



Andrew & Renata Kaldor Centre for International Refugee Law Submission

Foreign Affairs, Defence and Trade References Committee
Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600

10 July 2017

Dear Committee Secretary,

The Andrew & Renata Kaldor Centre for International Refugee Law at UNSW welcomes the opportunity to provide a submission to the Committee's inquiry into the implications of climate change for Australia's national security.

The Kaldor Centre is the world's first and only research centre dedicated to the study of international refugee law. The Centre was established in October 2013 to undertake rigorous research to support the development of legal, sustainable and humane solutions for displaced people, and to contribute to public policy involving the most pressing displacement issues in Australia, the Asia-Pacific region and the world.

One of the Kaldor Centre's areas of expertise is the impact of climate change on displacement and migration, which is the focus of the present submission. The submission therefore relates to paragraph (f) of the Committee's terms of reference – 'other related matters' – but also touches on paragraphs (a) and (d).

If we can provide further information, please do not hesitate to contact us:
kaldorcentre@unsw.edu.au.

Yours sincerely,

Scientia Professor Jane McAdam
Director of the Andrew & Renata Kaldor Centre for International Refugee Law, UNSW

The links between climate change, disasters, and other causes of displacement are now undisputed. There is scientific consensus that the effects of climate change are aggravating and amplifying many 'natural' environmental hazards, including sudden-onset disasters such as flooding, cyclones, storm surges, water-logging, salinity intrusion, and riverbank erosion, and slow-onset processes like coastal erosion, including through rising sea levels.¹ This, in turn, may threaten a range of human rights including the right to life, health, housing, culture, means of subsistence, and, to be free from inhuman or degrading treatment.² The most drastic impacts of climate change are likely to be felt in the poorest parts of the world where human rights protection is often weak. Starting from a place of disadvantage hampers people's responsive capacity and resilience.

Climate change-related displacement is a multi-causal phenomenon. The impacts of climate change do not cause displacement on their own, but rather interact with other economic, social, and political drivers that themselves affect migration – like impoverishment, environmental degradation, recourse scarcity, lack of livelihood opportunities, and so on.

Climate change functions as a threat amplifier, magnifying risk. Disasters become disasters on steroids: more frequent and more intense. Climate change is also a process. Slow-onset impacts such as sea level rise or desertification take place over time, resulting in a gradual deterioration of living conditions that ultimately renders land uninhabitable. These may pose a more permanent risk to the sustainability of certain human settlements over the long term. Each community will experience the adverse impacts of climate change differently, and even within communities, different individuals will have different 'tipping points'.

Targeted policy interventions have the capacity to significantly reduce the risk and extent of future displacement. However, the science indicates that, irrespective of what mitigation or adaptation strategies are put in place now, some displacement is inevitable.³ Furthermore, '[u]nresolved displacement and a failure to address the drivers of displacement risk will, in turn, result in more displacement in the future.'⁴

¹ See generally Intergovernmental Panel on Climate Change (IPCC), *Climate Change 2014: Synthesis Report. Contribution of Working Group I, II, and III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change* (Cambridge University Press 2014); The Government Office for Science, *Foresight: Migration and Global Environmental Change: Future Challenges and Opportunities* (The Government Office for Science, London, 2011). For examples of the impacts on human movement, see W Neil Adger and others, 'Human Security' in IPCC, *Climate Change 2014: Impacts, Adaptation, and Vulnerability. Part A: Global and Sectoral Aspects. Contribution of Working Group II to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change* (Cambridge University Press 2014) 769–70.

² See generally, UN Human Rights Council, 'Report of the Office of the United Nations High Commissioner for Human Rights on the Relationship between Climate Change and Human Rights', UN Doc A/HRC/10/61 (15 January 2009) Annex.

³ Government Office for Science (n 1) 9–10.

⁴ Internal Displacement Monitoring Centre (IDMC), *Global Report on Internal Displacement 2017* (IDMC 2017) (9).

Climate change can both contribute to conflicts that cause displacement, and can exacerbate existing displacement.⁵ However, while there are pertinent *human* security concerns that arise in this context,⁶ there is little evidence to suggest that climate change-related movement will threaten national, regional or international security.⁷

Reasoned, empirically-grounded analysis has too often been overshadowed by alarmist and ill-informed assumptions about the numbers of people on the move, and the nature of that movement.⁸ As a result, the security analysis has been 'flipped' away from the needs of the most vulnerable communities (grounded in a human security approach) to instead focus on the national security of developed States, premised on the flawed notion that they will be inundated by people fleeing the impacts of climate change. That prospect is very unlikely, but if it is assumed to be true, then it will result in ill-attuned and inappropriate policy responses.

The reality is that most displacement and migration will occur *within* countries, not across international borders.⁹ Longer-term movement will generally be gradual rather sudden, and movement that is sudden (for instance, in the aftermath of a disaster) will often require temporary relief rather than permanent migration.

There is scant evidence to justify claims that there will be mass outflows of people across international borders which will threaten international, regional or national security, or generate new risks of Islamist terrorism or fundamentalism.¹⁰ Internal displacement may, however, generate low-level social tensions and potential conflict over key resources such

⁵ IDMC (n 4) 11.

⁶ See Adger and others (n 1); Lorraine Elliott and Mely Caballero-Anthony (eds), *Human Security and Climate Change in Southeast Asia: Managing Risk and Resilience* (Routledge 2013).

⁷ See eg François Gemenne and others, 'Climate and Security: Evidence, Emerging Risks, and A New Agenda' (2014) 123 *Climatic Change* 1; Betsy Hartmann, 'Rethinking Climate Refugees and Climate Conflict: Rhetoric, Reality and the Politics of Policy Discourse' (2010) 22 *Journal of International Development* 233; Nils Petter Gleditsch, 'Armed Conflict and the Environment: A Critique of the Literature' (1998) 35 *Journal of Peace Research* 381; Jon Barnett and W Neil Adger, 'Climate Change, Human Security and Violent Conflict' (2007) 26 *Political Geography* 639.

⁸ As Gemenne and others note (n 7) 4, 'there is insufficient evidence to support confident statements about climate change driving migration that in turn may lead to violent conflict.'

⁹ Government Office for Science (n 1) 9–10, 37; Asian Development Bank, *Addressing Climate Change and Migration in Asia and the Pacific: Final Report* (Asian Development Bank 2012) viii, 4.

¹⁰ See Jane McAdam and Ben Saul, 'Displacement with Dignity: Climate Change, Migration and Security in Bangladesh' (2010) 53 *German Yearbook of International Law* 233.

as land, housing, food, water and employment, and increase the human insecurity of the poor.¹¹

In order to address human security needs of those vulnerable to the impacts of climate change, the following strategies are required:

1. States need to **enhance disaster risk reduction and climate change adaptation** to build resilience in communities. By systematically integrating disaster risk reduction measures, there is a better chance that if disaster strikes, some people may avoid displacement altogether – or at least be displaced for a much shorter period of time. Australia could assist less developed States to achieve these goals by providing financial, technical and related assistance.
2. In some contexts, temporary forms of protection, such as **humanitarian visas or extended stay arrangements**, may provide short-term relief to people who are displaced by a disaster, or who are abroad when a disaster strikes and cannot return home. The evidence shows that most people in such circumstances will be keen to go home and rebuild as soon as it is safe to do so, but need temporary relief. Australia could consider developing formal arrangements to assist people caught up in such situations.
3. States should enhance **voluntary migration opportunities** so that people can move with dignity before disaster strikes or slow-onset climate processes render land uninhabitable. This could include bilateral or regional free movement agreements, training programs that prepare individuals to find work abroad, or the creation of special visa categories for people living in specifically identified regions. Australia could build upon pilot programmes, such as the Kiribati–Australia Nursing Initiative (KANI), and adjust eligibility criteria for other visa categories to enhance migration opportunities for people from at-risk countries. This would also help to create livelihood diversification strategies that help build resilience in countries of origin, including via remittances, circular migration and knowledge transfer.
4. In extreme cases, **planned relocations** may enable people to move out of danger zones before disaster strikes, or to move to safer areas in the aftermath of a disaster if return home is not possible. The vast majority of relocations will occur within countries, rather than across borders. To date, most internal relocations have occurred in the context of development projects and have often led to greater vulnerability and impoverishment. For this reason, it is essential that any planned

¹¹ See Jane McAdam and Ben Saul, 'An Insecure Climate for Human Security? Climate-Induced Displacement and International Law' in Alice Edwards and Carla Ferstman (eds), *Human Security and Non-Citizens: Law, Policy and International Affairs* (Cambridge University Press 2010).

relocations are undertaken with the full participation of affected communities, with their rights and interests safeguarded.¹²

The reality of climate change-related movement therefore contextualizes – and dampens – the flawed assumptions made about the security implications of climate change-related movement. The legal, policy, technical and scientific interventions that governments – including the Australian government – take now will determine whether, and for how long, people can remain in their homes, and whether doing so enables them to lead dignified lives or exposes them to risks and increased vulnerability.

¹² For further elaboration of these four strategies, see The Nansen Initiative, *Agenda for the Protection of Cross-Border Displaced Persons in the context of Disasters and Climate Change* (The Nansen Initiative, Geneva, December 2015) (endorsed by 109 States, including Australia).