

Questionnaire in relation to
Human Rights Council Resolution A/HRC/35/20 on human rights and climate change

1. Please describe the relationship between the adverse effects of climate change and the rights of migrants, and any human rights obligations to mitigate and adapt to climate change that can be derived from them.

Many countries in temperate latitudes are projected to warm disproportionately – these countries that are highly vulnerable to climate change are also the ones that have the highest number of children as a share of their overall population. UNICEF analysis shows that more than half a billion children live in areas with extremely high flood occurrence and 160 million in high drought severity zones¹, thus in areas of decreasing habitability. In 2015 alone, almost 15 million people were displaced within their own countries as a result of weather-related disasters such as flooding and typhoons, of which a significant share were children.²

Climate change has an exacerbating effect particularly on rural-urban migration.³ The poorest migrants end up in informal urban settlements looking for economic opportunities. In these informal settlements, they are often in turn located in marginal areas and further exposed to the impacts of climate change and environmental degradation.⁴ This is for instance the case in Sub-Saharan Africa where the urban heat island effect⁵ could intensify extreme climatic events.⁶ Migrant and refugee children are exposed to abuse and exploitation along their journey – especially when they have no regular means to move and are pushed to rely on smugglers, with some turning out to be traffickers. The latest UNODC estimates show that 28 per cent of all detected trafficking victims were children (20 per cent girls and 8 per cent boys).⁷ However, the percentage of children being trafficked is likely much higher than this estimate, with three in four children who crossed the Mediterranean in the second half of 2016 experienced abuse amounting to trafficking.⁸

¹ UNICEF (2015) Unless we act now: the impact of climate change on children. Accessible at: [https://www.unicef.org/publications/files/Unless we act now The impact of climate change on children.pdf](https://www.unicef.org/publications/files/Unless_we_act_now_The_impact_of_climate_change_on_children.pdf)

² UNICEF UK: No place to call home: <http://www.unicef.org.uk/wp-content/uploads/2017/04/No-Place-To-Call-Home.pdf>

³ *ibid*

⁴ Habitat III Issue papers – No 22: Informal settlements (2015) accessible at: https://unhabitat.org/wp-content/uploads/2015/04/Habitat-III-Issue-Paper-22_Informal-Settlements-2.0.pdf

⁵ The term "heat island" describes built up areas that are hotter than nearby rural areas. The annual mean air temperature of a city with 1 million people or more can be 1–3°C warmer than its surroundings. In the evening, the difference can be as high as 12°C. Heat islands can affect communities by increasing summertime peak energy demand, air conditioning costs, air pollution and greenhouse gas emissions, heat-related illness and mortality, and water quality. Definition from US EPA, accessible at: <https://www.epa.gov/heat-islands>

⁶ Patz et al (2005). "Impact of regional climate change on human health" https://cla.umn.edu/sites/cla.umn.edu/files/impact_of_regional_climate_change.pdf

⁷ United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons*, Vienna, December 2016, p.6.

⁸ United Nations Children's Fund, *A Child is a Child*, New York, May 2017, p.34; citing International Organization for Migration, Displacement Tracking Matrix Flow Monitoring Surveys, January–November 2016, IOM analysis.

During their journey, many children end up in immigration detention despite a consensus⁹ that it is not in the best interest of the child and the detrimental effects health, wellbeing, and their development. While the global number of children currently in detention because of their migration status is unknown, over 100 countries are known to detain children for migration-related reasons.¹⁰ In addition, uprooted children are often the victims of discrimination, racism and xenophobia – during their journeys and in their final destinations.¹¹

Climate-driven migration has the potential to endanger children’s right to education, enshrined in Art 28 of the Convention on the Rights of the Child): In the wake of climate-related disasters, schools may be taken over in order to provide shelter for disaster-stricken communities that have lost their homes, or children may be displaced to locations that are simply too far away to make attendance feasible. In these situations, adolescents in particular are more likely to be required to migrate, often unaccompanied, in order to work and send back money to the family, leading them to drop out of school.¹² Others are not offered the opportunity to go to school – due to their status as irregular migrant in the country of destination or where education is not offered to refugee children. This impacts especially adolescents – in general, refugee children are five times more likely to be out of school than other children.¹³ Other children may be left behind by caregivers who need to migrate due to eroding livelihoods – while remittances sent by migrating parents have positive financial impacts, many children left behind are in danger of neglect with severe long-term socio-economic impact. Art 19 of the CRC outlines children’s need for protection, which is undermined when caretakers are forced to migrate.

In the specific case of Small-Island Developing States (SIDS) which are threatened in their existence by rising sea levels, children may be at risk to lose their identity. Art. 8 of the CRC states that ‘Every child has the right to an identity. States must respect and protect that right, and prevent the child’s name, nationality or family relationships from being changed unlawfully.’ With children essentially losing the option living in the country of their ancestors, it can be argued that their right to an identity is attacked.¹⁴

Health

The Committee on the Rights of the Child, in its General Comment No. 15 on the right of the child to the enjoyment of the highest attainable standard of health (17 April 2013, U.N. Doc. CRC/C/GC/15),

⁹ CMW and CRC Committees, *Joint General Comment on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return*, 2017

¹⁰ United Nations Children’s Fund, *A Child is a Child*, May 2017, p.30; citing European Commission, *The Protection of Children in Migration*, Communication from the Commission to the European Parliament and the Council, Brussels, April 2017, p. 15.

¹¹ United Nations Children’s Fund and Organisation for Migration, *Harrowing Journeys*, September, 2017, p.39.

¹² UNICEF UK: No place to call home: <http://www.unicef.org.uk/wp-content/uploads/2017/04/No-Place-To-Call-Home.pdf>

¹³ United Nations Children’s Fund, *Education Uprooted*, New York, September 2017, p.7; citing Nicolai, Susan, et al., *Education Cannot Wait: Proposing a fund for education in emergencies*, Overseas Development Institute, London, May 2016, p. 5.

¹⁴ UNICEF UK: No place to call home: <http://www.unicef.org.uk/wp-content/uploads/2017/04/No-Place-To-Call-Home.pdf>

identified climate change as one of the biggest threats to children's health, stating that it exacerbates health disparities.

Climate change impacts, such as the increase in frequency and magnitude of climate-related hazards, but also gradually occurring impacts such as the changing epidemiology and geographic prevalence of vector borne diseases, water scarcity and reduced access to food are already taking place.^{15,16} Through these impacts, climate change undermines children's basic rights to health (e.g. Art 24 Convention on the Rights of the Child (CRC)), and their right to life, survival and development (Art 6 CRC). The adverse impacts of climate change on children's health is likely to escalate in the coming years and decades and is heightened for children on the move with lacking or inadequate access to health care.

In addition, children from the poorest families are affected the most and most likely to live in poor and continually degrading environments which can severely impact their health. Therefore, we are likely to see increasing health disparities as an effect of climate change.

In order to respect, protect and fulfil children's right to health as enshrined in the CRC, governments and development partners therefore need to urgently both act to address the root causes of climate change as well as prioritize children in their adaptation efforts.

References:

- UNICEF (2015) Unless we act now: the impact of climate change on children. Accessible at: https://www.unicef.org/publications/files/Unless_we_act_now_The_impact_of_climate_change_on_children.pdf
- Environ Health Perspect 119:291-298 (2011). <https://ehp.niehs.nih.gov/1002233/>
- UNICEF UK: No place to call home: <http://www.unicef.org.uk/wp-content/uploads/2017/04/No-Place-To-Call-Home.pdf>

Some further resources of how children's rights to health are particularly affected by climate change:

- Children are especially exposed to the adverse impacts of climate change as they are more susceptible to air and water quality, temperature, humidity and vector-, water-, and food-borne infections due to their less-developed physiology and immune system. ([Akachi et al., 2009](#))
- The vast majority of the existing global burden of disease due to climate change occurs in children (e.g. [Sheffield; Landrigan: 2010](#)). Many of the main causes of death of children are likely to increase with climate change impacts (diarrhea, malaria, malnutrition)
- Children are more likely to die in natural hazards than adults or succumb to malnutrition, injuries or disease in the aftermath ([UNICEF, 2007](#))
- Climate change has a disproportionate effect on particularly marginalized and excluded individuals and groups, including those whose ways of life are inextricably linked to the environment.¹⁷ Indigenous children and their communities form part of this group. Indigenous

¹⁵ Environ Health Perspect 119:291-298 (2011). <https://ehp.niehs.nih.gov/1002233/>

¹⁶ UNICEF UK: No place to call home: <http://www.unicef.org.uk/wp-content/uploads/2017/04/No-Place-To-Call-Home.pdf>

¹⁷ Statement of the UN Special Procedures Mandate Holders on the occasion of Human Rights Day (10

peoples are at particular risk of facing the direct consequences of climate change due to their dependence upon and close relationship with the environment and its resources.¹⁸ Indigenous peoples' vulnerability to the impacts of climate change is further exacerbated by the fact that they are estimated to constitute 15 percent of the world's poor, and one third of the 900 million people living in extreme poverty in rural areas.¹⁹

2. Please describe any relevant commitments, legislation and other measures that you have taken to adapt to and mitigate climate change and / or protect migrants affected by climate change. Please also note and identify any relevant mechanisms for ensuring accountability for these commitments including about their means of implementation for these commitments.

UNICEF supports government in fulfilling their commitments made to address climate change for children, including in the Scope of the Paris Agreement, the Sendai Framework for Disaster Risk Reduction and the 2030 Agenda for Sustainable Development. This work falls under Goal Area 4 of UNICEF's Strategic Plan 2018-2021. In addition, UNICEF also supports the principles of the Nansen initiative.

Specific examples

The Government of Zimbabwe has developed a child-sensitive climate change strategy with UNICEF support. UNICEF Zimbabwe is also supporting the Government of Zimbabwe in implementing the country's NDC with a specific focus on the needs of children.

UNICEF supported national climate change and DRR offices in China, Georgia, Malawi, Philippines, Turkmenistan, Zimbabwe, Somalia, Tanzania, Belize, Bolivia, Cuba, Bangladesh, Kazakhstan, Maldives, Colombia, Guatemala, India, Nepal, Pacific Island States, Vietnam, Moldova and Yemen

UNICEF supported child-focused climate change mitigation measures and programmes in Cambodia, Korea, Bangladesh, Bhutan, India, Nepal, Benin, Cameroon, Congo, Democratic Republic of Congo, Sudan, Gambia, Guinea, Guinea Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Sierra Leone, Togo, Cambodia, Pacific Island Multi-country program, Papua New Guinea, Burundi, Eritrea, and Madagascar.

3. Please share a summary of any relevant data as well as any related mechanisms to measure and monitor the impacts of climate change on the enjoyment of human rights for migrants, especially for vulnerable groups such as children, women or migrants living with a disability and the allocation of resources to address these impacts.

December 2014),

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15393&LangID=E>.

¹⁸ Backgrounder, 'Climate Change and Indigenous Peoples', UN Permanent Forum on Indigenous Issues, http://www.un.org/en/events/indigenousday/pdf/Backgrounder_ClimateChange_FINAL.pdf.

¹⁹ State of the World's Indigenous Peoples, Department of Economic and Social Affairs, United Nations, New York, 2009, p. 21.

No additional UNICEF resources available apart from the publications cited above in Q1.

4. Please identify and share examples of good practices and challenges in the promotion, protection and fulfilment of the human rights of migrants in the context of the adverse impacts of climate change.
- Urgent collaboration between climate, human rights and migration communities is required to ensure an informed and coherent approach between ongoing global processes. These include the following: the Global Compact on Migration and the Global Compact on Refugees, discussions across the three thematic areas in the Human Rights Council, UNFCCC (implementation guidelines for Paris Agreement due to be agreed in 2018 need to take into account rights of migrants, alongside work on loss and damage and displacement), the Sendai Framework for Disaster Risk Reduction, the 2030 Agenda for Sustainable Development, the Platform on Disaster Displacement, MICIC initiative etc. In this context, measures that need to be intensified include institutional capacity building among relevant actors and the exchange of guidance.
 - Resilience and preparedness should also be considered, as enhancing these could provide viable alternatives to forced migration. Migration can be a viable adaptation strategy, but should be one of many options and a choice. In this context, the promotion of climate resilient services is critical.
 - It is necessary to increase adaptation efforts (less than 1/6 of all climate finance is directed to helping communities to adapt), and to link their human rights obligations to a duty to tackle emissions (mitigate) as well.
 - UN reporting mechanisms could report more on climate-related migration, as only CEDAW and CMW have done so thus far.
 - Substantial efforts are required to collect more consistent disaggregated data on movement due to slow-onset events, to inform more effective and targeted interventions – whilst ensuring that appropriate data safeguards are in place.
5. Please provide any additional information you believe would be useful to understand efforts made and challenges faced as well as the necessary means of implementation for climate change adaptation and mitigation related to the protection of migrants and persons displaced across international borders because of the sudden-onset and slow-onset adverse effects of climate change.