

UN Secretary General's report on the global compact for safe, orderly and regular migration – Submission by the Mary Robinson Foundation – Climate Justice

Introduction

The Foundation thanks the Office of the United Nations Special Representative of the Secretary General for International Migration for the invitation to share its views. The Foundation has focused its recommendations on aspects of the global compact for safe orderly and regular migration that will be necessary to ensure that the compact delivers a framework for the protection of the rights of climate displaced people, particularly those displaced across international borders. Although figures vary, there is a clear and present need for the global community to come together to address climate displacement in all its forms, particularly as the experts are unanimous in their opinion that displacement is a phenomena that will increase in volume over time as the impacts of climate change become more severe. The impacts from the recent hurricanes in the Caribbean and the United States and the monsoons in South Asia have been devastating, forcing communities and populations to flee their homes and seek shelter. As climate change increases the likelihood of similar extreme weather events in the future, it is in the interest of all countries to ensure that the global compact for safe orderly and regular migration addresses climate displacement.

General recommendations for the global compact for safe, orderly and regular migration

The Mary Robinson Foundation – Climate Justice (the Foundation) recommends that the global compact for safe orderly and regular migration:

1. Develop a sustained process to continue engagement at the international level on migration issues
2. Recognise climate change as a driver of migration
3. Recognise that all migration policies must be people centred and human rights based
4. Recognise that climate displaced people have a unique set of rights priorities and address the gaps in the application of these rights.

About the Mary Robinson Foundation – Climate Justice

The Foundation is a centre for thought leadership, education and advocacy on the struggle to secure global justice for the victims of climate change who are usually forgotten – the poor, the disempowered and the marginalised across the world. The Foundation is a

platform for solidarity, partnership and shared engagement for all who care about global justice, whether as individuals and communities suffering injustice or as advocates for fairness in resource-rich societies. The Foundation provides a space for facilitating action on climate justice to empower the poorest people and countries in their efforts to achieve sustainable and people-centred development.

Climate justice links human rights and development to achieve a human-centred approach, safeguarding the rights of the most vulnerable people and sharing the burdens and benefits of climate change and its impacts equitably and fairly. Climate justice is informed by science, responds to science and acknowledges the need for equitable stewardship of the world's resources. Capacity building, participation, access to information, training and education are all critical to the achievement of climate justice.

The Foundation's Position on Climate Displaced People

The Foundation's focus on the rights of the most vulnerable has also led it to undertake work across platforms on Climate Displacement. The Foundation supports the view that displacement that is caused substantially by the impacts of climate change can and should be classified as 'climate displacement'. Climate displacement is a growing issue faced by millions of people and its impacts can be felt at the international, regional, national and sub-national level. The most recent report of the Intergovernmental Panel on Climate Change noted that 'vulnerability is inversely correlated with mobility, leading to those being most exposed and vulnerable to the impacts of climate change having the least capability to migrate'¹. Other United Nations processes are actively considering this issue, including the Human Rights Council, which is hosting a Panel discussion in October on 'Human rights, climate change, migrants and persons displaced across international borders', as well as the Task Force on Displacement under the United Nations Framework Convention on Climate Change.

In conjunction with the above, the Foundation has hosted a number of high level meetings with government representatives both in Geneva and New York, UN officials and civil organisations on climate displacement. Further, the Foundation supported the Office of the United Nations High Commissioner for Human Rights to undertake a panel dialogue during their Expert Meeting on Climate Change and Human Rights held on 6-7 October 2016.² In addition to participating in the above processes the Foundation has produced a [position paper](#) on Protecting the Rights of Climate Displaced People³. These consultations and resulting recommendations, and the Foundation's position paper have informed this submission.

¹ Adger, W.N., J.M. Pulhin, J. Barnett, G.D. Dabelko, G.K. Hovelsrud, M. Levy, Ú. Oswald Spring, and C.H. Vogel, 2014: Human security. In: Climate Change 2014: Impacts, Adaptation, and Vulnerability. Part A: Global and Sectoral Aspects. Contribution of Working Group II to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change, Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA, P767

² These report can be accessed on the OHCHR website: <http://www.ohchr.org/EN/Issues/HRAndClimateChange/Pages/ClimateChange.aspx>

³ Mary Robinson Foundation – Climate Justice (2016) *Protecting the Rights of Climate Displaced People*, Dublin <http://www.mrfcj.org/wp-content/uploads/2016/07/Protecting-the-Rights-of-Climate-Displaced-People-Position-Paper.pdf>

The Foundation believes that the global compact for safe orderly and regular migration must address displacement as a result of climate change if it is to be fit to purpose for the challenges of future migration patterns. As a result the Foundation makes the following specific recommendations.

i) Structure and elements of a global compact

The global compact for safe orderly and regular migration should represent a 'baseline' international agreement and catalyse further work which continues to develop agreed elements and commitments on policy and best practice in migration. As a result the agreement in 2018 should reflect a number of elements on which the international community can build upon including;

- A recognition of climate change as an increasing driver of migration
- A focus on gender equality and equity noting that women and girls are at high risk of rights abuses during migration
- Full integration of the right to development, noting that there is an interconnection between development, climate resilience and climate migration
- Education should be included as a crosscutting element, including education in relation to migration pathways including for those at risk of climate displacement
- Processes should be transparent and include the voices of migrants, including those displaced by climate change
- Recognition of crosscutting frameworks such as the Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change under the Nansen Initiative, the Platform on Disaster Displacement and the Taskforce on Displacement under the United Nations Framework Convention on Climate Change to ensure work is not duplicated.

ii) Actionable commitments

The Global Compact should include the following actionable commitments;

- A recommitment to uphold the goals of the Paris Agreement, in particular to 'holding the increase in the global average temperature to well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels' in order to minimise climate change as a driver of migration
- Ensuring that all action on migration is informed by and upholds human rights
- To increase research into the gaps in rights protections and enhance understanding of communities at risk of climate displacement, particularly in relation to specific rights which are disproportionately impacted by climate change including the rights of access to, and enjoyment of cultural heritage, food, water, housing, health and work. Further, in order to address these gaps the compact should also include commitments to:
 - Deliver resilience building and disaster risk reduction frameworks, ensuring that fundamental human rights are respected and facilitated, in communities identified as at high risk of climate displacement in order to reduce the need for people to move

- Recognise the importance of the right to self-determination when undertaking relocation as a result of climate impacts
- Protect the right to access to, and enjoyment of cultural heritage of communities identified as being at risk of climate displacement
- Guaranteeing the human rights of populations that are displaced due to the impacts of climate change and ensuring these populations are educated on how to access these rights.
- A Recognition of the vulnerability of coastal and small island communities, indigenous peoples, minorities, older persons, children, persons with disabilities, women to migration due to climate change and a commitment to including them in decision making processes when they are required to move due to climate change impacts
- A commitment by Countries, and a request for regional organisations and the United Nations to make efforts to improve data collection and methodology to identify communities at risk of slow and sudden onset climate displacement so as to protect their fundamental human rights, improve their resilience and prepare them to move if necessary.

iii) Means of implementation

Specific elements that States should include in means of implementation, in order to ensure the rights of climate displaced people, include:

- An agreed process of continued discussion and development, similar to the High level Political Forum of Agenda 2030, as well as an accountability framework to ensure countries are undertaking their commitments
- Capacity building for developing better data on future displacement risks whether through slow or rapid onset climate factors, particularly in climate vulnerable countries, including in identifying human rights priorities
- Acknowledgement of the principle of climate justice -that benefits and burdens must be shared equitably - and that climate and development finance play a crucial role in the delivery of effective resilience and migration-as-adaptation responses.
- Assistance for the most vulnerable countries to implement human rights and people centred policies where climate change has acted as a driver of migration and displacement.

Conclusion

The Foundation believes that incorporation of the above general recommendations, elements, commitments and means of implementation into the global compact for safe orderly and regular migration will ensure that it is capable of framing international policy and delivering the building blocks for a continued and robust discussion for the international community. Doing so is the most effective way to ensure that the global compact for safe orderly and regular migration is people centred, grounded in human rights, recognises climate change as disproportionately impacting the most vulnerable people and undertakes action in the spirit of sharing benefits and burdens equitably. This will ensure that the global compact is consistent with climate justice.