**Declaration of the Committee on the Rights of Migrant Workers and Members of their Families (CMW) on International Migrants Day**

International Migrants Day - 18 December 2023

“Building on the Dubai COP 28 Agreement to address the adverse impacts of climate change on the human rights of migrants” said today the UN Experts on the celebration of the International Migrants Day.

On 13 December 2023, the United Nations Climate Change Conference (COP28) closed with a ground-breaking agreement recognising, for the first time, the necessity to transition away from fossil fuels in energy systems to reduce reductions in greenhouse gas emissions in line with the Paris Agreement. The Paris Agreement acknowledges that climate change is a common concern of humankind and that parties should, when taking action to address climate change, respect, promote and consider their respective obligations with regard to human rights, while paying particular attention to the rights of certain groups of persons, such as migrants.

Climate change could force 216 million people across six world regions to move within their countries by 2050, as highlighted by the World Bank’s Groundswell report. Millions of people face displacement due to sudden-onset disasters, while slow-onset environmental change and degradation affects their livelihood and force people to leave their home. Sudden-onset and slow-onset processes pose significant challenges to sustainable development, climate change adaptation, disaster risk reduction and migration governance. The adverse effects of climate change increase the vulnerability of migrants, as migrants who are compelled to move have limited choices and often find themselves migrating in conditions that disregard their human dignity and integrity. Migration is a normal human adaptation strategy in the face of the effects of climate change and natural disasters, as well as the only option for entire communities and has to be addressed by the United Nations and the States as a new cause of emerging migration and international displacement.

The environmental justice movement has progressively addressed the specific vulnerability of certain groups of persons, including migrant workers and members of their families. While environmental justice advocates have long highlighted the disproportionate impacts that climate change, pollution, biodiversity loss, and other forms of environmental degradation have on communities of colour, these realities are just beginning to gain wider appreciation. Climate and environmental activists speak frequently about the need to protect those who are most affected or face most vulnerability, but they often do not speak with specificity about the ways in which systemic and historical racism and other multiple and intersecting systems of discrimination have created those vulnerabilities or how they still affect who has a voice and what is prioritized within environmental movements.

Recommendations:

1. States must address the effects of climate change, environmental degradation and natural disasters as drivers of migration and ensure that such factors do not hinder the enjoyment of the human rights of migrants and their families. In addition, States should offer complementarity protection mechanisms and temporary protection of stay arrangements for migrant workers displaced across international borders in the context of climate change or disasters and who cannot return to their countries.

2. When reducing emissions and adapting to climate impacts, States must seek to address all forms of discrimination and inequality, including advancing substantive gender equality, protecting the rights of indigenous peoples and taking into consideration the best interests of the child.

3. In the design and implementation of climate policies, States must also respect, protect, and fulfil the rights of all, including by mandating human rights due diligence and ensuring access to education, awareness raising, environmental information and public participation in decision-making. States have the responsibility to protect and effectively defend the rights of environmental human rights defenders, including women, indigenous and child environmental defenders.

4. As part of international assistance, States must cooperate in good faith in the establishment of global responses in addressing climate-related loss and damage suffered by the most vulnerable countries, paying particular attention to safeguarding the rights of those who are at particular risk of climate harm and addressing the devastating impact, including on women, children, persons with disabilities and indigenous peoples.

5. In their future work, the Committees shall continue to keep under review the impacts of climate change and climate induced disasters on the rights holders protected under their respective treaties and provide guidance to States on how they can meet their obligations under these instruments, in relation to mitigation and adaptation to climate change.