displacement: How to Reduce Risk, Address Impacts and Strengthen Resilience*. Geneva: UNDRR, United Nations Office for Disaster Risk Reduction.

⁷ Fry, I. (2023). *Providing legal options to protect the human rights of persons displaced across international borders due to climate change*. Geneva: United Nations Human Rights Council.

⁸ Forced To Flee. (2023, June 28). *OHCHR Special Rapporteur Report on Climate Displacement*. Retrieved from Forced To Flee: <https://www.forcedtoflee.co.uk/un-report-on-climate-displacement.html>

circumstances, but this is only when climate change and climate disasters intersect with conflict.

What hasn't been acknowledged enough is the reports, between 2014 and 2022, that the crossing of international borders has led to approximately 50000 deaths, primarily concentrated in the Mediterranean Sea⁹. Furthermore, due to the lack of safety and protection during these journeys, several groups are vulnerable to human rights violations. Displaced children, women, and indigenous people all report cases of abuse, violence, trafficking, rape, and exploitation, often done by state authorities, militias, armed groups or traffickers. The excessive reports of threats due to age, gender, disability, and health highlight the necessity of ensuring the protection of these individuals when they are displaced¹⁰. Compounded with the fact that these human rights violations are predicted to continue and grow, taking concrete global action has never been more needed. The Intergovernmental Panel on Climate Change (IPCC) estimates that 3.3 billion people currently live in areas that are highly vulnerable to climate change¹¹. The UNHCR also recognises that this vulnerability to climate change is increasingly interconnected with human movements, migration and displacement. However, despite hurricane-induced displacement in Honduras, the Central American dry corridor facing drought, or Small Island Developing States (SIDS) being vulnerable to rising sea levels, the UNHCR and the International Organisation for Migration (IOM) are reluctant to provide a full assessment on individuals displaced due to climate change¹².

Calls for Expanding Refugee Definitions and Protocols

Whilst it's clear that not enough is being done on the international level to address this growing issue, we are seeing the start of the refugee definition and protocols being expanded. The Africa Union now includes events that seriously disturb public order as a trigger for displacement, a concept that can include climate change related events¹³. As well as this, the EU previously used the Convention relating to the Status of Refugees, but now they have adapted and allow the temporary protection of displaced people in the event of a mass influx¹⁴. Some countries, such as Italy, Sweden, and the USA have specific protection statuses for foreign nationals that have been displaced due to natural disasters; and some European courts consider climate induced disasters when granting protection. With national

⁹ J. Black and Z. Sigman, "50,000 lives lost during migration: analysis of Missing Migrants Project data 2014–2022". IOM Global Migration Data Analysis Centre.

¹⁰ OHCHR, Principles and Guidelines, Supported by Practical Guidance, on the Human Rights Protection of Migrants in Vulnerable Situations.

¹¹ Pörtner, H.O. et al., Contribution of Working Group II to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change, Climate Change 2022: Impacts, Adaptation and Vulnerability, H.O. Pörtner et al. (eds.), Cambridge University Press, Cambridge, United Kingdom of Great Britain and Northern Ireland.

¹² IOM, "Regional report: highly vulnerable migrant flows and border mobility in Guatemala, Honduras, El Salvador, Costa Rica and Mexico", 2021.

¹³ UNHCR. (1974). *OAU Convention: Governing the Specific Aspects of Refugee Problems in Africa*. Addis-Ababa: UNHCR, United Nations High Commissioner for Refugees.

¹⁴ EU. (2001). *Council Directive 2001/55/EC*. Brussels: The Council of the European Union.

and regional agendas increasing their provision and protection for individuals displaced by climate change, the inconsistency among these becomes more apparent because of the range of approaches being taken. Therefore, international policy and law need to be changed to provide the uniformity that will ensure the protection of the rights of climate displaced individuals all across the world.

Furthermore, there are increasing numbers of policy approaches and recommendations that are recognising the need for improvement in protecting the rights of climate displaced individuals. The Agenda for the Protection of Cross Border Displaced Persons, established from the 2012 Nansen Initiative, emphasises the importance of protecting people displaced from disasters, recommending the improvement of data collection and disaster displacement risk management¹⁵. The 2015 Guidance for Protecting People from Disasters and Environmental Change and Planned Relocation provides a framework for the planned relocation of displaced individuals to ensure their protection from environmental disasters¹⁶. The 2021 Guidance Note on Regular Pathways for Admission and Stay for Migrants in Situations of Vulnerability fosters international cooperation in the creation of pathways for migrants in vulnerable situations, including those that have been displaced by climate¹⁷. However, despite these pieces of advice and recommendation, the actual policy and larger-scaled agreements, do not account for the issue of climate displaced individuals. For example, the 2018 Global Compact on Refugees states the recommended support for refugees and host communities but offers little reference to climate change and displacement¹⁸. Mr. Fry advocates that these guidelines and recommendations need to become normalised and should be adopted into new international protocols.

This change needs to happen and more attention and priority must be placed on protecting the rights of climate-induced individuals. The Paris Agreement's Article 8, which states the clear responsibility for international cooperation in addressing loss and damage, should be used to implement the presence of international instruments that can provide the protection and security against human rights violations for these vulnerable groups. Also, regional organisations and state governance should collaborate in ensuring the delivery of ad hoc humanitarian aid for climate refugees, the provision of temporary humanitarian visas for those internationally displaced by climate change, and the establishment and protection of safe pathways for these refugees to make these migratory journeys. Furthermore, the OHCHR should continue to develop educational materials, technical cooperation, and simplified reporting procedures to encourage SIDS to join human rights treaties.

¹⁵Nansen Initiative on Disaster-Induced Cross-Border Displacement, "Agenda for the protection of cross-border displaced persons in the context of disasters and climate change: volume I", December 2015.

¹⁶ UNHCR. (2015). *Guidance on Protecting People from Disasters and Environmental Change through Planned Relocation*. Washington DC: Georgetown University, School of Foreign Service, Institute for the Study of International Migration.

¹⁷ Migration, U. N. (2021). *Guidance Note: Regular Pathways for Admission and Stay for Migrants in Situations of Vulnerability*. United Nations Network on Migration.

¹⁸ UNHCR. (2018). *Global Compact on Refugees*. New York: United Nations High Commissioner for Refugees.

There are several avenues of international collaboration to better protect the movements and rights of climate refugees; these need to be institutionalised at a quicker rate so that there can be wider calls for states to follow these principles of protection in a more consistent fashion. Therefore, we see that Mr Fry's final recommendation is that the UNHCR and the IOM should take the lead in establishing a new protocol under the Convention relating to the Status of Refugees in order to mandate the legal protection of individuals that have been displaced by climate change. He recommends that the Human Rights Council should present this suggestion to the General Assembly, so that the process of adopting this new legal protocol can begin.

Rights Up Front

Mr Fry's final calling shows the central focus of climate refugees being human rights, and the necessity for these to be upheld and protected. An attitude like this underpins the attitudes of the United Nations and is what emanates the act of protecting people. When Former Secretary-General Ban Ki-Moon set up the Internal Review Panel on the final stages of conflict, in 2012, it led to the development of the Rights Up Front Action Plan¹⁹. The RUF recommends a system-wide UN commitment that simultaneously addresses human rights and humanitarian emergencies, promoting the acting in defence of UN Charter values²⁰. In implementing such a system, a culture is developed where individuals and decision makers have the courage to defend human rights, even when it can be at the detriment of their personal progress.

Likewise, the addressing of the topic of climate refugees should be taken with the Rights Up Front attitude. Although individuals internationally displaced due to climate are not legally recognised as refugees, a Rights Up Front approach would see the making of special exceptions in these circumstances so that the rights of these individuals can be protected. Solutions, such as temporary humanitarian visas, the safeguarding of movement routes, or the delivery of essential aid and relief services, should be adopted and implemented with the focus of upholding the rights of climate refugees.

However, the campaigns and changes that work to place human rights at the forefront need to recognise the importance of youth within these actions. As a youth-led organisation, Forced To Flee has been continually campaigning and spreading awareness of the issue of climate refugees - highlighting just one of the many youth led initiatives that are taking place. The OHCHR 2018-21 Management Plan places a spotlight on the youth population as key components to the future of human rights work²¹. Youth-led movements are becoming more socially and politically active across the world, creating significant influences and

¹⁹ Gilmour, A. (2014). The Future of Human Rights: A View from the United Nations. *Ethics and International Affairs*, 28, no. 2, 239-250.

²⁰ Ibid.

²¹ OHCHR. (2019). *Human rights of youth*. Geneva: United Nations Office of the High Commissioner for Human Rights.

pressures. With the youth being underrepresented by policy decision making, as less than 2% of parliamentarians around the world are under the age of 30²², young people are constantly doing more to raise their voices and make sure that they are included in modern-day decisions.

Call to Action - How you can get Involved

Therefore, in our aim to overcome this barrier and to pursue our aim of achieving the legal recognition and protection for persons displaced in the context of disasters and climate change (climate refugees), we are establishing a Climate Refugee Coalition²³. The purpose of this network is to gather the support of numerous individuals and organisations, and to develop the strength in our campaigns and messages to international law. By raising awareness, producing reports and statements, and influencing changes in international law, we can work towards the legal recognition and protection of climate refugees. If you would like to join our Climate Refugee Coalition, please email us at partnerships@forcedtoflee.co.uk

Our Founder and CEO of Forced To Flee, Aryan Sanghrajka, spoke at the SDG Summit for the 78th Session of the United Nations General Assembly, in New York²⁴. On behalf of the Major Group for Children and Youth, specifically representing the Migration Youth and Children Platform. Aryan asserted that we have a duty to protect and preserve the humanity of the youth that have been displaced from their homes (ibid). We will continue to raise these issues at the international level, constantly pressuring national and international bodies to consider changes. As Aryan stated: *"Humanity has veered off course, that is a fact. A fact that we can no longer afford as it takes its toll on human life and the health of our planet"*. But it is not too late to act. We must campaign and push for this culture to change, for human rights to be put at the forefront of decision making. We must all show the courage to uphold our values, even in the face of adversity, for that is what will truly exhibit the essence of human rights.

We have power. Advocacy and activism have taken new forms due to social media and digitalisation. As a global community, we have the power to innovate change on all levels. We must stand against oppression in all its forms, using our collective voice to bring about change. It is not enough to be passive observers; we must be active participants. Especially when political and democratic institutions are losing their integrity, we cannot rely on the systems that are meant to uphold our human rights. Whilst governance is supposed to be for the people, we have a collective duty to ensure that human rights are a core component of our societies. This path forward is not without challenges, but it is in these moments of uncertainty that the strength of our commitment is revealed.

²² Ibid.

²³ Forced To Flee. (2023). *Climate Refugee Coalition*. London: Forced To Flee.

²⁴ UNHQ. (2023). *SDG Summit 2023*. New York: United Nations Headquarters.

References

1. Apap, J., & Harju, S. J. (2023). *The concept of 'climate refugee': Towards a possible definition*. Brussels: European Parliamentary Research Service, EPRS.
2. EU. (2001). *Council Directive 2001/55/EC*. Brussels: The Council of the European Union.
3. Forced To Flee. (2018). *Home*. Retrieved from Forced To Flee: <https://www.forcedtoflee.co.uk/>
4. Forced To Flee. (2023). *Climate Refugee Coalition*. London: Forced To Flee.
5. Forced To Flee. (2023, June 28). *OHCHR Special Rapporteur Report on Climate Displacement*. Retrieved from Forced To Flee: <https://www.forcedtoflee.co.uk/un-report-on-climate-displacement.html>
6. Fry, I. (2023). *Providing legal options to protect the human rights of persons displaced across international borders due to climate change*. Geneva: United Nations Human Rights Council.
7. Gilmour, A. (2014). The Future of Human Rights: A View from the United Nations. *Ethics and International Affairs*, 28, no. 2, 239-250.
8. IOM, "Regional report: highly vulnerable migrant flows and border mobility in Guatemala, Honduras, El Salvador, Costa Rica and Mexico", 2021.
9. J. Black and Z. Sigman, "50,000 lives lost during migration: analysis of Missing Migrants Project data 2014–2022". IOM Global Migration Data Analysis Centre.
10. Migration, U. N. (2021). *Guidance Note: Regular Pathways for Admission and Stay for Migrants in Situations of Vulnerability*. United Nations Network on Migration.
11. Nansen Initiative on Disaster-Induced Cross-Border Displacement, "Agenda for the protection of cross-border displaced persons in the context of disasters and climate change: volume I", December 2015.
12. OHCHR, Principles and Guidelines, Supported by Practical Guidance, on the Human Rights Protection of Migrants in Vulnerable Situations.
13. OHCHR. (2019). *Human rights of youth*. Geneva: United Nations Office of the High Commissioner for Human Rights.
14. Pörtner, H.O. et al., Contribution of Working Group II to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change, *Climate Change 2022: Impacts, Adaptation and Vulnerability*, H.O. Pörtner et al. (eds.), Cambridge University Press, Cambridge, United Kingdom of Great Britain and Northern Ireland.
15. UN OHCHR, U. N. (2023). *Human Rights 75 Global Youth Consultation*. Geneva: UN OHCHR.
16. UNHCR. (1974). *OAU Convention: Governing the Specific Aspects of Refugee Problems in Africa*. Addis-Ababa: UNHCR, United Nations High Commissioner for Refugees.
17. UNHCR. (2015). *Guidance on Protecting People from Disasters and Environmental Change through Planned Relocation*. Washington DC: Georgetown University, School of Foreign Service, Institute for the Study of International Migration.
18. UNHCR. (2018). *Global Compact on Refugees*. New York: United Nations High Commissioner for Refugees.
19. UNHQ. (2023). *SDG Summit 2023*. New York: United Nations Headquarters.