



May 16, 2016

Executive Committee
Warsaw International Mechanism for Loss and Damage
Platz der Vereinten Nationen 1
53113 Bonn, Germany

Re: Call for Submissions on Displacement and Climate Change (Action Area 6)

Dear Executive Committee:

The Sabin Center for Climate Change Law at Columbia Law School develops legal techniques to address the causes and impacts of climate change, including impacts on human mobility and displacement. Last fall, we published a working paper describing some key considerations in the design and implementation of the Climate Change Displacement Coordination Facility that was proposed in the draft negotiating texts for the Paris Agreement. Although this proposal was not included in the final agreement, we believe that the considerations outlined in our paper will be relevant for the development of any international mechanism to address displacement caused by climate change, whether it is situated within or outside of the United Nations Framework Convention on Climate Change. We are therefore submitting this paper in response to the call for input on policy, normative and institutional challenges and opportunities associated with minimizing, averting and addressing displacement.

We would also like to direct the Executive Committee to our past work with island nations that are at risk of displacement due to sea level rise. In 2011, we co-sponsored a conference with the Republic of the Marshall Islands to discuss the legal implications of climate change for such nations. This conference culminated in the publication of a book, [Threatened Island Nations: Legal Implications of Rising Seas and a Changing Climate](#), which outlines some key legal questions for these countries: If a nation's territory is completely submerged, is it still a state? Does it still have a seat at the United Nations? What happens to its exclusive economic zone? And do these countries have any legal recourse?

Going forward, we intend to continue providing legal support to help avert, mitigate and manage displacement caused by climate change. Such support may include: researching whether existing immigration laws provide a basis for granting temporary asylum or permanent residency to displaced persons; providing direct assistance to persons or communities that are imminently at risk of displacement; and drafting model laws or treaty provisions to help guide domestic and international responses to this problem. Should the Executive Committee determine there is a need for specific legal support, we would be happy to help fill that need.

Sincerely,

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