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Towards a regional agreement on environmental displacement?

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Efforts towards a regional agreement on migration in South America should be extended to recognise and protect those displaced for environmental reasons.

The effects of climate change influence the frequency and intensity of disasters and slow-onset environmental degradation processes, exacerbating pre-existing risks and vulnerabilities.¹ Between 2000 and the middle of 2015 an estimated eight million people were displaced or evacuated in the context of disasters in South America.² Having made progress in recent years in the area of migration, existing regional forums are in a position to contribute to a dialogue on human mobility in the context of climate change and disasters, potentially leading to the harmonization of national initiatives, a better understanding and long-term management of displacement, and the recognition and protection of environmentally displaced persons throughout the region.

Existing forums and initiatives

The sub-regional bloc the Common Market of the South (MERCOSUR) has a **Foro Especializado Migratorio** (Migratory Specialised Forum) (FEM) that is responsible for studying the impacts of migration with the aim of developing draft regulations and agreements. Its 2002 MERCOSUR Residence Agreement on the free movement of persons does not refer specifically to environmentally displaced persons but could be adapted to facilitate their movement to other countries in the region, as suggested in the European Union's Strategy on adaptation to climate change.³ Members of FEM have recognised a gap in provision for those displaced by disasters, and in 2012 MERCOSUR and Union of South American Nations (UNASUR) Member States were called upon to recognise the phenomenon of migration caused by natural hazards ('environmental' migration) and to create a protocol aimed at those who migrate for environmental reasons.

One of the objectives of the intergovernmental regional organisation UNASUR is cooperation on disaster prevention and climate change, as well as on migration. It is working towards the establishment of a South American citizenship that – in addition to guaranteeing access to a wide range of rights – could facilitate the management of intra-regional cross-border movements in the context of climate change and disasters.

High-level representatives from both MERCOSUR and UNASUR have taken part in interregional dialogues including the 2016 UNASUR-MERCOSUR Dialogue on Human Rights of Migrants and Humanitarian Cooperation and the MERCOSUR Dialogue on Human Rights of Migrants: Humanitarian Crisis and Food Security of the same year. As a result of these dialogues, it was agreed that the development and implementation of instruments for risk management and humanitarian cooperation to safeguard the human rights of migrants must be taken forward at a regional level.⁴

The **Conferencia Suramericana sobre Migraciones** (South American Conference on Migration) (CSM) works on developing policies on international migration and its relationship with regional integration and development. In 2015 the CSM extended its mandate to include 'migration, environment and climate change'. The CSM can therefore now provide an important space for coordination between regional and subregional organisations to promote the issue of environmental migration and the adoption of an agreement in the region and harmonisation of existing national initiatives. In 2016, based on conclusions of a report presented by the Red Sudamericana para las Migraciones Ambientales (South American Network for Environmental Migrations)

(RESAMA) to the Technical Secretary⁵, CSM agreed to undertake a study on the links between climate change, environment and migration, and to carry out joint regional training workshops on the theme.⁶

Finally, the regional solidarity resettlement programme and other strategies that were put forward in the Mexico Plan of Action of 2004 offer durable solutions to displacement, through humanitarian visas and resettlement quotas – strategies that could equally be applied to crises caused by climate change and disasters. The **Brazil Plan of Action** of 2014 recommends that the protection measures provided for in migration and asylum legislation are evaluated for their relevance to response to cross-border movements caused by climate change and natural disasters.

In view of the vacuum in international law relating to environmental displacement, it is necessary to establish minimum standards of protection at the regional and national level. A regional agreement on environmental displacement would enable better coordination between migration, disaster risk reduction and climate change policies in the region and allow the coordination of different initiatives and instruments around a single recognition and protection system. The construction of such an agreement must be participatory, however, particularly for those communities and people who are displaced or at risk of displacement.

Challenges and future prospects

There are positive indications that environmental displacement is being discussed in the region and its forums, both through ongoing national initiatives and in regional forums capable of launching a regional negotiation process, such as the CSM. Some difficulties still hamper progress, however. These include the absence of comprehensive and detailed information on mobility in the context of climate change and disasters, the need to identify communities already displaced or at risk of displacement, the reluctance of States to accept new obligations related to migration, and the sheer number of different forums, whose initiatives,

although positive, can be difficult to turn into coordinated action and consensus.

South American citizenship could make an important contribution to this issue in terms of free movement in the region, which would facilitate the reception of people displaced for environmental reasons. However, it would not provide comprehensive protection for displaced persons. Proposals for a general regional agreement could incorporate the issue of environmental migration but there would certainly be limits to the in-depth regulation of the issue in a general migration agreement. The adoption of a regional agreement on environmental migration or a specific protocol within the framework of a regional convention on migration could be an effective solution. Such an agreement or protocol must not be restricted to the issue of reception but must also address the protection of people displaced for environmental reasons, their integration and their return in conditions of safety and dignity, presenting durable solutions rather than short-term responses.

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