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Displacement and migration related to disasters, climate change and environmental degradation

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Explanatory note

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1. KEY POINTS

- Climate change is one of the most significant challenges of our times. The impacts of climate change are numerous and far-reaching, both inside and outside the European Union,¹ including severe environmental degradation and extreme weather events, such as abnormally heavy rainfall, prolonged droughts, heatwaves, and cyclones. Climate change is expected to lead to worsening living conditions and loss of livelihood for many local populations, disproportionately affecting people in vulnerable situations. It was linked to 23.7 million internal displacements worldwide in 2021,² and an estimated 20 million+ annually.³ Whilst the majority of vulnerable people affected by climate change are displaced internally, some are forced to cross borders and may be in need of international protection.
- The 1951 Refugee Convention predates the global awareness of the dangers of climate change and its potential effect on migratory movements. However, the Global Compact on Refugees,⁴ and the Global Pact for Safe, Orderly and Regular Migration⁵ recognise that climate, environmental degradation and disasters are increasingly interconnected with drivers of asylum and migration, and call for action to “develop adaptation and resilience strategies” to disasters, which take migration and displacement into due account.⁶
- While at national level, the phenomenon of climate-related displacement and migration is addressed by many countries either as part of their wider policies on development cooperation and humanitarian aid, and/or included in projects and initiatives with countries of origin, no EMN Member State has specific legislation on climate-related migration and displacement, nor any specific measures in place to host third-country nationals that might be affected by climate change or climate disasters. Italy has national legislation offering protection against risks arising from disastrous natural events, which can thus cover climate-related migration. In a few other countries, legal status can be granted for humanitarian reasons.
- Several EMN Member Countries are increasingly studying the link between environmental degradation and migration through research projects at national institutes and research bodies to inform their policy responses. Some EMN Member Countries also reported on several projects and initiatives to reduce climate-related migration, help third countries to deal with the consequences locally, or tackle the negative effects of disaster displacement, usually within their international partnerships, including climate adaptation, disaster risk reduction and strengthening societies’ resilience.



2. INTRODUCTION

Climate change refers to a change in climate patterns due to human activities, going beyond the natural variability in the climate. Caused by greenhouse gases (GHGs) emitted into the atmosphere, climate change has far-reaching negative impacts on ecosystems, the economy, society and human health. Direct impacts include an increase in global temperature, rising sea levels and more extreme weather conditions.⁷

The largest negative impacts of climate change are particularly evident among those people and communities that have least responsibility for the emergence of this phenomenon. According to the Intergovernmental Panel on Climate Change (IPCC), approximately 3.3-3.6 billion people live in contexts that are highly vulnerable to climate change.⁸ People living in Africa, Asia, Central and South America, least developed countries, small islands and the Arctic, indigenous peoples worldwide, small-scale food producers and low-income households are among

those suffering the most severe effects.⁹ Evidence shows that climate change has had adverse impacts on human health, livelihoods and key infrastructure, including in urban settings, and particularly among economically and socially marginalised urban residents. It has affected food and water security and slowed agricultural productivity globally, in addition to damaging climate-exposed economic sectors.¹⁰

Climate change and weather extremes are recognised as increasingly driving internal displacement of people and communities,¹¹ as well potentially contributing to migratory movements across borders. According to the United Nations High Commissioner for Refugees (UNHCR), extreme weather events such as abnormally heavy rainfall, prolonged drought, heatwaves, and cyclones were linked to 23.7 million internal displacements in 2021.¹² Most were displaced within their home countries, while others were forced to cross borders in search of safety

1 European Commission, ‘Forging a climate-resilient Europe – the new EU Strategy on Adaptation to Climate Change’, COM(2021) 82 final, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=COM:2021:82:FIN&id=3>, last accessed on 4 April 2023.

2 Internal Displacement Monitoring Centre, Global Report on Internal Displacement 2022, available at: <https://www.internal-displacement.org/global-report/grid2022/#:~:text=Disasters%20triggered%202.6%20million%20displacements,per%20cent%20the%20previous%20year>, last accessed on 19 April 2023; See also: <https://www.unhcr.org/climate-change-and-disasters.html>, last accessed on 4 April 2023.

3 United Nations High Commissioner for Refugees (UNHCR), Climate change and disaster displacement, available at: <https://www.unhcr.org/climate-change-and-disasters.html> last accessed on 4 April 2023.

4 United Nations, ‘Global Compact on Refugees’, available at: <https://www.unhcr.org/about-unhcr/who-we-are/global-compact-refugees>, last accessed on 20 April 2023.

5 United Nations, ‘Global Compact for Safe, Orderly and Regular Migration’, UN Resolution, 2019, available at: <https://www.iom.int/resources/global-compact-safe-orderly-and-regular-migration/res/73/195>, last accessed on 20 April 2023.

6 United Nations, Global Compact for Safe, Orderly and Regular Migration (A/RES/73/195), UN resolution 2019, available at: <https://www.iom.int/resources/global-compact-safe-orderly-and-regular-migration/res/73/195>, last accessed on 20 April 2023.

7 Ibid.

8 IPCC, Synthesis report of the IPCC sixth assessment report (AR6), Summary for policy makers, available at: https://www.ipcc.ch/report/ar6/syr/downloads/report/IPCC_AR6_SYR_SPM.pdf https://www.ipcc.ch/report/ar6/syr/downloads/report/IPCC_AR6_SYR_SPM.pdf, last accessed on 20 April 2023.

9 Ibid.

10 Ibid.

11 Ibid.

12 IDMC, Global Report on Internal Displacement 2022, available at: <https://www.internal-displacement.org/global-report/grid2022/#:~:text=Disasters%20triggered%202.6%20million%20displacements,per%20cent%20the%20previous%20year>, last accessed on 19 April 2023.

and protection.¹³ Sudden-onset disasters, such as floods or cyclones, often leave people with little choice but to seek shelter elsewhere. On the other hand, in response to slow-onset events, such as droughts, affected individuals could opt for ‘anticipatory’ movement, or decide to stay and see how the situation evolves and/or gather the resources needed to move elsewhere. Research by the Joint Research Centre (JRC), for example, suggests that the most vulnerable populations in Africa might not have the resources to consider cross-border migration¹⁴ as a possible adaptation strategy to climate change.¹⁵ A complex interplay between environmental and other factors may drive migration, making it difficult to directly link environmental degradation with displacement or people’s decisions to migrate.

The International Organization for Migration (IOM) defines environmental migrants as “persons or groups of persons who, predominantly for reasons of sudden or progressive change in the environment that adversely affects their lives or living conditions, are obliged to leave their habitual homes, or choose to do so, either temporarily or permanently, and who move either within their country or abroad”.¹⁶

As early as 2013, the European Commission’s Staff Working Document ‘Climate change, environmental degradation and migration’¹⁷ recognised that vulnerability to climate change may impact migration drivers. Adaptation to climate change is considered a cross-cutting element in EU Member States’ strategies and policies, including external actions spanning international cooperation, humanitarian aid, migration, trade, agriculture, and security.¹⁸

The European Commission’s Communication on the new Pact on Migration and Asylum names climate change as one of the key global societal challenges impacting migration.¹⁹ In addition, in its Communication on the European Green Deal, the European Commission emphasises the need to “increase climate and environmental resilience as a means to prevent these challenges from becoming sources of conflict, food insecurity, population displacement and forced migration”.²⁰ In July 2022, the European Commission published a new Staff Working Document²¹ on the challenges of addressing displacement and migration related to disasters, climate change and environmental degradation, and outlining future initiatives.

It emphasises building on substantial EU humanitarian and development support to partner with those countries which are most affected by disasters and climate change, as well as investing in related research.

The European Parliament has acknowledged that climate change is among the drivers of migration. Its 2022 Resolution on human rights protection and the EU external migration policy calls for funding for sustainable responses to climate change at regional level.²² During the Czech Presidency of the Council of the EU in 2022, the IOM issued recommendations on “comprehensive migration governance, which include action to mitigate climate change impacts on human mobility”.²³

The IOM²⁴ and UNHCR²⁵ have adopted strategies on climate change and displacement. At the United Nations Climate Change Conference (COP 21) in 2015, the United Nations Task Force on Displacement (TFD)²⁶ was established to develop recommendations on integrated approaches to avert, minimise and address displacement related to the adverse impacts of climate change. Other stakeholders active in the area include the United Nations Office for Disaster Risk Reduction (UNDRR), the Platform on Disaster Displacement (PDD) (chaired by the EU from July 2022 until January 2023), and the Internal Displacement Monitoring Centre (IDMC).

In light of the growing number of people affected by climate change and increasing international initiatives, better understanding and improved awareness of climate-related migration is necessary, alongside increased preparedness and coordination. This inform aims to examine current legal, policy, and organisational frameworks and practices in the EMN Member Countries and other non-EU Organisation for Economic Co-operation and Development (OECD) countries addressing climate-related migration and displacement, as well as relevant projects and international cooperation efforts. It complements existing research by providing an overview of the main initiatives at national level. OECD input from non-EU countries provides a wider perspective on countries’ approaches to displacement and migration in relation to disasters, climate change, and environmental degradation. The inform was prepared on the basis of contributions from 21 EMN Member Countries²⁷ and OECD contributions on non-EU countries.

13 UNHCR, ‘Climate change is the defining crisis of our time and it particularly impacts the displaced, 2020, available at: <https://www.unhcr.org/uk/news/latest/2020/11/5f-bf73384/climate-change-defining-crisis-time-particularly-impacts-displaced.html>, last accessed on 4 April 2022.

14 ‘Cross-border’ migration is defined as “the movement of persons away from their place of usual residence and across an international border to a country of which they are not nationals”, as per IOM Key Terms, available at: <https://www.iom.int/key-migration-terms>. Please see also United Nations Human Rights Office of the High Commissioner ‘The Slow Onset Effects Climate Change for Human Rights Protection’, available at: https://www.ohchr.org/sites/default/files/Documents/Issues/Migration/OHCHR_slow_onset_of_Climate_Change_EN.pdf, last accessed on 28 April 2023.

15 JRC, ‘Population exposure and migrations linked to climate change in Africa’, 2021, available at: https://joint-research-centre.ec.europa.eu/jrc-news/climate-migration-jrc-study-highlights-importance-focusing-local-adaptation-solutions-2021-11-10_en, last accessed on 4 April 2023.

16 IOM, ‘Discussion note on migration and the environment’, available at: https://www.iom.int/sites/g/files/tmzbd486/files/jahia/webdav/shared/shared/mainsite/about_iom/en/council/94/MC_INF_288.pdf, last accessed on 4 April 2023.

17 European Commission, ‘Climate change, environmental degradation, and migration’, SWD(2013) 138 final, available at: <https://op.europa.eu/en/publication-detail/-/publication/0e73a743-6f94-40cc-88d5-d6eb53df2274>, last accessed on 4 April 2023.

18 Ibid.

19 European Commission, ‘Forging a climate-resilient Europe – the new EU Strategy on Adaptation to Climate Change’, COM(2021) 82 final, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52021SC0025&from=EN>, last accessed on 24 February 2023.

20 European Commission, ‘European Green Deal’, available at: <https://eur-lex.europa.eu/EN/legal-content/summary/european-green-deal.html>, last accessed on 19 April 2023.

21 European Commission, ‘Addressing displacement and migration related to disasters, climate change and environmental degradation’, SWD(2022), 201 final, available at: https://ec.europa.eu/echo/files/policies/sectoral/swd_2022_displacement_and_migration_related_to_disasters_climate_change_and_environmental_degradation.pdf, last accessed on 24 February 2023.

22 European Parliament, ‘The Future of Climate Migration’, 2022, available at: [https://www.europarl.europa.eu/RegData/etudes/ATAG/2022/729334/EPRS_ATA\(2022\)729334_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/ATAG/2022/729334/EPRS_ATA(2022)729334_EN.pdf), last accessed on 4 April 2023; Resolution of 19 May 2021 on human rights protection and the EU external migration policy (2020/2116(INI)), <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52021IP0242&from=EN>, last accessed on 4 April 2023.

23 Available at: <https://www.iom.int/news/iom-issues-migration-recommendations-czech-eu-presidency>, last accessed on 4 April 2023.

24 IOM, ‘Institutional Strategy on Migration, Environment and Climate’, available at: <https://publications.iom.int/books/institutional-strategy-migration-environment-and-climate-change-2021-2030>, last accessed on 17 November 2022; See also IOM, Migrants in Countries in Crisis (MICIC) Initiative, available at: <https://micicinitiative.iom.int/micic-initiative-and-guidelines>, last accessed on 4 April 2023.

25 Available at: <https://www.unhcr.org/uk/climate-change-and-disasters.html>, last accessed on 4 April 2023.

26 UN TFD, available at: <https://unfccc.int/process/bodies/constituted-bodies/WIMExCom/TFD>, last accessed on 4 April 2023.

27 AT, BE, BG, CY, CZ, DE, EE, FI, FR, HU, IE, IT, LT, LU, LV, NL, PT, PL, SE, SI, SK.



3. LEGISLATIVE FRAMEWORK ON CLIMATE-RELATED MIGRATION AND DISPLACEMENT

Legislation at international and EU level

According to the 1951 Refugee Convention (the Geneva Convention) a person is only considered to be a refugee, if, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, they are outside the country of their nationality and are unable or, owing to such fear, unwilling to avail themselves of the protection of that country; or who, not having a nationality and being outside the country of their former habitual residence as a result of such events, are unable or, owing to such fear, unwilling to return. This definition from the Convention refers to a concrete risk of serious violation of human rights, where the danger emanates from a State or non-State actor.

Moreover, Article 10(1) of the EU Qualification Directive (Directive 2011/95/EU), which is based on the Geneva Convention, similarly lists the following reasons for persecution, including race, religion, nationality, political opinion, and being a member of a particular social group. The reasons for persecution need to have a connection to the acts of persecution, as set out in Article 9(3) of the Directive.

Subsidiary protection is the other EU-harmonised international protection status included in the EU asylum acquis, complementary to refugee status. Again, this does not apply to environmental migrants, in the absence of a third party that would inflict serious harm.²⁸ The Temporary Protection Directive (2001/55/EC) establishes minimum standards for providing temporary protection in the event of a mass influx of displaced persons from third countries who are unable to return to their country of origin. This type of protection is only available where the EU recognises a situation of armed conflict or endemic violence, with serious risks of systematic or generalised violations of human rights.

However, environmental migrants could potentially benefit from the principle of non-refoulement if, on return to their country of origin, they would face inhuman or degrading treatment, which is prohibited by Article 3 of the European Convention of Human Rights and Article 4 of the EU Charter of Fundamental Rights.

A recent non-binding decision of the UN Human Rights Committee was the first to recognise the possible effects of climate change in the context of the returning States non-refoulement obligations.²⁹ According to the Committee, Mr Teitiota could not sufficiently prove that he would face an imminent risk of deprivation of life upon his return to Kiribati, which is at risk of becoming uninhabitable due to rising sea levels. The Committee argued that “the applied timeframe of 10 to 15 years could allow for intervening acts by the Republic of Kiribati, with the assistance of the international community, to take

affirmative measures to protect and, where necessary, relocate its population”. Nevertheless, the decision shows the potential applicability of human rights law to environmental cases, including that inaction in the face of global warming can result in non-refoulement obligations.

National legislation in EMN member countries

None of the reporting EMN Member Countries³⁰ except Italy (see Box 1) has specific legislation on climate-related migration and displacement caused by climate change, nor any specific measures to host third-country nationals that might be affected by climate change or climate disasters. Nevertheless, several countries³¹ have protection grounds in place that may be invoked in case of climate-related migration or used to prevent the return of third-country nationals.

Box 1: Grounds for protection for climate-related migration and displacement in Italy

In Italy, the obligation to grant protection against risks arising from disastrous natural events is recognised in Article 20 bis of Legislative Decree 286/1998, which states that “whenever the country to which the foreigner should return is in a situation of serious calamity that does not allow the return and stay in safe conditions, the Commissioner shall issue a residence permit for calamity.” The assessment of the grounds for granting such a residence permit is left to the discretion of the Commissioner. However, the lack of a precise definition of ‘calamity’, the absence of specific criteria, and case-by-case assessment may not ensure uniformity of treatment for similar cases.

In Sweden, the grounds for national protection status initially included environmental disaster, allowing protection to be granted if the disaster was sudden and there was no option for internal displacement. However, this ground was never used in practice and was removed when the Aliens Act was amended in 2021 to bring the Swedish legislation in line with the EU asylum acquis.

In France, in 2018, an article was envisaged in the asylum and migration draft law for “the government to draw up guidelines for taking account of climate-induced migration and to strengthen its contribution to international and European work on this theme”. However, the article was deemed inadmissible by the Constitutional Council because it did not comply with the Constitution. A new draft law was tabled in December 2019 as a follow-up to the initial amendment, aiming to “implement a national and international strategy on the displacement of populations that are victims of climate change (Article 1) and to provide for a report on reflections with civil society to prepare this strategy (Article 2) and to better anticipate the

²⁸ Court of Justice of the European Union (CJEU), *Mbodj*, C-542/13 of 18 December 2014.

²⁹ *Ioane Teitiota v New Zealand* (advance unedited version), CCPR/C/127/D/2728/2016, UN Human Rights Committee (HRC), 7 January 2020, <https://www.refworld.org/cases/HRC/5e26f7134.html>, last accessed on 4 April 2023.

³⁰ AT, BE, BG, CY, CZ, DE, EE, FI, FR, HU, IE, LT, LU, LV, NL, PT, PL, SE, SI, SK.

³¹ BG, CZ, DE, FR, LT, LV, PL, PT.

displacement of populations that are victims of climate change and biodiversity loss". To date, however, no action has been taken on the proposal.

In some countries,³² a protection status can be granted for humanitarian reasons. Czech Republic and Lithuania, for example, have a status related to humanitarian reasons, which may be used for a wide range of cases. Until now, however, there have been no requests for a residence status due to climate-related displacement.

Box 2: Legislative framework in Finland

According to the publication "Government's analysis, assessment, and research activities" in Finland,³³ gaining international protection is highly unlikely if environmental factors are the only reason for seeking protection. Finland has no explicit climate or environmental refugee status nor specific residence permit for which a foreigner may apply. Where the humanitarian situation of the applicant's home region is severe (Integrated Food Security Phase Classification (IPC) Phase 4 or 5) and access to help is actively blocked (i.e. there is a party causing serious harm), the criteria for subsidiary protection may be met if internal flight is not possible for the applicant.

If international protection is not granted to the applicant on any other grounds, consideration will be given to granting the person a residence permit on a discretionary basis on humanitarian grounds (compassionate grounds). The humanitarian situation in the home region is also part of the overall assessment. Subsidiary protection or residence permits on a discretionary basis on humanitarian grounds are rarely granted on this basis.

According to Finnish law, it is possible to provide national temporary protection,³⁴ for example, in the event of environmental disasters (Section 109 of the Aliens Act), but this requires a political decision by the government and can only be applied in situations where the need for protection on the basis of the environmental disaster is considered to be temporary and of short duration.

In Germany, a removal ban can be considered if the danger is sufficiently concrete. More specifically, if an asylum seeker (no longer) has a livelihood on the entire territory of their country of origin, for example because the territory has become uninhabitable, this could lead to a destination-related prohibition of removal.³⁵ In France, in 2020, a decision by the administrative court of Bordeaux authorised the issuance of a residence permit on medical grounds related to air pollution in the applicant's country of origin. The decision annulled the Order to Leave French

Territory for a Bangladeshi national who had been refused asylum and whose request for renewal of his temporary residence permit (issued because of his health condition) had also been rejected. However, the decision did not create a climate migrant status, as the protection provided was limited to the question of health.

Moreover, Germany advocates that where international legal frameworks are not applicable to address climate-induced migration and displacement, an urgent assessment is necessary to establish whether this protection status should be addressed through new, complementary international legal tools.³⁶

Latvia reported that although there are no specific provisions on climate-related migration, in 2010, Russian citizens were granted an extension of their visa due to wildfires and smog issues in Moscow that lasted for several months.

Legislation in non-EU OECD countries

The United States (US) created the Temporary Protected Status (TPS) in its 1990 Immigration Act. The list of reasons that may qualify a national of a specific country for temporary protection includes instances where "an earthquake, flood, drought, epidemic, or other environmental disaster in the state [has resulted] in a substantial, but temporary, disruption of living conditions in the area affected". Beneficiaries who are already in the US on specified eligibility dates have provisional protection against deportation and are eligible for work authorisation. Employment restrictions on their original visas can also be eased, but this is not systematic.

New Zealand's Pacific and Development Climate Action Plan (2019-2022) identified climate change-related displacement and migration as one of the main challenges for developing countries.³⁷ An attempt to introduce a specific humanitarian visa category for Pacific Islanders displaced by the effects of climate change was proposed in 2017, but withdrawn shortly after, due to low demand among Pacific Islanders.

Australia's Foreign Policy White Paper highlighted that "climate change, environmental degradation, and demand for sustainable sources of food, water and energy will be political, economic and security disrupters over the longer term" that could undermine stability in fragile States and induce migration and displacement.

Temporary residence permits or bans on deportation were granted in a number of OECD countries after major environmental disasters, such as in Canada after the 2010 Haitian earthquake, in Australia after the 2011 earthquake, tsunami, and nuclear emergency in Japan, in Switzerland and the United Kingdom (UK) after the Indian Ocean earthquake and tsunami in 2004, which severely affected Sri Lanka, in particular.

³² BG, CZ, IE, LT, PL, PT.

³³ Prokkola, E., Niemi, S., Lépy, E., Palander, J., Kulusjärvi, O. and Lujala, P., 'Climate migration: Towards a better understanding and management: Finland and a Global Perspective', <https://julkaisut.valtioneuvosto.fi/handle/10024/163182>, last accessed on 4 April 2023.

³⁴ Not in the context of the EU Temporary Protection Directive.

³⁵ The legal basis for granting protection against removal could then be Section 60(5) or (7), sentence 1, of the Residence Act.

³⁶ Federal Republic of Germany, Statement ILC Report (73rd session), 2022.

³⁷ New Zealand, 'Pacific and Development Climate Action Plan 2019-2022', <https://www.mfat.govt.nz/assets/Aid-Prog-docs/Pacific-and-Development-Climate-Change-Action-Plan-2019-22.pdf>, last accessed on 4 April 2023.



4. POLICY DISCUSSION AND DEBATE ON CLIMATE-RELATED MIGRATION AND DISPLACEMENT

Several EMN Member Countries³⁸ reported some discussion, debate, or reference to the impact of climate change on migration in official policy strategies or reports. The main focus of these discussions was how climate change and environmental degradation could affect future migration flows and possible policy solutions, including through preparedness, sustainable development and international cooperation (see section 6).

Austria and Belgium reported relevant parliamentary discussions. In Austria, several parliamentary requests were made in relation to climate change and asylum, following the decision of the UN Human Rights Committee in *Teitiota*.³⁹ In Belgium, questions were raised in Parliament in relation to the definition of 'climate refugee', with answers referring to the need for a coordinated response/definition at European level or within international forums.

In Finland, climate change and environmental disasters were discussed as phenomena that would drive an increase in migration on a wider scale. They will be given further consideration in relation to the upcoming legislative reform of the Aliens Act. A 2021 study on 'Climate migration: Towards a better understanding and management: Finland and a Global Perspective'⁴⁰ aimed to strengthen the government's understanding of the complex phenomenon of climate migration. The main recommendations focused on supporting adaptation and preparedness in vulnerable countries, following a human rights approach to climate migration management, and investing in research, education, and awareness-raising in vulnerable and transit countries, as well as in Finland.

Other countries⁴¹ reported references to climate-related migration in policy documents and studies. The Cohesive Estonia Strategy 2030⁴² mentions the increasing number of 'climate refugees' as one of the major world trends influencing society. In Slovenia, the government's Strategy on Migration recognises climate change as one of the possible reasons for migration. In the Slovak Republic, migration associated with climate change is mentioned cross-sectionally in several documents. In Sweden's first Climate Policy Action Plan, climate change and refugees are mentioned as one of the conditions leading to conflict and forced displacement.

In the US, the White House released a report on climate migration in October 2021.⁴³ Issued just ahead of the final preparations for the UN Climate Change Conference of the Parties (COP26), the report presents a nuanced and comprehensive understanding of the interlinked challenges of climate change and migration. The report proposes establishing a standing interagency policy process on Climate Change and Migration to coordinate US government efforts to mitigate and respond to migration stemming from the impacts of climate change. It recommends evaluating opportunities for funding for development and humanitarian programming to provide aid to displaced people. It also suggests that Congress and stakeholders explore the need for additional protections for individuals who can establish that they are fleeing serious, credible threats to their life or physical integrity as a result of climate change.



5. NATIONAL INSTITUTIONS INVOLVED IN CLIMATE-RELATED MIGRATION AND DISPLACEMENT

Most EMN Member Countries do not have specific institutions working on climate-related migration and displacement issues. However, some⁴⁴ have national bodies, NGOs, research institutes and/or private foundations working primarily to research and analyse the phenomenon.

In Belgium, the Federal Public Service 'Health, Food Chain Safety and Environment' has a specialised division working on climate change, including climate-related migration.⁴⁵ The Hugo Observatory,⁴⁶ a research centre at the University of Liège, is also committed to the study of interactions between environmental changes, human migration, and politics.

In France, several organisations work directly on the links between climate change and migration, such as the NGOs

Cimade, *Caritas France Foundation*, *France terre d'asile* and others, as well as the National Institute of Demographic Studies. In addition, IOM and Sciences Po Paris cooperated to develop the first Atlas of Environmental Migration in 2016,⁴⁷ which brings together a body of research and case studies on the links between environmental migration and climate change.

In Germany, various institutes and private foundations are addressing the intersection between climate change and migration, including the Potsdam Institute for Climate Impact Research and the Robert Bosch Foundation. The *Deutsche Gesellschaft für Internationale Zusammenarbeit* (GIZ) also works on the intersection between climate change and human mobility, primarily through the implementation of programmes such as the Global Programme

³⁸ AT, BE, DE, FI, LT, SE.

³⁹ See: https://www.parlament.gv.at/PAKT/VHG/XXVII/AB/AB_00887/index.shtml, last accessed on 4 April 2023.

⁴⁰ See: <https://julkaisut.valtioneuvosto.fi/handle/10024/163182>, last accessed on 4 April 2023/

⁴¹ BE, DE, FI, FR, LT, SI, SK.

⁴² See: <https://www.kul.ee/en/media/3969/download>, last accessed on 4 April 2023.

⁴³ The White House, Report on the Impact of Climate Change on Migration, <https://www.whitehouse.gov/wp-content/uploads/2021/10/Report-on-the-Impact-of-Climate-Change-on-Migration.pdf>, last accessed on 4 April 2023.

⁴⁴ BE, DE, IE, FR.

⁴⁵ See: <https://www.health.belgium.be/fr/le-site-dinformation-federal-officiel-sur-les-changements-climatiques>, last accessed on 4 April 2023.

⁴⁶ See: https://www.hugo.uliege.be/cms/c_4655083/en/hugo, last accessed on 4 April 2023.

⁴⁷ Ionesco, D., Mokhnacheva, D. and Gemenne, F., 'The atlas of environmental migration', 2016, <https://www.routledge.com/The-Atlas-of-Environmental-Migration/Ionesco-Mokhnacheva-Gemenne/p/book/9781138022065>, last accessed on 4 April 2023.

Human Mobility in the Context of Climate Change (2017–2023).⁴⁸ The Global Programme supports its partners in the Philippines, Eastern Caribbean, the Pacific and Eastern Africa to enhance sustainable management of human mobility (migration, displacement and planned relocation) in the context of climate change.

Irish Aid, under the Department of Foreign Affairs, leads Ireland's international development and humanitarian work, including work to improve climate adaptation and disaster risk reduction for the most vulnerable groups internationally. The Department of the Environment, Climate and Communications and the Environmental Protection Agency (EPA) carry out work on climate change,

including funding research on the 'Transboundary Climate Risks for Island of Ireland', which has a migration-related component.

In Sweden, the Swedish National Knowledge Centre for Climate Change Adaptation is part of the Swedish Meteorological and Hydrological Institute. The Centre acts as a knowledge hub for climate change effects and provides a meeting place for actors involved in climate change adaptation. Several agencies work together within a National Network for Adaptation, with the aim of strengthening society's ability to deal with the positive and negative effects of climate change.



6. DEVELOPMENT COOPERATION AND PARTICIPATION IN INTERNATIONAL AND EUROPEAN FORUMS

Discussion at international forums

The impacts of climate change on international and internal displacement have been discussed in international forums, such as the United Nations Framework Convention on Climate Change. The TFD was established in 2015 at COP 21 and its mandate was extended in 2018. In its first phase, the TFD developed recommendations for integrated approaches to avert, minimise and address displacement related to the adverse impacts of climate change. Currently in its second phase, the TFD focuses on ways and means to enhance cooperation and facilitation on human mobility, including migration, displacement, and planned relocation. Discussion of climate change and migration also took place in the context of the adoption of the Global Compact for Migration (see Box 3).

Box 3 Climate change and migration in the Global Compact for Migration

On 19 December 2018, the UN General Assembly adopted the Global Compact for Migration,⁴⁹ with most EU and OECD Member States as signatories. The Global Compact is a non-binding document that demonstrates (self-)commitment to international cooperation on migration while respecting States' sovereign right to determine who enters and stays in their territory. The implications of climate change are covered under objective 2: "Minimise the adverse drivers and structural factors that compel people to leave their country of origin". The Compact invites countries to:

(1) Strengthen joint analysis and sharing of information to better map, understand, predict and address migration movements, such as those that may result from sudden-onset and slow-onset natural disasters, the adverse effects of climate change, environmental degradation, and other precarious situations, while ensuring effective respect for and protection and fulfilment of the human rights of all migrants;

(2) Develop adaptation and resilience strategies to sudden-onset and slow-onset natural disasters, the adverse effects of climate change, and environmental degradation, such as desertification, land degradation, drought and sea level rise, taking into account the potential implications for migration, while recognising that adaptation in the country of origin is a priority;

(3) Integrate displacement considerations into disaster preparedness strategies and promote cooperation with neighbouring and other relevant countries to prepare for early warning, contingency planning, stockpiling, coordination mechanisms, evacuation planning, reception and assistance arrangements, and public information;

(4) Harmonise and develop approaches and mechanisms at subregional and regional level to address the vulnerabilities of persons affected by sudden-onset and slow-onset natural disasters, by ensuring that they have access to humanitarian assistance that meets their essential needs with full respect for their rights wherever they are, and by promoting sustainable outcomes that increase resilience and self-reliance, taking into account the capacities of all countries involved;

(5) Develop coherent approaches to address the challenges of migration movements in the context of sudden-onset and slow-onset natural disasters, including taking into consideration relevant recommendations from State-led consultation processes, such as the Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change, and the PDD.

Several EMN Member Countries⁵⁰ reported previous relevant discussions at international and European forums, summits, and conferences. Germany advocated that where international legal frameworks are not applicable to climate-induced migration and displacement, an assessment would be urgently conducted to establish whether new, complementary international legal tools may be necessary to cover the protection gap. The

48 See: <https://www.giz.de/en/worldwide/67177.html>, last accessed on 4 April 2023.

49 Global Compact for Migration, 2018, https://refugeesmigrants.un.org/sites/default/files/180713_agreed_outcome_global_compact_for_migration.pdf, last accessed on 4 April 2023.

50 DE, IE, FI, FR, NL, SE.

German Foreign Minister raised the issue of international law and climate-related migration at the UN on 23 September 2022⁵¹ (referring to international law) and at the Berlin Climate and Security Conference on 11 October 2022.⁵² Germany welcomed the new Report of the International Law Commission,⁵³ with its focus on legal protection of individuals affected by climate change, and especially the decision to further map applicable international legal frameworks and fields to assess where new legal frameworks might be necessary.

Furthermore, Germany supports the Secretariat of the State-led and EU chaired Platform on Disaster Displacement (PDD), as a member of the Steering Group and through financial supports.⁵⁴ France is also a member of the Steering Group.

Ireland advanced discussions on climate displacement and forced migration in the context of climate change through its participation in international committees.⁵⁵ It approaches climate-related migration through the lens of investing in climate adaptation and disaster-risk reduction, strengthening food security, improving infrastructure and directing resources to the most vulnerable.⁵⁶ At the recent International Migration Review Forum 2022, Ireland co-hosted the event, 'Moving forward to tackle migration and displacement in a changing climate'.⁵⁷

Sweden joined the Group of Friends (GoF)⁵⁸ for the Nansen Initiative in 2014, which aims to raise awareness of the protection and assistance needs of disaster displaced persons as a result of disasters and the adverse effects of climate change.

France reported that its exchanges as part of international summits and conferences focused on proposals or initiatives tackling root causes of displacement, without addressing the issue of a dedicated legal status. Alongside Senegal, France is chairing the Global Forum on Migration and Development (GFMD)⁵⁹ in 2022-2023 and has chosen 'the impact of climate change on human mobility' as its focus. The concept note for the event indicates that, in light of the 2022 Intergovernmental Panel on Climate Change (IPCC) report, they are seeking to urgently tackle the damaging effects of disaster, climate change, and environmental degradation on migration and displacement, and to begin a dialogue on solutions for associated movements of population.⁶⁰

Inclusion of climate-related migration and displacement in strategies or policies on international development cooperation

Recognising that the issue should also be addressed in countries of origin, some EMN Member Countries⁶¹ include climate-related displacement and migration in their strategies or policies on international development cooperation. These strategies increasingly recognise that climate change and environmental degradation have an impact on displacement and migration and call for development cooperation projects and initiatives in the countries of origin (see section 7).

In Austria, the impact of climate change on migration was first mentioned in the Three-Year Programme on Austrian development policy (2019-2021) and was identified as a key challenge in the current Three-Year Programme (2022-2024).

In Belgium, in 2021, the Directorate-General for Development (DGD) adopted the strategy note 'Migration as a driver for sustainable development', which recognises climate change as a root cause of migration. The Belgian Development Agency, Enabel, is increasingly confronted with mixed migration flows,⁶² including forced migration following natural (and man-made) disasters, linked to environmental issues or climate change. As a result, Belgium has adopted a nexus approach that aims to ensure coherence between humanitarian, development, and peace-building efforts to improve access to basic rights, strengthen autonomy and resilience in countries of origin, and contribute to social cohesion and conflict prevention/resolution.⁶³ The DGD has launched the terms of reference for a new Policy Supporting Programme (PSP) (2023-2027), which envisages scientific support for the DGD's strategic role in policy preparation and dialogue, positioning in international forums and financing decisions. PSP may address some of the following topics: the 'climate – security – migration' nexus, loss and damage, and migration as an adaptation strategy. It will also offer support for the preparation of Belgian positions on climate change and human mobility.

In Ireland, Irish Aid's international development policy 'A Better World' recognises that humanitarian disasters are exacerbated by climate change and this will have an impact on migration flows. The policy contains a commitment to "follow through on the global compacts on

51 Speech by Foreign Minister, Annalena Baerbock, at the UN General Assembly side event 'Staying ahead of the curve: climate security and international law', <https://www.auswaertiges-amt.de/en/newsroom/news/-/2554276>, last accessed on 4 April 2023.

52 See: <https://www.auswaertiges-amt.de/en/newsroom/news/baerbock-berlin-climate-and-security-conference/2557368>, last accessed on 4 April 2023.

53 United Nations' General Assembly, 'Report of the International Law Commission Seventy-second session' (26 April-4 June and 5 July-6 August 2021), https://legal.un.org/ilc/reports/2021/english/a_76_10_advance.pdf, last accessed on 4 April 2023.

54 Platform on Disaster Displacement, <https://disasterdisplacement.org/about-us>, last accessed on 4 April 2023.

55 See: Houses of the Oireachtas, 'Joint Committee on European Affairs – debate: Migration', 9 May 2022; Houses of the Oireachtas, 'Select Committee on European Affairs – debate: Migration', 8 February 2022; Houses of the Oireachtas, 'Joint Committee on Foreign Affairs and Defence – Women, Peace and Security: Engagement with the Irish Consortium on Gender Based Violence', 24 May 2022, www.oireachtas.ie, last accessed on 4 April 2023.

56 Office of the United Nations High Commissioner for Human Rights (OCHRC), 'Questionnaire on the on Human Rights and Climate Change Response of Ireland', <https://www.ohchr.org/sites/default/files/Documents/Issues/ClimateChange/Protection/Ireland.pdf>, last accessed on 4 April 2023.

57 Irish Aid, 'Irish Aid at the UNFCCC 22nd Conference of the Parties (COP22)', 2016, <https://www.irishaid.ie/news-publications/news/newsarchive/2016/november/un-fccc-cop22/>, last accessed on 4 April 2023.

58 See: https://disasterdisplacement.org/wp-content/uploads/2019/10/17092019-TOR-PDD-Group-of-Friends-FINAL-ADOPTED-1_compressed.pdf, last accessed on 4 April 2023.

59 The GFMD was created in 2006 with a first meeting organised by Belgium in 2007. It remains the largest informal, non-binding, voluntary and government-led process, bringing together expertise from all regions and countries at all stages of economic, social and political development. Since its inception, the GFMD has operated on the basis of a unique participative working method, involving governments and policy makers from various backgrounds. Policy-makers from a wide range of government agencies participate. See: <https://www.gfmd.org/>, last accessed on 4 April 2023.

60 Information provided by the OECD (not EMN FR).

61 AT, BE, DE, LU, NL, SE, SK.

62 Mixed migration flows refers to the complex migratory population movement that includes refugees, asylum seekers, economic migrants and other types of migrants, as opposed to migratory population movements that consist entirely of one category of migrants.

63 See: http://www.diplomatie.be/oda/comprehensive_approach_en.pdf, last accessed on 4 April 2023.

migration and refugees to reaffirm the importance of the international refugee regime and ensure that migration is more safe, orderly and regular.”⁶⁴

In the Netherlands, the recently published Dutch International Climate Strategy acknowledges the importance of international frameworks and partnerships (e.g. the Global Compact for Migration; Global Compact on Refugees) in finding solutions for refugees, internally displaced and especially vulnerable categories of migrants, including as a result of climate-induced migration.⁶⁵

In Luxembourg, a new funding theme ‘climate change-induced migration’ was added to the International Climate Finance Strategy in 2021 to “support activities that facilitate safe and orderly migration”.⁶⁶

The Swedish International Development Cooperation Agency (SIDA) integrates migration and displacement as a horizontal issue in its development programmes and humanitarian assistance, including in relation to climate change. The overall policy framework – which provides

the overarching strategic direction for Swedish aid – recognises climate change as a growing cause of forced migration. Tackling environmental and climate-related threats is identified as one of several important factors for improving living conditions in countries of origin and creating alternatives to involuntary migration. Issues linked to climate-related migration and displacement were also integrated into a number of geographical and thematic strategies for Sweden’s international development cooperation (e.g. with Uganda, Burkina Faso and Afghanistan).

In 2020, the Lithuanian NGO Diversity Development Group published a study⁶⁷ on the relationship between climate change, migration, and human rights in the context of the Sustainable Development Agenda 2030. The study noted Lithuania’s consistent support for international development projects tackling climate change in third countries. However, the study found that little attention is paid to the adaptation to the effects of climate change, including climate-related migration.



7. PROJECTS AND INITIATIVES ON CLIMATE-RELATED MIGRATION AND DISPLACEMENT

Several EMN Member Countries⁶⁸ reported projects and initiatives on climate-related migration, mostly within the area of international development cooperation. The majority address the need to increase populations’ preparedness and resilience within the remit of development cooperation, often combined with efforts to reduce the effects of environmental crises. In Austria, these projects are intended to strengthen the resilience of people living in developing countries, particularly vulnerable people, against the impacts of extreme weather events, thus reducing climate-related forced migration (see Box 4).

Box 4: Development cooperation policy addressing climate-related migration in Austria

The Austrian Development Cooperation (ADC) aims to mitigate climate-related migration based on four approaches:

1) Reducing emissions to ensure that the environmental crisis does not worsen: Project examples include ‘GET.pro - Transformational Advice’, which aims to contribute to the achievement of the Sustainable Development Goals (SDGs) and the Paris Climate Agreement on sustainable energy and climate change (funding amounts to € 3 million) and ‘Contribution to the Energy and Environment Partnership Trust Fund in Southern and East Africa 2022–2025’, which supports the multi-donor clean energy financing facility targeting access to clean energy in 15 countries in Southeast Asia (funding amounts to € 1 million).

2) Helping people to stay in their home countries by strengthening their resilience and reducing risks:

This is implemented by investing in areas particularly exposed to climate change impacts (e.g. water, agriculture, ecosystem conservation, sustainable resource management) and considering climate risk in all areas of national development planning. Project example: ‘Together, let’s hope - Community and Institutional Resilience Project in Liptako-Gourma’, which aims to contribute to the consolidation or creation of endogenous, inclusive, national and cross-border, perennial and concerted mechanisms of peaceful local development (funding amounts to € 1 million).

3) Enabling people to avoid disasters through spatial and land utilisation planning, early warning and disaster preparedness, including building necessary institutional capacity:

Project examples include: ‘Improving institutional and community capacities for inclusive and gender-sensitive disaster preparedness in Inhambane and Sofala’, which aims to reduce the impact of climate-related risks for target communities by strengthening their resilience in an inclusive and gender-responsive way and building the institutional disaster risk reduction (DRR) (funding amounts to € 2 million)

4) Help and protection for people who were forced to migrate: focus on humanitarian relief, embedded in humanitarian assistance combined with a development cooperation approach and, where necessary, with conflict mitigation and peace-building measures (triple nexus). Project example:

64 Irish Aid, ‘A Better World’, 2019, p. 17, www.irishaid.ie/media/irishaid/aboutus/abetterworldirelandspolicyforinternationaldevelopment/A-Better-World-Irelands-Policy-for-International-Development.pdf, last accessed on 4 April 2023.

65 See: <https://www.rijksoverheid.nl/documenten/publicaties/2022/10/07/internationale-klimaatstrategie>, last accessed on 4 April 2023.

66 See: <https://gouvernement.lu/dam-assets/documents/actualites/2021/07-juillet/26-fci-dieschbourg/Strategie-FCI.pdf>, p. 11, last accessed on 4 April 2023.

67 See: https://www.vbplatforma.org/uploaded_files/library/Klimato%20kaita,%20migracija,%20zmogaus%20teisises_DDG_studija_2020.pdf, last accessed on 4 April 2023.

68 AT, BE, BG, CY, DE, NL, SE.

'Contribution to the Pakistan Floods Response Plan 2022-2023', implemented by UNHCR and providing emergency assistance to refugees and host community members affected by recent floods, including core relief items, cash-based assistance, and early recovery interventions (funding amounts to € 1 million).

In Belgium, the PSP will address climate change and migration. It envisages scientific support for the DGD's strategic role in policy preparation and dialogue, positioning in international forums and financing decisions on development cooperation programs and projects (see Box 5).⁶⁹

Box 5: Development cooperation projects in Belgium

'MIGRADAPT: Making Migration Work for Adaptation to Environmental Changes. A Belgian Appraisal'⁷⁰ was a project of the Université Libre de Bruxelles, University of Antwerp, Université de Liège, and the Royal Museum for Central Africa that ran from August 2018 to April 2021 (with the support of Enabel). It focused on recent migration to Belgium from three different 'climate hotspot' countries: Morocco, Senegal, and the Democratic Republic of Congo (DRC). The transnational study had two objectives: (i) to analyse the role of environmental factors affecting traditional migrant flows during their fragmented journeys and (ii) to understand the socioeconomic and political conditions under which migrants in Belgium can support the adaptation and resilience of their communities of origin.

Sahel Climate Thematic Portfolio (SCTP) (2022-2026) is a regional programme that will be rolled out in Mali, Niger, Senegal, and Burkina Faso. For example, in Burkina Faso, the programme focuses on areas (peri-urban and rural) characterised by high concentration of displaced populations, notably in the Centre-Nord region. It does not focus specifically on displacement caused by climate change but, rather, includes climate-related movements in the broader framework of current displacement in Sahelian countries.

Bulgaria and Cyprus reported on their participation in the project 'End Climate Change, Start Climate of Change',⁷¹ co-financed by the European Commission within the framework of the Development Education and Awareness Raising (DEAR) programme.⁷² The project aims to develop young EU citizens' awareness and critical understanding of climate change-related migration, as one of the biggest challenges of the globalised world.

In Germany, several programmes and projects support partner countries in the context of climate-related migration and displacement. For example, the Global Programme on human mobility in the context of climate change is implemented by the GIZ and funded by the

Federal Ministry for Economic Cooperation and Development (BMZ). Activities range from support to incorporate climate-related migration into National Climate Change Action Plans and develop guidelines for voluntary planned relocation in the context of climate change and disasters, as well as capacity-building in modelling and forecasting. The German development cooperation was able to support its partners in establishing technical working groups and preparing strategic documents, such as the Strategic Plan on Human Mobility in the Context of Climate Change by the Organisation of Eastern Commission (OEC).

In the Netherlands, the Planetary Security Initiative (PSI)⁷³ is an international-level knowledge hub launched in 2015 by the Dutch Ministry of Foreign Affairs to facilitate discussions of climate-related security risks with international policymakers. Climate-related migration is a topic of interest in PSI research.

France is drawing up a new strategy on migration and development that will include a component on forced environmental displacements. However, this will distinguish between environmental migration and climatic migration, rather than emphasising movement directly related to climate change (which is not always clearly identifiable).

In Sweden, SIDA supports a number of programmes and initiatives on climate-related migration and displacement (see Box 6).

Box 6: Development cooperation projects in Sweden

SIDA supports a number of programmes and initiatives on climate-related migration and displacement:

- Funding for the Raoul Wallenberg Institute of Human Rights and Humanitarian Law to carry out research on climate-related migration and displacement;
- Funding for the Food and Agriculture Organization of the United Nations (FAO) in Burkina Faso to improve resilience against climate shocks and increase capacity for food production among vulnerable populations, including the internally displaced;
- Funding for the Intergovernmental Authority on Development (IGAD) Drought Disaster Resilience and Sustainability Initiative (IDDRSI) in 2021. IDDRSI works to address food insecurity in the Horn of Africa, an issue which has implications for displacement related to climate change;
- Support to the Act Church of Sweden, whose civil society organisation partner in Central America (*Red Jesuita Con Migrantes*) works to prevent climate-related causes of involuntary migration by providing training in new agricultural methods;
- Literature review on climate change-related migration;

69 With the PSP, the DGD seeks to establish sustainable cooperation networks in the longer term, produce various types of scientific support and deliverables (original research and studies, as well as reviews of existing research, input for answers to policy questions, training, input for missions to partner countries or international institutions, contributions to relevant thematic platforms, contributions to evaluations, etc.).

70 See: http://www.belspo.be/belspo/brain-be/projects/FinalReports/MIGRADAPT_FinRep.pdf, last accessed on 4 April 2023.

71 See: <https://climateofchange.info/about-the-project/>, last accessed on 4 April 2023.

72 See: <https://climateofchange.info/development-education-and-awareness-raising-programme/>, last accessed on 4 April 2023.

73 PSI, 'What is the Planetary Security Initiative (PSI)?', <https://www.planetarysecurityinitiative.org/about-psi>, last accessed on 4 April 2023.

- Multi-dimensional poverty analysis of Bangladesh, which showed that climate change acted as a push factor for migration due to its effects on livelihoods and people's homes;

- Multi-dimensional poverty analysis of Mozambique, which showed that vulnerability to extreme weather events was a frequent cause of large migrations.



8. FUTURE OUTLOOK

Displacement and migration caused by natural disasters, climate change and environmental degradation expose individuals and societies to high levels of risk. Recent research by the JRC shows that millions of people, particularly those in less developed countries in Africa, could be vulnerable to the adverse consequences of climate change by 2070.⁷⁴ The UN Global Compact for Safe, Orderly and Regular Migration sets out how climate change interacts with the drivers of migration. The World Bank's Groundswell Report warns that by 2050, 216 million people across six world regions could be forced to move due to the impact of climate change.⁷⁵

While scholars and policy makers have questioned some of the quantitative estimates of the potential scale of displacement and migration, advocating for a more nuanced view on the link between migration and climate change, the frequency and intensity of displacement due to climate change and extreme weather events is already visible worldwide. This is particularly the case in the wake of sudden onset events that give people no choice but to leave, as in the case of the tragic floods that hit Pakistan in 2022, leaving 33 million people displaced internally.⁷⁶ Europe is also warming rapidly, higher than the global average, facing wildfires in the Mediterranean in recent years, along with exceptional rainfall and tornados.⁷⁷

As early as 2009, Antonio Guterres warned that climate change would "become the biggest driver of population displacements, both inside and across national borders, within the not too distant future", and pointed to the need to address the lack of protection for those forced to leave.⁷⁸ The 1951 Refugee Convention does not qualify environmentally displaced people as refugees, and the Office of the United Nations High Commissioner for Human Rights (OHCHR) in its 2018 annual report again confirmed the existence of a protection gap for people crossing borders in response to climate change. The report recommended that States "promote and expand safe, regular,

dignified and accessible pathways for human mobility that respect and protect the rights of persons affected by climate change, including through specific protection mechanisms".⁷⁹

The inform confirms that, whilst climate change is widely recognised as one of the key global societal challenges impacting migration,⁸⁰ at this stage the international and EU legal framework does not include climate change as a ground for international protection,⁸¹ and that very few EMN and OECD countries have a specific legal status or protection mechanism under the national law for those displaced due to the effects of disasters or offer another form of protection. A recent non-binding decision of the UN Human Rights Committee was the first to recognise the possible effects of climate change in the context of the returning States non-refoulement obligations.⁸² Based on international human rights law, this non-binding decision could become a reference for future judgments by the European Court of Human Rights (ECtHR) or the CJEU, which have taken a position on several environmental cases but have yet to do so for return decisions linked to climate change.⁸³

Against this backdrop, this inform shows that climate change and environmental degradation and their effects on migratory movements are increasingly debated and addressed by a growing number of EMN and OECD countries, either as part of their wider policies focusing on development cooperation and humanitarian aid, and/or as part of projects and initiatives with countries of origin. Increasingly, countries are also studying and commissioning research on the phenomenon of climate change-related migration (by national institutes and research bodies) Policy responses may also require further collaboration with third countries to improve the resilience and preparedness of local populations and to counter the effects of climate change where they are felt most keenly.

74 JRC, 'Population exposure and migrations linked to climate change in Africa', 2021, available at: <https://publications.jrc.ec.europa.eu/repository/handle/JRC126594>, last accessed on 4 April 2023.

75 European Commission, Addressing displacement and migration related to disasters, climate change and environmental degradation, SWD(2022) 201 final, available at: https://ec.europa.eu/echo/files/policies/sectoral/swd_2022_displacement_and_migration_related_to_disasters_climate_change_and_environmental_degradation.pdf, last accessed on 4 April 2023.

76 UNHCR, Pakistan Floods Emergency, 2022, available at: <https://www.unhcr.org/ph/pakistan-floods-emergency>, last accessed on 19 April 2023.

77 Available at: https://www.internal-displacement.org/sites/default/files/publications/documents/IDMC_GRID_2022_LR.pdf, last accessed on 19 April 2023.

78 Relief Web, 'Climate change could become the biggest driver of displacement: UNHCR chief', Press release, 16 December 2009, available at: <https://reliefweb.int/report/world/climate-change-could-become-biggest-driver-displacement-unhcr-chief>, last accessed on 19 April 2023.

79 UNHCR, 'Addressing human rights protection gaps in the context of migration and displacement of persons across international borders resulting from the adverse effects of climate change and supporting the adaptation and mitigation plans of developing countries to bridge the protection gaps', Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General, 2018, available at: <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F38%2F21&Language=E&DeviceType=Desktop&LangRequested=False>, last accessed on 19 April 2023.

80 European Commission, communication on 'New Pact on Migration and Asylum', COM(2020)609 final, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020DC0609>, last accessed on 24 February 2023. Please also see *inter alia*: European Commission, 'Climate change, environmental degradation, and migration', SWD(2013) 138 final, available at: <https://op.europa.eu/en/publication-detail/-/publication/0e73a743-6f94-40cc-88d5-d6eb53df2274>, last accessed on 4 April 2023; European Commission, 'Forging a climate-resilient Europe - the new EU Strategy on Adaptation to Climate Change', COM(2021) 82 final, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52021SC0025&from=EN>, last accessed on 24 February 2023; European Commission, 'European Green Deal', available at: <https://eur-lex.europa.eu/EN/legal-content/summary/european-green-deal.html>, last accessed on 19 April 2023; European Commission, 'Addressing displacement and migration related to disasters, climate change and environmental degradation', SWD(2022), 201 final, available at: https://ec.europa.eu/echo/files/policies/sectoral/swd_2022_displacement_and_migration_related_to_disasters_climate_change_and_environmental_degradation.pdf, last accessed on 24 February 2023. Please refer to introduction for a comprehensive overview.

81 See Qualification Directive (2011/95/EU), the Temporary Protection Directive (2001/55/EC) and the Return Directive (2008/115/EC).

82 *Ioane Teitiota v New Zealand* (advance unedited version), CCPR/C/127/D/2728/2016, UN Human Rights Committee (HRC), 7 January 2020, available at: <https://www.refworld.org/cases/HRC/5e26f7134.html>, last accessed on 4 April 2023.

83 Delval, E., 'From the U.N. Human Rights Committee to European Courts: Which protection for climate-induced displaced persons under European Law?' EU Migration Law Blog, 2020, available at: <https://eumigrationlawblog.eu/from-the-u-n-human-rights-committee-to-european-courts-which-protection-for-climate-induced-displaced-persons-under-european-law/>, last accessed on 20 April 2023.



Keeping in touch with the EMN

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EMN National Contact Points

Austria www.emn.at/en/

Belgium www.emnbelgium.be

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Croatia <https://emn.gov.hr/>

Cyprus www.moi.gov.cy/moi/crmd/emnncpc.nsf/home/home?opendocument

Czechia www.emncz.eu

Denmark www.justitsministeriet.dk/

Estonia www.emn.ee/

Finland www.emn.fi/in_english

France www.immigration.interieur.gouv.fr/Europe-et-International/Le-reseau-europeen-des-migrations-REM3/Le-reseau-europeen-des-migrations-REM2

Germany <https://www.bamf.de/EN/Themen/EMN/emn-node.html>

Greece <http://emn.immigration.gov.gr/en/>

Hungary www.emnhungary.hu/en

Ireland www.emn.ie/

Italy www.emnitalyncp.it/

Latvia www.emn.lv/en/home/

Lithuania www.emn.lt/en/

Luxembourg <https://emnluxembourg.uni.lu/>

Malta <https://emn.gov.mt/>

The Netherlands <https://www.emnnetherlands.nl/>

Poland <https://www.gov.pl/web/europejska-siec-migracyjna>

Portugal <https://rem.sef.pt/>

Romania <https://www.mai.gov.ro/>

Spain <https://extranjeros.inclusion.gob.es/emn-Spain/>

Slovak Republic <https://emn.sk/en/>

Slovenia <https://emm.si/en/>

Sweden <http://www.emnsweden.se/>

Norway <https://www.udi.no/en/statistics-and-analysis/european-migration-network---norway>

Georgia https://migration.commission.ge/index.php?article_id=1&clang=1

Republic of Moldova <http://bma.gov.md/en>