

Forum: United Nations Human Rights Council (HRC)

Issue #2: Measures to address the protection of displaced persons as a cause of climate change

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Introduction

With the rapid increase of climate change, citizens have been internally displaced in their countries and constantly face barriers and obstacles to remain safe in their situation. Over the past decade, extreme weather has displaced 20

million people a year, forcing them to live in remote places and often find themselves with limited access to basic services or infrastructure. Exposing them to the aftermath of hazardous natural disasters, negatively affecting their lives. They are also persistently threatened with their basic human rights, poverty, and loss of livelihoods. When displaced, they face challenges and conflicts between their host communities for access to natural resources, food, water, and land rights. Making it difficult for displaced people to get the proper help they need and for them to settle and build new lives for themselves. With all these factors, higher mortality rates are seen in displaced people and because of their constant position in high risk situations, they are exposed to physical attack, sexual assault, and abduction.

Definition of Key Terms

Displacement: the situation in which people are forced to leave the place where they normally live.

Internally Displaced Person (IDPs): persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized border.

Natural disasters: calamitous occurrences generated by the effects of natural, rather than human-driven, phenomena that produce great loss of human life or destruction of the natural environment, private property, or public infrastructure.

Climate change: Climate change is a long-term change in the average weather patterns that have come to define Earth's local, regional, and global climates.

Refugee: someone who has been forced to flee his or her country because of persecution, war, or violence.

Asylum seeker: An asylum-seeker is someone who is seeking international protection.

Statelessness: a person who is not considered as a national by any State under the operation of its law.

Host Community: A host community in this context refers to the country of asylum and the local, regional and national governmental, social and economic structures within which refugees live.

Human rights: rights we have simply because we exist as human beings - they are not granted by any state. These universal rights are inherent to us all, regardless of nationality, sex, national or ethnic origin, color, religion, language, or any other status.

General Overview

Climate change has taken a toll on natural disasters, with the constant effect on the frequency and the intensity of extreme environmental events such as forest fires, hurricanes, heat waves, floods, droughts, and storms. With this increase, over 20 million people around the world have been displaced, and in most cases, they end up in homelessness or death. This sets climate disasters as the

world's leading cause of internal displacement. With the drastic changes, millions of people are affected in terms of the destruction of their crops and the killing of livestock, which is a main source for many. Continuously, IDPs constantly experience shortages in food, potable water, land, and natural resources.

As a cause, conflict arises with hosting communities and IDPs with the competition for natural resources, food, water, and land rights in the area; this brings concern with the protection of the displaced people in their new communities. With this exposure, displaced people are left unprotected throughout their displacement. This being that they do not have a safe and adequate place to live, they face discrimination, exploitation, and lack of education and access to health care services.

International Protection and Recognition

Internally displaced people's protection is framed by the International Human Rights Law. Yet, they still face constant violations of their rights and violence. Since internally displaced people stay within their country's territory, they are not able to be recognized under international law. The 1951 Convention Relating to the Status of Refugees is a treaty that provides the main frame for protection for refugees and IDPs. Nevertheless, there are no specific conventions or treaties for IDPs that fully set the rights of IDPs and protect them. As a result of the vague protection of the existing laws and conventions, IDPs constantly face ignorance and lack of protection from the international community. Putting over 62 million IDPs in danger throughout the globe.

This lack of action from the international community deprives displaced people from having the same rights and protection as refugees. They are only protected by their own national governments, in which some cases, do not provide the necessary protection and rights needed. As a consequence, issues such as violations of sovereignty might arise when foreign governments,

intergovernmental organizations, or nongovernmental organizations try to provide protection and support.

Lack of Services and Social Injustice

IDPs constantly find themselves in remote places in urban or rural areas. In some cases, they stay in camps that are set up by governments or humanitarian organizations. However, most of the time, they are very overcrowded or do not provide the proper care for IDPs. With these conditions, these centers have very limited access to water, sanitation, and other basic services. These basic services, entail health services, legal services, and adequate shelter. This exposes IDPs to a variety of risks such as exposure to infectious diseases, sexual violence, and forced eviction.

Another challenge they face is the various social issues when they settle in their host communities. They front discrimination, exploitation, and barriers in social integration. They are discriminated against just by the fact that they have fallen into displacement. Other times, they are discriminated against for their sex, race, religion, or social-economic status. They are exploited by being forced into harsh labor, which they search for a need of income; many times there are child labor cases. Many also fall into sexual exploitation, violence, and human trafficking.

Fall into Poverty and Access to Employment

Most IDPs come from developing countries meaning that most of them will be encountered with grave economic issues when they become displaced. They are forced to leave their jobs, and sources of income, putting them in unstable situations. In these cases, displaced people will find themselves close to poverty, if they are not able to find new means of livelihood in their host communities. With the lack of these basic services, they will be affected in various ways,

seeing as they might obtain health issues. Causing IDPs to be stripped of their chances of obtaining or maintaining a job.

When trying to look for stable employment, IDPs face troubles due to lack of documentation, skills, and discrimination from companies or employers. They might also find themselves with a disrupted education which will not be seen as a good factor when searching for jobs. Consequently, with the lack of access to legal services, many might find themselves without the correct documentation, which will cause a barrier when applying for employment. Lastly, there are cases in which they will face discrimination, from their employer, which will lessen their chances of obtaining a job to properly maintain themselves.

Major Parties Involved and Their Views

China: China has some of the highest annual rates of worldwide disaster displacement. Due to its geography and various climates, China is exposed to natural disasters, including earthquakes, floods, forest fires, and typhoons. China is increasing its commitments in global forums run by the UN, where diplomats advocate for different strategies to address the causes of displacement to find long term solutions. Despite its efforts to ease this prominent issue, China still lacks national IDP protection frameworks within its national law to ensure quick action in the country.

Philippines: Due to its location in the Pacific Ring of Fire, the Philippines is highly exposed to many natural hazards, affecting thousands of people and their homes. In 2023, around 2.6 million people were found to be displaced due to natural disasters. The Philippines has passed a bill that protects people from arbitrary displacement and guarantees the rights of the internally displaced.

With the passing of this bill, the Commission on Human Rights of the Philippines has been appointed for the protection of the displaced.

South Sudan: With the increase in floods, South Sudan's population has been in the need of humanitarian assistance. The floods are destroying the crops and livestock that are crucial for many families residing in South Sudan to survive and recover. Most of the response from South Sudan to this issue is focused on conflict and violent displacement. Displacement due to disasters is greatly overlooked and not taken action for. Under the Refugee Coordination Model, the United Nations High Commissioner for Refugees has partnered with governments and peacebuilding actors to provide multi-sectoral assistance for displaced people in South Sudan. Providing protection, education, and livelihood support.

International Federation of Red Cross and Red Crescent Societies (IFRC): The IFRC is in constant motion to provide humanitarian help and essential needs to displaced persons in the communities they reside in. They also advocate for the needs, rights, and protection of IDPs. They collaborate closely with the International Committee of the Red Cross (ICRC) and National Societies to provide the essential assistance needed by IDPs.

The Global Protection Cluster (GPC): The GPC is a network of non-governmental organizations (NGOs), international organizations, and the United Nations (UN) agencies to provide protection work in humanitarian crises, including the internal displacement of people due to disasters. By building partnerships with the Inter-Agency Standing Committee (IASC) system and the Special Rapporteur on the Human Rights of Internally Displaced Persons, the GPC helps with the advocacy for IDP rights and effective responses to the crisis.

Internal Displacement Monitoring Centre (IDMC): The IDMC is the world's leading source of data and analysis on internal displacement. They seek to provide data, analysis, and expertise on internal displacement to decrease the risk of future displaced people and improve the life conditions of the displaced. Working alongside national governments, UN agencies, and expert centers, they seek effective and long-lasting solutions to this crucial problem. Every year, they release The Global Report on Internal Displacement (GRID), which provides a global reference for governments, UN agencies, and NGOs with data on internal displacement.

Timeline of Events

Date	Description of event
December, 1948	The International Human Rights Law is adopted. The Declaration for the first time in human history spells out basic civil, political, economic, social and cultural rights that all human beings should enjoy.
July, 1951	The Convention Relating to the Status of Refugee is signed. Although it only applies to refugees, it outlines a frame for the rights and protection of displaced persons
June, 1992	The United Nations Framework Convention on Climate Change is signed. Preventing "dangerous" human interference with the climate system is the ultimate aim of the UNFCCC.
April, 1998	The Guiding Principles for Displaced People is adopted by the Commission on Human Rights. The standards are

	the most widely recognized standard to prevent, respond to, and resolve internal displacement.
December, 2013	The Civil War in South Sudan started with a political quarrel between President Salva Kiir and then Vice President Riek Machar ¹ . Displacing over 1.6 million people in the country.
September, 2016	The New York Declaration for Refugees and Migrants is adopted. The declaration also contributes to the response of displacement due to climate change and natural disasters.

UN involvement, Relevant Resolutions, Treaties and Events

Since the UN General Assembly initially requested its expertise and assistance, the United Nations High Commissioner for Refugees (UNHCR) has been involved since 1971.

1. IDP Policy

- a. UNHCR created the IDP policy to encompass their involvement with the support and protection of internally displaced people. This policy reaffirms UNHCR's commitment to fully engage in situations of internal displacement.

2. Guiding Principles on Internal Displacement

- a. The Guiding Principles on Internal Displacement are a set of 30 standards that restate and clarify the human rights and humanitarian law relevant to the protection and assistance of internally displaced persons (IDPs)
- b. They detail the rights and guarantees relevant to the protection of IDPs from forced displacement to their protection and assistance during displacement up to the achievement of durable solutions.

3. Kampala Convention

- a. The Kampala Convention, which came into force on 6th December 2012 and carves its own path by being context-specific to the African region, is a continental instrument that binds governments to provide legal protection for the rights and well-being of those forced to flee inside their home countries due to conflict, violence, natural disasters, or development projects.

4. High-Level Panel on Internal Displacement

- a. The panel was established by the UN Secretary-General to identify concrete recommendations on how to better prevent, respond and achieve solutions to the global internal displacement crisis. The Panel officially began its work in February 2020, with the support of an Expert Advisory Group and a Secretariat.
- b. The Panel has heard the voices of internally displaced people (IDPs) and host communities, States, UN agencies, NGOs, Red Cross and Red Crescent Movement, International Financial Institutions, regional organizations, the private sector, academic researchers, and others.

Evaluation of Previous Attempts to Resolve the Issue

Due to IDPs not falling under international law, many of the resolutions passed by the UN are not as effective as they could be due to this barrier. When the UN implemented the Guiding Principles on Internal Displacement, it increased awareness of the matter and the frameworks for the rights of displaced people. However, the Guiding Principles seem very limiting and restrictive in areas such as the protection of IDPs in conflicting zones and with social issues like discrimination. It also lacks the creation of long-term solutions for the IDP problem. Similarly, the Kampala Convention has also made efforts to alleviate

this situation in Africa, however, the implementation and enforcement of the Kampala Convention is not effective for many countries.

Possible Solutions

1. Legal and Policy Frameworks
 - a. Amend the existing international refugee conventions in order to include internally displaced persons. This would provide displaced persons with the rights and protection that refugees receive
 - b. Create new legal works in order to ensure the full protection of IDPs and make sure that their rights are implemented and protected throughout their whole displacement. This would ensure that they are protected by the law and receive all the aid that could be given to them.
2. Humanitarian Assistance
 - a. Create plans in order to provide humanitarian assistance to climate-displaced groups, ensuring that there is quick action for rapid assistance in the case of a new crisis of IDPs.
 - b. Ensure that in the host communities there are proper settlements that provide adequate shelter, food, water, and basic necessities. Also provide help for the access to basic services such as education, healthcare, and legal assistance.
3. International Cooperation and Funding
 - a. Continue and foster international cooperation of organizations through platforms like the United Nations Framework Convention on Climate Change (UNFCCC) in order to ensure that the international community is giving all the help possible to ease the displacement

situations in different countries. Also, international entities can see about helping with the funding for humanitarian aid for those that find themselves in a temporary situation of displacement in the new host community

- b. With the help of regional bodies, like the African Union or the European Union to ensure that there is cooperation from neighboring countries in extreme cases of displacement crisis. Provide humanitarian aid and ensure that the IDPs are being protected and given their rights.

Sustainable Development Goals (SDG)

1. Reduced Inequalities (Goal 10)

- a. When settled in their new host community, IDPs often face many barriers and inequalities when adapting to their new homes. They are often denied basic services, such as healthcare, education, and legal services. They often face discrimination from others due to their race, sex, religion, or just the fact that they were displaced from their homes. They are also discriminated against when accessing employment through the discrimination of employers and companies.

2. Climate Action (Goal 13)

- a. Through the IDP situation and goal of protection, people around the world are becoming aware of the crucial issue at hand that is causing millions of people to be removed from their homes. When governments are searching for ways to provide help to displaced people, they are also finding ways to reduce the effects that climate change is having on natural disasters that eventually lead to displacement.

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Appendix

1. Links

a. <https://youtu.be/BKdVI0ZBu40?si=PlmSax3uj0x4eXeI>

- i. This link to the video helps provide an expert view from one of the panel members from the High-Level Panel on Internal Displacement, Donald Kaberuka (Co-chair), which tells about the rights that are entitled to the IDPs

b. <https://api.internal-displacement.org/sites/default/files/inline-images/world-map-global-estimates-2014-web-ready.png>

- i. This link provides a visual representation of the world map, which showcases the types of natural disasters that the involved parties have and the amount of IDPs that they have accordingly.

c. <https://internaldisplacement-panel.org/>

- i. This link provides information from the High-Level Panel on Internal Displacement which provides expert information and intakes on the issue from the different panel members. This might also help to see different points in order to come up with solutions.

d. <https://www.internal-displacement.org/publications/ocha-guiding-principles-on-internal-displacement/>

- i. This link provides the pdf version of the Guiding Principles on Internal Displacement which would provide you with further

information on the assistance provided by the UN to internally displaced persons.

e. <https://www.ohchr.org/en/documents/thematic-reports/a75207-report-internal-displacement-context-slow-onset-adverse-effects>

- i. This link provides access to a report presented at the General Assembly's 75th session in 2020. Which critically examines the internal displacement in the context of the slow-onset adverse effects of climate change. It also analyzes the impacts of this type of displacement on the enjoyment of human rights by internally displaced persons.