

Oxfam Submission on Climate and Displacement

Stakeholder meeting on “Recommendations for integrated approaches to avert, minimize and address displacement related to the adverse impacts of climate change”

Oxfam welcomes the opportunity to provide inputs to the Warsaw International Mechanism’s Taskforce on Displacement stakeholder meeting. The following input is structured around the two topics identified in the call for submissions.

1. Integrated approaches based on good practices and lessons learned at relevant levels (subnational to global) to avert, minimize and address displacement related to the adverse impacts of climate change

Approaches to avert, minimize and address displacement in the context of climate change must first and foremost be grounded in the rights, needs and priorities of affected communities. This means going beyond addressing threats to livelihoods and security, and recognizing the importance of cultural identity and ancestral connection to place.

Importantly, responding to the growing reality of displacement in the context of climate change requires us to address a number of different and often interrelated issues. Displacement may be sudden, in the wake of an extreme weather disaster. Or more gradual, driven by ‘slow onset’ impacts of climate change. Or it may be related to climate change mitigation and adaptation actions themselves, such as people forced from their land to make way for carbon sequestration activities. While the majority of displacement in the context of climate change is internal, increasing numbers of people may be forced to move across borders. Climate change interacts with existing drivers of displacement, including underlying poverty and vulnerability.

We therefore require a combination of actions aimed variously at minimizing displacement; ensuring rights, status and protection for people on the move (both internally and across borders); and supporting long-term proactive strategies to enable those who may be forced to move in future to migrate safely, with dignity, and on their own terms. This includes both humanitarian approaches, to ensure rights, protection and durable solutions for displaced peoples, alongside more development-based approaches to avert, minimize and address displacement.

Fundamentally, minimizing the risk of future displacement demands rapidly accelerating action to end global carbon pollution, in line with limiting warming to 1.5°C and thereby significantly reducing the risks and impacts of climate change.

Oxfam's 2017 report *Uprooted by Climate Change: Responding to the growing risk of displacement*,¹ documented the disproportionate incidence and impact of displacement on low income countries, people living in poverty, women, Indigenous peoples and other vulnerable groups, and presented recommendations for responding to these challenges. Our findings were based on analysis of available displacement data and case studies on Kiribati, Bangladesh, Ethiopia and the Torres Strait Islands.

Key findings of this research included:

- People in low- and lower-middle-income countries are around five times more likely than people in high-income countries to be displaced by sudden onset extreme weather disasters. This disproportionate incidence of displacement linked to climate change in the world's poorest countries is likely higher still when accounting for drought and slow onset changes. (page 25)
- Indigenous peoples are among those at greatest risk of displacement. The impacts of displacement go beyond the loss of security and livelihoods by profoundly affecting a community's cultural identity including its ancestral connection to place and land. Relocation is almost always regarded as an option of last resort. (page 27)
- Women living in poverty and who are marginalised are disproportionately harmed by climate change and related displacement – due to social norms, race, ethnicity and other factors, which often come together. (page 30)
- While it is essential to recognize the disproportionate impacts of climate change and displacement, it is equally important to recognize the central role of those most affected in developing and driving solutions. (page 7)
- Many communities at most risk of displacement, including in small island developing states, continue to face considerable challenges in accessing international climate finance and support with adaptation measures that would serve to minimize the risks of displacement. (page 16)
- In some cases, greater opportunities for labour migration may form part of proactive, long-term strategies for addressing the risk of displacement - allowing communities to diversify their livelihoods and increase resources available for adaptation and other needs. However, existing labour migration schemes are not without significant problems: they can result in more men migrating, leaving women behind and facing more work; expose workers to abuse; and overall schemes are typically too small in scope to deliver significant benefits. (page 35)

Based on these findings and lessons, the following elements should be central to integrated approaches to avert, minimize and address displacement related to the adverse impacts of climate change:

- Recognizing the importance of community ownership, participatory planning, gender justice, cultural identity and heritage, FPIC, land and resource rights, traditional livelihoods, and the right to self-determination in decisions regarding whether and how to uproot.

¹ Uprooted by Climate Change: Responding to the growing risk of displacement (2017), Oxfam https://www.oxfam.org/sites/www.oxfam.org/files/file_attachments/bp-uprooted-climate-change-displacement-021117-en.pdf

- Supporting best practice in climate change adaptation, thereby minimizing the risks of displacement. This includes:
 - Ensuring a multi-level and multi-sector approach, especially in vulnerable and fragile areas where there is high risk of displacement.
 - Developing mechanisms for the governance of climate finance that enable the full participation of women, men and communities at risk in developing solutions.
- Continually enhancing knowledge of displacement risks linked to slow onset impacts of climate change and associated vulnerability of specific social groups, and of actions to address these risks and vulnerabilities.
- Schemes or policies aiming to increase and enhance labour migration opportunities for people impacted by climate change must be driven by the needs of women, men and communities; have robust safeguards in place to prevent exploitation; provide opportunities for permanent as well as seasonal migration; and integrate additional measures to address the negative impacts of these schemes, such as social protection for 'left behind' heads of households.
- While recognizing relocation as option of last resort, supporting long-term strategies for safe and dignified migration.

In preparing this submission, Oxfam has also considered lessons learned in avoiding and minimizing the risks of planned resettlement² associated with development-induced displacement. These lessons can be particularly relevant to government adaptation and mitigation efforts related to climate change although may have limited application to situations of displacement brought on directly by climate impacts, where the need to relocate may be sudden, or may be anticipated in advance and planned for any number of households and entire communities. In any case, certain principles are instructive, including respecting FPIC and customary rights; treating loss of livelihoods and property as well as loss of identity, social cohesion and belonging, as all serious matters deserving of protections.

The following recommendations are taken from Oxfam's recent recommendations to the World Bank regarding displacement and resettlement:³

- Approach resettlement as an opportunity for promoting sustainable development through improvements to the economic and social well-being of affected people. This requires that when the families and communities to be resettled are poor (most likely the case in climate induced displacement), the objective is to use resettlement as a development opportunity and *improve*, and not merely restore, their livelihoods and living standards. This require particular attention to the differentiated impacts as

² We note that in in the humanitarian context, "resettlement" is used when discussing options for those outside their home country, and "relocation" is used to discuss internal movement. However, here "resettlement" is also being used to discuss the internal relocation of local communities following displacement by development projects.

³ Submission to the World Bank on Guidance Note to Environmental and Social Standard 5 (2017), Oxfam

well as needs and protection of women, children, the elderly, people with disabilities, and other vulnerable people.

- Clarify that resettlement options should include more than one resettlement site for affected people to choose from, and that they should have an opportunity to identify an alternative site themselves. One of the most important choices made in resettlement decision-making is the site of resettlement. Most importantly, if the site is far from economic opportunities that match the experience and skill sets of affected women and men, and their sense of belonging, no level of support and intervention is likely to be effective at restoring or improving their livelihoods.
- The two most important determinative factors of successful resettlement is a suitable location that provides access to both economic opportunities and security of land tenure, and both must be ensured. The selection of the right resettlement sites, based on the choices of resettlers, and the provision of security of tenure, can overcome some of the main challenges of resettlement and exponentially reduce the risks of impoverishment.

2. Possible measures to address key legal, policy and institutional challenges for integrated approaches to avert, minimize and address displacement related to the adverse impacts of climate change

Addressing key legal, policy and institutional challenges relating to displacement in the context of climate change requires both a coordinated set of response at the global level, as well as practical actions and frameworks at regional and national levels.

Existing human rights obligations provide an important part of the legal framework for responses to displacement at the global, regional and national level. For example, CEDAW General Recommendation No. 37 (2018)⁴ on Gender-related dimensions of disaster risk reduction in the context of climate change requires States parties to CEDAW to “ensure the principles of gender equality and non-discrimination, participation and empowerment, and accountability and access to justice.” Article 2 of CEDAW guarantees the rights to equality and non-discrimination, which provides that States must “take targeted and concrete measures to guarantee equality between women and men,’ including adopting policy and legislative measures prohibiting discrimination or controlling for it.

Moreover, we note and support the findings in the recent UNHCR Summary of the panel discussion on human rights, climate change, migrants and persons displaced across international borders,⁵ including:

- There is a general obligation of States of origin to protect people from climate impacts by reducing vulnerability through adaptation, disaster risk reduction and resilient development, rooted in rights to life, safety, health, and others.

⁴ General Recommendation No. 37 on Gender-related dimensions of disaster risk reduction in the context of climate change (2018), CEDAW http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/CEDAW_C_GC_37_8642_E.pdf

⁵ Report of the Office of the United Nations High Commissioner for Human Rights, A/HRC/37/35

- Where efforts fail to adequately protect people where they are rooted, responses “should respect all relevant human rights, including the rights to information and to participate, the rights of women, children and indigenous peoples, and cultural rights.”
- “Cooperation between States of origin and States of destination was necessary to facilitate the safe, dignified and regular migration of affected persons to other countries. This could be an important means to adapt to the reality of climate change, for instance where low-lying atoll island States risked becoming permanently uninhabitable by rising sea levels.”
- During migration, it is essential to recognize human rights--*inter alia*: food, water, shelter, health and education, protection from gender-based and other forms of violence or trafficking, and access to humanitarian assistance.
- “[H]uman rights-based approaches could help disaster-affected persons to gain admission to and to stay in States of refuge.”

We further note that international obligations expressly recognize customary rights and traditional livelihoods as deserving of protections.

Additionally, the negotiation of two new Global Compacts - one on safe, orderly and regular migration, and one on refugees - can and must help to ensure safety, legal status, dignity and lasting solutions for those displaced or at risk of displacement linked to climate change.

The current draft of the Global Compact on Migration includes a number of objectives relating to averting, minimizing, and addressing displacement related to the adverse impacts of climate change, including: greater investment in climate change adaptation and disaster risk reduction; greater analysis and sharing of information to understand and address migration resulting from climate change; using practical measures, including planned relocation, to facilitate migration as an adaptation strategy; ensuring more information is available on regular migration options; and providing protection of ‘tailored duration’ for people forced to leave their countries due to sudden onset disasters and slow onset environmental degradation. The draft Compact can be further strengthened by, among other measures, explicitly ensuring nonrefoulement for people displaced by disasters and climate change.

The current draft of the Global Compact on Refugees recognizes that ‘environmental degradation and natural disasters’ are drivers and exacerbating factors in situations of conflict/persecution. But does not explicitly guarantee protection, assistance and solutions to people displaced by disasters and/or in the context of climate change. Oxfam asserts that the Comprehensive Refugee Response Framework, which will form the basis of the Global Compact on Refugees, should be applicable to people displaced across borders by sudden onset disasters, including extreme weather events.

While measures at the global level to address key legal, policy and institutional challenges remain fundamentally important, these can and must be complemented by

actions and frameworks at the regional and national levels aimed at expanding avenues for safe, regular and dignified migration in the context of climate change.

Opportunities at the regional and national level include:

- Through bilateral and multi-country agreements, expanding opportunities for safe and regular migration for those who may be forced to move permanently. This should include special visa categories and open-access agreements between those countries most responsible for climate change and/or with the capacity to provide assistance, and countries with vulnerable communities facing high displacement risks. (Examples include the pilot visa program proposed by the New Zealand Government for Pacific Islanders who are forced to migrate.)
- Developing greater understanding of strategies to ensure sovereignty, cultural continuity and cultural cohesion in the face of large-scale displacement.

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