

Concept Note

Climate Justice Dialogue: Human Rights, Climate Change and Migration in the context of the global compact for safe orderly and regular migration

10am-11.30am, 16 May 2017

Permanent Mission of Ireland to the United Nations

1 Dag Hammarskjold Plaza, 885 Second Avenue

19th Floor, New York N.Y. 10017

Context

Climate displacement, whether as a result of voluntary, forced or planned responses to the impacts of climate change, is a growing issue faced by millions of people and its results are already felt at all levels of society, particularly by those countries most vulnerable to climate change. Climate Displacement can occur internally within a jurisdiction or across international borders. Where this movement crosses borders it falls under the category of international migration, the subject of the negotiations of the global compact for safe, orderly and regular migration (the global compact). As the impacts of climate change will be more keenly felt in the decades to come it is critical that comprehensive, coordinated and targeted solutions are found to address migration resulting from the adverse effects of climate change. These solutions will be best where they incorporate a human rights based approach and are couched in the principles of climate justice.

On 16 May, the Mary Robison Foundation – Climate Justice and the Office of the United Nations High Commissioner for Human Rights will host a meeting of Permanent Representatives and other stakeholders on the issue of human rights, climate change and migration. The meeting will encourage participants to share their thoughts on how climate change and human rights can be best addressed by the global compact. The meeting is being held in advance of the global compact's second thematic consultation in New York from 22-23 May 2017, titled 'Addressing drivers of migration, including adverse effects of climate change, natural disasters and human-made crises, through protection and assistance, sustainable development, poverty eradication, conflict prevention and resolution.'

This is one of six thematic consultations that are being held as part of Phase I of the global compact process. There will be additional regional consultations that will feed into the eventual compact. Phase II of the global compact will be a stocktaking exercise based off the information gathered from these consultations, submissions and associated meeting outcomes. The results of this stocktaking will be fed into the Phase III negotiated outcome

which will set out a ‘range of principles, commitments and understandings among Member States regarding international migration in all its dimensions’.¹

Migration in the Context of Climate Displacement

The inclusion of climate change as a driver of displacement, and an acknowledgement that human rights must underpin policy outcomes addressing climate-induced movement of persons will be critical elements of a global compact that is forward looking and robust. The thematic consultation should consider the rights of persons affected by climate change, and how responses and policies intended to protect people who migrate as a result of the adverse effects of climate change or adaptive responses to climate change should be informed by human rights.

Although all persons are protected under international human rights law, the obligations owed to persons displaced and migrating as a result of the adverse effects of climate change are routinely not met. Where persons or populations seek refuge across an international border there is no recognised category that allows them freedom of entry or to stay.

Persons who migrate, whether through planned, voluntary or forced responses to the adverse effects of climate change are entitled to enjoy all of the human rights protections found in the Universal Declaration of Human Rights and other human rights instruments. At present, gaps in the application of the human rights framework means the rights of these persons are not always protected. Affected rights include:

- the rights to culture and physical heritage
- the rights to work and make a decent living
- the rights to food, water and sanitation, housing and an adequate standard of living
- the right to self determination
- the right to development
- the right to land
- the right to freedom of movement
- the right to life.

There is a clear global recognition of the need to address climate displacement in all its forms. Part of this recognition needs to be that at its most basic level the best approach is one that achieves the goal of the Paris Agreement that is 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. This will limit the impact of climate change, and in turn limit the number and severity of persons migrating as a result of being displaced by the adverse effects by climate change worldwide. Additionally, more coherent and coordinated efforts at the global level need to be made to avoid siloed approaches and deliver effective responses to vulnerable populations. As such progress made under these frameworks must be consolidated and built upon including in the global compact.

¹ New York Declaration, Annex II, Paragraph 2, <http://refugeesmigrants.un.org/declaration>

Proposed Date/Time/Venue

16 May 2017 Time: 10am Venue: Permanent Mission of Ireland to the United Nations, 1 Dag Hammarskjold Plaza, 885 Second Avenue, 19th Floor, New York N.Y. 10017

Format of the Meeting

Co-hosts will make brief introductory remarks at the start of the event.

This will be followed by a learning circle chaired by Mary Robinson. The event will have a single discussion question.

The meeting will be held under the Chatham House Rule. A report will be prepared following the meeting which will be circulated to participants.

Discussion Question

- What practical steps can be undertaken to ensure that the connection between human rights, climate change and migration are recognised in the global compact on migration?

Agenda

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| 09.45 | Registration and arrival |
| 10.00 | Introduction from Co-Hosts |
| 10.10 | Learning circle discussion |
| 11.15 | Summary of discussion by chair |
| 11.20 | Close by Co-Hosts |