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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Elizka Relief Foundation, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[29 May 2023]

* Issued as received, in the language of submission only.



Human Rights Implications of Climate Change Displacement

Introduction

The negative effects of climate change are the most important factors that have led to increasing rates of internal displacement across international borders, which needs rapid intervention at any rate. Somalia is one of the countries most affected by climate change. Climate change has had a devastating impact on it, exacerbating the challenges of drought and severe food insecurity. Besides, the political instability in the country resulted in the difficulty of tackling the climate crisis and protecting vulnerable communities. By mid-2023, over 8 million people—nearly half of the population—will be living through crisis levels of food insecurity or worse. Climate change can also affect the idea of a "Safe and Dignified Return" of refugees or displaced persons.

Impact of Climate Change on Somalia

International reports on the displaced estimated that the number of people living in internal displacement reached a record high of 71.1 million people worldwide at the end of 2022, of which 62.5 million as a result of conflict and violence and 8.7 million as a result of disasters. In 2022, there were 60.9 million internal displacements recorded across 151 countries and territories, 32.6 million were associated with disasters and 28.3 million with conflict and violence. Around 16.5 million internal displacements were recorded in sub-Saharan Africa in 2022, an increase of 17 % compared with the previous year. This is explained by a nearly three-fold increase in disaster displacements to 7.4 million, the highest figure ever reported for the region.

Conflict and violence have been the major causes of internal displacement in Somalia for three decades, and fighting between the military and non-state armed groups, particularly al-Shabaab, continues to force people from their homes. In recent years, and as data became available, weather-related disasters including drought and floods, became a significant cause of displacement. In addition to that, conflict and long-term violence caused more than 621 thousand internal displacements in 2022, the highest number the country has seen in more than a decade. The government launched a large-scale military offensive against Al-Shabaab in August 2022, and the ensuing fighting led to a peak in displacement, especially in the Hayran region, which recorded more than 182 thousand displacements that month and throughout the year approximately 256,000 internal displacements were recorded in that area. Violence in the Galgaduud and Lower Shabelle regions also caused nearly 197,000 internal displacements in 2022. In addition, nearly 3.9 million people were living in displacement until the end of 2022, compared to 3 million in 2021, the highest figure since data became available in 2009.(1)

Although Somalia's total global carbon emissions are 0.00%, many deaths and displacements are caused by climate change. International reports have estimated that climate change has forced more than 3 million people to flee their homes. The failure of Somalia's fifth consecutive rainy season led to the worst drought in 40 years, putting millions at risk of starvation, forced to migrate, and at risk of exploitation by smugglers. Since the end of 2021, 745,000 Somalis have been displaced by drought alone, with four million people affected and six million people dependent on humanitarian aid.(2) In 2022, the number of people displaced due to drought reached 1.1 million, with displacement movements continuing since the beginning of 2023. It is expected that the number of people facing critical levels of hunger in Somalia will rise from about 5 million to more than 7 million in the coming months, which will be exacerbated by the effects of climate change and rising food prices due to the conflict in Ukraine.(3)

Climate changes and the resulting waves of internal displacement and asylum have also affected many negative effects on children in terms of education and health. International organizations estimate that nearly 2 million children are at a risk of malnutrition while at least 3.5 million livestock have died, destroying livelihoods, and reducing children's access to milk and meat.

Famine occurring is still a strong possibility from April to June this year in Baidoa and Burhakaba counties in the Bay region and of course beyond, if humanitarian assistance is not sustained.

The continuing drought has caused the closure of more than 80 schools in the states of Jubaland and Galmudug from April 2022 due to the effects of the drought and by the end of 2022, 1.7 million children their education had been disrupted.

In addition to increasing humanitarian needs mount as almost 60,000 refugees from Somalia arrive in the Dadaab camp in Kenya due to impact of climate change, reports have confirmed that the humanitarian situation in the camp has also uncovered a serious public health crisis caused by a lack of basic services, severe overcrowding, and a chronic lack of funding.⁽⁴⁾

Somalia has suffered incalculable losses from conflict, climate, and systemic injustice over decades. These are not just numbers, those are people feeling the converging effects of climate change, extreme poverty, and decades of conflict, violence and instability. Hence, these displaced people and refugees need humanitarian protection the most.

Legal Protection for People Displaced by Climate Change

Refugees and displaced people due to climate change their suffering aren't limited to the impact of climate change on their lives but also affect finding ways to protect them, and This was not achieved because they don't fulfill the refugee conditions, in addition to the lack of awareness of decision-makers of the agreement on a unified legal framework guaranteeing them protection and the right to leave their homelands if their lives are endangered while enjoying all rights under international law.

Difficulty of protecting climate-displaced lies in the lack of agreement on a unified definition for them due to political and economic considerations. However, International Organization for Migration has adopted its definition of climate-displaced persons as persons or groups who are forced to leave their places of residence or home for compelling reasons as a result of sudden or gradual changes in the environment that will adversely affect their lives and living conditions. The United Nations also demanded to accept the existence of this category of refugees and displaced persons and thus to work on a new definition of people displaced by environmental disasters caused by climate change

The Refugee Convention also does not cover emerging refugee situations, such as victims of famine, natural disasters, or climate change, unless they have fear, as well as failure to adapt to the economic, social, and political conditions of States affected by the adverse effects of climate change, especially floods or droughts

Thus, people who have been forced to leave their homes due to disasters need assistance, protection, and rapid international response consistent with States' obligations under international human rights and humanitarian law.

Based on this, Elizka Relief Foundation appeals to the governments of countries to take into account climate change when deporting asylum seekers, as people fleeing due to the effects of climate change and the repercussions of sudden disasters or disasters with gradual effects may have legitimate demands to obtain refugee status provided in the 1951 Refugee Convention and relevant international and regional legal frameworks.

Thus, States must not deport individuals fleeing the effects of climate change and violating the right to life and must change their migration policy and allow migrants forced by the circumstances of the severe effects of climate change to migrate across international borders to be protected and ensure that they have access to decent livelihoods by human rights norms.

We also emphasize that the recognition of climate displacements across international borders as refugees will reflect the humanitarian effects of environmental degradation exacerbated by climate change, which is an international responsibility of all, not just the people affected by it.

Hence, Elizka Relief Foundation recommends:-

- Developing a unified and agreed definition of the concept of climate refugees to guarantee their full human rights.
- Establishing a legal framework by governments and agreeing among themselves to ensure legal protection for climate-displaced people.
- Activating the principle of non-refoulement of refugees due to climatic conditions.
- Developing and activating temporary protection measures in the context of disasters resulting from climatic changes with migrants across international borders who don't fulfill refugee conditions.

(1) Somalia, IDMC, 12 May 2023, link, <https://www.internal-displacement.org/countries/somalia>

(2) Climate Change Driving Displacement As Somalia Faces Famine, Climate Refugees, 8 JUN 2022, link, <https://www.climate-refugees.org/perspectives/2022/6/8/somalia>

(3) One million people displaced by drought in Somalia, UNHCR, 11 Aug 2022, link, <https://www.unhcr.org/news/news-releases/one-million-people-displaced-drought-somalia>

(4) Humanitarian needs mount as almost 60,000 refugees from Somalia arrive in Dadaab camp due to impact of climate change, IRC, 7 Nov 2022, link, <https://www.rescue.org/press-release/humanitarian-needs-mount-almost-60000-refugees-somalia-arrive-dadaab-camp-due-impact>