



International Organization for Migration (IOM)
The UN Migration Agency

IOM Submission to the questionnaire in relation to Human Rights Council resolution 53/6 on human rights and climate change

January 2024

I. Background

The present document is submitted pursuant to the Human Rights Council request to the Secretary General to consult with Member States and other relevant stakeholders in order to conduct and submit to its fifty-seventh session an analytical study on the impact of loss and damage from the adverse effects of climate change on the full enjoyment of Human Rights, exploring equity-based approaches and solutions to addressing the same. This submission provides IOM's views on the impact of loss and damage from the adverse effects of climate change on the full enjoyment of Human Rights.

II. IOM's Mandate

Established in 1951, the International Organization for Migration (IOM) is the leading intergovernmental organization in the field of migration and is committed to the principle that humane and orderly migration benefits migrants and society. IOM is part of the United Nations system, as a related organization. IOM supports migrants across the world, developing effective responses to the shifting dynamics of migration and, as such, is a key source of advice on migration policy and practice. The Organization works to help ensure the orderly and humane management of migration, to promote international cooperation on migration issues, to assist in the search for practical solutions to migration problems and to provide humanitarian assistance to migrants in need, be they refugees, displaced persons or other uprooted people. It also operates in the four broad areas of migration management: migration and development, facilitating migration, regulating migration, and addressing forced migration.

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.

Building on the Resolution 53/6 adopted by the Human Rights Council on 12 July 2023, IOM recognizes that loss and damage to livelihoods due to the adverse effects of climate change have a range of implications, both direct and indirect, for the effective enjoyment of human rights, including, inter alia, the right to life, the right to adequate food, the rights to the enjoyment of the highest attainable standard of physical and mental health, the rights to adequate housing, the right to self-determination, the right to safe-drinking water and sanitation, the right to work, the right to development and freedom of movement. They can also impact so much on the conditions of life that it can amount to inhuman treatment to send someone back to their place of origin, and that may therefore violate the principle of non-refoulement. (see Tetioa case before the Committee of human Rights).

As highlighted by the latest IPCC Synthesis Report (AR6), climate and weather hazards, both sudden and slow-onset, are increasingly driving displacement across regions. Over the past decade, weather-related events – including floods, storms and wildfires – have caused over 200 million new displacements worldwide. In 2022 alone, weather-related disasters caused 32.6 million new displacements, amounting to 53 per cent of new internal displacements recorded around the world.¹ *Displacement occurs as a consequence of the Loss and Damage (L&D) people suffer. For people affected by climate change, displacement is also a form of non-economic L&D, and a driver of L&D. Displacement generates and perpetuates vulnerability to the adverse effects of climate change.*² In Pacific Island States, rising sea levels, coastal erosion and increasingly frequent and intense flooding events damage properties, destroy crops, and contaminate vital water supplies³, contributing to the displacement of people, but also to the consideration of planned relocation. At the same time, climate and weather hazards can contribute to the loss of freedom of movement, by trapping populations. They can also alter the ongoing mobility of communities. Pastoralist communities, for example, are heavily impacted by loss and damage in the context of climate change, as their lifestyle and resilience are highly dependent on their ability to travel across vast terrains with their livestock to access water resources and grazing areas. In Mali, an IOM study reported that 15% of herders surveyed had to change their initial itinerary, including 8% to face difficulties in accessing water or pasture.⁴

Indigenous people are also considerably exposed to loss and damage due to climate change. The loss of ancestral living spaces and the degradation of key ecosystems poses a threat to the survival of their

¹ IDMC, Global Report on Internal Displacement, 2023. Available at: <https://www.internal-displacement.org/global-report/grid2023/>

² Implementing the Task Force on Displacement (TFD) Recommendations through Loss and Damage Policy and Practice - A contribution to loss and damage discussions from a human mobility perspective. Available at: <https://unfccc.int/documents/631161>

³ Asian Development Bank (ADB, "Economic costs of inadequate water and sanitation: South Tarawa. Kiribati, Asian Development Bank", in *Pacific Studies Series*, 2014.

⁴ IOM, Pastoral Mobility in the Context of Climate Change in Mali, 2023. Available at <https://publications.iom.int/books/pastoral-mobility-context-climate-change-mali>

communities, making migration from their land appearing as a necessary solution, which has far-reaching, acute consequences, as it often leads to the loss of cultural practices, religion and traditional beliefs, identity, and language. In mountain areas of the Andes, glacier melting is affecting belief systems of indigenous groups as well as compromising food security and their traditional livelihoods, since water scarcity challenges agricultural production and cattle.⁵ Gender and age are crucial factors shaping the impact of loss and damage as it related to human mobility. Women and girls, especially those from marginalized groups, experience poorer displacement and migration outcomes due to pre-existing inequalities and traditional gender roles and expectations. In the aftermath of disasters, women and girls in the Caribbeans experienced heightened mortality rates and risk of gender-based violence (GBV) as well as additional barriers to meeting their recovery and livelihood needs (Dunn, 2013). In the year following Hurricane Katrina, levels of GBV, especially intimate partner violence, increased in Mississippi and remained higher than pre-disaster levels in protracted displacements (Anastario et al, 2009).

Furthermore, repeated displacement due to short intervals between extreme weather events can reduce households' ability to recover, subjecting them to severe loss and damage. Moreover, repeated displacements might exert extreme pressure on certain cities that are unable to properly accommodate displaced persons, limiting access to water and sanitation and therefore increasing exposure to communicable disease. Moreover, internal and international migrants with limited resources tend to settle in hazard prone locations and may be differentially affected by hazards, as was the case with Haitian populations in the Bahamas during the impact of Hurricane Dorian.

2. Please describe any relevant quantitative and qualitative data as well as mechanisms and tools to measure, monitor, report on, and evaluate the impacts of loss and damage, including from extreme weather and slow-onset events, on the full enjoyment of human rights. Please take into account, inter alia, the disproportionate effects on women and girls, children, youth, older persons, persons with disabilities, Indigenous Peoples, migrants, persons living in poverty and others in vulnerable situations.

IOM's [Displacement Tracking Matrix](#) is the largest provider of primary data on displacement globally with over 137 million movements monitored by over 10,000 primary data collectors across a network of more than 400,000 key informants in over 100 countries to ensure assessments and mapping of hazards and vulnerability towards risk-informed planning; to compile information on displacement and migration that informs climate change adaptation (CCA), disaster risk reduction (DRR), humanitarian and transition/recovery programming inclusive of early warning systems, anticipatory actions and other preparedness actions on one hand through to durable solutions and resilience building; to strengthen the knowledge base and knowledge sharing across humanitarian and development actors; to support policy development, and to inform action.

⁵ World Bank, "Indigenous Peoples and Climate Change in Latin America and the Caribbean", in *Directions in development: Environment and Sustainable Development*, 2010. Available at <https://openknowledge.worldbank.org/server/api/core/bitstreams/fd33b6be-b564-5c04-b622-605e55ae3a38/content#:~:text=In%20the%20Andean%20region%2C%20water,to%20already%20crowded%20urban%20areas.>

In support of UNDRR-WMO-UNDP, IOM and other UN and non-UN expert organizations together with Member States are collaborating to develop a new tracking system for disaster impacts following agreement at COP27 on a global loss and damage fund to provide assistance to developing nations suffering from the impact of climate change. In the last year 4 technical workshops have been held in Bonn to consult and dialogue on the second generation system which is intended to replace existing systems such as [Desinventar](#) which has been in place since 1994.⁶ 110 UN Member States now have national disaster loss databases. The new system will seek to address three critical data parameters to be able to systematically record and track hazardous events and losses and damages: data governance, data standards and data architecture. The new system will be synergized with the [WMO-approved Cataloguing Hazardous Event \(CHE\)](#) methodology. This will help link weather observations and hazardous events with related impacts/ losses and damages information and their cascading impacts. Linkages and enhanced collaboration between the National Disaster Management Offices (NDMOs) and the National Hydro-Meteorological Services (NHMS) will extend the losses and damages data value chain to support improved and new analytical options.

Other disaster impact recording databases including the International Disaster Database (EM-DAT) of the Centre for Research on the Epidemiology of Disasters, the Global Crisis Databank of the International Federation of Red Cross and Red Crescent Societies, the Risk Data Hub of the European Commission as well as Risk data aggregators like the [Risk Information Exchange \(RiX\)](#) by UNDRR and the GeoData Hub by UNDP also exist to complement state-led initiatives.

The adoption of a set of indicators to monitor the Sendai Framework, associated statistical methodologies, and the related [launch of a hazard classification and profiling process](#), are important elements to enhance the data standards to better track losses and damages. Connecting data collection and analytical products like the IOM-IDMC [disaster displacement indicators](#) with end use and effective action are a critical component of the process to demonstrate to state parties the importance of collecting, reporting and analyzing information towards ensuring more granular reporting on losses and damage and over the medium to longer term enabling states to access new forms of climate related financing including prospectively from the Loss and Damage Fund.

3. 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.

- At global level, the Task Force on Displacement established under the UNFCCC Executive Committee (ExCom) of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts (WIM).

⁶ UNDRR, “2023 Delivery date for next generation disaster losses tracking system”, 2022. Available at <https://www.undrr.org/news/2023-delivery-date-next-generation-disaster-losses-tracking-system>

- At regional level, 2023 has seen the endorsement of three, historic frameworks across the globe. 1) Through a highly consultative process, the first [Pacific Regional Framework on Climate Mobility](#) was endorsed by the Pacific Island Leaders during the Fifty-Second (52nd) Pacific Islands Forum. 2) Member States of the Organisation of Eastern Caribbean States signed off in 2023 on a new [Ministerial Declaration on Migration, Environment and Climate Change](#), which was launched at Latin American and Caribbean Climate Week. The Declaration recognizes the impact of climate change and environmental factors on multiple forms of human mobility and requests the establishment of a Working Group dedicated to advance a plan of action to address these issues. 3) The Government of Uganda, supported by the IOM and the UNFCCC and East Africa Development Bank's (EADB's) Regional Collaboration Centre for East and Southern Africa (RCC EAS Africa) brought together 16 African Member States (MSs) in Kampala, Uganda and developed the first Regional Kampala Ministerial Declaration on Migration, Environment, and Climate Change (KDMECC). In 2023, a Continental Addendum - the Continental Kampala Ministerial Declaration on Migration, Environment, and Climate Change ([KDMECC-AFRICA](#)) was signed, outlining 25 commitments by its signatory countries to address the effects of climate change on human mobility in Africa.

- At a national level, IOM has supported countries in averting, minimizing and addressing loss and damage through disaster preparedness activities supporting government institutions and/or communities; through disaster prevention or risk reduction activities; through climate change adaptation and mitigation activities; through providing support in establishing sustainable livelihoods opportunities, amongst others. Further examples of can be found in the [2023 IOM Submission to the report on technical assistance catalyzed by the Santiago Network on Loss and Damage](#), in the report [People on the Move in a Changing Climate – Linking Policy, Evidence and Action](#), and in the [CLIMB Database: Human Mobility in the Context of Disasters, Climate Change and Environmental Degradation Database](#) (which has a human rights marker).

4. 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.

Ultimately, action to avert, minimize and address loss and damage from climate change should be structured and implemented to respect, protect and fulfil human rights by stopping future harms and ensuring the rights to access justice and effective remedy for all people. Two critical opportunities are: data collection and financial instruments.

- Important data gaps and methodological challenges hinder an in-depth understanding of the extent of losses and damages when it comes to environmental migration, disaster displacement and planned relocation. First, it is challenging to isolate the environment from other drivers of human mobility, making mobility data collection difficult. This means that the overall number of people moving in the context of slow-onset environmental and climate events and processes is not known. This also means that records of disaster- and conflict-related movements sometimes overlap. Second, people's destinations and movements trajectories are not always given alongside the estimates provided. For example, despite the recognition of disaster-induced cross-border displacement in the region, actual data and examples of people crossing borders are hard to come by. Third, data related to the duration of disaster displacement

is often not collected and needs to be better understood, as protracted displacement increases the vulnerability of affected people – and permanent migration or relocation implies different risks and solutions. Fourth, comprehensive data sets do not yet exist at the global level, but several initiatives have started to collect information across several countries. Fifth, data collection and digital maturity is also a critical consideration – in some countries, data continues to be collected on paper and uploaded by hand: this can lead errors in the data can be significant and there can also be significant time lapses in uploads, sometimes of months or years. The very lack of data and underreporting on population movements remain an issue, affecting the availability and quality of trends. Finally, the assessment of non-economic losses in relation to human mobility remains a challenge. Such barriers hinder an equity-based approach by invisibles affected migrants and displaced persons. Promising practices have been described under question 2, including the connection of data collection and analytical products like the IOM-IDMC [disaster displacement indicators](#).

- At the current state of the financial governance and institutional arrangements, access to climate finance continues to be challenging for programming tackling the human mobility losses and damages associated with climate change, particularly for vulnerable developing countries. These funding agreements are currently under-resourced and only covering parts of loss and damage. There are issues related to eligibility and accessibility to financial mechanisms, but also, the timeliness of project development to access such finance is not consistent with the urgency of addressing loss and damage. A major breakthrough in addressing loss and damage was achieved when at the 28th Conference of the Parties to the United Nations Framework Convention on Climate Change, Parties agreed to operationalize the Loss and Damage Fund. Countries and communities will be able to apply for funding to address human mobility in the context of climate change from this new Loss and Damage Fund. Furthermore, climate migrants will be consulted in the work of the new Loss and Damage Fund and its Board.

5. 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.

Promoting long-term, sustainable and rights-based approaches is fundamental in providing redress and remedies for individuals and communities affected by loss and damage. This is particularly true for individuals and communities who have been displaced. For these reasons, IOM proposes the following recommendations:

- Strengthening dialogue, coordination, coherence among concerned stakeholders on the assessment and implementation of approaches to address loss and damage.
- Ensure that adequate, effective, prompt and appropriate remedies, including reparation, are available in domestic law for human rights violation in relation to loss and damage
- Providing support to relevant stakeholders through finance, technology, and capacity-building, to address loss and damage associated with the adverse effects of climate change.
- Ensuring long term fund arrangements for the Loss and Damage fund

- Continue to operationalize the recommendations of the Task Force on Displacement under the UNFCCC Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts (WIM), where IOM could facilitate a presentation of the present Report's outcomes.
- Mainstreaming climate change and environmental concerns in migration and displacement policy frameworks and related processes at the regional, national and subnational levels.
- Supporting States and relevant actors in providing assistance and protection to people moving in the context of climate change through a rights-based approach.
- Strengthening evidence-based policy and operational approaches to address the interlinkages between human mobility and loss and damage. This should be done in collaboration with governments, UN, private sector, and relevant institutions by generating new knowledge and evidence, and enhancing the use of AI in data analysis.

6. 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

Human rights principles and standards should inform all action to address loss and damage including needs assessments and specific measures to respect, protect and fulfill human rights of those who are often disproportionately affected by climate change.

More attention should be directed towards facilitating pathways for safe, orderly and regular migration in the context of loss and damage, while aiming to build consensus around the centrality of human rights principles, better integrated across legislation and policies. Moreover, the range of solutions should account for the diversity of movements and immobility, and specific protection needs. Most instruments are mostly focused on addressing and minimizing adverse drivers of human mobility, as compared to dedicated migration policy and legal tools that can provide protection and assistance to migrants and people displaced in the context of disasters and climate change, internally and across borders.⁷

More efforts should be invested in developing solutions for long-term and permanent migration from areas that may become uninhabitable due to slow-onset and permanent climate change effects. Examples of solutions include *rights-based labour mobility schemes, citizenship programmes, free movement and residence agreements, or addressed through innovative tools including special dedicated migration categories, visas and pathways.*⁸

Finally, migrants, displaced persons, refugees, and immobile persons should be better consulted and included in the processes shaping solutions to loss and damage, acknowledging their role as actors of change and as part of the effective exercise of their political participation rights.

⁷ Mokhnacheva, D. (2022). Baseline Mapping of the Implementation of Commitments related to Addressing Human Mobility Challenges in the Context of Disasters, Climate Change and Environmental Degradation under the Global Compact for Safe, Orderly and Regular Migration (GCM). Geneva, Platform on Disaster Displacement, pp. 67-68.

⁸ Ibid

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