



## CLIMATE CHANGE: PROTECTING THE RIGHTS OF MIGRANTS

Climate change is an increasingly important driver of human mobility. For instance, between 2008 and 2018, **24 million people were internally displaced by weather-related sudden-onset disasters** each year. This figure does not include those who moved due to slow-onset events, such as freshwater salinization, ocean acidification, sea-level rise, glacial melt or desertification. The number of persons whose decisions to move have been affected by climate change is likely to be much higher. It is expected that human mobility, including internal displacement, cross-border migration and planned relocation, will increase as global temperatures rise. People who move due to climate change out of necessity rather than free choice, are at higher risk of human rights violations. A human rights-based approach to climate action and migration, which addresses the needs of people affected by climate change and protects their rights before, during, and after migration is critical.

### Impacts on migrants

**A Complex Link:** Decisions to move, even when the adverse effects of climate change are the predominant driver, can be compounded by violations of economic, social, cultural, civil and political rights, some of which may themselves be caused or exacerbated by climate change. Climate change can also indirectly increase the risk of violent conflict by amplifying well-documented drivers of conflict, such as poverty and economic shocks. Failure of Governments to undertake effective climate action can drive migration. However, sometimes, such measures themselves can adversely affect the enjoyment of human rights and drive human movement. For instance, some hydroelectric projects have resulted in forced evictions, and planned relocations of those affected involve high risks of human rights harms.

**A Threat to Human Rights:** The negative impacts of climate change can reduce adaptive capacity and affect a person's ability to move and the freedom with which they choose to do so. Persons moving in response to climate change may experience difficulty in exercising their rights throughout the entire migration process. There are numerous barriers to international migration, including restrictions on migrants' access to labour markets, a lack of safe, accessible and regular migration pathways for work, education, family unity and humanitarian needs, criminalization of irregular migration, and migration policies based on deterrence. Migrants may be denied entry or pushed back through dangerous border control regimes. Migrants who are compelled to move in an irregular manner are exposed to heightened risks and may face expulsion, marginalization, discrimination, persecution, arbitrary detention, lack of access to health care and other basic services, labour and sexual exploitation, human trafficking, violence, rape and torture.

Climate change exacerbates pre-existing inequalities and is most acutely felt by those that are already in vulnerable situations like people living in poverty, indigenous people, minorities or persons with disabilities. It poses an existential threat to inhabitants of small islands and low-lying coastal countries. Those who have contributed so little to causing it find

themselves most at risk. Migrant women and girls may face specific risks of human rights violations. In particular, harmful gender stereotypes, proscribed gender roles, discriminatory laws, sexual and gender-based violence, lack of financial income or access to skilled labour markets and limited access to social capital frequently restrict the ability of women to migrate safely or access their rights in countries of destination.

**Legal, policy and implementation gaps:** While many international laws and policy frameworks mention persons crossing borders in the context of climate change, implementation is lacking to provide comprehensive protection.

**Bridging the gaps:** All persons are rights-holders and all States have ratified at least one international human rights treaty. These obligations require a human rights-based approach to climate action and migration. States should address the needs of people affected by climate change and protect their rights before, during, and after migration. Such action includes measures to mitigate climate change and prevent its negative impacts on human rights, to ensure all persons have the capacity and means to adapt; and to ensure accountability and effective remedies for harms caused by climate change.

