



Implementation of the Workplan of the Task Force on Displacement under the Warsaw International Mechanism for Loss and Damage (WIM) United Nations Framework Convention on Climate Change (UNFCCC)

Pillar II: Policy – International/Regional Activity II.2:

Mapping Human Mobility (Migration, Displacement and Planned Relocation) and Climate Change in International Processes, Policies and Legal Frameworks

International Organization for Migration (IOM)¹ - Summary Report, 6 August 2018

1. Methodology

This summary report maps and analyzes to what extent human mobility (migration, displacement and planned relocation) in the context of climate change is integrated in processes, policies and legal frameworks related to various relevant policy agendas at the international level, including migration governance, labour, humanitarian assistance, human rights, climate change action, disaster risk reduction, sustainable development and environmental protection.

This policy-oriented analysis is supplemented by a longer comprehensive mapping that analyzes in detail 28 relevant policy agendas.²

This report uses the generic term “human mobility”³ to encompass different types of movements in the context of climate change: migration, displacement and planned relocation. As a result, the report investigates policy agendas that aim to avert, minimize and address human mobility.⁴ The choice has also been made to respect the specific terminological choices of the documents that have been analyzed – if a document refers to “migration” or “displacement”, the analysis of that document will employ the same terminology.

¹ Produced by the IOM Migration, Environment and Climate Change Division (Dina Ionesco, Mariam Traore Chazalnoël and Ileana Sinziana Puscas) with review from the International Labour Organization (ILO) and inputs from the United Nations Development Programme (UNDP).

² To enhance coherence, elements originally foreseen to be analyzed under the present mapping, namely “*mapping of how climate and displacement is included in National Adaptation Plans (NAPs), National Determined Contributions (NDCs) and national communications*”, have been analyzed instead in the IOM-led mapping under Activity I.1 of *Policy/Practice – National/Subnational*.

³ International Organization for Migration (2018), *Glossary on Migration*, IML Series No. 34, forthcoming, defines *Human mobility* as: “A generic term covering all the different forms of movements of persons. Note: The term human mobility reflects a wider range of movements of persons than the term “migration”. The term is usually understood as encompassing also tourists that are generally considered as not engaging in migration. As an example of the emergence of this term, the international organizations members of the Advisory Group on Climate Change and Human Mobility created in the context of the Conferences of the Parties of the UN Framework Convention on Climate Change have started to use the term human mobility to cover all the broad range of types of movements that can take place in the context of climate change.”

⁴ For the purposes of this report, the terms “avert”, “minimize” and “address” are defined as follows: - To avert is understood as measures to reduce or avoid the risk of forced and unmanaged migration as much as possible. Measures may include: disaster risk reduction, climate change adaptation and mitigation, resilience building and community stabilization; - To minimize is understood as measures to facilitate safe, orderly and regular migration as part of adaptation strategies to climate change and thus, curb the number of people forced to move by providing alternative livelihoods. Measures may include: ensuring migration pathways via free movement protocols, labor schemes or transhumance agreements; or, as a last resort, planning relocations of people living in high risk areas; - To address is understood as measures to prepare for and respond to displacement when it happens, including through ensuring assistance and protection for those on the move due to climate change, and seeking lasting solutions. Measures may include: contingency planning, humanitarian relief aid, granting, expediting or waiving visas, non-return policies or reintegration strategies.



A specific set of criteria was identified to select the policy processes, policies and legal frameworks analyzed within the scope of this mapping, taking into account the scope of other mappings conducted by partners in the context of the Task Force's Workplan, with a view to avoid duplications. The criteria selected are as follows: i) global undertakings, involving a majority of UN Member States (some regional efforts were included when they had a direct impact at the international level); ii) characterized by states' involvement (state-led and/or approved, endorsed or initiated by states); and iii) potentially including references to at least one dimension of the climate change and human mobility nexus.

The mapping identified 28 processes, policies and legal frameworks of relevance that were analyzed. They have been categorized according to three criteria: i) their thematic scope;⁵ ii) the degree of mainstreaming of migration and climate issues (advanced, some or no current mainstreaming⁶); and iii) where they fit in terms of the objectives set out by the Task Force: avert, minimize and address climate displacement.

2. Summary of Findings

A. Increasing global policy awareness across domains - the catalytic role of the Paris Agreement

Overall, the mapping finds that the inclusion of human mobility and climate change concerns has grown significantly across relevant international processes, policies and legal frameworks; especially within the development of the most recent processes, from 2015 onwards. This trend is visible across most policy domains and particularly significant in processes related to human mobility on the one hand, and climate change and environment on the other. In that respect, policy coherence is enhanced chronologically with the development of each new framework: these international processes increasingly make direct references to one another and openly call for more policy convergence and synergies. Their approaches to the human mobility, environment and climate change nexus are also converging, gradually forming increasingly comprehensive policy frameworks to address the nexus from different specific angles.

The Paris Agreement can be understood as a milestone in terms of further developing the global governance of human mobility in the context of climate change, with processes developed post 2015 consistently referring to the principles outlined in the Paris Agreement in terms of mobility. The references made to human mobility in the UNFCCC Cancun Adaptation Framework (paragraph 14.f) in 2010 represented a turning point with the inclusion, for the first time, of human mobility in the official global climate policy debate. These advances were further consolidated by the adoption of the Paris Agreement in 2015, and by extent the work to operationalize its mobility provisions conducted by the WIM Excom. In that respect, the continuous work accomplished under the umbrella of the UNFCCC, had - and continues to play - a catalytic role in encouraging awareness across policy silos and ambition towards further policy coherence on human mobility in the context of climate change at the global level.

Awareness on human mobility is growing in other UN environmental conventions as well. In particular, states recognized the importance of drought and desertification as drivers of forced migration in a Decision adopted in 2017 at the 13th Conference of Parties of the United Nations Convention to Combat Desertification (UNCCD).

⁵ i) Migration, Displacement and Planned Relocation, ii) Climate Change and the Environment; iii) Sustainable Development; iv) Disaster Management and Humanitarian Action; v) Human Rights and International Labour Standards.

⁶ *Advanced mainstreaming* indicates a wide-ranging approach to human mobility in the context of climate change; *some mainstreaming* indicates that only one or a few aspects of the nexus are referenced; and *no mainstreaming* indicates that no aspect of the nexus is referenced.



B. Ongoing development of global policy frameworks – towards broader approaches

A critical recent development has been the finalization - after six rounds of intergovernmental negotiations among UN Member States, - of the Global Compact for Safe, Orderly and Regular Migration (GCM). The GCM represents an historical turning point in the global governance of migration as it is the first non-binding, comprehensive and cooperative migration framework negotiated by UN Member States. The GCM articulates a common set of commitments, on the basis of 23 objectives, for states to respond to the challenges and opportunities of contemporary international migration and formulates provisions for implementation, follow up and review.

This finalized text⁷ dedicates a specific paragraph to environmental migration and contains multiple references to environmental migration, articulating a wide and comprehensive understanding of the challenges linked to the environment-migration nexus. Slow onset environmental degradation, natural disasters and climate change impacts are recognized as drivers of contemporary migration and comprehensive potential responses to address these drivers are put forward: climate mitigation and adaptation measures in countries of origin;⁸ disaster preparedness, disaster risk reduction and disaster response; and facilitation of migration movements. The GCM also recognizes that, in some cases, adaptation to climate change *in situ* or return of migrants might not be possible. Therefore, the development of regular migration pathways is seen as a necessary migration management tool in the context of climate change. The final text also calls for policy coherence, highlighting that the GCM rests on a number of global instruments related to climate change, disaster and environmental governance, notably the UNFCCC and the Paris Agreement.⁹

The final draft of the Global Compact on Refugees (GCR) also recognizes the interaction of climate, environmental degradation and natural disasters with the drivers of refugee movements and states that people displaced across borders in this context will be assisted by relevant stakeholders, but does not address the issue further.

Other policy processes have been identified as relevant, as they support the development of international policy that increasingly strives towards mainstreaming climate and human mobility, for instance: i) the Sendai Framework for Disaster Risk Reduction provides a clear acknowledgment of displacement in the context of disasters that is leading, in its implementation phase, to the development of a comprehensive approach with the elaboration of tools for national policymakers for strengthening action in this area; ii) the Human Rights Council (HRC) and the Office of the High Commissioner for Human Rights (OHCHR) have organized panel discussions on human rights, climate change, migrants and persons displaced across international borders and issued several papers on the issue; iii) the tripartite constituents of the International Labour Organization (ILO) that have adopted international labour standards, which cover all workers, including those affected by climate change and displacement, and which guide ILO policy on climate change; iv) other international arenas such as the UN Environment Assembly (UNEA) or the UN High Commissioner for Refugees (UNHCR) Executive Committee that have devoted sessions respectively in 2016, 2017 and 2018 to issues of relevance to disaster displacement. Also significant are States'

⁷ Global Compact for Safe, Orderly and Regular Migration (GCM), Final Draft, 11 July 2018, available from: https://refugeesmigrants.un.org/sites/default/files/180711_final_draft_0.pdf.

⁸ Ibid. GCM 18. i) *Develop adaptation and resilience strategies to sudden-onset and slow-onset natural disasters, the adverse effects of climate change, and environmental degradation, such as desertification, land degradation, drought and sea level rise, taking into account the potential implications on migration, while recognizing that adaptation in the country of origin is a priority*

⁹ Ibid. GCM 2. [The Global Compact] (...) rests on (...) *the United Nations Framework Convention on Climate Change; the United Nations Convention to Combat Desertification; the Paris Agreement (...), the Sendai Framework for Disaster Risk Reduction*"



considerations of human mobility and climate change concerns in the context of intergovernmental migration policy and practice through regular discussions at the level of the IOM Governing Bodies, in particular, its Council and the IOM International Dialogue on Migration (IDM).

C. Gaps and challenges

However, there are still significant gaps in terms of including human mobility and climate change issues in global policy, especially in transversal domains issues such as oceans, wetlands, ecosystems or water. One example is the work related to global ocean policy - a topic of extreme relevance to the climate migration nexus. Despite the increasing scientific acknowledgement that climate change effects on oceans impact the migration of people, global discussions on the topic, such as the 2017 UN Ocean Conference, have not formally integrated human mobility issues in spite of tentative efforts from international agencies and civil society.

The Agenda 2030 for Sustainable Development offers several entry points to consider issues of climate-related human mobility, but these linkages might need to be better articulated in order to have global policy impacts - for instance, the relationship between climate change, migration and the goals related to energy, land or water. Financing agreements and mechanisms like the Grand Bargain or the Green Climate Fund (GCF) do not make explicit references to human mobility in the context of climate change in their overall objectives, and this might hinder the possibility to finance action on a large scale. However, there are encouraging signs as some integration of human mobility elements can be observed at the project level in 21 current GCF projects.

Another key gap relates to 'hard' law, as international law still lacks specialized provisions applicable to climate-related migrants and displaced persons. However, the Paris Agreement explicitly acknowledges the rights of all persons in vulnerable situations, including migrants, and calls for states to respect, promote and consider human rights when taking climate action. Furthermore, the work conducted under the Nansen Initiative, the Migrants in Countries in Crisis Initiative (MICIC) and the Human Rights Council (HRC) also allows to advance current thinking on these questions and fill some of these gaps with measures at the regional and sub-regional levels.

3. Potential Areas of Recommendations for Governments

1. Acknowledge that climate change is a driver of migration, displacement and planned relocation, and that human mobility can in turn have impacts on the environment;
2. Recognize commitments made under different policy process that are relevant to climate change and human mobility, translate them into national actions and pursue the implementation of commitments made across policy processes;
3. Acknowledge and refer to agreed relevant principles and rights, negotiated language and existing best practices in terms of human mobility and climate change;
4. Support data collection, analysis and sharing of existing knowledge to assist the development of evidence-based policies, in consultation with relevant line ministries and stakeholders as to ensure coherence between development, labour, migration, employment, social protection, environmental and other relevant policies;
5. Emphasize the need for collective measures that reach across policy areas to i) minimize forced and poorly managed forms of human mobility, ii) provide assistance and protection to migrants moving in



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- the context of climate change, iii) facilitate migration in the context of climate and environmental changes; iv) foster regular pathways for migration taking into account labour market needs; and v) promote decent work and job creation, including creation of green job opportunities;
6. Assign implementation, monitoring and evaluation mechanisms, and allocate multi-year funding for the measures and mechanisms suggested in different policy agendas.

4. Annex: Policy Agendas Reviewed

I. Migration, Displacement and Planned Relocation

1. The New York Declaration for Refugees and Migrants
2. The Global Compact for Safe, Orderly and Regular Migration (GCM)
3. International Organization for Migration (IOM)
4. The Global Compact on Refugees (GCR)
5. United Nations High Commissioner for Refugees (UNHCR)
6. Global Forum on Migration and Development (GFMD)
7. Nansen Initiative Agenda for the Protection of Persons Displaced Across Borders in the Context of Disasters and Climate Change and the Platform on Disaster Displacement (PDD)
8. Migrants in Countries in Crises (MICIC) Initiative and Guidelines

II. Climate Change and the Environment

9. United Nations Framework Convention on Climate Change (UNFCCC)
10. United Nations Convention to Combat Desertification (UNCCD)
11. United Nations Environment Assembly (UNEA) and United Nations Environment (UNEP)
12. Global Ocean Policy
13. Convention on Biological Diversity (CBD)
14. Convention on Wetlands (Ramsar Convention)
15. Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention)
16. Convention on Access to Information, Public Participation in Decision-Making and Access to

Justice in Environmental Matters (Aarhus Convention)

III. Sustainable Development

17. Small Island Developing States Accelerated Modalities of Action (SAMOA) Pathway
18. The New Urban Agenda
19. Agenda 2030 for Sustainable Development
20. Green Climate Fund (GCF)

IV. Disaster Management and Humanitarian Action

21. Sendai Framework for Disaster Risk Reduction
22. Agenda for Humanity
23. The Grand Bargain

V. Human Rights and International Labour Standards

24. Human Rights Council (HRC) and the Office of the High Commissioner for Human Rights (OHCHR)
25. International Labour Organization (ILO)
26. International Law Commission Draft Articles on the Protection of Persons in the Event of Disasters
27. United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP)
28. Geneva Pledge for Human Rights in Climate Action