



CLIMATE  
MIGRATION &  
DISPLACEMENT  
PLATFORM



## Climate-Forced Displacement and Human Rights: Pacific Regional Policy Priorities

June 2023

*“Toku fenua se tifa samasama kae ko se ile nei ne te tuigala. Fakalaga ake la”*  
My island is a mother of pearl that now no longer glows from the rays of the sun.

We seek its restoration.

— *The Kioa Climate Emergency Declaration 2022*

### Executive Summary

Our Pacific region is threatened by both slow and sudden impacts of climate change, combined with socioeconomic, political, and environmental factors. These critical drivers of Pacific migration and displacement are happening today in our Island homes.

Globally, the Pacific Island region is among the most vulnerable to the impacts of climate change and natural disasters. Countries are already experiencing these impacts as intensifying weather events endanger lives and destroy homes, crops, and land, and pose an existential challenge to many communities due to the difficulties of maintaining their culture and meeting their basic human needs. The geology, topography, and rainfall patterns in Pacific Island Countries (PIC) make their ecosystems extremely vulnerable to the effects and impacts of climate change and natural disasters. The location of PIC within the “Pacific Ring of Fire” already exposes communities to extreme weather events and natural disasters and further heightens the region’s susceptibility to climate change impacts.

Several Pacific Islands governments have developed policy and strategies that are already in place and could be strengthened further to better capture and integrate disaster and climate-induced displacement and mobility. At the national policy level, human mobility challenges in disaster and climate change contexts are expressed across multiple policy spheres such as climate change, risk management, adaptation/resiliency, and sustainable development. Some policies recognize that upholding the rights of displaced populations in the context of natural disasters is of paramount importance. However, durable solutions for protecting the rights of displaced populations are lacking in both responses to and management of disaster- and climate-related displacement and mobility.

A literature review of key policy documents found that most PICs have a long way to go in ensuring the integration of disaster and climate-induced human mobility in the context of human security in its legislations, policies, and governance arrangements. The literature review and regional consultations found the following key points:

- There is need for intergovernmental or regional collaboration to meet the unique and growing needs of Pacific Island nations, including but not limited to developing clear and consistent policies and practices around displacement.
- The importance of community inclusion and involvement in planning and implementation stages to ensure effectiveness and relevance of policies or interventions.
- Inclusion and protection (access to resources, gender- and sex-based violence, trafficking) of gender and sexual minorities, elders, youth, and people with disabilities in these processes as groups with less resources and power yet often the most impact on the frontlines.
- Consideration for natural resource management to protect from natural disasters and possible outside exploitation when disaster strikes.
- Need for healthy food and water resources for the growing populations in these nations.
- The throughline of migration and displacement increasing and becoming more complex as a result of climate change.

This paper concludes with six (6) key policy and governance recommendations:

- 1) Strengthen Pacific Island governments' legislative policy and governance arrangements to address both forced and voluntary internal displacement and migration.
- 2) Encourage evidence-based approaches to disaster and climate-induced displacement planning and implementation.
- 3) Strengthen information management, data collection and analysis on climate change migration and displacement.
- 4) Engagement of traditional leaders, faith leaders, and vulnerable groups in formalized displacement and resettlement/relocation processes.
- 5) Strengthening and monitoring human rights protection for labor migrants using existing labor schemes in the region as an opportunity for at-risk peoples to seek economic empowerment and legal pathways for migration in the context of climate-forced displacement.
- 6) Protection of the region's natural resources amid projected climate change impacts from exploitation and for future generations.

## **Background**

The Mana Pacific Project is part of the ongoing process of Pacific activism seeking solutions to address the continued stress of climate change, for, with, and by our Peoples. It came about initially as a collaboration between five Pacific Island regional organizations, namely, the Pacific Climate Warriors, the Pacific Island Climate Action Network, the Loss and Damage Youth Coalition (Pacific), the Pacific Island Students Fighting Climate Change (PISFCC), and the Pacific Women Indigenous Network (WIN) in partnership with the Unitarian Universalist Service Committee (UUSC) and in collaboration with Friedrich-Ebert-Stiftung (FES) and the Climate Migration and Displacement Platform (CMDP).

This policy brief is intended to support civil society organizations (CSOs) to consider aspects of Human Rights, Migration and Displacement – issues that are critical and missing from existing local, national and regional, international and global policy documents. It is our intention that this policy brief will set the foundation for future policy recommendations relating to climate-forced migration, displacement and human rights, and allow Pacific Island civil society to continue building the document with arising gaps that are relevant to people living in displaced communities.

A review of existing policies illustrated gaps in human rights protection for Pacific Island communities and particularly populations who are already made vulnerable due to existing socioeconomic and political conditions. There are compelling precedents of community relocation that have happened in the region that have been referenced in existing policy frameworks. However, critical lessons learnt and strategies from these precedents that can be applied to our current governance systems have yet to be fully realized.

Identified issues have been overlooked by past policy makers or have been newly introduced as a result of continuous adverse climate conditions. Some of the issues overlooked by past policy makers include rights of displaced people within their country of residence, during the period of migration, and at their destination country. Other identified categories relate to impacts experienced by certain demographics of the population (i.e. gender, youths, and elders), as well as to natural resources such as water, land, environment, air, and security.

The main objective of the Mana Policy brief is to amplify issues gathered from the two-day regional consultation and from the literature review for advocacy at the SB58 Intercessions In Bonn, Germany and at the 53<sup>rd</sup> Human Rights Session in Geneva as well as future global and multilateral events. Our hope is that our advocacy in these spaces will increase awareness about the issues affecting Pacific Island grassroots and frontline communities to develop mechanisms guaranteeing human rights protections for people forcibly displaced by climate change.

## **Literature Review Findings**

### *Climate Migration and Displacement*

- Human Displacement - there is recognition of the global impacts of climate change on migration. However, there are no mechanisms that protect the right to return home. For example, the Banaban People have to go through layers of bureaucracy to access home islands, leading people to statelessness.
- Lack of empirical studies and data. Data is the biggest issue in migration. Lack of research about how people are displaced as a result of climate change, where people move, how and when and how they sustain themselves.
- Most of the countries in the region do not have a relocation or displacement guideline. Governments focus on resiliency building.
- In the aftermath of the volcano eruption in Tonga, hundreds of households were displaced, but the country did not have a national policy on relocation.
- At the regional and global levels, relocation is a priority. But in individual countries there is no relocation guideline (e.g., in Cogeia in Fiji, communities were displaced after a disaster in 2016 and again in 2021). Many people have been displaced and are living in tents.
- People affected by climate change and seeking refugee status in Australia are not recognized as refugees.

- The government of Australia is now increasing quotas for work visas as a legal pathway for addressing the risks of climate-forced displacement. However, labor mobility is not a form of climate justice and there are inadequate laws and policies protecting the rights of labor migrants.
- Some nationality laws in the Pacific do not contain sufficient safeguards against loss of citizenship and associated rights. For instance, not all PICs permit dual (or multiple) nationalities, and some countries prevent citizens who live overseas for a certain period of time from passing on their nationality to their children, potentially resulting in statelessness in some cases.
- Existing international, regional, and national policies in the Pacific do not directly address the legal status of people displaced in the context of natural disasters and adverse impacts of climate change. While those displaced within their own countries are protected by national and international laws, a legal gap still exists for cross-border migrants as a result of disasters or the impacts of climate change.
- While some progress has occurred in recognizing legal protection gaps at the multilateral level, very little has been done to ensure that these policies are implemented at the local level in the Pacific to ensure that those who wish to remain and those who wish to migrate do so with their rights protected.
- Disaggregated data relating to the economic, social, and cultural rights of people belonging to minority groups are needed to ensure that no one in the region is left behind.

#### *Water and Food Security*

- Water and food security are key challenges in the region. Increasing climate change impacts are limiting the availability of water and food, which are important push and pull factors in migration, relocation, and displacement.
- Pacific island nations such as Kiribati and Tuvalu face the climate consequences of a lack of healthy food and water resources to accommodate their growing populations.
- Lack of availability of these basic human needs have resulted in the forced migration of nationals from these island nations leaving behind other family and community members to occupy and safeguard their land and rely on limited available resources. Already displaced and at-risk households and communities do not have reliable access to clean, safe, and affordable water and healthy food options. People living in economic and financial poverty and those living in rural communities are also disproportionately impacted as the climate crisis further limits the availability and supply of water and affects the productivity of arable land.
- As a result of limited water and food resources (vegetation), community members resort to buying processed and imported food items from local stores and supermarkets. This exacerbates existing health disparities, which are made worse during extreme climate disasters.

#### *Environment, Oceans, and Air*

- Policy on compensating individuals suffering from the devastating impacts of climate change and adverse weather conditions contributed by big polluters, particularly those that have been forcibly displaced from their homes as a result of development projects that pertain to climate mitigation.
- Reviewing Environmental Impact Assessments (EIA) with attention to conflicting interests arising between developers and relevant stakeholders:

- The lack of monitoring and enforcement of human rights protections of communities living within and around the proximity of development projects and the lack of assessment of their displacement risks, particularly as it relates to the cumulative effects of climate change and development on the displacement of communities.
- Prioritizing human rights above profits.
- Policies on preventing mining and the extraction of minerals from areas that are projected to be underwater or lost as a result of the climate crisis, and protecting the rights of future generations of Pacific Islanders to those resources as part of their cultural inheritance.
- Safeguarding the rights of nature and the environment in the face of climate change.

### *Human Rights*

- Right to movement with dignity for climate-displaced individuals and communities.
- Protecting the rights of displaced populations must be at the forefront of any response and management of disaster, climate-related displacement and mobility.
- The rights and well-being of persons displaced through forced evacuation should be accounted for during movement and resettlement phases.
- Allocating land for planned relocation, addressing housing and land rights for temporarily displaced persons, and securing land in the public interest specifically with the intent of supporting populations displaced by disasters.
- Addressing the social rights of displaced persons by providing inclusive policies and social safety-nets.
- Ensuring that displaced populations and potential host communities are consulted and that free, prior, and informed consent is respected in any relocation process.
- Protecting cultural and traditional rights.
- Individual and communal rights are recognized and upheld in any discussions, policies and practices relating to the relocation of any community

### *Elders and Elderly*

- Prioritizing the welfare of elders during events that can lead to climate-forced displacement.
- Often, only those who are capable of relocating tend to migrate, leaving behind elders without any support.
- The dignity of elders should be recognized and assistance should be provided to support their mobility, and access to healthy living conditions, medical treatments, and basic necessities.

### *Youth*

- Youths as future leaders of our nations need to participate in decision making, including in matters relating to climate change and access to climate justice.
- Youth involvement invites more perspectives on building resilience within communities from grassroot levels to national and global levels.
- Youths must be recognized as agents of change, especially during the current climate crisis.

### *Disability*

- Information sharing needs to be accessible to people living with disabilities, particularly information relating to climate change.
- Individuals with disabilities must be given priority during climate displacement and must be provided adequate and accessible tools to allow them access.
- People with special needs' safety, security, rights, dignity and wellbeing must be prioritised through all formal displacement processes.
- In the existing labor migration schemes, members of families who are living with disabilities are not permitted by host countries to travel with their dependants. In some of these situations, children living with disabilities are left behind with relatives while their parents migrate overseas as labor migrants, breaking apart families. Discrimination on the basis of a person's disabilities is a significant human rights issue and should be addressed in any existing and potential migration/relocation policy.

### *Gender*

- Gender non-discrimination should be prioritized. At the community level, women, children and people who identify as LGBTQI+ are facing high levels of gender-based violence and are often discriminated against in decision-making spaces. These groups are undervalued and are most affected by the climate crisis. Yet, they are often the frontline responders.
- The Pacific's patriarchal system must be carefully addressed in planning and responses to ensure that women, children, and LGBTQI+ members of the community are centered and that their rights are protected.

## **Examination of Findings**

- Human mobility/displacement in the Pacific will increase with the growing impacts of climate change.
- Policy frameworks and policy instruments are in place, but they do not explicitly address human mobility or displacement, therefore clear strategies and directives are needed to explicitly address the human rights protections of climate-displaced persons.
- Safeguards are needed for the protection of the region's natural resources amid the worsening climate crisis.
- Protection of the region and its natural resources from corporations or governments that aim to capitalize on the region's loss and risks of displacement.
- Safeguards are needed for the protection of the rights of future generations and their cultural rights as it pertains to land loss and inundation due to rising seas.
- New tools and policies are needed to assess and track human mobility and displacement and the strengthening of existing tools (e.g., EIAs) to adequately address human rights and displacement risks.
- Coordination of the entire government approach is key to proactively and collectively leverage all existing resources, capacity and cultural perspectives. This should also incorporate additional capacity needs of local and national government and regional bodies to monitor, assess, and enforce policies and guidelines related to the protection of the human rights of climate-forced displaced populations.
- The inclusion and protection of vulnerable groups—i.e., elders, children, women, youths, people living with disabilities and LGBTQI+ communities—are critical in decision making from planning to implementation stages.

- Protecting the rights and dignities of displaced peoples and populations must be placed at the forefront of any response to and management of disasters, climate displacement and mobility.

## **Policy Recommendations**

Considering the perspectives shared by Pacific Island participants in the regional consultations that were conducted in April 2023, the following recommendations are made:

*Strengthen PIC government's legislative, policy, and governance arrangements to address displacement and migration from the impacts of climate change and disaster risks.*

- Amend existing or establish new legislation and legal frameworks in relation to relocation/resettlement/displacement and mobility to provide focus and clarity in institutional processes relating to intensifying climate change and disaster-induced displacement and to protect the rights of people forcibly displaced by the climate crisis.
- Partnership between CSOs and governments is needed for a more inclusive and holistic response to the multiple issues that populations experience. This also helps develop transparency and accountability.
- The Pacific needs to work together as a region to leverage our collective voice at regional and global levels.
- Enhanced capacity of government agencies to support the growing need for policy guidance, action, and enforcement on the issue of climate-forced displacement.
- Existing policies need to be made coherent. Policies at different agencies and organizations need to be brought together to identify areas of collaboration and where gaps exist. For example, urban and rural policy coherence and coordination is needed in the region due to distinct geographies, practices, and governance structures.
- To ensure accountability, comprehensive monitoring and evaluation procedures are needed to guarantee the efficacy of existing and proposed policies and activities. These should be developed to evaluate how policies are implemented, spot gaps, and modify plans in light of new information and evolving conditions.
- Provide adequate protection for people already displaced internally to ensure that they have adequate access to basic human needs and social services.
- Regional institutions that already exist, such as the Pacific Island Forum Secretariat (PIFS) should be leveraged to develop, implement, and monitor regional policies and practices relating to the issue of climate migration and displacement. Possible collaborations between other regional organizations and institutions should be strengthened to address regional cross-border migration.

*Encourage evidence-based approaches to disaster and climate-induced displacement planning and implementation.*

- Need for disaggregated data on LGBTQI+, sex workers, single parents, and elders due to the unique socioeconomic circumstances they experience in order to shape appropriate policy responses.
- The need for more climate research and data in the Pacific region, particularly with community consultation or involvement.
- The need for exploring the ways that our communities have traditionally and culturally stored and transmitted knowledge.

- Incorporation of traditional ecological knowledge (TEK) to inform policies and reflect the culture of peoples impacted by the policies.
- Need for people with lived experiences to be part of policy-making processes.
- Ensure that people most vulnerable and those on the frontlines (i.e., women, elders, children, youths, LGBTQI+, people living with disabilities, etc.) are ethically consulted and adequately compensated as their experiences are leveraged to inform policies.
- The use of traditional ecological knowledge to alleviate displacement brought on by climate change needs to be recognized as a policy approach to addressing climate-induced displacement. Traditional land management techniques, local decision-making procedures, and cultural norms can provide insightful analysis and practical suggestions for dealing with displacement and fostering community resilience.

*Strengthen information management, data collection, and analysis on climate change migration and displacement.*

- Improve the consolidation of baseline data for displacement including impacts and adaptation methods, which is critical for vulnerability assessments to prepare for future displacement.
- Research on the unique experiences of women and girls, youths, people with disabilities, and LGBTQI+ people. Consultations have found that women and young girls are sexually exploited (i.e., would negotiate sex to access food, water, and welfare in evacuation camps). There is also a lack of sexual health services, resulting in increases in sexually transmitted diseases and unintended pregnancies.
- The trauma of displacement negatively impacts mental health. Awareness and access to counselling is key for displaced communities.
- Gaps on existing data that links sexual health and reproductive rights with the amount of violence that gets exacerbated during crisis and in situations of climate migration and forced displacement
- Accurate data around the prevalence of gender-based and sexual-based violence in the Pacific region and sexual, reproductive, and health rights and climate change, particularly in areas around livelihood, security of women and young girls, to identify appropriate regulatory processes for protecting the rights of women and girls.
- Research to include gender and social inclusion aspects of climate-induced relocation, addressing the particular issues that women, children, the elderly, LGBTQI+ communities, people with disabilities, and other disadvantaged groups confront when they are displaced, as well as ensuring that these groups have a meaningful voice in decision-making.
- Human trafficking is also an emerging issue in the region, and one which will only intensify due to climate-forced displacement.
- There is also a need for disaggregated data on the socioeconomic, political and cultural rights of minority groups in the region in the context of climate migration and displacement.

*Engagement of traditional leaders, faith leaders, and vulnerable groups in formalized displacement and resettlement/relocation processes (i.e., in processes where relocation is led and resourced by governments)*

- Encourage and promote the inclusion of People With Disabilities (PWDs) and People with Special and Unique Needs throughout displacement processes.



- The role of non-government leaders should be supported in managing disputes, conflict, and reconciliations between displaced and host communities, and in finding and negotiating customary land allocations. including within and between islands, tribes and kinship networks, based on historical and customary links, and the potential for these connections to form the basis of land-sharing arrangements that will provide greater cultural security for displaced and host communities in the case of sudden or slow-onset disasters.
- Existing leadership at the community levels (village nurses, Turaga/Marama ni Koro (village headman or headwoman), etc) need to be trained on gender sensitivities, sexual exploitation, and human rights, particularly to enforce protections for a communities' most vulnerable populations during times of disasters.
- The safety, security, rights, dignity and wellbeing of PWDs, people with special needs, and other highly vulnerable groups must be prioritized throughout all formal displacement processes.
- Develop mechanisms that support the participation of people at risk of displacement and those previously displaced by disasters in operational planning and policy making processes.
- Freedom for displaced and/or resettled communities to participate in decision making in newly relocated communities or areas.
- Policies must protect the rights of people who choose to shelter in place. Households and populations must be given the option to remain in their homes and on their lands, and resources should support their decisions to do so. They should also be provided with information about the consequences and effects of staying or moving.
- Support is needed for people who do not wish to follow patriarchal or elite decision making. What does consent look like for women, children, youths, etc. in a patriarchal system where men are responsible for decision making?
- Everyone matters when it comes to relocation, and we need more comprehensive considerations for relocation policies and practices.
- Psychosocial support is needed for communities whose relocation is pending. Support and inclusion before, during, and after relocation is necessary.
- LGBTQI+ issues in the region are sensitive. Governments must recognize this and work with LGBTQI+ and civil society groups to develop policies and appropriate measures for the protection of LGBTQI+ issues in the context of climate change, displacement, relocation, and migration.

*Strengthening and monitoring human rights protections for labor migrants using existing labor schemes in the region as an opportunity for at-risk peoples to seek economic empowerment and legal pathways for migration in the context of climate-forced displacement.*

- Increase quotas for labor visas to neighboring countries where existing labor schemes exist.
- Reintegration training is needed for Pacific Peoples to prepare them to return to their origin countries to ensure they have the applicable skills needed in their home community.
  - For example, sustainable energy courses are offered by APTC for resilient energy. APTC is a training institution in the region that covers 10 countries—countries where PALM schemes are located.

- Training and education are needed before Pacific labor migrants access existing labor schemes in New Zealand and Australia. Before Pacific Island labor migrants go overseas, there is a need for more training about what they should expect in countries of destination, including understanding the types of visas that offer partial care, introductory courses in their field of work to help them integrate more into Australia and New Zealand's work culture. More professional development is needed to provide them with the ability to identify training needs. Pre-departure training should be staggered and should include topics such as work culture, rights of workers, who to contact when they experience an issue, etc. Information should be brought to workers by officers from host countries so that workers understand their rights.
- "Picking fruit is not climate justice." Many Pacific people who access these labor schemes feel homesick, have families and spouses back home, and experience mental health and social issues without adequate support. Pacific peoples are not able to fully practice their culture and face discriminatory practices by employers due to their migration status. Current labor schemes are fragmenting Pacific Island communities and culture. Climate mobility and labor mobility need to be explored with communities in Australia and those in the Pacific and safeguards should be enforced to protect the rights of workers and to support Pacific labor migrants to access permanent residency status and legal pathways for migration and intergration for their families.
- Types of jobs available for Pacific Island laborers are not dignified—the region should target medium to high-skilled jobs; maintaining their traditional, ecological knowledge and language. Reintegration skills also need to include these aspects.

*Protection of the region's natural resources amid projected climate change impacts from exploitation, for cultural survival and future generations.*

- The region and its people recognize that some of our islands will inevitably be lost due to the climate crisis and that our people will need to relocate or migrate. Despite this and as part of our shared commitment to survive as a people, Pacific Island governments must enact policies and legislation to protect our natural resources, even those that will be inundated by rising seas for future Pacific Island generations.
- Global mechanisms that protect and preserve natural resources should also be leveraged in PICs to support this goal, including the preservation of historical sites under existing UN mechanisms, such as UNESCO.