Anti-Slavery International submission to the OHCHR’s questionnaire in relation to Human Rights Council resolution 53/6 on human rights and climate change

**The impact of loss and damage from the adverse effects of climate change on human rights**

This submission is by Anti-Slavery International, a UK-based non-government organisation. Founded in 1839 and in consultative status with ECOSOC since 1950, we are the oldest international human rights organisation in the world and work to eradicate all contemporary forms of slavery.

Our work on climate justice focuses on evidencing the circular link between climate change and modern slavery. Within this vicious circle, Loss and Damage impacts can increase the risk of modern slavery as already-marginalised populations face forced migration and further economic pressures.

1. **Please describe through concrete examples and stories the impacts of loss and damage from the adverse effects of climate change on the full enjoyment of human rights in your country. Please indicate whether the impact was exceptional or whether an example of many similarly situated cases. Please estimate the number of cases that may be similar in your country.**

Research conducted collaboratively between Anti-Slavery International and the International Institute for Environment and Development (IIED) has evidenced a clear link between climate-induced migration, displacement and modern slavery. [[1]](#footnote-2) Modern slavery includes trafficking, bonded labour and other forms of egregious labour exploitation.

Loss and Damage from the adverse effects of climate change is one of the major causes of migration.[[2]](#footnote-3) This occurs when people lack the resources they need to withstand climate harms; those who are socio-economically marginalised, in particular, struggle to access support systems and are at higher risk of migrating in distress.[[3]](#footnote-4) When decisions to migrate are taken under distress, people are made more vulnerable to modern slavery, especially when inequalities are already severe.[[4]](#footnote-5)

In the Sundarbans region in Bangladesh and India, for example, trafficking is thriving due to the negative impacts of climate change on individuals, households and the environment.[[5]](#footnote-6) This context creates a window of opportunity for traffickers to target widows and female-headed households in particular, but also girls and men, for exploitative labour and sex work.[[6]](#footnote-7)

In Ghana, it has been documented that families are selling girls and women into marriage or to recruitment agents as a coping mechanism when faced with climate-induced lack of resources; this often intersects with gender-based discrimination and women’s human rights violations, including violence against women and girls.[[7]](#footnote-8)

Our research in Peru and Bolivia found evidence that the negative impacts of climate change are driving migration for employment due to the lack of alternative options, even when people are aware that they will likely be exploited.[[8]](#footnote-9) Here, rising environmental pressures coupled with social and economic inequalities are exposing people to modern slavery and other rights violations by channelling them into work in damaging extractive industries.[[9]](#footnote-10)

1. **Please describe any specific measures, including public policies, legislation, practices, strategies, or institutional arrangements that your Government has undertaken or plans to undertake at a national, sectoral or sub-national level, in compliance with applicable international human rights law, to avert, minimize and address loss and damage, including equity-based approaches and solutions. Please also identify any relevant mechanisms for ensuring accountability, including means of implementation.**

Our research gives a case study of the Government of Uganda averting and minimising Loss and Damage[[10]](#footnote-11) and the related modern slavery risks.[[11]](#footnote-12) In the east of the country, the Government of Uganda carried out disaster preparedness and preventive measures[[12]](#footnote-13) in places where the rate of landslides had increased to between two and five per year. They instigated a 10-year voluntary resettlement programme to relocate households from high-risk areas to safer ones in its Bulambuli District, where they were provided with housing, infrastructure, services, income-generating activities and land. This model provided a safe and affordable way for communities to relocate and rehabilitate their livelihoods, significantly reducing their exposure to modern slavery.[[13]](#footnote-14)

1. **Please identify and share examples of promising practices and critical challenges in the promotion, protection, and fulfilment of the full enjoyment of human rights in the context of loss and damage, including examples that highlight multilateral cooperation and approaches, at global and regional levels, including equity-based approaches and solutions.**

***Promising Practices:***

Community-led adaptation programmes: In some regions, communities are being actively and meaningfully involved in designing and implementing adaptation strategies. This ‘bottom-up’ approach best ensures the integration of a human-rights lens when addressing Loss and Damage impacts on people’s rights and livelihoods, including the risk of modern slavery. For example, in Bangladesh, projects led by the International Centre for Climate Change and Development (ICCCAD) among others, are reportedly involving local communities in designing and implementing adaptation strategies. These projects reportedly often incorporate the traditional knowledge of communities, especially those living in vulnerable coastal areas.[[14]](#footnote-15)

Safe migration pathways: Some countries are working to create safe migration pathways to protect people in the context of climate change. An example is theRegional Framework on Climate Mobility in the Pacific Region.[[15]](#footnote-16) The framework recognises the urgent need to strengthen understanding, coordination, and cooperation on climate change-related human mobility while establishing adequate human rights-based response and support mechanisms for people at risk. The framework critically recognises the right of Pacific people to stay in their homes as a fundamental priority,[[16]](#footnote-17) responding to the pressure to migrate created by Loss and Damage impacts on Pacific Island countries, and will therefore likely limit the risk of human rights violations like modern slavery.

While we present these practices for consideration, Anti-Slavery International has not undertaken a detailed analysis of the practices itself and cannot fully endorse these approaches as effective.

***Main challenges:***

Capacity: Many poorer countries suffer from weak technical capacity, limited State presence and a shortage of funds to address Loss and Damage impacts. Thus, even when strong laws and rights provisions exist on paper – as is often the case – in reality, States lack the tools to adequately implement them.[[17]](#footnote-18)

Political will: Low political will is particularly found in States that depend heavily on the exploitation of natural resources, land and labour for revenue. Under pressure to provide an ‘investor-friendly’ environment for powerful global and national actors, States – particularly poorer States – are incentivised to relax environmental regulation, marginalise unions and ignore labour and migrant rights abuses.[[18]](#footnote-19)

1. **Please provide specific recommendations, if possible, on how to address the critical challenges that have been identified, including actions to be taken at country, regional, and global levels, as well as by different groups of stakeholders, Governments, development agencies, financing institutions, and others.**

In the context of Loss and Damage, responses to improve the protection and resilience of migrants must:

* **Fully understand and address the factors that generate inequalities in Loss and Damage.** For instance, they must ensure that those most exposed to violations of their human rights have access to basic services and support systems, taking specific characteristics and their intersections into account, including gender, caste and social standing. Generally, more research is needed to understand how different factors can promote individuals and communities from pursuing risky coping strategies in different contexts, and to work on solutions.
* **Design community-led solutions to climate-adaptation that are context-specific.** Design should meaningfully include the participation of women, youth, indigenous communities and minorities, including survivors of modern slavery where relevant, in order to take the needs and experiences of diverse people and groups into account.
* **Prioritise the drafting and implementation of national anti-slavery legislation and incorporate anti-slavery actions in national climate policy**.
* **Grant special status and access to support for those displaced by climate change** in national determined contributions and national climate adaptation, resilience, and Loss and Damage development plans, and define prevention mechanisms against modern slavery. These should protect internal and cross-border migrants alike.
* **Create safe migration pathways** that are rooted in human rights and facilitate entry, work and residence, including paths for citizenship, for people displaced by climate change.
* **Hold businesses accountable** for the impacts of their operations and value chains on people and the environment by introducing mandatory human rights and environmental due diligence laws.
* **Ensure that sufficient climate finance funds are available to affected countries** via the Loss and Damage mechanism of the UN Framework Convention on Climate Change.
1. **Please provide any additional information you believe would be useful to support climate action and justice that promotes the full enjoyment of human rights in the context of loss and damage.**

There is a pressing need for more research and evidence on the impacts of climate change and Loss and Damage on human rights to ensure effective protection and climate action at every level.
There is a particular need for further research into the nexus between climate-induced migration and modern slavery – a considerable research gap – and prioritising this lens in the context of Loss and Damage. Anti-Slavery International, together with IIED and Ovibashi Karmi Unnayan Program (OKUP), which is based and operates in Bangladesh, have collated the current evidence available on climate-induced migration and modern slavery in a free online tool, the Climate Change and Modern Slavery Hub[[19]](#footnote-20), which will be continuously updated.

For further information please contact Jo Baker, International Advocacy Manager, j.baker@antislavery.org

1. Anti-Slavery International and IIED, ‘Climate-induced migration and modern slavery: A toolkit for policy-makers’ (2021), <https://www.antislavery.org/wp-content/uploads/2021/09/ClimateMigrationReportSep2021_low_res.pdf>. [↑](#footnote-ref-2)
2. UNFCCC, ‘Implementing the Task Force on Displacement Recommendations through Loss and Damage Policy and Practice’ (2023), <https://unfccc.int/documents/631161>. [↑](#footnote-ref-3)
3. Birkmann, J., E. Liwenga, R. Pandey, E. Boyd, R. Djalante, F. Gemenne, W. Leal Filho, P.F. Pinho, L. Stringer, and D. Wrathall, ‘2022: Poverty, Livelihoods and Sustainable Development. In: Climate Change 2022: Impacts, Adaptation, and Vulnerability. Contribution of Working Group II to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change’, <https://www.ipcc.ch/report/ar6/wg2/chapter/chapter-8/>. [↑](#footnote-ref-4)
4. For further information, see Ritu Bharadwaj, Nikhil Raj, N. Karthikeyan, Roopashree Shanker, Johnson Topno, Daljeet Kaur, ‘Social protection and informal job market reform for tackling climate migration nexus’, IIED (2022), <https://www.iied.org/21121iied>. [↑](#footnote-ref-5)
5. Anti-Slavery International and IIED, ‘Climate-induced migration and modern slavery’, *op.cit.* [↑](#footnote-ref-6)
6. *Ibid.* [↑](#footnote-ref-7)
7. *Ibid.* [↑](#footnote-ref-8)
8. O’Connell, C., ‘From a Vicious to a Virtuous Cycle: Addressing climate change, environmental destruction and contemporary slavery’, Anti-Slavery International (2021), <https://www.antislavery.org/wp-content/uploads/2021/04/ASI_ViciousCycle_Report_web2.pdf>. [↑](#footnote-ref-9)
9. *Ibid.* [↑](#footnote-ref-10)
10. “Losses and damages can be categorized as either economic (those for which a monetary value is easily given), for example, loss of income and damage to assets; or non-economic (those for which a monetary value is not easily, or meaningfully, given), for example, loss of life and damage to cultural identity." Sean Stout, ‘“Beyond adaptation”: Coming to terms with loss & damage’, Climate Policy Initiative (2023), <https://www.preventionweb.net/news/beyond-adaptation-coming-terms-loss-damage>. [↑](#footnote-ref-11)
11. Anti-Slavery International and IIED, ‘Climate-induced migration and modern slavery’, *op.cit.,* p.32. [↑](#footnote-ref-12)
12. For further background on disaster preparedness and preventive measures, see OHCHR, ‘Comparative Experiences on Preventing, Addressing and Resolving Internal Displacement’ (2019), <https://www.ohchr.org/sites/default/files/Documents/Issues/IDPs/International-Regional/igad-idp-climate-3.pdf>. [↑](#footnote-ref-13)
13. For more information, see Anti-Slavery International and IIED, ‘Climate-induced migration and modern slavery’, *op.cit.* [↑](#footnote-ref-14)
14. For more information, see Naureen Laila, ‘Enhancing climate resilience in Bangladesh’s coastal towns: A collaborative endeavor’, Global Center on Adaptation (2023), <https://www.preventionweb.net/news/enhancing-climate-resilience-bangladeshs-coastal-towns-collaborative-endeavor>. [↑](#footnote-ref-15)
15. Pacific Regional Framework on Climate Mobility, available at: <https://www.forumsec.org/wp-content/uploads/2023/11/Annex-C-Pacific-Regional-Framework-on-Climate-Mobility-1.pdf>. [↑](#footnote-ref-16)
16. IOM, ‘What next for the Pacific Regional Framework for Climate Mobility?’ (2023), <https://environmentalmigration.iom.int/events/what-next-pacific-regional-framework-climate-mobility>. [↑](#footnote-ref-17)
17. For more information, see O’Connell, C., ‘From a Vicious to a Virtuous Cycle’, Anti-Slavery International, *op.cit*. [↑](#footnote-ref-18)
18. *Ibid.* [↑](#footnote-ref-19)
19. Anti-Slavery International, IIED, and OKUP, ‘Climate Change and Modern Slavery Hub’, <https://www.climate-modern-slavery-hub.org/>. [↑](#footnote-ref-20)