

INTERNATIONAL CENTRE OF COMPARATIVE ENVIRONMENTAL LAW

Proposals concerning human displacement in the context of climate change in the "non paper" document of the ad hoc working group on the Durban platform for enhanced action, part A. draft agreement

Paragraph 14(f) of the Cancun Decision 1/CP.16 encourages Parties to take "Measures to enhance understanding, coordination and cooperation with regard to climate change induced displacement, migration and planned relocation, where appropriate, at the national, regional and international levels".

Doha decision 3/CP.18 paragraph 7 (a) (vi) encourages "further work to advance the understanding of and expertise on loss and damage, which includes [...] enhancing the understanding of [...] how impacts of climate change are affecting patterns of migration, displacement and human mobility".

Following this decision, further recognition in the Paris Agreement is necessary to consolidate these recommendations and address the existing gap in the context of climate change induced displacement, in order to help States and international community to deal with human displacement in the context of climate change.

The first draft Paris agreement that was leaked made references about climate change displacement in paragraphs 70.3 a., 75 and 76 concerning **damages and losses**, proposing the establishment of a **climate change displacement coordination facility** that provides support for emergency relief, assists in providing organized migration and planned relocation and undertakes compensation measures. This proposal was deleted in the new version of the "Non-paper".

Considering this question, our first proposition is to reintegrate the establishment of the climate change displacement coordination facility as one of the necessary measures to take into account the human displacement in the context of climate change.

In the **Preamble** it must be included the issue of the impact of climate change in human mobility and the need to take measures in the context of mitigation and adaptation policies to cope with human displacement as a consequence of climate change.

We recommend that human displacement should be addressed in the context of both mitigation and adaptation measures.

In Article 3 (Mitigation), the States should integrate in their communication concerning their nationally mitigation (contribution) (commitment) measures to prevent forced displacement of persons and communities as a consequence of climate change impacts, specially in the context of disasters.

The Article 4 (Adaptation) should integrate the impacts of climate change on human mobility and include provisions concerning the States adaptation policies to take into account the protection of displaced persons/communities or persons/communities at risk of displacement.

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In Article 4.5 - "5. Parties [shall][should][other] enhance their cooperation, including with respect to:" add a (d) human displacement / risk of human displacement as a consequence of climate change.

In the context of Article 4.6 "6. Each Party [shall][should][other] engage in a national adaptation planning process and enhance its adaptation plans, policies and actions. Such plans, policies and actions will vary depending on each Party's national circumstances and priorities, and could include:" States should include in the National Adaptation Plan measures to prevent and mitigate forced displacement due to climate change. These measures should be developed in concern with displaced communities or communities at risk of displacement. In this context, add (e) Undertaking measures with regard to climate change induced displacement, migration and planned relocation, where appropriate.

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