

Towards a humanitarian climate change agreement

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In Copenhagen in December 2009 states are expected to arrive at an 'agreed outcome' on climate change action.

As long ago as 1990, the Intergovernmental Panel on Climate Change (IPCC) wrote that the gravest effects of climate change may be those on human migration; yet states did not address this in climate change negotiations and agreements. While the 1997 Kyoto Protocol commitments which run until 2012

Climate change-related migration was highlighted in some statements during the UN Framework Convention on Climate Change (UNFCCC) conference in Poznan in December 2008, most prominently in the opening statement by the Polish Minister of the Environment and President of the Poznan conference and in the statement delivered by the Ambassador of Algeria on behalf of the Africa Group. The issue of migration and displacement later figured in the assembly document of ideas and proposals where Bangladesh referred to "climate refugees" and the Alliance of Small Island States (AOSIS)

referred to "climate victims". The particular challenge of relocation was also mentioned by Mexico during the risk management workshop held in Bonn in April.

By May 2009 a draft negotiation text had been prepared and made public. It is a 200-page document based on hundreds of submissions. Many text proposals suggested by humanitarian agencies are included and have support from both industrialised and developing countries, but the text is still subject to further negotiation.

The first draft of the text included reference to "activities related to national and international migration/planned relocation" as adaptation actions. The reference, ensured by a Bangladeshi submission, was well-received by many States Parties at the first reading in Bonn in June. Humanitarian agencies present, such as UNHCR, IOM and NRC, and the Representative to the Secretary-General on the Human Rights

of IDPs welcomed the reference and offered some advice on how the text could be modified. At a second reading of the draft text in Bonn, suggested modifications had been included, and a revised negotiation text became available.

In addition to migration- and displacement-specific text, key language on risk management and disaster risk reduction is now prominent, including for the first time a reference to "emergency response". There is also text suggesting that priority be given to the needs of the most vulnerable people (rather than states).

While these are significant steps in the right direction, it remains to be seen whether and how the agreed outcome actually incorporates displacement and other humanitarian issues. During the last and crucial months of drafting, as the 200-page draft is whittled down, it will be important to make sure that the text we want is retained.

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The document of 'Comments and Proposed Revisions to the Negotiating Text' prepared by the Chair of the UNFCCC Ad Hoc Working Group on Long-Term Cooperative Action is available at <http://www.unhcr.org/4a408cc19.html>; the revised draft negotiation text, as of July 2009, is available at <http://unfccc.int/resource/docs/2009/awg1ca6/eng/inf01.pdf>



Floodwaters at Dadaab, Kenya, November 2006.

focus on climate change mitigation, the agreed outcome will also address the consequences of climate change that can no longer be avoided – and the need for climate change adaptation. A sub-group of the Inter-Agency Standing Committee task force on climate change has focused on getting recognition for migration and displacement issues, and a draft negotiation text for Copenhagen now refers to human mobility.

Both climate change mitigation and adaptation are relevant to the obligation to prevent arbitrary displacement from happening in the first place. Such prevention efforts have not always been sufficient to avoid disasters and displacement from happening, however. Particular protection challenges that arise with climate change include relocation of people away from high-risk areas, and the normative protection gap for the cross-border displaced who do not qualify as refugees by international, regional or national law.



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