



Climate change, natural disasters and human displacement: a UNHCR perspective

“Although there is a growing awareness of the perils of climate change, its likely impact on human displacement and mobility has received too little attention.”¹

António Guterres, UN High Commissioner for Refugees

Final version: 23 October 2009

Introduction

The process of climate change – and the multiple natural disasters it will engender – will in all certainty add to the scale and complexity of human mobility and displacement.² The international community has focused thus far on the scientific aspects of climate change, with the aim of understanding the processes at play and mitigating the impact of human activity. Yet climate change is equally a humanitarian problem and challenge. As such it is of direct interest also to humanitarian agencies, including the Office of the United Nations High Commissioner for Refugees (UNHCR).

UNHCR is the United Nations refugee agency with responsibilities and expertise in the area of forced displacement. It is projected that climate change will over time trigger larger and more complex movements of population, both within and across borders, and has the potential to render some people stateless. Since climate change is certain to have a major impact on future patterns of human mobility, approaches which address environmental issues in isolation from other variables and processes will not be sufficient to address the problem.

In tandem with deeper understanding of the scientific processes at play, UNHCR would encourage more reflection on the humanitarian and displacement challenges that climate

¹ *Foreign Affairs*, September/October 2008.

² The United Nations Framework Convention on Climate Change (UNFCCC) defines climate change as “a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to other natural climate variability that has been observed over comparable time periods” Climate change is a process which is manifested in a number of ways, including: a rise in average temperatures, often referred to as ‘global warming’; changes in rainfall patterns leading to floods, droughts and, in some areas, desertification; extreme and unpredictable weather patterns leading to more numerous and intense natural disasters; and, the melting of glaciers and the polar ice-caps resulting in rising sea-levels and coastal erosion, rendering low-lying areas uninhabitable.

change will generate. It is likely that most of the displacement provoked by climate change manifested, for example, through natural disasters, could remain internal in nature. Great strides have been made in developing the legal framework for the protection of internally displaced persons (IDPS).³

As part of United Nations humanitarian reform, a consensual division of labour for their assistance has also been established known as the Cluster Approach. But it is equally likely that multiplication of natural disaster scenarios will test the efficacy of this approach and may call for new paradigms and models of cooperation. Some cross-border movement scenarios may be dealt with within the existing international refugee framework, which has proven to be flexible over the past decades, but others may require new approaches, premised upon international solidarity and responsibility-sharing.

This note contains UNHCR's preliminary perspectives on these questions as a contribution to the ongoing debate on climate change. In the interests of brevity, it does not present detailed empirical evidence relating to the issue of climate change, which can be found in successive reports of the Intergovernmental Panel on Climate Change (IPCC).

Instead, the following sections examine: (1) foreseeable displacement scenarios and their implications for UNHCR, (2) UNHCR's role with natural disaster scenarios, (3) terminology and the 1951 Refugee Convention, and (4) suggestions for the way forward. Information on UNHCR activities in relation to environmental conservation and the impact of climate change on UNHCR operations is included in Annex I.

Displacement scenarios

While climate change has been the subject of intense debate and speculation within the scientific community, insufficient attention has been given to the humanitarian consequences it will generate. Just as the causes of climate change are being analyzed and its consequences projected, it is equally vital to anticipate foreseeable movement scenarios and strengthen the responses to the humanitarian consequences.

Climate change is already undermining the livelihoods and security of many people, exacerbating income differentials and deepening inequalities. The number of recorded natural disasters has doubled from some 200 to over 400 per year over the last two decades. Nine out of every 10 natural disasters are today climate related.⁴

As temperatures rise and land becomes less productive, the process of urbanisation will accelerate, generating additional competition for scarce resources and public services in cities across the globe. The incidence of vector-borne diseases will also increase as a result of

³ See Guiding Principles on Internal Displacement.

⁴ Sir John Holmes, Under Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Opening Remarks at the Dubai International Humanitarian Aid and Development Conference and Exhibition "DIHAD 2008 Conference". Published on ReliefWeb on the 8 April 2008. Available at the following address: <http://www.reliefweb.int/rw/rwb.nsf/db900sid/YSAR-7DHL88?OpenDocument>

climate change, as will the cost of food and energy. Increased social tension and political conflict is thus likely, both within and between states.

Just as human movements which are induced or strongly influenced by the process of climate change will vary in character, so will a range of responses and, potentially, new approaches be needed. In some situations, people will be displaced in large numbers and in short periods of time as a result of sudden onset disasters such as cyclones, floods and tsunamis.

In situations affected by the longer-term consequences of climate change, people will also move in large numbers, but will do so over longer periods of time and in more diverse directions. Some will move to more hospitable areas in home countries while others will seek to leave their own country and enter other states. Since new forms and patterns of movement are emerging, the concepts traditionally used to categorize different types of movement are becoming increasingly blurred and their adequacy would benefit from further review.⁵

The Representative of the Secretary-General for the Rights of Internally Displaced Persons, Walter Kälin, has identified at least five movement scenarios stemming from climate change. They provide a useful starting point for analyzing the character of displacement and assessing the protection and assistance needs of those moving from their homes:⁶

- hydro-meteorological disasters (flooding, hurricanes/typhoons/cyclones, mudslides, etc.);
- zones designated by governments as being too high-risk and dangerous for human habitation;
- environmental degradation and slow onset disaster (e.g. reduction of water availability, desertification, recurrent flooding, salinization of coastal zones, etc.);
- the case of ‘sinking’ small island states; and,
- armed conflict triggered by a decrease in essential resources (e.g. water, food) owing to climate change.

Hydro-meteorological disasters are projected to increase in future and will, from all indications, lead to new and larger situations of internal displacement, rather than to cross-border movements of people. As states have primary responsibility for their citizens, national and local authorities have a vital role to play in responding to such scenarios. IDPs

⁵ See Vikram Odedra Kolmannskog, “Future floods of refugees”, Norwegian Refugee Council, April 2008 and “The Climate Change – Displacement Nexus”, presented by Prof. Walter Kälin, Representative of the Secretary-General on the Human Rights of Internally Displaced Persons, Panel on disaster risk reduction and preparedness: addressing the humanitarian consequences of natural disasters, ECOSOC Humanitarian Affairs Segment, 16 July 2008.

⁶ Kälin, *op cit.*

should receive protection and assistance in accordance with the 1998 Guiding Principles on Internal Displacement.

There may be instances where people affected by such disasters cross an international border, for example because the only escape routes lead them there. In such situations, they would not normally qualify as refugees who are entitled to international protection within the existing international refugee framework, nor would they necessarily be classified as migrants. While benefiting from the applicability of human rights norms, “their status remains unclear.”⁷

As a result of recurring disasters, some states may exercise the sovereign obligation to protect their citizens by designating areas as high-risk zones, too dangerous for human habitation, owing to their location, for example, in flood-prone or landslide-prone areas. People may have to be forcibly evacuated and displaced from their lands, prohibited from returning to them, and relocated to safe areas.

It is likely that the affected persons would qualify as IDPs and, once again, be protected by the 1998 Guiding Principles on Internal Displacement. The most likely durable solutions would be integration in the places of displacement or relocation to new areas inside the country, since return will not normally be possible.

Cases of environmental degradation and slow onset disasters will gradually lead to the deterioration of life and economic opportunities in affected areas, inciting voluntary movements in the initial phases. As areas become less hospitable – for example owing to complete desertification – population movements could be deemed to amount to forced displacement and become permanent.

An important question will be where to draw the line between voluntary movement and forced displacement. If cross-border movements occur, there will be questions similar those in situations of hydro-meteorological disasters, about the most appropriate operational and legal responses.

A particular challenge will be posed by the case of sinking small island states caused by rising sea levels. The phenomenon will prompt internal relocation as well as migration abroad, until such time as the territory is no longer able to sustain human life. As in the previous scenario, prevailing international refugee law would not automatically apply. The question of statelessness is, however, more directly implicated.

With the disappearance of territory, one of the key constituting elements of statehood, it is not clear that these states would continue to exist as such. In the event that they are deemed to have disappeared along with their territory, the populations concerned would be left stateless unless they acquired other nationalities.

Even where the states continued to exist in legal terms and their governments attempted to function from the territory of other states, it is unclear that they would be able to ensure the rights which flow from citizenship. If they were unable to ensure such basic rights as the

⁷ Kälin, *op cit.*

right to return to one's own country or to obtain a passport, statelessness considerations would also arise.

The fifth and final scenario is a decrease in vital resources (water, food production) attributable to climate change, which triggers armed conflict and violence. Regardless of the underlying causes of a war, those displaced by armed conflict inside their country are IDPs in the sense of the 1998 Guiding Principles on Internal Displacement, while those fleeing to other countries could qualify as refugees or for so-called 'complementary forms of protection' under the relevant international or legal instruments.⁸

Implications for UNHCR

It is clear from the above analysis that some movements likely to be prompted by climate change could indeed fall within the traditional refugee law framework, bringing them within the ambit of international or regional refugee instruments, or complementary forms of protection, as well as within UNHCR's mandate.⁹

The most obvious example is that of refugee movements provoked by armed conflict rooted in environmental factors. Such conflicts and displacements have occurred in a number of settings. Already today, some commentators have argued that conflict over energy sources, fertile land and fresh water are among the factors fuelling the crisis in the Darfur region of Sudan.¹⁰ Climate-related issues are projected to become an even more direct and common driver of conflicts. As such conflicts multiply in future, so would the demands for protection and assistance under the "refugee" framework.

A second scenario with implications for UNHCR relates to the potentially most dramatic manifestation of climate change, that of the sinking island scenario whereby the inhabitants of island states such as the Maldives, Tuvalu and Vanuatu may eventually be obliged to leave their own country as a result of rising sea levels and the flooding of low-lying areas. Some form of UNHCR role regarding those obliged to seek safety abroad may be called for, certainly inasmuch as statelessness would be a concern.

In the other scenarios where climate change and natural disaster may lead to cross-border population movements, they may fail to meet one of the key criteria for refugee status contained in the 1951 UN Refugee Convention, which defines a refugee as someone who "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside his country of nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country..."¹¹ The forced character of the movement, and the characterization of such movements would also require further analysis.

⁸ Kälin, *op cit*.

⁹ In addition to persons under the 1951 Refugee Convention definition, the Mandate includes: "persons who fear serious and indiscriminate threats to life, physical integrity or freedom resulting from generalized violence or events seriously disturbing public order".

¹⁰ Sir John Holmes, *op cit*; See also Camillo Boano, Tim Morris and Roger Zetter, *op. cit*

¹¹ Article 1(A) (2), 1951 Convention relating to the Status of Refugees, UNTS No. 2545, Vol. 189, p. 137.

UNHCR's role with conflict-induced internal displacement would be triggered as a result of the Cluster Approach. The adoption of the Cluster Approach was intended to bring a greater degree of clarity and predictability to UNHCR's role in situations of conflict-induced internal displacement.

Under the division of labour introduced by the Cluster Approach, UNHCR has assumed global leadership of the Protection Cluster, and co-leads the global Camp Coordination and Camp Management Cluster (CCCM) with the International Organization for Migration (IOM) and the Emergency Shelter Cluster with the International Federation of Red Cross and Red Crescent Societies (IFRC). Unlike the CCCM and Emergency Shelter Cluster, which UNHCR co-leads, the Office has assumed primary responsibility for the global Protection Cluster.

UNHCR's role in natural disasters

Governments are primarily responsible for protecting and assisting those affected by natural disasters. Recognizing that many countries lack the resources to fulfil by themselves alone their obligations towards disaster victims, states and international organizations have traditionally acted in accordance with the principle of international solidarity and burden-sharing, supporting and supplementing national response capacities.

UNHCR's involvement with people who have been displaced within their own country as a result of natural disasters has traditionally been determined on a case-by-case basis. Generally speaking, when UNHCR had an established presence and programme in a country that was struck by such a disaster, the Office offered its support to the authorities as a sign of solidarity and as a contribution to broader international and UN relief efforts. UNHCR's involvement in the 2004 Indian Ocean tsunami, the 2005 South Asia earthquake, the 2006 floods in Somalia, the 2007 floods in Pakistan, and cyclone-related flooding in Myanmar in 2008 provide good examples of this practice.

The Cluster Approach is also relevant in natural disaster scenarios, since it has been agreed that, at country level, the operational and leadership role for protection in natural disaster situations is decided upon by UNHCR, the Office of the UN High Commissioner for Human Rights and UNICEF, under the overall leadership and guidance of the UN's Resident Coordinator/Humanitarian Coordinator. But as natural disaster scenarios continue to multiply in the coming years, severely testing the efficacy of the Cluster Approach it is likely that new paradigms and models of cooperation will be needed.

It is obvious that any new approaches must be rights-based, since experience during the 2004 Indian Ocean tsunami and other recent disasters have confirmed that such emergencies generate new threats to the human rights of affected populations. In terms of preventing and responding to such threats, UNHCR considers the IASC Operational Guidelines on the Protection of Persons Affected by Natural Disasters and the related Pilot Manual to be

particularly valuable resources to address the special needs and vulnerabilities of persons forcibly displaced by the effects of natural disasters.¹²

Terminology and the 1951 UN Refugee Convention

In recent times, a growing number of organizations and commentators have employed the notion of ‘environmental refugees’ or ‘climate refugees’, a concept used to refer to people who are obliged to leave their usual place of residence as a result of long-term climate change or sudden natural disasters. UNHCR has serious reservations with respect to the terminology and notion of environmental refugees or climate refugees. These terms have no basis in international refugee law.

Furthermore, the majority of those who are commonly described as environmental refugees have not crossed an international border. Use of this terminology could potentially undermine the international legal regime for the protection of refugees and create confusion regarding the link between climate change, environmental degradation and migration. While environmental factors can contribute to prompting cross-border movements, they are not grounds, in and of themselves, for the grant of refugee status under international refugee law.

The 1951 Refugee Convention will indeed be applicable in some cross-border displacement scenarios, as will UNHCR’s mandate.¹³ Under the 1969 Organization of African Unity Refugee Convention, some situations of cross-border movements which take place as a result of natural disasters may also, depending on the circumstances, be envisaged under that Convention’s definition of the term refugee which builds on the one in the 1951 Convention and includes a person “compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality because of events seriously disturbing public order in either part or the whole of his country of origin or nationality.”¹⁴

Some states and NGOs have suggested that the 1951 Refugee Convention should simply be amended and expressly extended to include people who have been displaced across borders as a result of long-term climate change or sudden natural disasters. UNHCR considers that any initiative to modify this definition would risk a renegotiation of the 1951 Refugee Convention, which, in the current environment, may result in a lowering of protection standards for refugees and even undermine the international refugee protection regime altogether.

¹² IASC Operational Guidelines on the Protection of Persons Affected by Natural Disasters and the related Pilot Manual, Brookings–Bern Project on Internal Displacement (March 2008)

¹³ There may, for example, be situations where the victims of natural disasters flee from their homeland because their government has consciously withheld or obstructed assistance in order to punish or marginalize them on one of the five grounds set out in the refugee definition. In such scenarios, the people concerned could legitimately be considered to be refugees in the traditional sense of the term.

¹⁴ Article I (2), OAU Convention governing the specific aspects of refugee problems in Africa, UNTS Series No. 14 691.

Are there sufficiently reliable and predictable commitments in place to ensure that the humanitarian aspects of climate change, notably the potential to provoke cross-border movements, will receive the necessary priority, be addressed by approaches founded on international solidarity and burden-sharing, and addressed in a manner which safeguards the rights of those affected?

The way ahead

The United Nations Secretary-General has committed the UN system to be responsive to the evolution of the inter-governmental discussions on climate change, while at the same time offering proactive leadership in key emerging areas. Addressing the humanitarian consequences is an obvious priority.

The world is currently confronted with an accumulation of negative trends: climate change, an increased incidence of natural disasters, rising food and energy prices, as well as turbulence in financial markets. While it is impossible to predict the exact outcome of these phenomena, it is evident that they create the conditions in which significant numbers of people may be displaced or feel obliged to migrate. In responding to these circumstances, the Office would encourage the international community to adopt a three-pronged strategy, based on the notions of understanding, prevention and response.¹⁵

Understanding the issues

Climate change is not just a scientific issue. More work is needed to analyze the likely human displacement scenarios which climate change will cause, and to identify and fill any legal and operational gaps. It will also be necessary to assess the potential consequences of climate change on populations who are already of concern to UNHCR and to support appropriate preparedness, adaptation and coping mechanisms.

There is presently little analysis of (or indeed empirical evidence on) the relationship between climate change, environmental degradation, armed conflict, displacement and migration. Common understandings need to be developed in relation to these issues. Additional knowledge is also required with respect to the environmental hot-spots where displacement is most likely to be a feature; the coping mechanisms (including migration) employed by people who are most adversely affected by climate change; and the extent and ways in which environmental degradation is acting as a driver of social and political conflict. More analysis is equally needed of the potential for statelessness that the sinking island scenario may generate.

Prevention and mitigation

The UN Framework Convention on Climate Change provides an important means of pursuing and attaining the objective of combating the root causes of climate change. But

¹⁵ This section draws on the work of Boano, op cit, pp. 27-29

discussions to date have not at all focused on the humanitarian consequences. Should this also become a component of the UNFCCC process?

Displacement or migration is often the final survival strategy employed by populations whose human security is threatened. UNHCR is convinced that additional international funding will not only be needed to help states mitigate the impact of climate change, but also to bolster adaptation strategies and humanitarian response at national level. To avoid people being compelled to migrate or become displaced, we must better understand and reinforce the resilience of communities both in terms of their physical security and their ability to sustain adequate livelihoods.

It is evident that preventive and adaptation activities at the local level should be supported by both the affected states and the broader international community, including relevant components of the UN system and the international financial institutions. Could the Poverty Reduction Strategy Papers prepared by low-income countries with the support of their development partners take full account of the impact of climate change and incorporate appropriate disaster-reduction initiatives or are other approaches necessary?

A rights-based response

The existing framework to address displacement and the grant of refugee status may over time prove inadequate to respond to exponential growth in displacement inside and across international borders. States, IGOS and NGOs need to come together to agree on their respective roles and responsibilities in a burden-sharing context.

It is projected that the hardest hit will be the poor, the young, the elderly, members of ethnic minorities, indigenous peoples and other marginalized social groups – the segments of the population that are the most vulnerable and the least resilient. While the Guiding Principles for Internal Displacement and human rights norms should inform state responses to internal displacement, additional tools, standards or agreements will be needed if the basic principles found in the international human rights instruments are to be translated into tangible forms of protection and support for the populations concerned.

While the Cluster Approach has given a greater degree of consistency and predictability to the protection and assistance provided to disaster victims, not least those affected by environmental catastrophes, it must be able to maximize its efficacy in addressing the plight of affected populations.

In the case of cross-border movements, ensuring respect for the human rights of those affected, irrespective of their status, should be paramount. Beyond the traditional refugee framework, state migration management systems might provide for the entry and temporary protection of people who are affected by climate change, natural disasters and other forms of acute distress. But it is legitimate to ask whether new legal protection instruments might be needed for cross-border movements that are induced by climate-related reasons. UNHCR is not seeking an extension of its mandate, but it is our duty to alert the international community to the protection gaps that are emerging.

An extreme case is that of small island states whose continued existence is at stake. Initiatives will also be required to prevent their citizens from being rendered stateless by global warming and rising sea levels. Issues to be addressed include where and on what legal basis, such populations might be resettled. Any arrangements set in place would need to incorporate specific measures to prevent the populations concerned from being rendered stateless. Such an approach could be underpinned by some form of agreement or guidelines on the standards of treatment that would apply.

UNHCR, environmental conservation, and the impact of climate change on UNHCR operations

UNHCR has been actively engaged with environmental conservation issues in the context of operations for refugees, returnees and internally displaced persons (IDPs) for more than a decade. The Office has long recognized that the presence of refugees and IDPs can have a damaging impact on the environment, especially in situations where those populations are large in size and are concentrated in confined and ecologically fragile areas.¹⁶ The most common manifestations of this problem include deforestation, diminishing water supplies and the disappearance of wild food resources.

Over the years, UNHCR has introduced activities and programmes aimed at mitigating the environmental impact of refugee and IDP populations and promoting adaptation to resource-scarce environments. To meet these objectives, UNHCR has produced a set of Environmental Guidelines which are based on four key principles: prevention, participation, integration and cost-effectiveness.¹⁷

At the operational level, UNHCR actively seeks environmentally-friendly sources of fuel for cooking and heating, and has undertaken tests using peat moss, rice husks, biogas and solar energy. The promotion of environmentally friendly shelter-construction practices is another UNHCR priority, and in this respect, the Office has encouraged the use of sun-dried mud bricks and reusable roofing components.

In a number of African countries that are confronted with the problem of deforestation, including Chad, Ethiopia, Namibia and Sudan, UNHCR is collaborating with the Southern Alliance for Indigenous Resources (SAFIRE) to promote sustainable forms of agriculture in refugee camps that are confronted with the problem of deforestation.

Formal and non-formal environmental education and awareness-raising projects are now incorporated in many UNHCR programmes. To ensure that such activities are undertaken in a systematic manner, UNHCR requires all of its Branch Offices to confirm that their Country Operations Plans and emergency contingency plans incorporate sound environmental management practices.

Such activities serve a number of important purposes. As well as conserving the environment and mitigating the process of climate change, they encourage states to respect the institution of asylum and help to reduce the potential for conflict between refugee or IDP populations and local communities. In these respects, UNHCR's environmental activities constitute an important tool of protection.

¹⁶ For an example of UNHCR's early interest in this issue, see 'Environmentally induced displacement and environmental impacts resulting from mass migrations', Report of an International Symposium Organized by UNHCR, the International Organization for Migration and the Refugee Policy Group, Geneva, 21-24 April 1996.

¹⁷ The Environmental Guidelines, introduced in 2005, can be found on UNHCR's web site through the following link: <http://www.unhcr.org/protect/PROTECTION/3b03b2a04.pdf>

Beyond becoming a more prominent driver of population movements, some of the manifestations of climate change – such as flooding, water scarcity and food insecurity – are already affecting UNHCR operations for refugees, returnees and IDPs. For example, flooding in Somali refugee camps in north-eastern Kenya in November 2007 led 12,000 refugees to lose their shelters and prompted the displacement of some 80,000 refugees to safer locations.

The secondary impacts were equally devastating: an outbreak of malaria and diarrhoea, affecting mainly women and children; reallocation of resources earmarked for new arrivals diverted to assist the flood-affected refugees; the need to airlift food assistance, dramatically increasing transport costs; and temporary suspension of the supply of firewood leading to generalized difficulties for refugees to prepare food.

To meet the demand for water in water-scarce eastern Chad, UNHCR started constructing small dam systems in *wadis*, in order better to collect water during the rainy season. Since Chad's traditional four-month-long rainy season has been growing shorter due to climate change, the dams have proved to be completely ineffective. As a result, refugees are today receiving as little as one third of the standard water rations. Lack of rainfall is also affecting the availability of firewood and regeneration of vegetation in refugee-hosting areas, prompting travel as far as 60km from camps to collect firewood.

In 2008, refugees and IDPs in Sudan, Chad, Liberia and Ghana have seen their food rations reduced owing to increased food and fuel prices. Food shortages are also heightening security concerns. WFP reported that in Sudan alone more than 60 food trucks have been hijacked since the beginning of 2008.

Some of the examples just highlighted demonstrate the impact that climate change is already having on refugee, returnee and IDP populations. UNHCR will need more routinely to factor vulnerability to climate change as an additional consideration in assessing the needs of populations of concern. It will also require the Office to work with governments in implementing disaster risk reduction strategies, while continuing to promote adaptation strategies in its operations.