

# ENVIRONMENTAL MIGRATION... FOR DUMMIES!

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Reflections on environmental migration  
from the perspective of international solidarity.

~~— DES PONTS~~  
~~— PAS DES MURS~~

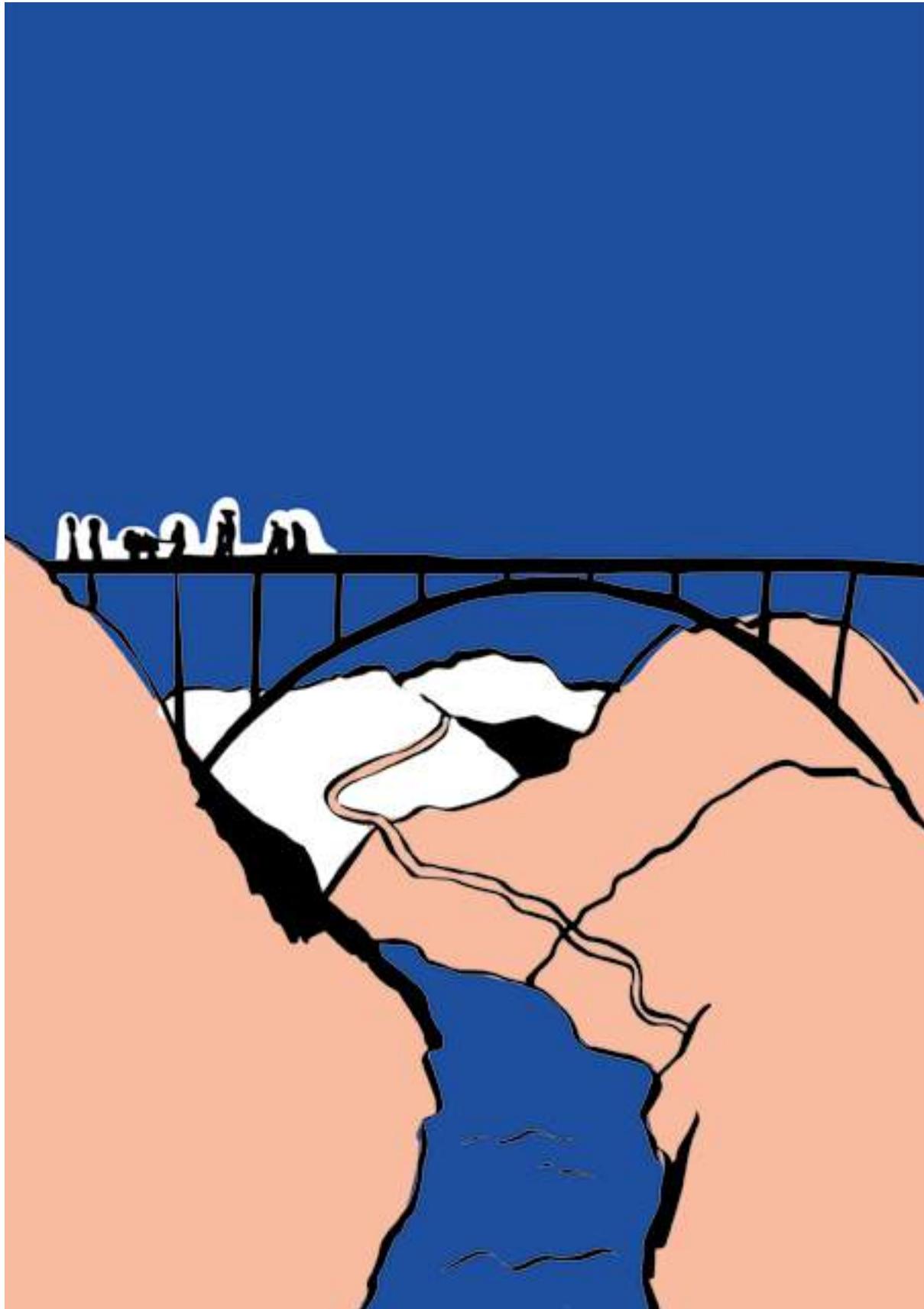


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## **THE NETWORK DES PONTS PAS DES MURS (BRIDGES NOT WALLS)**

The "Bridges not walls" network was founded in 2008, following a citizens' summit bringing together 34 countries on the occasion of the French Presidency of the Council of the European Union. The urgency of a collective response to the establishment of agreements known as "concerted management of migratory flows and co-development", the need to organize a network pushed the "migration" task force of the CRID to take this initiative. "Bridges not walls" is made up of human rights associations, international solidarity associations, migrant associations and support to asylum seekers, as well as trade union organizations.

In 2019, the "Bridges not walls" network brings together some 15 organizations: Carré Géo Environnement, CCFD Terre-Solidaire, Cimade, CRID, Emmaüs International, FASTI, France Amérique Latine, Forim, GRDR, IDD, IPAM, Mouvement de la Paix, Réseau Foi et Justice Afrique-Europe, Ritimo, Secours Catholique-Caritas France, Sud Solidaires.

For this network, migration has always been a human phenomenon and is an invaluable social, cultural and economic contribution. This contribution, though historically recognized, is overlooked as security and economic priorities are favoured. Also, "Bridges not walls" has always denounced the implementation of policies to combat so-called illegal immigration, which cause significant violations of migrants' rights. It also condemns the instrumentalization of public development policies to restrict the free movement of people.

The issue of international migration combines several approaches: the rights of migrants in the respect of equal rights; the relationship between migration and democracy; environmental migration; global governance of migration and freedom of movement. The link between these complementary and sometimes contradictory approaches constitutes the reasoning of the social and citizen movements that make up the World Social Forums.



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# INTRODUCTION

- Environmental migration is understood as part of a broad acceptance of **freedom of movement and settlement** as defined in Article 13 of the Universal Declaration of Human Rights (UDHR)<sup>1</sup>, from a perspective of universal citizenship that guarantees the same rights and opportunities for all.

- The environment has emerged in recent years as a **major factor for mobility**. Climate change has abruptly linked geological time and human history in the medium and short term. Year upon year, the temperature of the planet is increasing. Melting glaciers, delta salinization, rising sea levels and drought are all threats to coastal towns and cities. In urban areas, temperatures are rising, destabilizing urban balance and posing a particular threat to the poorest.

- It is important to note that environmental migration often combines **several factors**. Migration due to sudden or gradual changes in the environment is combined with social, economic or political factors. Similarly, victims of environmental crises have the same mobility/immobility behaviour as victims of violence. Both face the same settlement issues due to the shared roots of their misfortunes: poverty, insufficient knowledge of faraway lands and, particularly, punitive repression of migratory movements by the countries of destination and their “subcontractors” in transit states.

- Among environmental migrants, some groups are more exposed to vulnerable situations; this is the case of the **most impoverished populations**, who are extremely vulnerable to climate change. And yet, these populations do not have the means to migrate.

Those who can move do it within the same country, to another sub-region of their continent, or beyond. These displaced individuals often find themselves unprotected by international law, even though they are a priority. Indigenous peoples are also particularly vulnerable and are prevented to adapt to the adverse effects of climate change. They are taking the full brunt of the expropriation of their land for state or private initiatives. These same harmful projects contribute to the deterioration of their environment through the pollution of rivers or soils.

- Talking about environmental migration means completely rethinking the development paradigm. The forms of development currently based on cooperation with the countries of the South, through financial, material or logistical assistance, do not provide an appropriate response to environmental migration. This requires a response in terms of **international governance**.

<sup>1</sup>1. Everyone has the right to freedom of movement and residence within the borders of each State; 2. Everyone has the right to leave any country, including his own, and to return to his country.” UN General Assembly (1948). *Universal Declaration of Human Rights* (217[III] A).

# I. TERMINOLOGY AND FIGURES

## TERMINOLOGY

### Should we use the term refugee or migrant?

Refugees, within the meaning of the 1951 Geneva Convention, are those who are “outside their country of nationality, who fear for their lives because of their race, religion or political persecution.” As climate and environmental change are not yet considered as causes of persecution, the term refugee is legally unsuitable.

A differentiation should be made between international environmental migrants who cross a border and internal environmental migrants who do not cross the borders of their territory.

### Should we use the term climatic migration or environmental migration?

The term “climate” is now being challenged since it would only take into account phenomena due to climate change and therefore due to the increasing average temperatures. Thus, it excludes movement due to state or private initiatives that are harmful to the environment, such as forced land expropriation or industrial accidents.

The term that is more widely accepted is “environmental” as it covers both sudden-onset natural disasters and slow degradation phenomena that can lead to the physical disappearance of a state, for example the Tuvalu Islands. This term also covers environmental disruptions caused by human activity that may lead to population displacement. A first definition of **environmentally displaced persons** was developed by Essam El Hinnawi for

the United Nations Environment Programme in 1985: “those who are forced to leave their place of residence temporarily or permanently because of an environmental disruption (of natural or human origin) that has threatened their existence or severely affected their living condition”.

The International Organization for Migration uses the term **environmental migrants**. It defines them as “persons or groups of persons who, predominantly for reasons of sudden or progressive change in the environment that adversely affects their lives or living conditions, are obliged to leave their habitual homes, or choose to do so, either temporarily or permanently, and who move either within their country or abroad”.





## II. HISTORICAL OVERVIEW AND DIFFERENT APPROACHES

**From an international solidarity perspective, we can identify four main historical approaches to environmental migration.**

### REVISION OF THE GENEVA CONVENTION

Today, there is no defined legal status, either at a national or an international level. The Geneva Convention does not consider environmental migrants as legal refugees.

For some, it would be appropriate to extend the scope of current legislation advocated in the Geneva Convention. Assuming that human beings are aware that their industrial activity at the current level causes irreversible damage to the planet, which also leads to the destruction or inhabitability of land, they should be aware of their responsibility for the influx of environmental migration. As a result, people displaced by these disruptions would be victims of political persecution. As such, these migrations would be subject to the framework defined by Article 1.A of the Geneva Convention relating to the Status of Refugees.

The amendment of Article 1 of the Geneva Convention would make it possible to legally establish the definition of a "climate refugee" and thus to grant this term international legitimacy within a convention signed or ratified by 150 UN Member States.

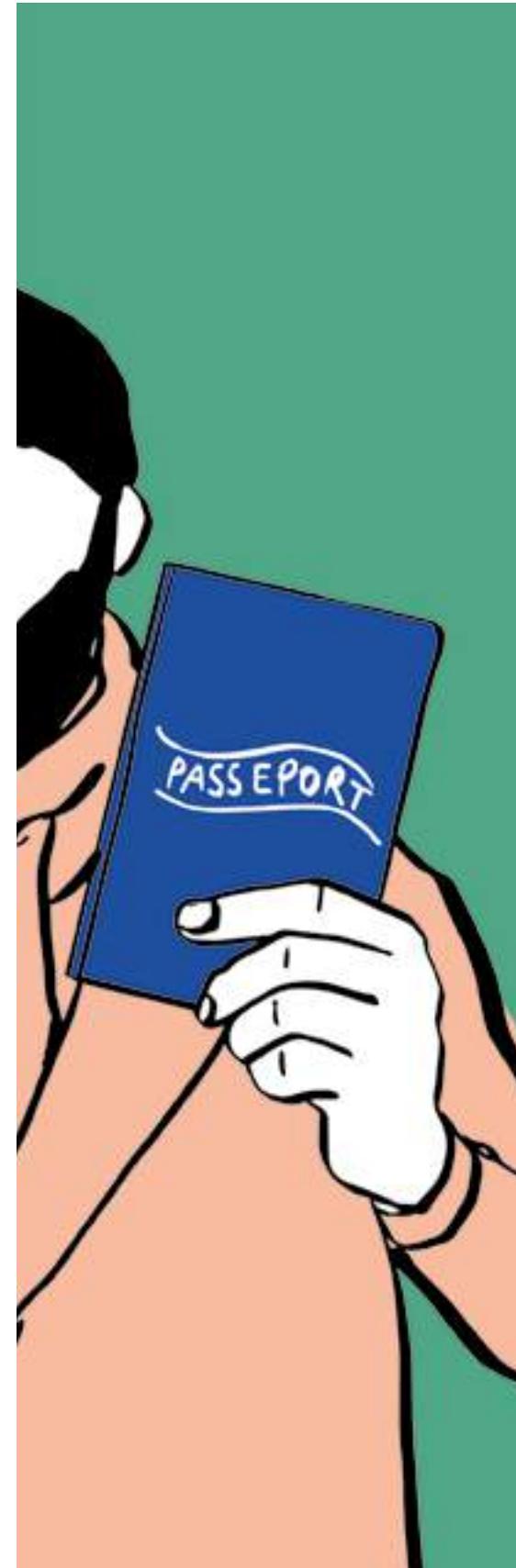
This proposal is rather obsolete and does not have strong support today. The current convention is not being respected and the scope of international law is being further restricted by national legislation.

To attempt to change the Geneva Convention would mean taking the risk of opening a Pandora's box allowing increasingly isolationist governments to reduce the protection of individuals guaranteed by the text as it stands.

### CREATION OF A NEW STATUS

Various NGOs are calling for the creation of a new legal status in order to preserve the rights of individuals, particularly for internally displaced persons from the same continent or sub-region. This status would affirm migrant's rights to choose their host country. Since 2015, Carre Geo & Environnement has been carrying out advocacy work within the framework of the UN climate negotiations for the adoption of an international status for climate refugees.

Recognition of this status would result in the adoption of a new convention that should guarantee fundamental rights for victims of environmental disasters. This new convention should also fill the legal void of the 1951 Geneva Convention, which, in its definition of refugee, does not address environmental grounds for protection. The negotiating framework for this convention is now the UN climate negotiations, COPs, where a dedicated panel on population displacement is responsible



for pushing forward negotiations within the Warsaw International Mechanism for Loss and Damage.

In 2008, researchers from CRIDEAU and CIDCE (University of Limoges) proposed a **draft convention on the international status of environmental displaced persons**. This convention proposes the creation of a body attached to the United Nations to ensure the proper implementation of the status: The World Agency for Environmental Displaced Persons (WEDA). This institution would be divided into four parts: a high authority, a global environment facility (GEF), a scientific council and a secretariat.



### Categorization risk

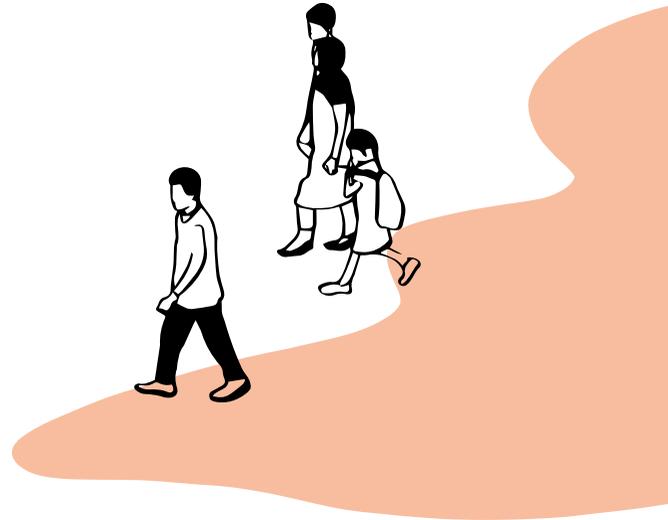
The multiplication of statuses would facilitate categorization at a time when the distinction between political, economic and climate refugees is not easy as the causes of migration are often multifactorial. By ignoring the specificities of these populations, we also risk missing the most vulnerable populations, both in our discourse and in our assistance. They have no possibility of claiming national, regional or international protection.

### DEVELOPMENT OF LEGAL MIGRATION ROUTES

Today the debate is also focusing on legal migration channels such as the introduction of humanitarian visas proposed by certain NGOs and states (New Zealand and Australia) for populations fleeing their countries due to sudden-onset natural disasters or progressive environmental degradation. The Global Compact for Safe, Orderly and Regular Migration encourages states to introduce specific humanitarian visas and temporary work permits, and promote the creation of private sponsorships, and relocation planning.

Nevertheless, this agreement, adopted in Marrakech in December 2018, is non-binding and its implementation is largely based on the goodwill of states. The current context does not seem to be favourable to the effective implementation of this type of mechanism, contrary to other aspects of this agreement that are more dangerous for human rights (encouragement of registration, no questioning of the criminalisation of migrants or border outsourcing policies).

Some organizations want migration to be seen as a strategy for adjusting to environmental risks, not as a last resort measure. To this end, it is essential for states to establish legal migration channels in the form of visas, humanitarian corridors or the lifting of visa requirements for populations in a situation of vulnerability due to environmental reasons. This



will enable people who need to migrate for these reasons to do so in a way that respects their dignity and safety at each stage of their migration journey.

### THE NEED TO DEFINE NEW MODELS OF COOPERATION

Some associations believe that the environmental and global reality requires a global distribution of efforts with a system of subsidies from rich countries to the countries that are affected the most. They demand the urgent establishment of adaptation mechanisms for populations and countries where the effects of climate change are already being felt: hosting, protection and resettlement of entire populations. These mechanisms must be in line with the principle of climate justice and must be based on both the loss/damage and adaptation criteria defined by the United Nations Framework Convention on Climate Change (UNFCCC), as well as the Global Migration Pact adopted by 191 States within the United Nations in September 2018.

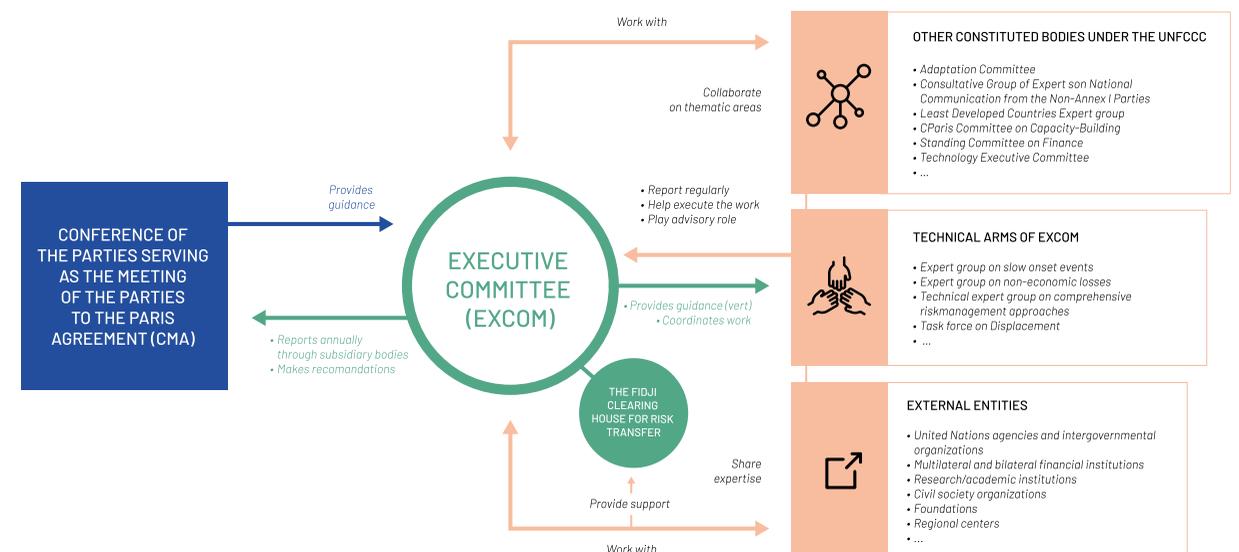
## III. ENVIRONMENTAL MIGRATION: A CHALLENGE FOR CLIMATE NEGOTIATIONS

Population movements are one of the consequences of extreme weather events and slow-onset events. This damage is addressed – within the framework of the UN climate negotiations – in the Warsaw International Mechanism for Loss and Damage, which was adopted by States at the 19th UN Climate Conference.

The Warsaw International Mechanism is an institutional mechanism, under the authority of the

Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for the Implementation of the United Nations Framework Convention on Climate Change. Its mission is to facilitate the implementation of approaches to address the losses and damages resulting from the adverse effects of climate change. In particular, extreme weather events and slow-onset phenomena in developing countries.

### WARSAW INTERNATIONAL MECHANISM FOR LOSS AND DAMAGE



In 2015, at COP21, a special group on population movements was established within this institutional framework. One of its tasks was to develop and adopt, no later than COP24 in 2018, recommendations for the development of comprehensive strategies to prevent, reduce and respond to population movements related to the negative impacts of climate change. The mandate of this group has been extended beyond 2018.

There are two opposing positions:

- **NGOs and small island states** for whom it is important to advocate for the adoption of innovative, additional and separate financing mechanisms in order to adapt and develop new methods of assistance applying the “polluter pays” principle. These additional financing measures should enable developing countries and small island states to cope with the inevitable and irreversible consequences of losses and damages.



- **The members of the “Umbrella group”** – non-EU industrialised countries (Belarus, Kazakhstan, Russia, Ukraine, Australia, Canada, Iceland, Japan, New Zealand, Norway, United States, Israel) – for whom the challenge is to maintain the notion of “common but differentiated responsibility” and the regulations of the Paris Agreement, rather than the “polluter pays” principle, which reflects the historic liability of industrialized countries.

The expression “**common but differentiated responsibility**” encourages the emergence of responsibilities while inducing a “dilution of responsibilities” that effectively reduces the responsibilities of industrialized countries.

The “polluter pays” principle is based on climate justice. In fact, diluting loss and damage in adaptation considerations, as was the case at COP24, under the pressure of the members of the umbrella group, is a step backwards in terms of the very principle of adopting the Warsaw International Mechanism for Loss and Damage in 2013. The latter recognized that loss and damage related to the effects of climate change were distinct from adaptation, leading to the need for states to define financing measures separate from those related to adaptation. This will enable developing countries to tackle the adverse effects of climate change without hindering their ability to develop.

## IV. CONCLUSION

Climate change and environmental disasters are accelerating the degradation of the living conditions of the most vulnerable populations, who are also the least responsible for greenhouse gas emissions. This degradation of living conditions is therefore due to inequalities in the distribution of wealth. This is therefore an issue of migration and climate justice that must be addressed from the perspective of international solidarity. While these movements in favour of climate justice on the one hand and the rights of migrants on the other are not yet sufficiently aligned, the “Bridges not walls” network is building a strategy of international solidarity to federate these social movements. This convergence represents a step towards a change in the development paradigm and an opportunity to rethink international solidarity.



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# ~~DES PONTS~~ ~~PAS DES MURS~~

The purpose of this document is to compile the approaches, analyses and positions of different actors (associations, researchers, institutions) on environmental migration.

