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Resolution 2307 (2019)[1]

A legal status for "climate refugees"

Parliamentary Assembly

1. The Parliamentary Assembly, recalling its Resolution 1655 (2009) and Recommendation 1862 (2009) "Environmentally induced migration and displacement: a 21st-century challenge", and the Committee of Ministers reply (Doc. 11999), notes that environmental factors, including climate change, continue to have a dramatic impact on those at risk of being deprived of their livelihoods because of natural or man-made environmental disasters which force people to migrate.

2. The Assembly welcomes the timely statement made by the Council of Europe Commissioner for Human Rights on World Environment Day (5 June 2019) entitled "Living in a clean environment: a neglected human rights concern for all of us", which makes reference to the 16 Framework Principles of Human Rights and the Environment issued by the UN Special Rapporteur on human rights and the environment in 2018, which state that: "Natural disasters and other types of environmental harm often cause internal displacement and transboundary migration, which can exacerbate vulnerabilities and lead to additional human rights violations and abuses." (Principle 14.41.h)

3. The Assembly considers that the absence of a legally binding definition of "climate refugees" does not preclude the possibility of developing specific policies to protect people who are forced to move as a consequence of climate change. Human mobility and displacement due to climate degradation require a better response. Council of Europe member States should therefore take a more proactive approach to the protection of victims of natural and man-made disasters and improve disaster preparedness mechanisms, both in Europe and in other regions.

4. In the light of the above, member States should recognise human migration as a tool for increasing "livelihood resilience" and as a legitimate form of adaptation to climate change, and therefore review their management of migration taking this factor into account. Migration being inevitable in certain cases, States need to take a proactive stance to better identify and anticipate the impact of climate change on population movements.

5. The Assembly therefore calls for specific action to be taken at local, national and international levels, as follows:

5.1. To increase local communities' thresholds of resilience:

5.1.1. local communities' thresholds of resilience must be increased in accordance with Goal 11 of the United Nations Sustainable Development Goals (SDGs). More specifically, by 2030, the number of victims of disasters – including water-related disasters – must be significantly reduced, and economic losses in global gross domestic product that are directly attributable to these disasters must be substantially decreased, with a focus on protecting the poor and people in vulnerable situations;

1. *Assembly debate* on 3 October 2019 (34th Sitting) (see Doc. 14955, report of the Committee on Migration, Refugees and Displaced Persons, rapporteur: Ms Marie-Christine Verdier-Jouclas). *Text adopted by the Assembly* on 3 October 2019 (34th Sitting).

5.1.2. by 2020, the number of cities and human settlements adopting and implementing integrated policies and plans for inclusion, efficient use of resources, and mitigation of and adaptation to climate change must be substantially increased to improve resilience to disasters, and "holistic disaster risk management at all levels" developed, in line with the Sendai Framework for Disaster Risk Reduction 2015-2030;

5.1.3. measures must be taken to improve disaster preparedness at local level, targeting vulnerable populations such as children and people with disabilities, who should be actively involved in the planning, shaping and implementation phases of disaster management. Those responsible for disaster management (such as specialised experts in this area) need to be appropriately trained and educated;

5.2. To improve the capacity to react and cope with disasters at national level:

5.2.1. disaster preparedness strategies should include measures to protect people affected by disasters induced by climate change that force displacement. Human mobility must be mainstreamed at all levels. Specific action plans to implement the Sendai Framework of Disaster Risk Reduction 2015-2030 and the Agenda 2030 for Sustainable Development should be set up as a matter of priority, and the recommendations put forward by the Global Platform for Disaster Risk Reduction (DRR) on 13-17 May 2019 should be implemented, with a specific emphasis on the protection of vulnerable groups (migrants, asylum seekers, refugees, people with disabilities, children);

5.2.2. disaster risk reduction should be integrated into sustainable development policies and planning in accordance with internationally agreed action plans, such as the Hyogo Framework for Action 2005-2015;

5.2.3. institutions, mechanisms and capacities for building resilience to hazards and for incorporating risk reduction approaches into the implementation of emergency preparedness, response and recovery programmes should be reinforced, including by making disaster risk reduction a priority, improving information about risks and early warning systems, building a culture of safety and resilience, reducing the risks in key sectors and strengthening preparedness for an efficient response;

5.2.4. the thresholds and the triggers of displacement should be the object of further research, while acknowledging the multiple causes of displacement that lead to an interaction between climate change and conflict/violence;

5.3. To enhance co-ordination, mediation and funding:

5.3.1. developments in international human rights law should be taken into account with a view to strengthening overall protection of human mobility following environment-related disasters or climate change. In particular, implementation of mechanisms such as the 2009 African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) should be promoted through European development co-operation programmes;

5.3.2. the obligation to protect internally displaced persons (IDPs) for environmental reasons must be considered as the first level of legal protection in the legislation of each member State. The reception of natural disaster victims in the territory of member States should be foreseen in domestic law, *inter alia* by the granting of temporary residence status;

5.3.3. consideration should be given to the establishment of an international solidarity fund to provide protection to people forced to migrate due to climate disasters. Co-operation with the Council of Europe Development Bank (CEB) could be considered, in accordance with the Declaration on European Principles for the Environment signed by the CEB on 30 May 2006 together with the European Commission and several other international financial organisations (the European Investment Bank, the European Bank for Reconstruction and Development, the Nordic Environment Finance Corporation, the Nordic Investment Bank) in a joint effort to implement the fundamental right of present and future generations to live in a healthy environment;

5.3.4. disaster preparedness and risk reduction strategies should be implemented, thereby strengthening resilience and capacity to adapt to climate-related hazards and natural disasters; climate change measures should be integrated into national policies and planning, and progress monitored regularly;

5.3.5. education, awareness raising and human and institutional capacity as regards adaptation to and mitigation of climate change, reduction of its impact and early warning systems should be developed, with a focus on women, young people, local populations and marginalised groups;

5.3.6. the commitment undertaken by developed countries that are parties to the United Nations Framework Convention on Climate Change to the goal of jointly mobilising US $100 billion annually by 2020 should be fulfilled and the Green Climate Fund fully operationalised;

5.3.7. comprehensive cross-disciplinary research and co-operation between centres dealing with the environment, migration, climate change and demography should be carried out to produce reliable forecast data on environmentally induced migration.

5.4. To develop in the asylum systems of member States and in international law protection for people fleeing long-term climate change in their native country. The industrialised member States of the Council of Europe carry a particular responsibility to those countries, especially the countries of the “global South” affected by man-made climate change, and should therefore provide appropriate asylum for climate refugees.