**OHCHR Presentation to Joint UN System Side Event on SDG10, Human Mobility and Climate Change at the 22d Conference of the Parties to the UNFCCC**

**Delivered by Benjamin Schachter, Human Rights Officer on 10 November 2016**

Thank you for joining us for this discussion. It is my pleasure to speak today on behalf of the United Nations Office of the High Commissioner for Human Rights.

We are living in an age of mobility. Some 250 million women, men and children who are not living in their own country. Some people are on the move as a result of the impacts of climate change. The majority of them will move within the borders of their own country, some will cross to neighbouring countries, others will make longer journeys. As is made clear in the recent New York Declaration on Refugees and Migrants, the causes of these movements are multiple. According to the Declaration,

“Some people move in search of new economic opportunities and horizons. Others move to escape armed conflict, poverty, food insecurity, persecution, terrorism, or human rights violations and abuses. Still others do so in response to the adverse effects of climate change, natural disasters (some of which may be linked to climate change), or other environmental factors.”

We know that people move and will move, even crossing borders, rather than face repeated and increasing risks including risks posed by sudden-onset extreme weather events like hurricanes but also slow-onset events –– such as coastal erosion, acidification, glacial retreat, salinization, sea level rise, land and forest degradation, loss of biodiversity and desertification.

We also know that these movements have human rights implications. Understanding them, is one of the more complex and pressing issues currently facing the international community, with an estimated 22.5 million persons displaced (internally or across borders) by weather each year. Threats faced by those moving as a result of adverse climate impacts are substantial and may be further exacerbated for persons belonging to particular groups including minorities, indigenous peoples, women, children, persons with disabilities and the poor.

It is widely recognized that the legal and policy regime for protecting the rights of persons on the move owing to the adverse effects of climate change must be clarified in order to adequately address the substantial human rights threats they face which include food insecurity, lack of access to clean water, healthcare and basic social services, inability to sustain decent livelihoods, persecution and discrimination. If these threats are not addressed, we will not achieve the Sustainable Development Goals, including goal 10 on reducing inequalities. Failure to address these impacts will leave many people behind.

Better understanding is critical. First, it is important to avoid the assumption that migration is always voluntary. Not all cross-border movement falls neatly into categories of voluntary or forced. Today the various categories into which we have traditionally divided people on the move may be better represented by a continuum than by a dichotomy.

The slowly unfolding pace of some weather-related disasters means that some people might choose to move now, before they are forced to move later. Under such circumstances, this movement is not entirely voluntary and the choices that are exercised are undoubtedly constrained. It is important to remember that regardless of their reasons for movement, all persons are entitled to a life of human dignity.

We need an approach to climate-related movements and indeed all human movements that goes beyond protection from immediate physical threats and looks in addition at the underlying socio-economic and political contexts related to poverty and weak governance, and the ways in which structural discrimination, marginalization and exclusion operate to render certain individuals and communities at greater risk of precarious “non-voluntary” migration/displacement in the context of climate change.

Addressing these issues will require us all to work harder to ensure that those who are fleeing across borders receive protection.

In October of this year, OHCHR along with the Mary Robinson Foundation – Climate Justice and the Geneva Pledge for Human Rights in Climate Action hosted a two-day expert meeting on human rights and climate change. The meeting included a half-day panel and discussion **on human rights, migration, and displacement related to the adverse impacts of climate change which was moderated by Mary Robinson and included expert presentations from OHCHR, the Platform on Disaster Displacement, IOM, the Internal Displacement Monitoring Center, the IPCC, UNHCR and UNISDR.**

Some of the recommendations from the rich discussion at this event included the following:

1. Address the root causes of forced displacement by strengthening social protection systems, empowering persons in vulnerable situations and investing in productive, inclusive and resilient development in agriculture, forestry, fisheries and aquaculture
2. Clarify the relationship between climate change and movements of people and the corresponding obligations of States
3. Address collective displacement and associated human rights harms.
4. Establish mechanisms for impacted people to participate in relevant decision-making including in discussions at the UNFCCC.
5. Emphasize the importance of pre-emption through appropriate disaster risk reduction and adaptation including by taking effective climate change mitigation actions and increasing the resilience of livelihoods and food systems.
6. Further explore the principle of *non-refoulement* as a complementary framework for the protection of persons displaced by climate change.

OHCHR would welcome the taskforce of the Warsaw Mechanism to consider these recommendations in its deliberations. Further, we believe it is critical that the taskforce include somebody with human rights expertise in order that the discussion be informed by and integrate human rights. For its part, OHCHR hopes to work to address some of the critical knowledge gaps.

In this regard, OHCHR has recently joined the advisory committee to the Platform on Disaster Displacement and looks forward to work with them and other partners next year to develop a more defined understanding of the human rights risks and vulnerability of individuals and communities who are faced with climate-related disasters, and particularly slow-onset events.

OHCHR aims for this work to feed into ongoing multilateral and expert processes at the global and regional levels including;

* Development of a global compact on safe, regular and orderly migration within the framework of an intergovernmental conference to be held in 2018;
* State-led processes to develop guidelines on vulnerable migrants, potentially based on a set of Principles and Guidelines on the human rights protection of migrants in vulnerable situations within large and/or mixed movements being developed by the Global Migration Group;
* Ongoing discussions at the UNFCCC related to climate-induced movement of peoples, including those of the Warsaw Mechanism on loss and damages;
* Efforts to implement commitments made at the World Humanitarian Summit and in the context of the Sendai Framework for Disaster Risk Reduction.