



Climate Change, Forced Displacement, and Peace & Security: Biden Administration Actions That Ensure Rights

By Amali Tower

CLIMATE
REFUGEES

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ABOUT *Climate Refugees*:

Founded in 2015, [Climate Refugees](#) is a human rights organization that calls for the protection and rights of those displaced by climate change. Through advocacy, research, field reports and global monitoring, we shed light on the complexities of climate-induced displacement, its human rights implications and the climate injustice at its roots. [More here](#).

Although used here, 'climate refugees' is not a term supported in international law. Just as the 1951 Refugee Convention protects those who are forced to flee their homes due to conflict and persecution, the time has come to focus actions on people for whom climate change effects go beyond the environment to impact entire systems that could force displacement.

For us, it's less about terminology, and more about justice. [More here](#).

Expert Consultations & Acknowledgements

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Helen Gutiérrez, (Environmental Justice), Climate Adaptation, La Ruta del Clima. February 2021

Hindou Oumarou Ibrahim (Environmental Rights, Indigenous Rights), Advocate, United Nations Sustainable Goals. February 2021

Elizabeth G. Kennedy (Human Rights, Central America), Social Scientist, Forced Migration; Human Rights Watch, UNHCR. July 2019

Dr. Marcus King (Climate & Security), Director, Master of Arts in International Affairs, John O. Rankin Associate Professor, Elliott School of International Affairs, The George Washington University. February 2021

Adrián Martínez (Climate Change Policy), Director, La Ruta del Clima; Research Fellow, IASS-Potsdam. February 2021

Dr. Ahmadou Aly Mbaye (Climate Change & Migration), Professor of Economics and Public Policies and Vice-Chancellor, University Cheikh Anta Diop, Dakar, Senegal. May 2020

Jannie Staffanson (Indigenous Rights), Saami, Environmental and Indigenous Rights at Indigenous People's Platform, UNFCCC. February 2021

Introduction

In wanting to better understand the role of climate change in migration, President Biden has shown vision and bold leadership, vital to protect displaced people in a changed climate that has not kept pace with a global system.

Our earliest warnings of the risks climate change posed to human migration were known in 1990 with the [first](#) Intergovernmental Panel on Climate Change (IPCC). By its [5th report](#) in 2014, we knew climate change could increase human displacement as well as indirectly increase the likelihood of conflict by exacerbating poverty and economic instability.

That same report then warned that if global emissions continued to go unchecked, global temperatures would reach catastrophic temperatures by 2050. Yet we need not wait, since 2020 [marked](#) global temperatures 1.25 degrees Celsius higher than pre-industrial times, tying with 2016 as the hottest year on record, and marking the hottest decade on record.

We see the impacts of this on increased frequency and intensity of disasters and globally disruptive weather events. We see biodiversity loss, ecosystems erased, natural resources exhausted and land degraded.

Every day vulnerable people are forcibly displaced due to impacts generated by climate change. This is not something that will happen, this is something happening now. Several successive years have now recorded more internal displacement resulting from climate-related disasters than conflict, with [2019](#) marking 33.4 million new displacements, 24.9 million as a result of disasters.

For many others who are dependent on the land and natural resources for livelihood, the effects of slow-onset climate change have been disastrous for survival. These slow climate changes are intricately linked to economics and politics, which means this is by no means merely an environmental issue. This is a human rights issue.

The response to climate change has been agreed to in international law to reflect equity and the principle of common but differentiated responsibilities, though we have yet to reflect this in displacement protections.

Yes, climate-related migration and displacement is largely internal, but protection needs persist. When movements are forced across borders, protection gaps exist.

In keeping with agreed policy categories, the global system of international protection is built on arbitrary lines that determine who needs protection and who does not. This is not a criticism of the existing structure, rather a summary of its application that has not always accurately reflected an individual's protection needs.

So for individual farmers, those dependent on the seas, two things are certain: 1) climate change is well beyond an environmental issue; 2) the specific reason for their displacement is not high amongst their primary concerns.

On February 4, President Biden issued an [Executive Order](#) on refugees, including planning for the impact of climate change on migration. He asked for a report, wanting to better understand: **security implications** of climate-related migration; options for **protection and resettlement** of individuals displaced directly or indirectly, mechanisms for **identifying and referring** such individuals; proposals for how findings should affect **US foreign assistance**; and **opportunities to work collaboratively** with states, international organizations, NGOs and others.

The lack of a global governance mechanism remains the main impediment to effective short-term and long-term solutions, but absent one is no longer an excuse for policy inaction. The [1951 Refugee Convention](#) offers protection to those fleeing conflict who face persecution along grounds of race, religion, nationality, membership in a particular social group or political opinion, whose states are unable or unwilling to protect them. With challenges attributing climate change as cause and legal gaps that do not address the not-so distinct line between voluntary and forced movements in the context of climate change, there is a need to better understand the complex and multicausal drivers of forced migration, as well as its disproportionate effects in fragile settings.

I. Demonstrate Leadership With Multilateral Re-Engagement

APPROACH CLIMATE-RELATED MIGRATION THROUGH A HUMAN SECURITY LENS

Climate change-induced migration is not a security threat. Nor can we say climate change leads to conflict. A more accurate assessment may be that our global failure to sufficiently prioritize climate action that addresses the adverse effects of climate change are what increase insecurity.

Migration needs to be reimagined through a human security lens. Climate change alone does not force migration. It is the capacity of climate change to heighten and create social, political and economic disruptions, similar to what we currently see in the Covid-19 pandemic, that disrupts human security and drives forced migration.

We see statistics that tell us migration as adaptation cannot be the only solution we support, for many will be left behind. The UN Secretary General [tells us](#), of the 15 countries most vulnerable to climate change, eight already host UN peacekeeping or political missions.

People in armed conflict are disproportionately impacted by climate shocks and environmental degradation, with [12 of the 20](#) countries most vulnerable to climate change already in conflict. The [ICRC says](#) “conflicts sharply increase the fragility of the institutions, essential services, infrastructure and governance that are critical for strengthening people’s resilience to a changing climate and environment.”

People in [fragile settings](#) - those with risk exposures that overwhelm the coping capacity of a state - are

disproportionately affected by climate change and environmental degradation. According to the UN Peacebuilding Commission and Fund, [70%](#) of the most climate-vulnerable countries are also amongst the most fragile countries. By both measures, this acutely hinders resilience measures and adaptive capacity to climate change effects because of political, economic, social factors and disruptions.

In situations like these, disentangling push factors that drive migration can be challenging, but understanding vulnerability and risk, and having a broader conversation about human security, and how it relates to climate adaptation, is essential.

Yet the past several years have seen states increasingly securitize their borders, and by default, securitize migrants, refugees and asylum-seekers. A better migration system should facilitate migration, not prevent it. And a stronger system should understand the multidimensional and interconnected aspects of climate change on migration, approaching it from various disciplines, regional perspectives and a protection lens, rooted in human rights, that strengthens the adaptive capacities of individuals and their countries.

The global system has been working in disparate and disconnected ways that are not adequately meeting the various intersections that effective response will take. In that vacuum, a security response has strengthened, which alone, will not provide the answers either.

This cannot happen in silos, and it cannot happen without a different security framework, specifically a [human security](#) framework that recognizes the various drivers and complex challenges of understanding and responding to climate change and forcible displacement.

Perhaps nowhere is this more evident than where fragile environments meet slow-onset climate change effects in Africa's Lake Chad basin. *Climate Refugees* traveled there to explore what impact climate change and shrinking Lake Chad has on the conflict and the millions displaced in the region. What we found is that climate change effects have a tremendous impact, and they have for quite some time.

Our [Lake Chad basin report](#), which we formulated after interviews with over one hundred refugees, internally displaced persons (IDPs), and a variety of multidisciplinary thematic and regional experts at various levels and sectors, confirmed what data has revealed about slow-onset effects and fragility's impacts on human lives. A history of environmental degradation, underdevelopment, marginalization of groups, ineffective governments, and a recent history of conflict met over 50 years of Lake Chad shrinking, forcibly displacing people already living on the margins, and trapping others in even worse situations.

Lake Chad, Amali Tower/Climate Refugees



Address Fragmented Climate Response

LEVERAGE SYNERGIES ACROSS UN TO DEVELOP LINKAGES WITH LINKS TO MIGRATION

1. Align National Climate Plans with UN Security Council Climate Work

The UN Security Council also traveled to the Lake Chad basin in 2017 and recognized these impacts, leading to the passing of [Resolution 2349](#), which recognized the slow-onset effects of climate change as having a profound effect on stability in the region.

Since the first consideration of climate change within the Council in 2007, there has been increasing focus on the negative security effects of climate change on various country and regional specific areas within the Council's agenda. In 2020 alone, the Council has [included](#) language in outcome documents on the Central African Republic, Darfur, the Democratic Republic of the Congo, Mali, Somalia and West Africa, frequently emphasizing the need for risk assessments and strategies to cope with the security effects of climate change and adverse environmental factors.

In sections 101 and 102 of the January 27 [Executive Order](#), "Tackling the Climate Crisis at Home and Abroad", and the February 4 [Executive Order](#), planning for the impact of climate change on migration, President Biden said climate considerations will be an essential element in United States foreign policy and national security.

However, by including climate change impacts on migration in the February 4 executive order dealing with refugees, President Biden signaled commitment to view climate-related migration through a holistic lens.

Climate Refugees welcomes that, given our own holistic approach, and reviewed The Center for Climate and Security Advisory Group's [Climate Security Plan for America](#): A Presidential Plan for Securing the Climate Risks of Climate Change, aspects of which were [reflected](#) in the January 27 executive order.

Some recommendations in that plan include multilateral opportunities at regional and international levels that align with US priorities to promote adaptive solutions and protect at-risk and potentially climate displaced populations, which the Biden administration must approach through a human security lens.

On February 23, 2021, the United Kingdom [convened](#) a UN Security Council high-level open debate on climate and security, including discussion for supporting adaptation and resilience in climate-vulnerable settings.

Based on that meeting and a review of the Council's actions on climate and security, there is fairly broad consensus among Council members, including some permanent (P5) members, for a range of activities within its mandate to assess climate-related risks, these include: Special Representative on Climate and Security, annual UN Secretary-General report to the Council assessing the impacts of climate change, and training of relevant UN personnel on the implications of climate change on peace and security and humanitarian crises. According to [analysts](#), up to 12 of the 15 members are likely to be open to Council engagement on climate and security, with China, India and Russia reticent.

The Climate Security Plan for America's pillar on assessing risk recommends the President "Call for a Climate Security Crisis Watch Center at the United Nations"

(2.4), suggesting the Administration work with allies and partners at the UN Security Council to establish this UN institution, led by a UN Special Envoy on Climate, responsible for reporting on climate hotspots to the broader UN and Security Council. In 2.5, they recommend the President "Initiate a Climate Security Research Agenda" to establish a formal "Security-to-Science mechanism." Synergies here can be explored as follows.

Join the Group of Friends on Climate and Security

In coordination with Special Envoy on Climate John Kerry, Secretary of State Anthony Blinken and the Department of State, and Ambassador Linda Thomas-Greenfield and the US Mission to the United Nations (US-UN), the United States should join the [Group of Friends on Climate and Security](#). Initiated by Germany and Nauru in 2018, the Group's aim is to bring the topic into sharper focus in the UN political agenda, with the common objective of risk assessment and conflict prevention. At its founding, the Group had full regional representation with 27 founding member states, many of which are dealing with the worst impacts of climate change.

At the Council's most recent meeting, Germany highlighted the Group's plan of action, [underscoring](#) the many ways in which climate change effects create disruptions that can increase the risk of conflict: food insecurity, competition over scarce resources, mass displacement, farmer/herder conflicts, and threats to state legitimacy.

Illustrating the increasing support from governments, the Group has now [grown](#) to 50 UN member states, and given the blocs many of these states comprise, US membership not only advances common peace and security goals, but also the potential to address gaps and silos by developing strong linkages that cross-cut work at UN funds and programmes in

sectors like environment, development, human rights, humanitarian, gender, specialized agencies, funding (fifth committee) and the Secretariat, are just some of the areas open to exploration by robust multilateral engagement.

Join the Informal Expert Group on Climate and Security of the UN Security Council

In coordination with Special Envoy Kerry, Secretary Blinken and Ambassador Thomas-Greenfield and the US-UN, the United States should join the Council [Informal Expert Group](#), convened in July 2020 with ten Council member states as a forum for members to discuss with global experts operational challenges arising from climate-security risks and identifying systematic responses. Although not a formal subsidiary body of the Council, its first meeting last November, focused on the implications of climate change in Somalia, was attended by all members. The Somalia UN mission is the first to appoint an Environmental Security Advisor. Niger and Ireland are the current co-chairs of the Informal Expert Group in 2021.

Role of USAID

USAID already has a Bureau for Conflict Stabilization and Prevention, which provides programming, funding and technical services in crises and political stabilization. The Climate Security Plan recommends President Biden "Create a Climate Security Conflict Prevention Framework for State and USAID" (3.2) by helping prevent climate-driven fragility and conflict. The [2019 Global Fragility Act](#), and ongoing Council-related work in the area of conflict prevention, provide entry points that align national policy and foreign policy with respect to climate change.

Currently, Germany is funding an expert advising the UN country team in Somalia on the climate-security

risks - the displacement aspects of which we discuss more in detail in Section II. This [report](#) indicates the practice will be [replicated](#) in other UN missions.

Germany established an independent [Climate Security Expert Network](#) (CSEN) to provide assessments and risk management strategies to help inform UN responses. We followed when Niue's Coral Pasisi, a Pacific Representative of the CSEN, [briefed](#) the Council last June, reporting that displacement is already happening internally and across borders due to climate change, with forced displacements occurring within often highly contested land, presenting additional challenges since there are no legal or policy arrangements to protect resources or maritime jurisdictions.

As already mentioned, two challenges run throughout policy prescriptions: attributing climate change as cause for sudden onset and slow-onset effects, and legal gaps regarding forced migration in the context of climate change.

While these challenges are not the purview of the UN Security Council, it is interesting to note that no definitive data exists that attributes climate change as cause for conflict either, and yet, the UN Security Council, despite permanent member objections and climate security not being an official topic of the Council's agenda, has increasingly taken defining action, linking siloed topics and offering venues for countries that possibly feel the imbalance of power in climate action.

This direction can be helpful if pointed towards linked mechanisms that promote displacement protections, and political, economic, social and cultural rights, while also ensuring the climate and security work is conflict prevention work, deeply rooted in human security, and not traditional security.

Climate Refugees has concerns that a geopolitical lens of conflict prevention based on scarcity of resources and links to conflict, has the propensity to view displacement through security, rather than protection. It also overlooks a human rights-based approach that must guide sustainable development.

Instead of scarcity of water, work should be guided by why do people not have access to water? Instead of land degradation, why not also seek questions as to whether land rights impact a community's ability to adapt to climate change?

As the US is president of the UN Security Council this month, and going forward in its national foreign policy in the climate-security area, we strongly urge the Administration to pay equal attention to safeguarding the human rights of at-risk populations and the protection needs of migrant populations.

ICRC [recommended](#) the UN Security Council do its utmost to ensure all actors respect [international humanitarian law](#), which can limit environmental degradation, and "reduce the harm and risks conflict-affected communities are exposed to, including because of climate change." And as ICRC pointed out that armed conflict often harms the environment and limits climate resilience and adaptation efforts, there are yet linkages here again beyond UN peacekeeping and political missions within the Council's mandate to refugees (UNHCR) and migration (IOM), human rights (OHCHR), humanitarian (OCHA), sustainable development (UNDP), environment (UNEP), gender (UN Women) that the Biden administration must develop to mainstream climate action work in a truly cohesive and coordinated way.

Absent a human security lens, and a multidisciplinary approach to human security that encompasses social science, as well as the science and security lens that both the Climate Security Plan for America

and these UN Security Council initiatives suggest, national policy and foreign policy cohesion will stall. The risk of that, of course, is a one-dimensional securitized response, along with the continued securitization of migrants. This is the crux of human security as it relates to individuals forcibly displaced by the effects of climate change, and failure to address it as such leads to insecurity of all.

2. Address Structural Causes of Migration While Working to Protect Migrants

Many of the resiliencies needed to adequately respond to climate change-related migration lie within the UN system, but there are many individual moving parts working at various levels and sectors, and not all inter-related. No central reporting or operational mechanism exists to coordinate the disparate responses.

Beyond new dimensions of displacement, refugees are affected too. In general, people living on the margins of society, risk falling into the deep. With refugees, they are already living in under-funded camps, informal settlements or in urban settings, often unregistered and unknown. By living on the edges, they, too, will be amongst the worst hit by climate change, risking secondary and tertiary displacement. As the Covid-19 pandemic [demonstrated](#), in many cases, it was refugees who responded to the needs of their own communities in Uganda, Tanzania, Lebanon and elsewhere, despite global summits that pledged participatory approaches for refugees in decision-making.

Call for the Establishment of a UN Climate Migration Coordinator

A lack of political will has stalled progress on changed displacement dynamics that has not kept pace with our global system. Conversations,

frameworks, preparedness, adaptations, resiliencies and legal changes begin at the national level. To lead this work, the Biden administration must lead efforts, in conjunction with partners, to identify an institutional focal point to advance this work.

Endorse the Global Compact for Migration and Global Compact for Refugees

The United States should endorse the [Global Compact for Migration](#) (GCM) and the [Global Compact for Refugees](#) (GCR), which provide pathways for advancing a number of common goals. The GCM explicitly addresses climate change as a driver of forced migration, calls for structural support like building resilience, adaptation and planned relocation schemes, as well as commitments to enhance and expand the availability of “pathways for regular migration.”

The GCM offers opportunities for the Biden administration to link climate, development and migration policy by working with UN member states and partners to address structural factors that compel migration and growing [research](#) that suggests in some contexts, climate change effects expose systemic fractures that force migration. Since the GCM is deeply rooted in the 2030 Sustainable Development Goals, there are untapped linkages that embed the GCM and the SDGs at national levels, which promote security and rights for migrants. Further, if migration is to be effectively pursued as a genuine adaptation strategy, it requires cooperation and funding. Right now no such avenue exists.

By endorsing, the administration has an opportunity to lead in what the GCM does not adequately address. Though the GCM is clear that migration should never be an “act of desperation,” its final language overly relies on voluntary migration, which in genuine situations bereft of choice, leave many unaddressed. The distinction between

regular and irregular migration and increasingly diminishing pathways for migration requires genuine leadership where in just the Mediterranean, “mixed flows” of migrants have claimed over [20,000](#) lives since 2014. Just this month, the Council of Europe Commissioner for Human Rights [called](#) on European countries to urgently change their migration policies, which are failing to protect refugees and migrants crossing the Mediterranean, citing the [lack of safe](#) and legal routes as a factor leading to irregular migration. States like Guatemala positioned themselves during the GCM consultations and still maintain that irregular migration [should not](#) be criminalized.

The Migration Policy Institute offers an important [critical analysis](#) on this, helpful in changed displacement dynamics. They are correct to recommend states explore opportunities for “complementary action” in both the GCM and the GCR due to increasingly severe impacts of climate change on migration, increased mixed-migration flows, and “cross-cutting issues of displacement resulting from climate change.”

Support the Platform on Disaster Displacement

The Platform or PDD is the follow-up to the Nansen Initiative, which offers a [protection agenda](#) created by that initiative and endorsed by 109 states. The PDD is a state-led initiative, aiming to implement that agenda, and one the Biden administration can support to manage disaster displacement risks in the countries of origin. The US can also find exchange and support in its own local contexts too, where disaster displacements are increasingly a factor.

3. Lead With Differentiated Responsibilities at the UNFCCC

Support Increased Funding for Climate Resilience, Adaptation, DRR and New Risks

Climate adaptation helps countries most impacted now address solutions. That policy prescription is still the best to lead with, and yet with [estimates](#) of climate adaptation global annual expenditure at only \$30 billion, five to 10 times shorter than the UN Environment Programme's suggestion of \$140-\$300 billion a year, we know it is not reaching the many who need it most right now. It seems the funding is not only a shortfall, but also an overstatement in reporting. An [assessment](#) by CARE showed rich nations had over-reported climate adaptation financing by over \$20 billion.

Speaking for the Least Developed Countries (LDCs) at the UN Security Council last month, The President of Malawi said, despite LDC global emissions being 30 times lower than "global polluters", LDCs are bearing the brunt of worsening poverty and increasing inequalities, with water scarcity, desertification, cyclones and competition for natural resources creating "climate refugees." He called for \$100 billion in annual climate finance for adaptation and the transfer of climate-friendly technologies to accelerate green development efforts.

President Chakwera is of course referring to the [Green Climate Fund](#) (GCF) within the United Nations Framework Convention on Climate Change ([UNFCCC](#)). Although the UNFCCC was adopted in 1992, it was not until the 2010 [Cancun Adaptation Framework](#) that the fund was formally established, along with the inclusion of climate change-induced migration, displacement and planned relocation, following the work of non-Party advocates.

Although targets were set at \$100 billion a year, and commitments were made, the countries most in need have not seen the essential funds materialize. The United States, under the Obama administration, pledged \$3 billion to the fund, but to date, only \$1 billion has been transferred. The Biden administration has signaled intent to follow through on the original pledge, and at current funding rates, \$2 billion is necessary not only in line with the needs of countries most climate-threatened, but vital for global cohesion.

Role of USAID

The Climate Security Plan recommends the President "Significantly Increase Strategic International Investments in Climate Resilience" (3.2) by directing Secretary Blinken to find ways to increase climate resilience investments, specifically in climate change adaptation and mitigation. In addition, we see key areas for Special Envoy Kerry's office to coordinate actions with USAID, who are well-positioned to respond in a coordinated manner to a number of the recommendations these experts suggest, that illustrate the substantive and operational needs in other regions that also require tailored policy packages. USAID has established capacity and programs that can readily respond in many key sectors: environment and climate change, agriculture and food, democracy, human rights and governance, crisis and stabilization and many more.

Climate Refugees [spoke](#) to Sahel expert Dr. Ahmadou Aly Mbaye, who runs a climate change and migration program covering 11 countries in the Sahel, who said adaptation is what is most needed in the region, but with linkages to "big pillars" that must be addressed simultaneously like improving governance across multiple parts of the Sahel, even filling vacuums in governance that not

only pose a security threat, but are impediments to sustainable development. Although most financing in Africa is directed towards mitigation, global emissions are proportionally low. ICRC also [pointed](#) out the disproportionate funding for reducing carbon emissions, relative to adaptation funding for countries grappling with climate change impacts. They also point out the gap in funding for climate action between stable and fragile countries.

In the Sahel, climate change impacts are felt “almost everywhere” since the economies are based on natural resources. Climate change impacts are seen in industries such as agriculture and livestock to fishing and mining, and the manufacturing sector is backed against these natural resource sectors. In urban areas, impacts are felt in tourism.

Dr. Mbaye says “it is becoming increasingly difficult to disentangle development challenges from climate change challenges.” For this reason alone, it is recommended that adaptation funding be separate from development assistance, which tends to be bureaucratic and slow.

Regional & Locally-Led Initiatives

[The Global Adaptation Center](#) is working to accelerate adaptation and adaptation finance in strategic climate change-vulnerable regions with programs in various sectors and levels, within a range of countries, regional forums, multilateral agencies, institutions and partners. The Center has also taken over the work of the Global Commission on Adaptation, begun by former UN Secretary-General Ban ki-Moon. One partner is the [Climate Vulnerable Forum](#), a South-South cooperation platform, comprising 48 nations with a combined five percent share of global emissions, who act together on global climate change. Through our education and awareness platform, SPOTLIGHT: Climate Displacement in the News, we recently

[discussed](#) CVF actions at the Global Forum on Migration and Development, where its present chair Bangladesh brought to light the urgency of international support in dealing with climate displacement through a human-rights lens, and migration linkages to the Sustainable Development Goals, which are unlikely to be realized without substantive action on migration challenges.

With its local and regional hubs, the Global Adaptation Center provides understanding and options for financing, supporting and partnering with projects that ensure local knowledge, participation and locally-led, leading to adaptation that is more effective and accountable to communities. Some regional initiative examples include the [Asia Dialogue on Forced Migration](#) and [RICCAR](#). Its 2020 State and Trends in Adaptation [report](#) includes a number of suggestions to close the funding gap for adaptation, including debt relief as discussed further in the loss and damage section.

Financing Tomorrow's Climate-Related Health Crises

Becoming more climate resilient now includes resiliency to health risks as well. We [highlighted](#) reports that the world's poorest and most vulnerable will not only experience widening global inequalities, but also face the worst of rising [global health risks](#) driven by climate change, particularly acute in maternal and child health. Regardless of wealth, most countries are not preparing, with less than 0.5% of international climate finance attributed to climate-related health risks. However, a handful of countries are [planning](#) for next health crises by incorporating such risks into their National Adaptation Plans. With the US National Institutes of Health reportedly spending less than 1% of its annual research budget on climate issues, recommendations in the aforementioned Climate Security Plan 2.5 to “Initiate a Climate Security

Research Agenda: support robust climate change research at the federal science agencies and ensure security requirements inform future climate research priorities,” provides pathways for coordination between Special Envoy Kerry and the National Science Advisor, the Centers for Disease Control, the World Health Organization and relevant UN agencies, to address climate-related health risks on a national and global level within climate, health, development and security sectors.

Lead on “Loss and Damage”

In 2013, the [Warsaw International Mechanism](#) for Loss and Damages (WIM) was established within the UNFCCC adaptation pillar to deal with the irreversible loss that some countries will suffer from climate change effects. The Executive Committee (ExCom) guides its implementation and currently has four thematic expert groups in an advisory role: slow-onset events, non-economic losses, displacement related to the adverse impacts of climate change, and comprehensive risk management and transformational approaches.

The 2015 Paris Agreement (Article 8) re-established the WIM as the instrument to avert, minimize and address loss and damage associated with climate change impacts, including extreme weather events and slow-onset events.

Despite these gains, impacted low-emissions, low-income countries have increasingly expressed frustrations at stalled conversations that have not materialized the expected finance, technology and capacity-building.

Less than three years ago, the Alliance for Small Island States (AOSIS) [did not see](#) a political upside to pushing for compensation. Last month however, Antigua and Barbuda, representing AOSIS at the Security Council debate, said climate change

posed a threat to the survival of small island developing states (SIDS) with populations displaced and constant threats to food and water security and saltwater intrusion representing an attack on their economies, energy, and entire sovereignty. The representative said the time had come for “environmental accountability” in systems to evaluate loss and damage in line with rights, and to address displacement, “climate refugees” and loss of territory.

Last September, ahead of the UN General Assembly, [we detailed](#) AOSIS calling on donor governments and development banks for debt relief and climate finance, citing climate change and Covid-19 economic impacts. The climate envoy for the Marshall Islands said global warming was already causing “loss and damage.” When twin hurricanes struck Central America in November, Guatemala [also remarked](#) on the vicious debt cycle it continued to be trapped within.

It is worth noting that the UK government’s [concept note](#) on the February 23 high-level open debate, asked members to consider what the role of climate governance and nationally determined contributions, and national adaptation plans are to determining climate security risks. It also noted the Security Council as the only UN body to play a pivotal role in highlighting climate change impacts on peace and security, a topic not addressed systematically by any other UN entity, including the UNFCCC.

While no other UN entity is mandated to consider matters that threaten international peace and security, the UK’s point is well made, and noteworthy that AOSIS, one of the longest active advocates on climate change, used the Security Council forum to elevate loss and damage to political responsibility in line with human rights and climate refugees.

Special Envoy Kerry must galvanize a clear shift in dynamics that is a result of increasing climate change effects and survival of lives and livelihoods for entire countries meeting disconnected and slow action, and demonstrate leadership on this issue, especially in the run-up to various leadership fora like current presidency at the UN Security Council, the April leaders summit the Biden administration is hosting, and in the lead up to COP26 in Glasgow.

A number of UN member states requested the transfer of technology at the recent UNSC meeting, which the US could move forward. US security experts include "investment in energy innovation" amongst their Presidential recommendations (Climate Security Plan 3.5), recently further [suggesting](#) the Biden administration could secure bi-partisan support for its climate action through the sharing of technology.

By making efforts to sincerely engage long-standing civil society, environmental justice and Indigenous rights groups working at the nexus of climate change and loss and damage, Special Envoy Kerry's office could not only continue to lead in this vital area that cannot wait any longer, but also gain back goodwill and credibility for the United States. In the past, civil society groups have called for financial support beyond insurance funding, systemic humanitarian aid for climate-impacted individuals, and debt relief.

[Prioritize Foreign Assistance to Directly Address the 2030 Agenda](#)

Beyond the UN Security Council, many governments, institutions and UN agencies are working with Germany in its follow-up [Berlin Call for Action](#). Ireland is developing work with the resulting [Weathering Risk Project](#), aimed to help the Council better understand how climate change contributes to insecurity, but also how climate action can build peace. A comprehensive report on climate security

risks is expected in 2022.

The [Climate Security Mechanism](#) (CSM) within the UN Department of Political and Peacebuilding Affairs (DPPA), staffed along with UN Development (UNDP) and UN Environment (UNEP), is working to build a more comprehensive UN response to climate-related security risks. It works with other actors within and beyond the UN, like the Weathering Risk Project housed at Adelphi. CSM's comprehensive UN response is welcome, and clearly demonstrates the strong need to establish linkages across all of the UN's climate action work.

The Weathering Risk Project's geopolitical lens is short-sighted to adequately digest the adverse impacts of climate change, particularly slow-onset events on displacement, however that one of its three areas of action is to consider climate, sustainable development, security and development, as related issues in programs, is encouraging. However, how quickly those research conclusions are drawn and accepted across global climate action, with established linkages at every level and sector, will determine the protection value to so many lives at risk of forced migration and displacement, or even worse, trapped in protracted situations.

At last month's climate and security open debate, the Prime Minister of Niger, said climate change and land degradation in the Sahel were no longer purely environmental issues, where development losses and GDP loss by 6 percent and an increase in hunger by 20 percent are expected by 2050.

4. Incorporate a Stronger Human Rights-Based Approach

There is a clear relationship between climate change and human rights, but there has been no clear human rights focus in climate change work.

Although there have been sustained calls by civil society and Indigenous Peoples for a human rights mandate on climate change, chiefly to compel stronger state nationally determined contributions (NDCs) and to help clarify state obligations and help develop guidance, human rights work has been largely ad-hoc, making it challenging for voices of impacted frontline communities to be brought forth in any meaningful way.

Support Calls for a UN Special Rapporteur on Climate Change and Human Rights

With US re-engagement in the UN Human Rights Council, there are a number of reasons why Secretary of State Blinken, Ambassador Linda Thomas-Greenfield and Special Envoy Kerry should lend full US support to this call that advances overarching goals of protecting individual and group rights, reflective of situational and regional needs. The [establishment](#) of a Special Rapporteur in this area would allow collaboration with various UN institutions, including the UNFCCC, and other environmental, ecological and biodiversity treaties and conventions, and cross-cutting areas of rights, including Indigenous Rights, monitoring human rights in the Paris Agreement, as well as other Special Rapporteurs on water, food, Indigenous Peoples and most importantly, fill gaps, draw direct linkages, data, analysis of the drivers, interconnected and interdependent impacts of climate change on displacement and forced migration.

There is no mechanism for monitoring human rights in the Paris Agreement, but a number of measures to uphold rights under Article 6 of the Paris Agreement are contained in this [brief](#) for US support, all of which can be met through the establishment of a Special Rapporteur mandate.

Indigenous Peoples rights are particularly vulnerable

with concerns their rights have been overlooked or inadequately represented at COP negotiations. For example, the UN Declaration on the Rights of Indigenous Peoples, in Article 32, safeguards the right to prior participation and free, prior and informed consent on decisions where Indigenous land or rights are concerned, as should be the case in [planned relocations](#) of tribal populations in Alaska and Isle de Jean Charles, Louisiana.

“Leave No One Behind” in the 2030 Sustainable Development Goals

Through the role of the Special Rapporteur or through the 2030 Agenda “Leave No One Behind” principle, the Biden administration must work with the UN Secretary-General to establish direct reporting lines to UN Human Rights architecture to ensure economic, social, political, cultural and Indigenous rights are equally mainstreamed across the UN’s work in climate migration. Northern Central America states, working through the [Comprehensive Development Plan](#), addressing structural causes of migration, have cited obstacles to achieving the SDGs as reason for generating migration.

Climate Refugees recently spoke with [Hindou Oumarou Ibrahim](#) about climate change and migration. Not only is she an expert in Indigenous Peoples’ adaptation and mitigation to climate change, she’s also a UN-appointed advocate for the Sustainable Development Goals. In reference to the Lake Chad basin, she spoke about the importance of listening with cultural context to people who describe their increasingly challenging environments in terms of changing seasons and livelihood loss, telling us the roots of the problem are planted in biodiversity loss.

Climate change is accelerating this loss, she says, which must be seen as a cross-cutting issue to create synergies across the UN’s work to tackle the

ensuing social, development, economic and security issues that force migration. By addressing this root cause of biodiversity loss, it becomes clear to see that this is a human rights issue.

II. Lead With Humanitarian Response

MAKE FACILITATING MIGRATION A PRIORITY

As it relates to Central America, climate change, migration, immigration and asylum seem increasingly interlinked at US borders. Some of this may be the result of obfuscations, while others are the result of failures to understand contextual push factors.

Last year, *Climate Refugees* addressed the adverse impacts of climate change in Central America countries in this [joint NGO report](#), where evidence suggests climate change impacts and climate variability have impacted agriculture and the livelihoods of millions of farmers. Recent drought in the Central America Dry Corridor, resulted in food insecurity and malnutrition rates, suggesting sustained climatic changes, contributing to migration from the region.

In changing dynamics, the burden of adaptation is not only on migrants. The US, Canadian and European commitment to resettle unprecedented numbers of Syrian refugees in 2015-2016, demonstrated the adaptive capacity of states in urgent situations.

The global community needs to recognize that nobody wants to be forced to leave their homes, but in the absence of adequate adaptation, most will be forced to move internally, and some even across borders in the context of climate change.

When this happens internally, protection *needs* will persist. When movements are forced across borders, protection *gaps* will still exist.

The need for better information on climate migration is an identified need and key priority for policymakers. It remains a big challenge however, notably in slow-onset cases. Most of the available information and understanding is derived from displacement contexts because it is less complicated to isolate the environmental factors that drive mobility. Even the policy tools available are mostly applicable in disaster displacement situations. In slow-onset contexts, it is far more challenging to isolate and capture migration in situations of drought, land degradation and rainfall variability, due to the many socio-economic and political intersections and resulting vulnerabilities that may already exist, arise or be exacerbated because of slow-onset effects.

Resulting forced movements tend to be multicausal then, and usually coexist with factors like demographics, rapid urbanization, even conflict and violence. Thus, disentangling push factors and identifying climate change as an individual's main driver across borders is not only extremely challenging, but increasingly intertwined and risks missing the more important point of protecting

individual rights. In this context, it is more helpful for governments to understand the interconnections, rather than try to distinguish on the basis of existing frameworks and politicize on the basis of security.

As with big problems, bold solutions may be necessary. US refugee policy once recognized 'natural calamity' in its refugee definition. Beyond persons fleeing persecution and conflict, the [1953 Refugee Relief Act](#)'s refugee definition included any person also fleeing 'natural calamity' as someone for consideration of US protection within its borders. Further, the [1965 Immigration and Nationality Act](#) also included 'natural calamity' as a basis for protection for refugees, and created a visa category for those who could not return to their countries of origin.

Examining present migration at US borders, there is an opportunity to lead with humanitarian response, instead of the current security response, which is likely to engender regional and global partners. This also incentivizes other countries into global cooperation in building a just and humane migration policy, that shifts the focus from "burden sharing" to differentiated responsibilities.

Climate-Related Migration to US Borders

Northern Central American Countries

Somewhat lost in years of discourse of "caravans" of Central American migrants at the US border, is that many are rural and Indigenous Peoples, impacted by the effects of climate change, who have been on the move across borders and internally for several years.

The Department of Homeland Security (DHS) and the US Citizenship and Immigration Services (USCIS) require deeper understanding of the complex situation in parts of Central America and its

connections to climate change and forced migration.

A lack of land, loss of lands, failed crops, climate extremes, rising food insecurity, poverty, and a history of marginalization have converged in forced movements seen in neighboring countries and, in larger numbers, internally.

UNDP [estimates](#) 265,000 migrants from El Salvador, Guatemala and Honduras have left to the United States since 2014. A growing number are women and children, and one out of five succeed, while 80 percent are stopped by Mexico or US authorities. Still others find themselves stranded, where community tensions are increasingly escalating.

[ECLAC](#) data between 2000-2010 indicate migrants from northern Central America (NCA) increased by an average of 59 percent, and immigrants detained by US authorities increased from 50,000 to over 400,000 in 2016. Honduras, alone, saw a 94 percent increase in emmigration.

A majority of migrants come to US borders from Central America's Dry Corridor (CADC), the economic backbone [in the region](#), comprising approximately 30 percent of the entire Central America territory, where the greatest population density and a number of Indigenous groups reside. The CADC is a region with another type of convergence, one where extreme climatic events like prolonged droughts, (recently [2014-2017](#)), coffee rust [outbreak](#), hurricanes, (recently [Eta and Iota](#)), and tropical storms render social, economic, environmental and political vulnerability on the region, its people and, ultimately, the national economies of these countries.

Many here are subsistence farmers, where economic and social mobility have been hindered by historic exclusion, inequality of land tenure, and poverty, leading to the peoples' underdevelopment, while

land and natural resources have made way for public and private investments in mega development projects and extractive industries in mining, agrobusiness, energy, tourism, and infrastructure. Many of these development projects, we're told - as much as 90 percent - are on Indigenous lands.

While there are a number of reasons that drive migration, for northern Central America countries, ECLAC does note the fundamental issue of poverty, especially in Honduras and Guatemala, where poverty rates are 74 percent and 68 percent, respectively. Rural poverty is particularly acute in Honduras and Guatemala, reaching rates of 82 percent and 77 percent, respectively. In these rural areas, extreme vulnerability to climate events combine with poverty to destroy the livelihoods of millions of people. Other contributing factors are family reunification networks in destination countries, especially the US, and violence and insecurity that significantly weighs as a factor of whether to stay. Violence is an issue in transit countries as well, as evidenced by the reported migrant deaths en route.

Subsistence farming, social fractures and climate events, are documented in deep [food insecurity](#), where [WFP](#) and [FAO](#) say 1.4 million people are in urgent need of food assistance after crop loss due to rainfall and drought. A 2017 [WFP](#) study of NCA migrants denied by Mexican authorities from reaching the US, found 50 percent had been working in the agricultural sector.

Asylum Seekers

The vast number of Central American cases within the US immigration and asylum systems are very likely asylum-seekers. It is in US policy interests to determine whether migrants from Central America within those caseloads are Indigenous People, who could very well constitute valid persecution claims on the basis of race, or even social group.

Many arrivals at the US border are Indigenous People who may be afraid to identify as Indigenous due to a long historic record of oppression and documented massacres. There's a lack of data and programs directed at Indigenous groups in this region. Human rights researchers know of at least 6 Indigenous groups in Honduras, and over 30 in Guatemala, but more updated data and research is needed to get a more accurate scope of the situation.

Important [work](#) conducted by Saskia Sassen analyzing data in Central America, has [found](#) climate change and loss of land were key factors in children and unaccompanied minors fleeing NCA countries, assumed or even self-reported to have been fleeing violence and lack of opportunities.

There's also a lack of data on who and how many have moved within their countries. Internal migration data, as old as ten or more years, is related to past violence. What we do know, we know from experience: the poorest of the poor lack the means to move - what some experts term "trapped populations."

"Economic Migrants"

A lack of understanding has also led to defining migrants as "economic migrants" - a classification lacking any international legal basis. With the exception of Guatemala, El Salvador, Honduras and Nicaragua are all classified as middle-income countries, determined by per capita GDP, which doesn't accurately reflect the large rural population living below the poverty line and without basic care. In terms of international protection, the high rates of poverty, now compounded by climate change effects on livelihood, fails to take into account the historic exclusion Indigenous groups suffer.

Misunderstanding of Migrants

A deeper understanding of this region will reflect the interconnections between the killing of environmental leaders, historic oppression of Indigenous Peoples, the ways in which people are losing access and being moved off their lands, specific industries, and direct or indirect drivers of conflict and violence by gangs. As much as we know about 'climate migration', we still know very little. What we know is that every situation will look different, largely because there is no single driver for movement that can be singularly attributed to 'climate change'. Even in situations of disasters, we can move people out of harm's way in order to save lives, but it's their protection needs before, during and after a disaster that requires cohesive action.

The Central America context, because of the current dilemma, strategic importance, and because climate change effects will continue to batter the region, serves as a timely opportunity for US action. An international protection framework exists to review individuals from northern Central America countries at US borders, within the US, or in transit, that are categorized as migrants or asylum-seekers, and, when applicable, to offer protection and resettlement.

With this coordinated policy, because the situation has been securitized and unaddressed for so long, there is opportunity to address the backlog of asylum cases in the current system, turn the tide on the high rates of deportations, many of which lacked fair process, and direct PRM to create a quota of such cases to be referred to the USRAP.

A national framework for protection exists as well. Chairman of the House Judiciary Committee, Representative Jerrold Nadler and Representative Zoe Lofgren [reminded](#) President Biden that in INA § 207(b), Congress authorized the president to

increase refugee admissions to respond to "any catastrophic circumstance affecting an asylum area requiring immediate action." Several Central American countries consistently [rank high](#) in climate risk [indices](#), and the catastrophic effects of recent storms in the region, which have impacted 4.6 million people, predicted migration from the region to US borders will increase, with refugees fleeing life threatening situations. The Representatives warned that requires urgent responses in aid and investment, but also immediate pathways to safety for refugees. Regional leaders who have worked with the US have warned of the convergence of the Coronavirus pandemic, its economic effects, and increased disasters. We would add all these have contributed to the existing crisis of climate changes and systemic inequalities many subsistence farmers were already suffering.

Recommendations

Broaden Understanding & Humane Policy - to effectively deal with the number of individuals seeking admission and protection by the US government, we highly recommend the Biden administration instruct USCIS, PRM and other relevant agencies to immediately undertake a deeper understanding of the populations of concern, the regions and country contexts, side-by-side with climate change effects in NCA countries and the CADC

- Upon briefing of Secretaries of State and DHS, Special Climate Envoy Kerry and other relevant agencies, coordinate and update operations to encompass the broader and nuanced understanding of climate change effects on present migrant populations.
- Provide coordinated countries of origin and vulnerable groups interview training for US Immigration Officers, Asylum Officers, Refugee Officers, ICE and Border personnel involved in the immigration, asylum and refugee processes

- at all levels and sectors and locations, including at borders, border towns, US Consular Offices and detention centers
- Provide each agency coordinated and updated country of origin information (COI), and most importantly Indigenous group history, reflective of the fear of identification and understanding of that basis for use in credible fear interviews.

Fund Country and Regional-Driven Research - it is documented and understood that gaps in data and analysis stymie global policy. A multi-disciplinary approach is needed to gather qualitative data, interviews with local experts and interviews and focus group discussions with impacted communities that provides both a science and social science perspective on situations.

- Forced movements, up to now, are known primarily through a conflict lens, and there is a need to widen that lens of understanding in intersectional climate change contexts.
- We have better understanding and response mechanisms within the sudden-onset category, but slow-onset effects are seen over time and require broader contextual understanding and analysis in order to understand the extent climate change effects have on forced movements.
- We've learned in some of these NCA countries, it is difficult to track these movements because of the contrast to the violence-propelled movements seen previously.

Support Climate Adaptation, Resilience, DRR - NCA countries have been building resilience through the GCF in areas like reforestry, water management, and linking development into migration work. US support, both in finance, technology, and regional cooperation is critical.

Approach USAID Programming Holistically - USAID must target CADC funding to be climate and population-specific as top priority. All these countries, but Guatemala, are classified as Middle-Income countries. Although the period of drought and climatic changes have been devastating to the main agricultural sector, this economic classification has been a barrier to accessing funding.

- NCA country funding must be directed at the CADC, representative of the rural poverty rates and development indicators for that region, rather than the countries as a whole.

Past USAID programs like Alliance for Prosperity, designed to address the root causes of migration to the US, didn't quite reach where they were most needed. Instead, experts say contracts reached wealthy people and focused largely on security and violence prevention. Other USAID agroforestry projects to plant diverse crops lacked community participation, side-by-side with increasingly smaller plots of land, land ownership, mega development projects, and the political situation in the region, are just some of the inter-related issues that required understanding.

Expand Temporary Protected Status - the Biden administration should extend protections to Guatemalans, Hondurans and Nicaraguans already residing in the US. TPS was created by the US Congress in the Immigration Act of 1990 to grant temporary immigration status to foreign nationals from designated countries in need of protection due to conflict, environmental disaster, or extraordinary temporary conditions. Several of these NCA countries consistently rank high in climate risk indices, and with disasters expected to increase in frequency and intensity, the administration should adapt the provision to allow these countries and other nationals at risk to disasters, to seek protection in the United States, before they happen. TPS confers

limited benefits and as such is not a prolonged solution in the best interests of climate displaced persons. However, the program is designed to offer emergency protections and should reflect that reality in disaster contexts by offering safe routes of evacuation in order to save lives.

Regional Framework

Extreme climate conditions are not changing anytime soon. The World Bank predicts uncontrolled greenhouse gas emissions could lead to [17 million](#) internally displaced climate migrants in Latin America by 2050. These numbers could threaten to overwhelm current outflows of Central America migration.

Regional countries have been working on solutions to deal with the increased migration in their countries. The US government is engaged in some aspects of these, and through President Biden's leadership to better understand the implications of climate change on migration, there are initiatives, beyond security, where US leadership can make meaningful impacts.

Comprehensive Regional Protection and Solutions Framework (MIRPS)

[MIRPS](#) is a state-led initiative supported by the Organization of American States (OAS), Central American Integration System (SICA), UNHCR and the wider UN system. Many of the countries within this framework are aligned in linked development-migration-climate work. The Biden administration should engage MIRPS to formally make these linkages to climate change within MIRPS. With a mandate to strengthen the regional cooperation and shared responsibility for forced displacement in Central America, there are opportunities to take up exploring these links in countries' national action plans of protection, but sufficient data, research and

analysis remain barriers that the Biden administration could fund. An additional area of exploration is to widen the scope of extreme risk conditions under Protection Transfer Mechanisms, via the GCR, to reflect understanding of sudden-onset disaster situations and slow-onset effects and malnutrition rates, coupled with the Covid-19 pandemic, that have [pushed](#) some situations to emergencies.

Comprehensive Development Plan for El Salvador, Guatemala, Honduras and south-southeast Mexico

Coordinated by ECLAC, the [plan](#) addresses the structural causes of irregular migration by centering sustainable development at its core, with the aim to create synergies with MIRPS. The Plan is based on four pillars of economic development, social well-being, environmental sustainability and the migratory cycle, encompassing proposals from all the UN agencies, funds and programs operating in the region for joint actions. The Central American Integration System has expressed the need to approach the situation through development, rather than security, and through coordinated regional responses. The structural causes of migration identified are poverty and inequality, insufficient growth, high demographic growth in cities, with rural areas lagging, vulnerability to climate change, high levels of violence, wage gap between the region and the US, and family reunification needs in the US. US support is vital to address root Covid-19 economic effects, twin hurricane impacts, and agricultural loss has affected more than 4 million people. The plan is to be launched this month, potentially at ECLAC's upcoming [meeting](#) on March 15-18, where countries are seeking access to funding, and to the GCF, where vital US support from the Biden administration would forge regional support and the necessary new actions of linking multidisciplinary action. Coordinated "whole of government" opportunities exist through this Plan

for national and foreign policies for Special Envoy Kerry, Secretary of State Blinken and USAID Administrator Samantha Power.

Introduce “Irreversible Path” on Climate Policies

In his statement to the UN Security Council last month, Special Envoy John Kerry said the US was committed to an “irreversible path” on climate action. In line with the intent to “address factors driving migration and propose a regional resettlement solution,” one regional pathway for protection and resettlement is via the Organization of American States, where forming a binding agreement would be quite difficult for future administrations to disentangle. The aforementioned 1984 [Cartagena Declaration](#) classifies refugees as those who are fleeing situations of “generalized violence, foreign aggression, internal conflicts, massive human rights violations, and other circumstances that have seriously disturbed public order.” Although it’s not legally binding, it has wide acceptance throughout Latin America. The broader definition is also recognized by the [Inter-American Court of Human Rights](#), and the [Organization of the American States](#).

Regarding the specific events that “disturb public order”, UNHCR’s [legal considerations](#) paper stated the source that disturbs public order is irrelevant. The key nexus is to determine whether the country or international community are unwilling or unable to respond to the event or impact.

Options for Protection and Resettlement

Establish a Climate Displacement Resettlement Admissions Program

The United States recognized asylum limitations in the current 1980 US Refugee Act, in line with

the 1951 Refugee Convention, when it introduced [Temporary Protected Status](#) (TPS) in the 1990 Immigration Act. TPS as it is well known, expanded protection to individuals from designated countries living in the United States, who could not return to their countries of origin due to armed conflict, environmental disaster or other extraordinary or temporary situations. What it did not do, however, is go far enough to truly offer complementary pathways of protection, like when someone faces serious human rights violations but that harm does not meet one of the five grounds of the Refugee Convention, as is the case with climate change, by adding temporal limitations, a narrow scope of rights and a prerequisite that individuals already be in the US. The TPS program as we know it now is unsuitable for three important reasons:

1. It requires individuals already be within the United States at times of designation, making it unsuitable for those fleeing sudden-onset disaster-like conditions;
2. With increased frequency and intensity of climate change-related events, the likely increase in designees is incongruent to the immigration reforms long sought;
3. TPS’ restrictions on time and rights deem it unsuitable as an extended solution for changing and dynamic climate contexts, notably slow-onset effects that make safe return challenging.

Separate to the US Refugee Admissions Program (USRAP) but exact in protections and design, the Biden administration should direct the Bureau for Population, Refugees, and Migration to explore a climate displaced resettlement program that offers protection and resettlement of persons due to the slow-onset and sudden-onset effects of climate change that give rise for the need for international protection. There are several pathways that are available that can support this endeavor.

Other Domestic Temporary Protection Under Statutory Provisions

Deferred Enforcement Departure

Deferred Enforcement Departure (DED) is a temporary immigration benefit that allows persons from designated countries facing “environmental disasters” to stay in the United States. Since it is determined by the President, this provision could be utilized by President Biden to extend benefits beyond expiry to individuals from TPS-designated countries where safe return is not possible or until Congress can pass legislation that offers permanent accommodation.

Humanitarian Parole

Humanitarian parole, granted through the United States Citizenship and Immigration Service (USCIS), is a rarely granted benefit available to individuals who have a compelling humanitarian emergency. This could apply to individuals displaced by weather-related disasters, where “parole” is granted for one year, possibly renewable on a case-by-case basis. This provision offers the least benefits and only occasionally grants the right to work. Its many barriers to access: individual application basis, stringent costs, information requests and procedures render it unfeasible for the dynamics of disaster displacement. However, it is a provisional tool that should be evaluated for wider use with wider benefits that could help save lives in the immediate outcomes and allow displaced individuals the chance to earn and contribute to the US economy, while also sending remittances to hard-hit communities at home.

1. Support the Passage of New Legislation

Senator Ed Markey introduced [S. 2565](#), and Representative Nydia Velazquez introduced [H.R. 4732](#) in 2019 to establish a Global Climate Change Resilience Strategy to authorize the admission of climate-displaced persons in need of resettlement for admission to the United States. The administration could revive and/or support legislation that officially amends the US Immigration and Nationality Act (INA) to recognize climate displaced persons.

2. Resettlement Climate Displaced Persons When States are “Unable” or “Unwilling” to Offer Protection

In settlements outside of Mogadishu, Somalia, more than 450,000 people are now internally displaced persons (IDPs), many in a situation where complex existing crises have been exacerbated by climate change effects. With displacement now protracted, the needs of IDPs have outweighed the role and capacities of humanitarian agencies, leading to the Somali government and IOM to create the Durable Solutions Initiative (DSI) in 2016. Funded by the World Bank, Peacebuilding Fund, and UN agencies, the DSI is meant to help displaced Somalis better integrate and become self-reliant in their new locations, since returning home remains unviable.

The Guiding Principles on Internal Displacement sets forth the primary responsibility of states to provide protection and assistance to its own internally displaced citizens. There is no doubt that displaced Somalis long to be self-reliant, which for many likely precludes a small plot of land where they can earn livelihoods. The sheer magnitude of the [2.6 million](#) Somali IDPs - from both conflict and climate change effects - has created protracted displacement situations, where forcibly displaced populations are now required to become self-reliant, when return is unlikely.

In this reality, it is striking to see durable solutions - traditionally presented to refugees – now being pursued by the International Organization for Migration in IDP contexts, a responsibility that generally falls to the State.

Despite these efforts, continued violence, floods, droughts and the worst locust invasion in 25 years, has continued to force people from their homes, as IDPs [struggle](#) in crowded makeshift camps with insufficient latrines, sanitation, healthcare, and basic needs, amidst the Covid-19 pandemic.

Officially, IOM plays a supportive role to the Somali government, however the external funding and facilitative role of international agencies may point to the earlier discussed threshold of “states unable” to offer protection that can serve as a helpful benchmark where legal gaps exist.

If the myriad impacts of climate change on migration are to be truly considered, then it must be asked whether self-reliance of internally displaced persons is the prescient issue or merely the reaction to a complex set of root drivers the global system has yet failed to address?

This durable solution in Somalia is admirable but reflective of the urgency to respond with expanded solutions to meet needs where no parallel policy process exists to address the problem.

3. Other Legal Pathways

As previously mentioned, the United States once had a wider refugee definition that included ‘natural calamity.’ So [too](#) did Sweden and Finland, until recently, with inclusion of ‘environmental disaster’, and ‘environmental catastrophe.’

Nor would this be unprecedented in recent contexts. In line with US interests, the US government has

instructed its agencies to grant refugee status and resettle individuals who do not strictly meet the exact parameters of the 1951 Refugee Convention. One of the more publicly known versions of this are those who do not meet the threshold of being outside their country of origin. The Priority 2 Lautenberg/Lautenberg-Specter program is one such, while there have been others.

Individual case developments in human rights law also prove helpful. In the past year alone, legal developments have shown climate change-related migration is not just a climate issue, it’s a human rights issue.

- In January 2021 a French court [ruled](#) in favor of a Bangladeshi migrant, granting him residency on the grounds that the air pollution in his home country, coupled with his health condition, deemed it unsafe for his return.
- In January 2020, the [UN Human Rights Committee](#) upheld the principle of non-refoulement - the cornerstone of refugee law – ruling that states could not deport individuals (Cont’d) who face climate change-induced conditions that violate the right to life, as enshrined in the International Covenant on Civil and Political Rights - in addressing the complaint of an I-Kiribati asylum-seeker in New Zealand whose claim for protection on the basis of climate change was denied.
- Understanding that forced displacement threatens a vast array of human rights, a 2019 Parliamentary Assembly [resolution](#) of the Council of Europe noted that the absence of a legally binding definition for “climate refugees” does not preclude the possibility of developing specific policies to protect people who are forced to move as a consequence of climate change, calling on member states to develop in their asylum systems and in international law, protection for people fleeing long-term

- (Cont'd) climate change. It further called on member states to develop in their asylum systems and in international law, protection for people fleeing long-term climate change in their own countries. It further stated that industrialized member States of the Council of Europe carry a particular responsibility to those countries, especially the countries of the "global South" affected by human-generated climate change, and should therefore provide appropriate asylum for climate refugees.
- A recent UNHCR [legal considerations](#) paper stated that the 1951 Refugee Convention can apply in situations where climate change impacts adversely exacerbate situations where political, economic, social, or structural instability exists, or in situations where the adverse effects of climate change affect give rise to or exacerbate discrimination.
- The right to a healthy environment is now [incorporated](#) in 156 of the 193 UN member states' constitutions, legislations, regional human rights instruments or decisions of their highest courts, clearly demonstrating growing jurisprudence for its legal application.
- In 2018, the UN Special Rapporteur on human rights and the environment [presented](#) the Framework Principles on Human Rights and the Environment to the UN Human Rights Council, illustrating the widespread global acceptance of the right.

Last year, *Climate Refugees* was proud to have [signed](#) the civil society [global call](#) for the UN Human Rights Council to recognize the human right of all to live in a safe, clean, healthy and sustainable environment.

Wider refugee definitions in the [1969 Organization for African Unity](#) (OAU) Convention and the [1984 Cartagena Declaration](#), along with several areas of application in human rights, are reflected in

UNHCR's new legal considerations, which serves as basis for the US government to pursue a strategy of protection and resettlement of cases of cross-border forced displacement, where the adverse effects of climate change may leave individuals in need of protection.

Climate Refugees' founder is a member of Berkeley Law's [Center](#) on Comparative Equality & Anti-Discrimination Law, working within the Immigrant Justice & Climate Refugees Working Group, as well as an Expert Network member of the World Economic Forum in Migration, Human Rights and Humanitarian Response. *Climate Refugees* also collaborates with the Institute for the Study of Human Rights at Columbia University. These collaborations offer meaningful opportunities for legal exploration and solutions for climate displaced persons.

Identification of Referrals

Climate Refugees has a background in refugee protection and resettlement in the US Refugee Admissions Program (USRAP), having worked the entire process of the USRAP "pipeline" from identification of protection cases for US referral with UNHCR, to US arrival, resettlement and integration. This work experience includes: UNHCR identification and referral to the USRAP, processing within PRM's overseas Resettlement Support Centers (RSCs) from casework, clearances, State Department, US Security Agencies, USCIS, CDC, UNHCR and IOM partner coordination; initiating and running the first PRM pilot deployment program of RSC staff to UNHCR; US Cultural Orientation, to US refugee arrivals at the National Resettlement Agency level Allocations and Placement, the Resettlement and Integration Program and other Office of Refugee Resettlement-funded programming. These various works have been conducted throughout Africa, including with UNHCR Kenya, RSC Middle East (Jordan and Egypt) and UNHCR Jordan for Syria operations.

As such, *Climate Refugees* has the institutional knowledge to advise the Biden administration on mechanisms for identification of individuals and referrals. As just one example, the existing USRAP can serve as an identifying tool to a future program due, in part, to all the mechanisms already in place, including the essential security and medical vetting systems. Keeping with the previous Somali IDP example, it would not be unusual to find Somali refugees residing across the border in Kenya, under prima facie refugee status, who may not be referred for US resettlement on account of having a stronger climate-related push factor like livelihood loss than conflict or persecution. If the US expressed intent to broaden its scope, it would offer UNHCR enhanced partnership where the US has played a traditional leadership role in refugee resettlement.

PRM could support a trained roster within RSC's, where staff could deploy to 'climate hotspots' where individuals are likely to have protection needs, and can fill UNHCR needs to interview and, if necessary, refer such cases to the US government.

By referring in-country, the US government has the opportunity to mitigate potential cross-border migration crises, helping regional partners already struggling with hosting large refugee populations. By referring in-country, the US government also mitigates the potential border arrivals that may meet changed policies in future administrations and contribute to a backlog of cases.

Climate Displacement at Home

Establish a National Climate Migration Coordinator

The Biden administration's Domestic Office on Climate Policy should [establish](#) an office and coordinator to address the disaster preparedness, displacements and planned relocation needs that will arise with greater frequency and intensity within

the United States. One million disaster-related displacements have [occurred](#) in the US since 2016. Pursuing voluntary relocation through a streamlined and coordinated process will certainly make people safer, but this process must also ensure the rights and protections of vulnerable people and relocated communities, along with their consent and participation. The ad-hoc, household-by-household approach the federal and state governments use to respond to hurricanes and floods does not provide a promising model for dealing with large-scale climate displacement.

Environmental Justice

There is a strong need as well to respond to actions through a lens of environmental justice. Historic systemic and structural inequities play a role in Black, Indigenous, minorities, immigrants and people of color facing disproportionate impacts from climate change effects and environmental pollution, which we've discussed in great details in our writings and in [events](#) convened with esteemed experts. Although not part of the American cultural lexicon, the United States has its internally displaced populations as well, where in some instances, hurricane Katrina displaced persons have experienced secondary displacements as well.

Climate gentrification, a term Harvard University coined to describe how Miami, and now other cities around the country are grappling with as those with means try to preempt disaster, should be part of a greater conversation on policy, planning and response. We discussed these issues in two SPOTLIGHT [pieces](#) last year, even how climate gentrification is impacting refugee and immigrant communities in [Miami](#).

In the quest to safeguard, a whole suite of rights - economic, social, cultural, even civil rights - can be overlooked without holistic thinking. For example,

it's important to think about whether new locations afford people access to schools, jobs, transportation, services, abilities and access to retain cultural rights, where Indigenous People who have already been relocated in Alaska and Louisiana, have lodged a [complaint](#) at the United Nations.

To ensure justice, equity, diversity and inclusion in this process, the Biden administration should increase the scope, breadth and room in policy through inclusion of voices from impacted populations, civil society actors, and migrants, themselves. Many civil society and grassroots actors have been at the forefront of this work to educate, raise awareness and conduct research and advocacy on this topic. Since philanthropy takes its cues from policy, many of us advocates have worked in this space with limited funding to generate awareness and bring about policy change. As such, it is vital that the Biden administration keep this in mind and fund the work of minority-led organizations, smaller regional actors, and small civil society organizations to broaden the discourse and elevate the representation of impacted community voices.

Conclusion

As the Biden administration has shown bold and innovative leadership on climate change as a whole, notably ahead of COP 26 this year, it now also has a chance to lead in accelerating the pace of climate action and develop coordination and linkages that address the whole of the problem that contributes to forced movements, through a whole of government approach.

No longer can we work in silos, including in climate displacement. Absent a binding framework that spells out policy, law and a clear path forward, our policy determinations must incorporate migration with sustainable development and adaptation that can attempt to avoid future crises. The [World Bank](#) predicts that by 2050, there could be as many as 143 million people forcibly displaced internally by climate change. When displaced, most will be internal, but not always. To the ones displaced across borders, an arbitrary line will not signify less need for protection.

Philip Alston, the UN Special Rapporteur on Extreme Poverty and Human Rights' [report](#) on climate change and poverty revealed developing countries will [bear](#) 75 percent of the financial costs and losses associated with the climate crisis, despite contributing only 10 percent of global emissions, creating a situation in which those in extreme poverty now also live in extreme weather. He [warned](#) of the risk of a 'climate apartheid', where the wealthy escape the negative impacts of climate change, leaving disproportionate impacts to be borne by those least responsible.

This is a justice issue, as the United States and other industrialized nations have contributed the most in terms of carbon emissions while lesser developed nations, who have much smaller historic carbon emissions, and had less economic gains, are bearing the brunt of impacts, costs, and setting development gains back by many decades. The United States, in particular, has an obligation to lead on these issues. As a leading funder in foreign assistance, the US must recommit itself to this type of financial support.