

Discussion Forum on Climate Change
(Berlin, 17 June 2014)

Remarks by
Volker Türk
Director of International Protection
UNHCR Geneva

“The drought made the conflict worse. Everyone became afraid of everyone. Some raiders came and took away the little food we had raised on our farm. Now we are in a very hard time: the people at home face conflict and famine. They are starving. If we could go back, we would have only dry land and death to greet us.”
Pastoralist from Somalia, Shedr Camp, Ethiopiaⁱ

Few issues have such far-reaching global implications as climate change. It is therefore a great pleasure for me to be part of this panel and I am grateful to the German Federal Foreign Office and to the German Red Cross for the invitation.

The Intergovernmental Panel on Climate Change (IPCC)’s latest report projects an increase in the number of displaced over the course of this century. The risk of displacement intensifies when vulnerable populations experience higher exposure to extreme weather events, in both rural and urban areas, particularly in low-income countries. According to the IPCC, there is an emerging consensus that greater variability of climatic factors will have an increasing impact on the livelihoods and safety of the most vulnerable members of communities.

Less predictable seasons, more erratic rainfall, unseasonable events or the loss of transitional seasons – and the multiplication of environmental and weather-related events – are already beginning to have significant repercussions for food security, the livelihoods of millions of people, and the mobility choices of the well off and the poor alike. Those with means will have more options.

On today’s and future ‘climate front lines’, the most vulnerable are men, women, boys and girls who also happen to be indigenous and island peoples, nomadic peoples, those living off land and sea with traditions dating back millennia, those already uprooted by conflicts and disasters and needing to pick up stakes yet again or be trapped where they are. They are also those who live in cities trying to survive in shanties or squatting anything that can pass for shelter, including basements and carports. Moreover, they are especially those who will no longer be able to engage in their traditional livelihoods and are losing the quintessence of who they are.

Whether that front line moved suddenly or over time is of little importance to them. Neither is the cause: hurricane or prolonged drought, volcanic eruption or tsunami. The front line of

climate change and other environmental challenges is on each of their individual doorsteps, as well as on our own.

We in UNHCR are deeply concerned about the massive protection challenges raised by climate- and environment-related migration, displacement and planned relocation. I am also intrigued by what inter-generational justice means for us in light of climate change, since the impact will be felt primarily by generations to come.

I'd like to start by explaining why UNHCR is interested in the issue of climate change. In doing so, I'll provide a brief overview of our work in relation to climate-related displacement, migration and planned relocation, with the aim of encouraging more robust international efforts on behalf of those caught on climate's front lines.ⁱⁱ I will also shed light on the 'protection' dimensions of climate change and the risks shared by all who are forced to flee their homes, or ordered to relocate and resettle by their authorities.

UNHCR is working within an inter-agency context with a range of partners, especially members of the Advisory Group on Climate Change and Human Mobilityⁱⁱⁱ, to ensure that protection gets the requisite attention, including in disaster responses, not just conceptually but also, most importantly, operationally.

We are, through events like today, putting the human mobility dimension of climate change higher on the international agenda. Last week the Advisory Group was active in Bonn.^{iv} The Advisory Group is about building empirical knowledge on human mobility, both as an adaptation strategy, a sustainable development challenge and as a dimension of loss and damage, with the aim of leveraging evidence and providing technical support to States.

Persons of Concern to UNHCR

From the East and Horn of Africa to South-East and Southern Asia, from South and Central America to the Middle East and Central Asia, our staff works every day with people who also often happen to be on the very frontlines of climate change. Climate change arguably has a reverberating impact on global displacement trends. It is interesting to note that the majority of the 42.8 million 'persons of concern' to UNHCR (including refugees, asylum-seekers, returnees, internally displaced and stateless persons) are concentrated in 'climate change hotspots' around the world. We will issue final statistics for 2013 on 20 June, but from early indications this number is now outdated.

To better understand *their* story, UNHCR together with the United Nations University in Bonn, completed a study in 2012. Entitled "*Climate Change, Vulnerability and Human Mobility: Perspectives of Refugees from the East and Horn of Africa*",^v this was the first research UNHCR and UNU conducted on how refugees and IDPs perceive climate change and how environmental factors interplay with conflict in many settings. Interestingly, most observers agree that, with some notable exceptions, it is generally difficult to single out climatic and environmental factors as the sole, unilateral driver of population movements. The combination of drought, famine and continued insecurity in the Horn of Africa in 2011 and 2012 leading to a massive influx of Somalis into Kenya and Ethiopia, for example, demonstrates this point. Deteriorating environmental conditions, political instability and conflict combined, make it difficult to single out one overriding factor. This indicates that

countries already experiencing conflict may be triply hit, rendering both the humanitarian needs and responses in such situations even more complex.

Cross-Border Displacement

Turning to cross-border displacement, I feel compelled to comment on the use of the terms 'climate refugees' or 'environmental refugees'; terms which are best avoided.

Firstly, most displacement will occur within – not across – international borders. As a result, the terms misrepresent the nature of such movements, as they will most likely not be massive 'refugee movements' which, by definition, take place *across* international borders. Secondly, it is important to bear in mind that the 1951 Refugee Convention defines a refugee as someone with "a well-founded fear of persecution" on the basis of one of five grounds: race, religion, nationality, membership in a particular social group, and political opinion. UNHCR would therefore feel more comfortable with terminology such as 'external displacement' to refer to cross-border movements driven by disasters or environmental factors, until States settle the terminology.

The 1951 Refugee Convention would not normally apply to situations of persons displaced across borders as a result of climate change and other environment factors alone. This being said, existing international and regional refugee instruments are applicable in situations where the impact of climate change may also be an exacerbating factor of conflict, violence or public disorder.

Moreover, it is also predicted that armed conflict will increase as natural resources such as water and arable land become scarcer as a consequence of climate change. There is a case for refugee protection in situations where harmful action or inaction by a Government in dealing with climate-related events is related to one or more of the Refugee Convention grounds (such as denial of humanitarian assistance to a minority group) and could, as a result, be considered *persecution*.

In this regard, it is important to mention the State-led Nansen Initiative on Disasters and Cross-border Movements, launched by Norway and Switzerland in 2012. It aims to build a consensus on key principles and elements regarding the protection of persons displaced across borders in the context of natural disasters, including those linked to climate change. The establishment of the Initiative fulfils ministerial pledges made in December 2011, as part of the commemoration by UN Member States of the 60th anniversary of the 1951 Refugee Convention.

Five States, including Germany, pledged to cooperate with interested States, UNHCR and other relevant actors with the aim of obtaining a better understanding of such cross-border movements at relevant regional and sub-regional levels, identifying best practices and developing consensus on how best to assist and protect the affected people. We are grateful for Germany's confirmation of its pledge and strong support to the Nansen Initiative. Germany is an important member of the Nansen Steering Group and will make a difference.

I believe it is probably not a matter of devising something new, but rather of adapting current law and good practices to new realities while building on the many good practices at

regional level. Without prejudging the outcome of the Nansen Initiative, considering a form of temporary or interim protection for the externally displaced could be a possible avenue. Scenarios could be developed to identify the circumstances in which such temporary protection might be activated, the contents and duration of such protection and what solutions would look like in these circumstances.

Internal displacement

As I said earlier, most displacement is expected to occur internally. Whereas refugee protection is *international protection*, IDP protection *is primarily about supporting national protection systems*. In such situations, Governments are bound to protect the rights of their *citizens and those present on their territory*. The international community often helps them in these efforts. Apart from our statutory responsibilities for refugees and stateless persons, UNHCR also plays a lead role in helping Governments to protect and assist internally displaced persons (IDPs).

UNHCR's involvement with IDPs today is largely defined by the inter-agency approach of the UN's 2005 Humanitarian Reform and the more recent Transformative Agenda, which have been developed by the Inter-Agency Standing Committee under the leadership of the Emergency Relief Coordinator. At the global level, UNHCR leads the Global Protection Cluster in both conflict-induced and natural disaster humanitarian crises, and co-leads Shelter and Camp Coordination and Camp Management Clusters in conflict situations. In situations of natural disasters, leadership of the protection cluster is determined by the relative in-country capacities of UNHCR, the Office of the High Commissioner for Human Rights and UNICEF. In this context, UNHCR works globally with partners, Governments and societies on disaster risk reduction, preparedness, building resilience and humanitarian response, to ensure protection is properly considered in natural disasters. In this role, UNHCR has recently led protection clusters in natural disaster scenarios at the national level, such as during Hurricane Hayan in the Philippines last year.

The Centrality of Protection

Given our own operational engagement in natural disasters under certain circumstances, I would like to elaborate on the *centrality of protection in responses to disaster scenarios*. Of fundamental concern to UNHCR is the fact that, in such emergency situations, human rights protection issues are less apparent and hence frequently overlooked both in contingency planning and humanitarian response measures.^{vi}

The protection of these affected populations is of utmost importance and must be based on respect for IDPs as 'rights-holders.' It must promote full and equal respect for the human rights of all individuals, without discrimination of any kind, and recognize the diverse needs, strengths and vulnerabilities of the individual through an age, gender and diversity approach. The *Guiding Principles on Internal Displacement*^{vii}, based upon international human rights and international humanitarian law, set out the rights of internally displaced persons, as well as the obligations of States to respect and uphold such rights, including in situations of natural disaster.

It is key, however, that States translate these Principles into national legislation, policies and institutional frameworks. The African Union, taking a cue from States in the Great Lakes region, has enacted a path-breaking international treaty on IDPs through the 'Kampala Convention'. It reaffirms the link between environmental and climate-related drivers and conflict-induced displacement, ensuring that individuals displaced by natural disasters are included within its scope.

In 2013, UNHCR conducted six case studies of *sudden-onset natural disasters* in which UNHCR was operationally involved, including major earthquakes, flooding, a tropical cyclone, a tsunami, and a sequence of strong typhoons, in order to identify the most prevalent protection issues.^{viii} This study highlighted a *wide variety of protection risks* and realities; some of which arose from the disasters themselves, while others were linked to the implementation of humanitarian assistance and recovery plans. Other risks existed prior to the disaster, but were exacerbated by the destruction of social and physical infrastructure, increased poverty, and a weakening of legal and policing institutions. How to preserve the 'humanitarian space' arose in a number of the studies. Relief actors were forced to consider how to preserve what we call humanitarian space, which is a construct meaning the capacity to deliver protection in an enabling environment, without hindrance or opposition.

The case studies found that many of the protection concerns in disaster contexts were the same as in conflict situations. In general, environmental degradation and natural disasters heighten the protection risks facing women, children, older persons, persons with disabilities, and other vulnerable groups specific to the national context (religious or ethnic minorities, indigenous groups, the landless, etc.). Another common protection concern throughout the relief effort was the *lack of adequate consultation with affected communities*, and the inconsistent provision of information about planning and response efforts. Many disaster-responders focus on the immediate life-saving concerns (such as food, shelter and emergency medical care), but do not view other protection risks (such as sexual and gender-based violence and separated children) as life-saving. They are.

If these critical protection issues are overlooked, pre-existing vulnerabilities and patterns of discrimination are and will be exacerbated with terrible consequences. Vulnerable individuals may be forced to become displaced or relocate, while others may be forced to return prematurely. Persons living in urban slums, particularly in coastal or wetland areas, are especially at risk of protracted displacement.

In such situations, a lack of protection analysis can result in the absence of early, coordinated action to prevent or remedy protection risks. Serious protection concerns then become endemic to the national and international response. These risks are particularly heightened in relation to women and children. Children may be separated from their family; exposed to economic and sexual exploitation; and often have no access to education, for example when schools are used as shelters for a prolonged period of time. Women commonly experience discrimination in the provision of assistance, and may be exposed to sexual and gender based violence - particularly in evacuation centres or collective shelters. Situations of displacement also present challenges related to unequal access to humanitarian assistance; replacement of lost or destroyed documentation;

disenfranchisement; human trafficking; lack of access to legal remedies; as well as further impoverishment and marginalization.

Migration

Changes in migration patterns – within countries and across borders – are a natural response to both extreme weather events and longer-term climate variability. I would also like to say a few words on migration and planned relocation, since they have been identified by UNFCCC States in the 2010 Cancun Adaptation Framework as ‘adaptation strategies’.

Our Advisory Group is of the view, underpinned by robust academic research, that migration can be an effective adaptation strategy, not just a failure to adapt. It must be planned for and facilitated. This is, we believe, an issue that needs to be taken up within the Global Forum on Migration and Development (GFMD) because of the obvious link between migration and sustainable development. Let’s not forget that refugees and the displaced also happen to be talented and resilient people.

Planned Relocation

Evacuation and relocation are already common strategies either in response to, or in advance of, disasters. Building on the IASC ‘*Operational Guidelines on the Protection of Persons in Situations of Natural Disaster*’^{ix}, it is important to develop more specific guidance on planned relocation. States will increasingly use this policy option in exercising their responsibilities to move populations out of harm’s way in the face of foreseeable hazards when there is no other choice but to relocate. Ideally, this must be a last resort.

UNHCR, the Brookings-LSE Project on Internal Displacement (Brookings Institution) and Georgetown University’s Institute for the Study of International Migration (ISIM) organized an expert consultation, with strong support from the World Bank and IOM, on ‘Planned Relocation, Disasters and Climate Change: Consolidating Good Practices and Preparing for the Future’ in San Remo, Italy, in March of this year. The consultation was made possible by a grant from the European Union, Norway and Switzerland. It brought together 43 experts in a range of disciplines (adaptation, development, disaster risk reduction, civil protection, environment and climate change, humanitarian assistance and human rights) from 21 countries, drawn from governments, international and non-governmental organizations and academia.

Recognizing that planned relocation will increasingly be used as a tool by States, the consultation sought to: (1) enhance understanding and cooperation between important stakeholders; (2) draw upon existing research and experience to: (a) ascertain suggestions for the development of guidance for States on planned relocation; (b) identify themes and recommendations integral to formulating such guidance/guidelines; (c) map out supporting actors; and (d) identify the needs and rights of affected communities; as well as (3) canvass other strategies to better prepare for planned relocation. The consultations produced a set of recommendations and some guidance on planned relocation but further work is required in this area.

For planned relocation to be effective, we must all first listen to the voices of those on the front lines of climate change. *The front lines of climate change are at household and community level.*

Conclusion

Looking to the future, the human rights and protection needs of those affected by climate change must feature in national development priorities (such as agriculture, infrastructure and education), strategic planning and budgeting. All eyes will be turning to Paris next year in hopes that binding limitations on greenhouse gas emissions can finally be agreed upon. Indeed, as States prepare to establish a post-2015 sustainable development framework, revisit the Hyogo Framework at Sendai, and work to achieve sustainable development, it will be critical to ensure that migration, displacement and planned relocation are factored into national adaptation planning and considered as key elements of adaptation.

ⁱ T. Afifi, R. Govil, P. Sakdapolrak and K. Warner, *Climate Change, Vulnerability and Human Mobility: Perspectives of Refugees from the East and Horn of Africa*, UNHCR and UNU-EHS, No. 1, June 2012, p.46, available at: http://reliefweb.int/sites/reliefweb.int/files/resources/East%20and%20Horn%20of%20Africa_final_web.pdf

ⁱⁱ Jane McAdam, *Natural Disasters and Displacement: International Developments 2010-2013* (2013) 29(2) *Refugee* 11, available at: <http://pi.library.yorku.ca/ojs/index.php/refuge/article/viewFile/38164/34560>

ⁱⁱⁱ UNHCR, IOM, Norwegian Refugee Council/Internal Displacement Monitoring Centre, UNU-Bonn, UNDP, ILO, OHCHR, Sciences Po (CERI) and Refugees International

^{iv} Joint submission from the Advisory Group on Climate Change and Human Mobility to the United Nations Convention on Climate Change (UNFCCC) on National Adaptation Plans (NAPs), available at: <http://unfccc.int/resource/docs/2014/smsn/igo/149.pdf>

^v op. cit.

^{vi} See Report of the Representative of the Secretary-General on the Human Rights of Internally Displaced Persons, *Protection of Internally Displaced Persons in Situations of Natural Disasters*, March 2009, A/HRC/10/13/Add.1, available at: <http://www2.ohchr.org/english/bodies/hrcouncil/docs/10session/A.HRC.10.13.Add.1.pdf>

^{vii} <http://www.unhcr.org/43ce1cff2.html>

^{viii} H. Entwisle, *The World Turned Upside Down: A Review of Protection Risks and UNHCR's Role in Natural Disasters*, UNHCR, PDES/2013/03, March 2013

^{ix} <https://docs.unocha.org/sites/dms/Documents/Operational%20Guidelines.pdf>