

Human mobility and human rights in the context of the adverse effects of climate change

Side Event in the context of the 48th Regular Session of the Human Rights Council

5 October 2021, 13.30 – 15.00 CEST

-- Virtual via zoom with EN-FR interpretation --

Organizers: Permanent Mission of Luxembourg to the UN in Geneva; Platform on Disaster Displacement

Co-sponsors: Fiji (Chair of the PDD); the European Union; France; IOM; UNHCR; OHCHR; the Geneva Climate Change Consultation Group; CIEL; the International Catholic Migration Commission; Secours Catholique-Caritas France

Background and Rationale

2020 has seen unprecedented volumes of internal displacement due to the adverse effects of climate change. A recent report of the Internal Displacement Monitoring Centre estimates that out of 40.5 million new internal displacements recorded around the world in 2020, 30 million occurred due to the adverse effects of climate change. There are greater challenges in understanding the scope of cross-border displacement due to the adverse effects of climate change; there are no reliable data available estimating the scale of cross-border displacement and its duration, and in particular in the context of slow-onset events such as drought, desertification, salinization, land degradation or rising sea levels. Both the Asia-Pacific and Sub Saharan Africa region are, year after year, among the most affected regions.

The UNFCCC, the Sendai Framework, and the Global Compact for Migration, among other international instruments and processes, recognize human mobility in the context of the adverse effects of climate change—including displacement, migration and planned relocation—as a humanitarian, development and human rights challenge. The UNFCCC Warsaw International Mechanism’s Task Force on Displacement is an example of the various efforts underway across these different policy areas to avert, minimize and address displacement related to the adverse impacts of climate change.

Six years after the endorsement of the Nansen Initiative Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change, there is a continuing need for governments to exchange experiences and effective practices that can be leveraged to address the ‘protection gap’ for cross-border disaster-displaced persons, including a human rights based approach.

This event seeks to build on the outcomes of the HRC panel discussion on human rights, climate change, migrants and persons displaced across international borders (A/HRC/37/35)¹; the OHCHR expert meeting and study on the slow-onset effects of climate change and human rights protection for cross-border

¹ https://www.ohchr.org/Documents/Issues/ClimateChange/ClimateChangeMigration/A_HRC_37_35.pdf

migrants (A/HRC/37CRP.4)²; the High Commissioner's report on human rights, migration and climate change (A/HRC/38/21)³ and report on the relationship between climate change and human rights (A/HRC/10/61)⁴; the Global Compact for Migration⁵; the report of the Special Rapporteur on the human rights of internally displaced persons examining internal displacement in the context of the slow-onset adverse effects of climate change (A/75/207)⁶ and its associated side event (September 2020)⁷; and the webinar on cross-border human mobility in the context of disasters, climate change and environmental degradation (September 2020)⁸.

Objectives

This side event aims to put the human rights of persons displaced in the context of the adverse effects of climate change, and in particular slow-onset events, back on the agenda of the Human Rights Council (HRC). It aims to provide a space for discussion of the challenges of implementing a human rights-based approach to avert, minimize and address displacement, and of existing effective practices. Building on the discussions and recommendations emerging in the HRC and other fora on the issue, the event aims to formulate recommendations to States, civil society and other relevant stakeholders to better understand and address the specific protection needs of persons displaced internally and across borders due to the adverse effects of climate change, from a human rights perspective. This side event will focus on experiences and practices from Asia-Pacific and the Sahel.

This side event has the following concrete objectives:

- i. Take stock of and promote legal and policy recommendations to address the protection gaps for cross-border as well as internally displaced persons in the context of slow-onset events and the adverse effects of climate change;
- ii. Foster a conversation on the interaction between human rights and human mobility in the context of slow-onset events and tease out how this interaction can be addressed in practice, by sharing experiences of challenges and effective practices, from West Africa and Asia-Pacific.

Outputs

The co-organizers will circulate a summary report without attributing statements to their authors, highlighting the salient points raised and potential recommendations. The co-organizers and partners will undertake appropriate communication efforts.

² https://www.ohchr.org/Documents/Issues/ClimateChange/SlowOnset/A_HRC_37_CRP_4.pdf

³ <https://undocs.org/en/A/HRC/38/21>

⁴ <https://undocs.org/en/A/HRC/10/61>

⁵ https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/73/195

⁶ <https://www.undocs.org/A/75/207>

⁷ <https://www.youtube.com/watch?v=5NK59vKin5s>

⁸ <https://www.youtube.com/watch?v=qTEykk-8WeY&t=9s>

Format

The side event is scheduled to last 1.5 hours. Subject to the modalities of the HRC session, the event will take place as a virtual side event in webinar format, hosted by the Platform on Disaster Displacement using ZOOM. The event will be conducted in English, with French interpretation available.

Programme

After opening remarks, there will be four presentations by panelists, followed by a moderated discussion, and closing remarks.

Opening remarks: Mr Jean Asselborn, Minister of Foreign Affairs for Luxembourg

Moderator: Prof. Walter Kaelin, Envoy of the Chair of the PDD

Panelists:

1. Ms Cecilia Jimenez-Damary, Special Rapporteur on the Human Rights of Internally Displaced Persons
2. Ms Runa Khan, Founder and Executive Director of the NGO Friendship
3. Mr Laouali Labo, Permanent Representative of Niger to the UN in Geneva
4. Mr Anare Leweniqila, Deputy Permanent Representative of Fiji to the UN in Geneva

Timeline

13:30 - 13:45	Opening remarks: H.E. Jean Asselborn, Minister of Foreign Affairs for Luxembourg Welcoming and objectives, setting the scene by moderator (Prof. Walter Kaelin, Envoy of the Chair of the PDD)
13:45 - 14:15	Panel presentations by panelists (5' each) Guiding questions <ol style="list-style-type: none">1. What are the protection gaps remaining to protect and fulfil human rights effectively in the context of internal and cross-border displacement in the context of the adverse effects of climate change?2. What relevant initiatives are being piloted at national level?3. What effective practices can you share with regard to Human Rights and Prevention/Preparedness; Addressing Disaster Displacement; Solutions?
14:15 - 14:45	Moderated plenary discussion Interventions from the floor
14:45 - 15:00	Wrap up by moderator

For more information on the Human Rights Council

- HRC website: <https://www.ohchr.org/en/hrbodies/hrc/pages/home.aspx>
- Programme of the 48th session:
<https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session48/Pages/48RegularSession.aspx>

Background documents

Platform on Disaster Displacement

- [Nansen Initiative Protection Agenda Volume 1](#)
- PDD-OHCHR study: [“The slow onset effects of Climate Change and Human Rights Protection for cross-border migrants”](#)

Human Rights Council

- Resolutions on human rights and climate change
 - [Human Rights Council resolution 44/7](#) of 16 July 2020;
 - [Human Rights Council resolution 41/21](#) of 12 July 2019;
 - [Human Rights Council resolution 38/4](#) of 5 July 2018;
 - [Human Rights Council resolution 35/20](#) of 22 June 2017;
 - [Human Rights Council resolution 32/33](#) of 1 July 2016;
 - [Human Rights Council resolution 29/15](#) of 2 July 2015;
 - [Human Rights Council resolution 26/27](#) of 27 June 2014;
 - [Human Rights Council resolution 18/22](#) of 30 September 2011;
 - [Human Rights Council resolution 10/4](#) of 25 March 2009;
 - [Human Rights Council resolution 7/23](#) of 28 March 2008.
- Reports
 - [A/HRC/41/40](#) of 17 April 2019. Internal displacement and the role of national human rights institutions: Report of the Special Rapporteur on the rights of internally displaced persons.
 - [A/HRC/38/21](#) of 23 April 2018. Addressing human rights protection gaps in the context of migration and displacement of persons across international borders resulting from the adverse effects of climate change and supporting the adaptation and mitigation plans of developing countries to bridge the protection gaps. Report of the United Nations High Commissioner for Human Rights.
 - [A/HRC/37/CRP.4](#) of 22 March 2018. The Slow onset effects of climate change and human rights protection for cross-border migrants.
 - [A/HRC/37/35](#) of 17 November 2017. Summary of the panel discussion on human rights, climate change, migrants and persons displaced across international borders. Report of the Office of the United Nations High Commissioner for Human Rights.
 - [A/HRC/10/61](#) of 15 January 2009. Report of the Office of the United Nations High Commissioner for Human Rights on the relationship between climate change and human rights.

UNFCCC

- TFD recommendations
 - [UNFCCC decision 10/CP.24](#) of 15 December 2018;
 - [2018 Report of the Task Force on Displacement](#)

UNMN guidance note

- [GUIDANCE NOTE](#) (July 2021). Regular Pathways for Admission and Stay for Migrants in Situations of Vulnerability.

UN General Assembly

- [A/75/207](#) of 21 July 2020. Report of the Special Rapporteur on the human rights of internally displaced persons, Cecilia Jimenez-Damary, on internal displacement in the context of the slow-onset adverse effects of climate change.
- [A/RES/73/195](#) of 19 December 2018. Global Compact for Safe, Orderly and Regular Migration.

Past events

- [Cross-Border Human Mobility & Human Rights in Disasters, Climate Change & Environmental Degradation](#) (September 2020)
- [Side event on the 2020 Thematic Report of the Special Rapporteur on the Human Rights of IDPs](#) (September 2020)