

VIJVERBERG SESSIONS

Session 3: Climate Change & Migration



SID

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and sponsored by:



SID Netherlands Chapter

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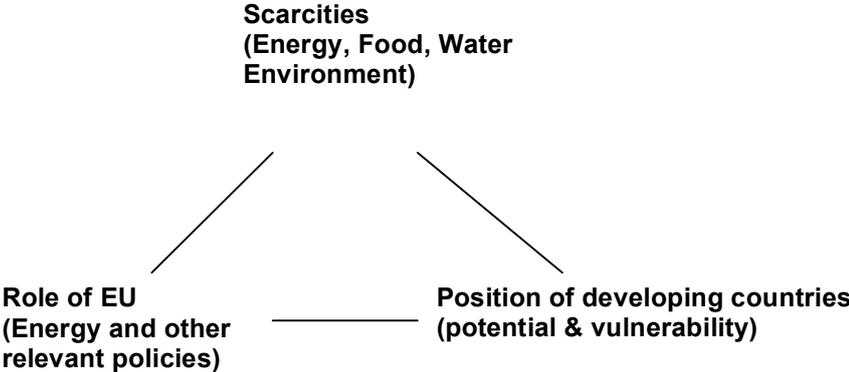
SID Netherlands is an independent platform organisation, which contributes to a sustainable and peaceful world through stimulating, renewing and broadening the international cooperation debate in the Netherlands, and subsequently influencing the policy discussion. The philosophy of SID Netherlands is that development and social change can only occur if multidisciplinary, multi-stakeholder and multi-track approach is applied. SID Netherlands is one of a few organisations in the Netherlands which applies this approach by creating strategic partnerships with other relevant initiatives and organisations.

The Vijverberg Sessions are organised as a part of the European Programme of SID Netherlands.

1. Introduction to the Vijverberg Sessions and Global Scarcities

The global scarcities of raw materials, water, energy and food have direct consequences for the relative position of countries on the economic, social and geopolitical world map. At the same time, public concerns about climate change, biodiversity and unsustainable consumption are making themselves felt more and more. These developments underline the importance of developing a policy approach that takes the changing context of geopolitical relations into account.

Because Europe is playing an increasingly important role at the global level, it is essential that the Netherlands recognises the importance of European international policies and the outcomes of it. Therefore, the aim of the Vijverberg sessions is to engage in a cross sector dialogue and critically reflect on - and contribute to - European policies regarding global issues and international relations. The framework of the discussions can be put in the following triangle:



Within the context of the four Vijverberg sessions - on energy, water, food, climate change and migration - the issues behind this triangle are explored further and in the autumn of 2009 the Vijverberg sessions will be followed up with a European conference in Maastricht. The aim is to give policy recommendations to the new European Parliament as well as the new Commission which will be elected and nominated in June and October 2009 respectively.

2. The Challenges of Migration due to Climate Change

Migration is a topic as old as human race. However migration as a consequence of climate change could be seen as a form of displacement, which is a relatively ‘new’ and a complicated phenomena, which makes it a rather difficult topic to deal with. In recent years terms such as ‘climate refugees’ or ‘environmental refugees’ could be found in literature and in the media, however such terms seem to complicate rather than help the debate. The United Nations Geneva Convention of 1951 sets the definition of who is a refugee, the definition that is still in use as the international legal framework to identify refugees.

*"[A person who] owing to well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinions, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country, or who, not having a nationality and being outside of the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it"*¹

Upon reading this definition it becomes immediately clear that the person forced to leave his home as a result of changes in his environment by global climate change, do not fall under the protection of the 1951 Geneva Convention. Additionally, people living in the developing countries in the South are most vulnerable to the effects of climate change since they live in the areas that are and will be mostly affected by these effects yet at the same time they have low means of protecting themselves. This implies that the Northern countries – which are proven to be main contributors to climate change and its (adverse) effects – have an obligation to provide assistance to Southern countries.

The impacts of climate change are difficult to estimate, though many studies have been and are being undertaken to fill this gap of knowledge. Moreover, given the difficulty in assessment of the climate change impact, research is even less confident in predicting the magnitude of migration as a result of climate change. There are widely differing estimates of the amount of people that will migrate (both internally and externally) as a result of climate change. Migration reasons are often hard to determine, and in the case of climate change it is even more true.

In addition to these challenges on the definition as well as on estimating numbers of migrants, there is a challenge on the policy level. It is necessary to include migration resulting from climate change in current policy debates, and to consider and adopt appropriate mitigation and adaptation strategies.

2.1 Why Was Migration as a Result of Climate Change Overlooked?²

It seems that forced migration resulting from climate change is a new kid on the block of international problems, even though the first research dates back to the beginning of 1990. In 1992 the International Organisation for Migration (IOM) published its first study on migration and environment³, and in 1996 the UNHCR also published on the theme. Yet, the issue has

¹ From the 1951 Convention relating to the Status of Refugees, Art. 1A (2), 1951, as modified by the 1967 Protocol. For the whole Convention, see <http://www.unhcr.org/protect/PROTECTION/3b66c2aa10.pdf>

² Frank Laczko, Head of Research and Publications the International Organisation for Migration (IOM), Geneva, gave a presentation on this topic

³ *Migration and the Environment*, IOM International Organization for Migration, Geneva 1992, 57 pages. There is no online version available but can be ordered via the IOM website: <http://www.iom.int/jahia/Jahia/activities/pid/2073>

been forgotten over the years. Why? When the first reports were published, the topic was not accepted as being important. Simply because these reports were not perceived as a problem of Northern countries; the reports already predicted large South – South migration and relatively little South – North migration. Rising problems linked to receiving migrants in the North triggered the ‘rediscovery’ of climate change as a result of migration.

In the last couple of years, IOM⁴ has been actively developing a policy position and framework on this issue. It came up with a working definition, yet this has been criticised for being not nuanced enough. Moreover, IOM has written reports on possible scenarios of migration, analysing impacts on the place of origin as well as destination. Migration and refugees have an impact on the environment themselves as well; the double causation effect is often overlooked.

Organisations such as IOM as well as humanitarian agencies⁵ have been engaged in the subject of climate change and migration. The painful observation is that development organisations have so far been mainly absent from the discussion. The Inter-Agency Standing Committee (IASC), which unites several humanitarian organisations, and no development organisation until now, has been working on the issues of the definition as well. However, the only agreement reached so far has been not to use the terms ‘climate refugee’ or ‘environmental refugee’ because of fears that this might undermine the international legal regime and protection of refugees as well as create confusion. Another shortcoming of the work of IASC is that their focus is mainly on the short term effects of climate change, and less on the influences of gradual environmental changes.

Apart from the definition issue there is a gap on the research side as well. To this end, the United Nations University of Bonn and the IOM have created a climate change and migration alliance, which has four objectives: to provide a neutral forum for policy debate, for knowledge sharing, executing pilot projects and looking at practical solutions. The lack of research is shattering, especially in the countries that are in need of knowledge most. And when there is research there is no interdisciplinary conversation which is required in order to advance knowledge. Lastly, the research should also be more oriented towards policy recommendations, as only with these outcomes governments and organisations will be able and dare to take more encompassing steps.

2.2 Protection of Environmentally Displaced Persons within the Existing Legal Framework⁶

Terminology for environmentally displaced persons is yet undecided while the urgency to come into action is only growing. One approach that circumvents this problem for the moment is to focus on existing categories of protected persons. Different categories of existing principles of human rights and legal instruments apply to different types of displaced persons. Internally displaced persons fall under the 1998 Guiding Principles on Internal Displacement⁷. The problem lies with people that cross international borders, especially for

⁴ For more information on the work of the IOM, please look at <http://www.iom.int/jahia/jsp/index.jsp>, and specifically for climate change and migration see <http://www.iom.int/jahia/Jahia/activities/pid/2068>

⁵ E.g. UNHCR, ICRC, a number of refugee NGOs

⁶ This presentation was given by Mr. Vikram Kolmannskog of the Norwegian Refugee Council, for the presentation see <http://sid-europe.org>

⁷ UN Doc. E/CN.4/1998/53/Add.2, available at <http://www.unhchr.ch/html/menu2/7/b/principles.htm>

those regions where the impact of environmental change is slow and the movement of people starts voluntarily.

Those who cross international borders can be protected to a certain extent under the legal framework of the EU. The Temporary Protection Directive can provide protection whenever ‘mass influxes’ occur – the determination of whether there is a mass influx is decided by the European Council on a case by case basis. Moreover, the Qualification Directive article 2 (e) provides protection to persons who face ‘a real risk of suffering serious harm’. The definition of ‘serious harm’ is partly based on the European Convention of Human Rights, and recent case law⁸ shows that protection can be granted in case of extreme natural disaster or degradation.

Individual states, which have no explicit legal recognition of environmentally displaced persons, can grant protection on temporary, complementary or humanitarian basis. Best practice is both on EU level as well as on the global level a recommendation to make protection as effective as possible.

2.3 Case Study: Climate Change and Displacement in Dar es Salaam, Tanzania⁹

The impacts of climate change, as experienced by Tanzanians as well as other Southern countries, are influencing many aspects of life. Most obvious changes in climate that are experienced in the African countries are among others increase in average temperature, and alterations and inconsistency in rainfall. Also more extreme weather circumstances such as increasing droughts and floods occur more often. There is a trend of rural migration to urban areas for ecological as well as economic reasons. Moreover, as livestock is migrating due to changing weather conditions, people are forced to move with them. Then there are rising sea levels, frequent floods, disruption of wildlife and ecosystems, increase in level and number of climate-related diseases in humans, animals and crops, increased land degradation, and widespread fires occur because of extreme droughts. These effects have in turn a direct or indirect influence on other aspects of human life and nature. The most severe effect is increasing poverty, due to declining crops yields and reduced income. Another example of indirect effect is hydro-electric power crisis as a result of more frequent and prolonged droughts, which resulted in forced shifts to thermal electric power sources in Tanzania in the past.

In order to tackle the challenges of climate change two types of action are required: mitigation and adaptation. First, mitigation of greenhouse gas emissions should be achieved through program cooperation of both developed and developing countries. Secondly, adaptation programs are required and adaptation funds should be available. Those adaptation programs should assist developing countries in adapting to climate change and building defence systems. The programs should be incorporated into all aspects of policy and provisions should be made for climate uncertainties.

The mitigation and adaptation programs currently undertaken in the South, including Tanzania, focus on the reasons of migration and attempt to minimize them. The main reasons to migrate are the lack of food, water or economic activity. The threat of food shortage can be reduced by for example cultivating drought resistant crops in arid and semi arid areas. Water

⁸ Budayeva and others vs. Russia, 15339/02,21166/02,20058/02,11673/02 and 15343/02, Judgment of 30 March 2008

⁹ This presentation was given by Mr. Adam Kimbisa, mayor of Dar es Salaam, Tanzania. For the presentation please see <http://sid-europe.org/>

scarcity or threats of can be tackled by initiating well drilling programs and ocean protection e.g. dams. Moreover, the energy supply should be made as independent on climate as possible, which makes the use of natural gas favourable. Also, developing countries should minimize their contribution to air pollution, by for example using the Bus Rapid Transition System, establishment of which is currently being prepared for use in Dar es Salaam. The Clean Development Mechanism (CDM) reduces methane equivalent in air and as source of energy/ power generation is already in place in Dar es Salaam. A measure still under study in the city of Dar es Salaam is high grade composting project, which reduces methane emissions and opens new opportunities on the fertilizers market.

The cooperation on adaptation measures between developed and developing countries can yield large benefits, especially in energy efficiency, renewable energy technologies, landfill gas management and composting. It is essential that there are forums for discussion and exchange of experiences and research findings. Moreover, the international community needs to give impetus to climate negotiations with countries emitting most greenhouse gasses. Furthermore, special attention and funds should be made available for the poorest countries dealing with displacement as a result of climate change.

3. Discussion¹⁰

1. The Human Rights Based Approach

The issue of definition is usually the first to come up when the subject of environmentally displaced persons is discussed. It is important however not to be too focussed on the definition issue and look at the content of the problem. There is a similar trade off between coming into action in the short term, and the longer term trends, which are often overlooked and need more scrutiny and consideration. It is urgently recommended to simultaneously conduct research, find an agreement on a definition, protect those people that already suffer from displacement, and prevent future (forced) migration as a result of climate change.

Concerning a definition on the part of the EU, opinions differ whether the EU should take the lead in incorporating the protection of environmentally displaced persons in the legal framework. On the one hand, the EU can not meaningfully express an opinion about environmentally displaced person protection in other countries, if the EU has made no effort to develop and ensure legal protection itself. On the other hand, it is arguable that the EU is not likely to receive many environmentally displaced persons, so there is no need to address this problem now and instead the focus should be on more urgent problems.

Another important aspect of the human rights approach concerns the right of people to stay in their home land if they prefer so. This aspect is further elaborated in the next section, as it contains important policy recommendations.

2. Advise and recommendations for (EU) policy

The European Union has recognised the link between different push factors of migration, including climate change. Yet, the EU needs more research outcomes with specific policy recommendations in order to take appropriate action.

¹⁰ The discussion was led by Jos van Gennip, president of SID Netherlands. He provided the group of experts with four blocks of broad issues to discuss.

One way to obtain this empirical data with the direct relevance for policy makers is by executing in depth case studies which elaborate on linkages between climate change and migration. Adaptation strategies should be derived from this. These case studies could be similar to the ones of the United Nations Environment Programme (UNEP), yet migration should be integral part of it. These country specific or region specific approaches would also make it possible to deal with specific issues in that region, such as inter rural migration.

Another recommendation was made in the light of ecological restoration. This is vital in restoring the natural habitats of people and therefore decreases the chance of forced migration, and enables return of people have already been forced to migrate. The initiative of the Climate Centre of the Red Cross has developed an Early Warning, Early Action system¹¹, which can serve as an example for a warning system that the EU could adopt.

It should not be forgotten that migration is not necessary a negative phenomenon, and that there are also opportunities arising from migration. Nevertheless, we should distinguish between people that voluntarily move and those who do not, since the last group of people is more likely to be in despair, which could lead to additional problems such as conflict. Hence, policies should be designed towards the end of enabling people to stay in their home land if they prefer to do so. Therefore, more concentrated contributions should be made to this end. Moreover, empirical research should take place to identify the most vulnerable people and vulnerable areas. In addition, there should be active communication with these people, as it is necessary that their voice, their problems and their wishes are heard. Only then effective adaptation strategies would be possible.

Groups of people that move voluntarily to urban areas have a great potential, yet there should be facilities in order to take the fruits of the opportunities. In Dar es Salaam mayor Kimbisa introduced the ‘big bang triangle’ which consists of a business pack, an industrial pack and a financial pack¹². This framework facilitates migrants need to start a business or to work legally, which contributes to their own well being as well as to that of the city. Nevertheless, the rural areas should be given equal attention and small farm holders should be empowered in order to keep a balance between development in urban and rural areas.

3. Mitigation and adaptation strategies

To start with it is important to recognise that international development agencies such as UNEP have reasonable national adaptation plans; however migration is not an integral part of these strategies. As mentioned earlier, the striking observation is that most development organisations have structurally disregarded the issue so far.

In recent years, several studies investigated the cost of inaction in development and all confirmed that cost of inaction is vast. The return of investing in natural resources, which were devastated as a result of degradation, would resulting in development whereby people would be able to return to their original areas. Therefore, developed countries need to neutralize the costs for adaptation. Moreover, they need to create adaptation funds, in addition to ODA funds, which are at the direct disposal of developing countries that are in need. At the

¹¹ For more information, see <http://www.climatecentre.org/>

¹² See mayor Kimbisa’s presentation

United Nations Conference on climate change in Poznan¹³ it was decided that the adaptation fund established under the Kyoto Protocol would become operational. The fund would directly finance concrete adaptation projects and programmes in developing countries that are Parties to the Kyoto Protocol; the “fund would be a legal entity granting direct access to developing countries”¹³. The Fund would raise money from a levy of about two percent on credits generated by carbon trading. Yet, the carbon trading market is not expanding which means that the fund is hardly growing. This in turn means that there is not enough funding to cover the expenditures needed in developing countries. Still, it is a sign of solidarity and a first step in the right direction of legitimising the right of developing countries to use funding for measures of adapting to and dealing with the climate change effects.

4. Impacts on the general international cooperation

There is a need to rethink the importance of rural development in international development cooperation. Over the last few decades, the focus has been more and more on urban development, while (partly) neglecting rural development. Rural areas are vital for developing countries and reasons that force people to leave rural areas should be prevented as much as possible. In this light, it is important that international cooperation reinforces efforts and knowledge of rural development. Ecological restoration is an essential part of this approach, as it facilitates people to return to previously impaired rural areas.

4. Conclusion

The definition issue remains open, yet the advice to national as well as the European level is to utilise and expand present legal frameworks to make them apply to environmentally displaced persons. The advice for the long run is to make the legal framework for these persons more thorough, yet the persons already displaced should be given priority. The urgency of the issue requires that action in different aspects of the issue is taken simultaneously, so the work on research, protection, policy change and definitions should be done at the same time.

Important recommendations can be made in light of the new realities. Considering the enormous effects these new realities will have, the EU has to develop a new coherent policy framework which should contain several elements.

- First, the EU should recognise the reality of the amount of people already displaced due to climate change effects, and make humanitarian and emergency assistance available for climate change forced migration. It is necessary to adjust regular assistance programs to this new situation.
- Secondly, and more importantly, emphasis on long term assistance programs in relation to slow environmental degradation and migration flows is vital.
- Moreover, the need to refocus on rural development is a must. In the last twenty years, rural development has been increasingly overlooked and underestimated in its importance. Therefore, the recommendation is to invest in (re)building knowledge and expertise both in developing and developed countries.
- The thesis that this new coherent approach should be something of a special responsibility and one of the “own” priorities of the EU programmes should be discussed further.

¹³ UN Conference held in Poznan in December 2008, for more information see http://unfccc.int/meetings/cop_14/items/4481.php

- One of the opportunities might be the Maastricht Conference planned to be organised by SID Netherlands in the autumn of 2009.

Climate change is not a scarcity of the kind the previous Vijverberg themes of water and energy represented. However effects of climate changes create scarce conditions, which in turn force people to migration. Nevertheless, the interrelations between the themes are crucial. Water and energy scarcities are at the roots of compelled movements of people and all have some interconnection with climate change. Another important similarity is the adequate international framework needed to deal with these issues, and is either not sufficiently existent or active. The outcomes of this session show that we are running out of time. We have to act today, or as we were reminded by the case study of Tanzania, we should have already started yesterday.

