

## **The Peninsula Principles on Climate Displacement within States**

*Dr. Ingrid Boas, Environmental Policy Group, Wageningen University*

Ladies and gentlemen, I am very honoured to be here with you today to talk about the Peninsula Principles on Climate Displacement within States. These Principles offer a guiding and normative framework to protect and enhance the resilience of those groups and individuals displaced as a result of climate change and climate-related disasters. It offers special protection for marginalised groups, including indigenous communities, women, the elderly, minorities, the excluded, persons with disabilities, children, and those living in poverty. These groups are most vulnerable to the risks of climate change and thus to climate displacement. This side-event, dedicated to the rights of 'groups in focus', is therefore of utmost importance to raise awareness to their needs.

Climate displacement is one of the gravest human rights challenges of the 21<sup>st</sup> century. The Intergovernmental Panel on Climate Change warns that global warming will displace millions of people from their homes. According to the UN Office for Disaster Risk Reduction, already 87% of all disasters are climate-related, triggering displacement. Through the effects of sea-level rise, heavier storms, extreme floods, and severe drought, climate-related disasters will severely impact on people's livelihoods through massive loss of land, property resources and through changing natural habitats. In countries like Bangladesh, the Maldives, Panama, Tuvalu, the US state of Alaska, and many more, climate displacement is already becoming a reality. In Bangladesh, for example, sea-level rise further exacerbates existing problems of storm surges, flooding and coastal erosion, and is making coastal settlements increasingly vulnerable. Or just think of what happened just a few days ago in the Pacific Island Nation Vanuatu, where at least 15,000 homes have become uninhabitable due to the cyclone Pam.

As mentioned, especially the marginalised groups are most at risk. These groups, such as the elderly or those living in poverty, may not have the means or resources to move to better protected places where they can build an alternative and better livelihood. Left unprotected, these groups and individuals have nowhere to turn to and are destined to stay behind, or some may set out for a life in the urban slums.

Climate displacement is gaining increasing attention among the international community. But it is a slow process, it is too slow. 2010 was the first year that the Conference of the Parties to the UN Framework Convention on Climate Change (UNFCCC) recognised climate change induced displacement in the context of enhanced action on adaptation. But neither the UNFCCC nor any other UN body has thus far seriously taken up the issue of climate displacement, other than in the most general terms.

To fill that gap, the NGO Displacement Solutions, in collaboration with experts in the field, has developed the Peninsula Principles on Climate Displacement within States. Guided by UN human rights law and building on the Guiding Principles for Internal Displacement, the Peninsula Principles aim to protect the human rights of climate displaced persons and to address the issue in a preventive and planned manner, with dedicated attention to the protection and resilience of groups in focus. The Peninsula Principles define climate displaced persons as those individuals, households or communities who are facing or experiencing climate displacement. It therefore not only offers protection to those already displaced, but also to those who are facing the prospect of displacement due to threatening circumstances, such as coastal flooding.

The Peninsula Principles are a product of a long period of deliberation. Displacement Solutions has travelled throughout the world to meet with government officials, academics, communities and other experts to obtain input into the drafting of the Principles. As a final step, in mid-August 2013, a number of UN officials, legal scholars and experts in the field, came together at the Mornington Peninsula in Redhill, Australia, and fine-tuned and approved the Principles. I am proud to have been one of these experts.

These Principles are especially tailored to the needs of climate displaced persons *within states*. The vast majority of those affected by climate change are expected to become displaced within their own territory. People often do not have the resources to cross the border, and do not want to leave their original habitats. People move to nearby villages or cities, or try to return to their places following a flood, cyclone or drought. The Peninsula Principles provide guidelines tailored to the specific needs of such *internal* displacement.

The Principles consist of seven building blocks, including the Preamble, the Introduction outlining the scope and key definitions; the General Obligations for states and the international community; followed by sets of principles on Preparation and Planning; Displacement; Post-Displacement and Return, and finally, Implementation. Let me now go through some of the key provisions offered by the Peninsula Principles.

- I. First of all, key is the focus on prevention and adaptation. States should comply in full with their obligations under international law so as to avoid any conditions that may lead to climate displacement. States should therefore prioritise adaptation assistance to ensure the right for communities to stay in their homes as long as possible. But climate displacement is also a matter of global responsibility. States should cooperate in the provision of adaptation assistance and provide help when requested to do so.
- II. Second, in the preparation and planning phase, provisions on participation and consent are central. States should always ensure that no relocation takes place without full and informed consent by the community, and should guarantee that climate displaced persons can actively participate in relevant decisions and in actual implementation of adaptation, relocation and protection programmes. In doing so, efforts should be made to ensure that marginalised groups, such as persons with disabilities, women or minorities, are also actively involved in these decision-making processes.
- III. Third, in planning for relocation programmes, states should ensure that communities can enjoy the full spectrum of rights in their new places. States should adopt measures that promote livelihoods, acquisition of new skills, and economic prosperity for both displaced and host communities.
- IV. Fourth, the importance of land in the resolution of climate displacement should be recognised. Through a National Climate Land Bank, states should identify and reserve sufficient, suitable and habitable land to plan for and develop relocation sites. In doing so, states should provide easily accessible information to affected communities and individuals concerning potential changes to their homes and provide evidence that all viable alternatives to relocation have been considered.
- V. Fifth, in case of people displaced and not relocated in time, states should provide humanitarian assistance, ranging from emergency assistance and shelter to education facilities and assistance in family reunion.

- VI. Sixth, states should develop a framework for return in the event that displacement is temporary and return to original homes and land is possible and agreed by those affected. In any case, states should respect the freedom of movement of climate displaced persons, and should facilitate their voluntarily return to their homes in safety and dignity, where return does not pose a significant risk to life and livelihood.
- VII. Finally, with regards to implementation, the primary obligation rests with the home state responsible for the protection of its citizens displaced by climate-related events within its own territory.

The Peninsula Principles are more than just a document. They actually offer practical guidelines for states experiencing climate displacement, and are being applied as we speak. Since 2014, Displacement Solutions, in collaboration with the Government of Panama and affected indigenous communities, has used the Peninsula Principles as a guiding framework for the planned relocation of island communities to the mainland in the Gunayala region in Panama. The islands in the Gunayala region are threatened by extreme weather events and rising sea-levels. In 2010, the indigenous community on the Gardi Sugdub island therefore decided to relocate to the mainland. This is a community-led initiative. The community itself arranged for seventeen hectares of land on the mainland. This land was donated by several families from the community and will be the site where the first houses should be built. But the community cannot do it all by itself. It needs help.

When Displacement Solutions came to Panama in 2014 to assist in the relocation project, both the community and the Government of Panama reacted with enthusiasm. The relocation process, if done well and guided by the Peninsula Principles, could provide a model for climate displacement in Gunayala and elsewhere. This is essential as the Gardi Sugdub island community will not be the last one who needs to relocate to the mainland. More communities will follow when climate change impacts become more severe. For that reason, it is crucial to develop a relocation strategy for the Gunayala region in Panama, building on international principles of human rights. The Government of Panama is taking measures on further pursuing that objective, for which it builds on the Peninsula Principles as a guiding framework.

Panama is amongst the first countries Displacement Solutions collaborated with to implement the Peninsula Principles on Climate Displacement within States. But Panama is not alone in that regard. More states have showed an interest in these Principles and have requested assistance to address climate displacement. Displacement Solutions is therefore also pursuing collaboration with a number of other states, including Bangladesh and Papua New Guinea.

We hope that more states will join in the protection of climate displaced persons and that the UN Human Rights Council will endorse the Peninsula Principles on Climate Displacement within States. The case of Panama shows that affected communities are no passive victims and take action, and have much knowledge to offer. But they cannot do it alone. It is therefore our responsibility, the responsibility of the international community, to ensure that normative and regulatory frameworks are in place to protect the rights of those facing or experiencing climate displacement and are seeking our help.

Thank you.