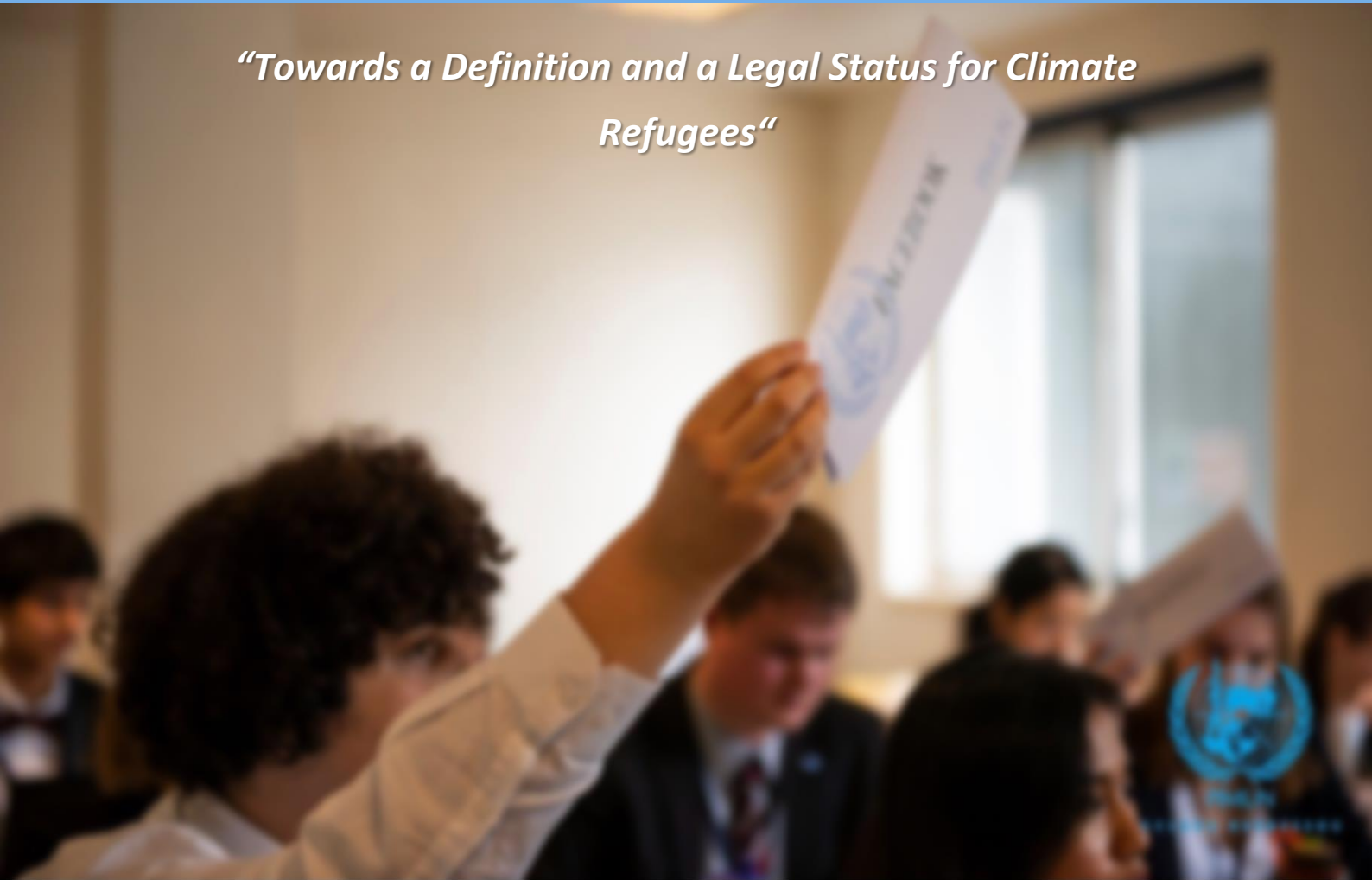




PIMUN  
2022!

# STUDY GUIDE UNHCR

*“Towards a Definition and a Legal Status for Climate  
Refugees”*



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## 1. COUNCIL AND TOPIC

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The United Nations High Commissioner for Refugees was established by the United Nations General Assembly as a body to deal specifically with refugee issues throughout the world. ECOSOC Resolution 319 laid out the UNHCR as a subsidiary body of the General Assembly. UNHCR is headquartered in Geneva, Switzerland. Since the establishment of the body, UNHCR has assisted over 50 million people. UNHCR's mission is to provide humanitarian assistance such as food, emergency shelter, medical, financial, and legal support, as well as to assist in the reintegration of those who can return to their country of origin and resettle those who cannot. The need for international support for displaced persons will be more relevant than ever in the future. It is estimated that by 2050 between 200 million to 1.2 billion people will have to relocate internally or externally due to climate-related circumstances. However, the international community is still debating whether to refer to the people displaced due to environmental disasters and/or climate change as “refugees” or “migrants”, two very differing categories that would also gravely affect the protection these people would receive if they had to leave their country of origin. The term "refugee" is defined in Article 1 A (2) of the 1951 Convention as a person who "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country," and is thus not directly applicable to people displaced by environmental or climate change-related disasters. To date, there is no single and distinctive definition for people forced to leave their homes for these reasons, and this issue has been hotly debated in the international community. For example, the IOM's 2008 World Migration Report refers to people displaced by climate change-related disasters as "environmental migrants." However, this raises the issue that migrants are considered under each state's national immigration laws, which may result in them having diminished protection and assistance and not being eligible for assistance refugees. Refugees, however, have legal protection under both national and international law, which obligates states to assist asylum seekers, while the UNHCR is responsible for assisting states.

## 2. INTRODUCTION TO THE CHAIRS

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Honorable Delegates,

We are thrilled to welcome you to the United Nations High Commissioner for Refugees (UNHCR) of PIMUN 2022. This study guide will give you an introduction to the topic that will be discussed in our committee, so we recommend that you read it carefully. Good preparation is essential for active participation and will also affect the quality of the discussion. But before we start with the topic, we would like to introduce ourselves to you.

### **Charlotte Stange:**

My interest for MUN was sparked in high school and has not died down since! Even though I am now a 22-year-old law student based in Hamburg, Germany, MUN still represents a significant aspect of my life. Beginning in 2019 I had the opportunity to aid in the organization of the HamMUN conference and take on the role of vice chairwoman for our local MUN society throughout 2020. While being online certainly made things...interesting, it also allowed for more international sessions, which was great to see!

Nonetheless I am very much looking forward to meeting all of you in person and counting the raised placards again!

### **Leah Mathiesen:**

I'm Leah, a 25-year-old German-American currently studying law at the University of Hamburg, focusing on International and European law. My involvement with the MUN world started in my first semester at the HanseMUN society in 2017, and then continued with attending numerous conferences as a delegate, chair and secretariat member of TLVMUN 2020-2022, and Secretary General of HamMUN 2019. Besides working, studying and doing MUN, I like to spend my time with sports, eating good food and of course – typical for MUNers – traveling. I'm excited to meet you all soon in Paris!

If you have any questions or concerns about the topics, the rules of procedure, or the committee in general, please do not hesitate to contact us. We are looking forward to meeting you in June.

Best wishes,

Charlotte and Leah

### 3. INTRODUCTION TO THE COMMITTEE

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The Office of the High Commissioner for Refugees (UNHCR) was established on December 14, 1950 by the General Assembly through the UN General Assembly Resolution 319 (IV) and began its work on January 1, 1951. The agency is the successor organization to the Refugee Commission of the League of Nations. It was initially intended to assist people who were displaced as a result of World War II, and was set up for a period of only three years; however, in the following decades, the flow of refugees continued to increase and UNHCR became a permanent organization.<sup>1</sup> Since 2005, in addition to its work for refugees, the UNHCR has also been the leading organization for the protection of people who are fleeing conflict within their country of residence, the so-called internally displaced persons.

#### **Mandate**

The UNHCR's mandate, established by its statute in 1950, defines that the organization's core mission focuses on providing refugees with access to different durable solutions and working with states to ensure access to protection from persecution.<sup>2</sup> Durable solutions for refugees, according to the UNHCR, include voluntary return, integration in the host country, or resettlement in a third country. The UNHCR's work also includes managing shelters and refugee camps. To assist displaced people, the UNHCR provides emergency relief and essential services such as clean water, sanitation and medical care, as well as shelter, household goods and food.<sup>3</sup> Today, the UNHCR operates humanitarian assistance programs for refugees, internally displaced persons, and returnees in 132 countries and employs more than 17,878 personnel.<sup>4</sup> Since its founding, UNHCR has helped more than 50 million people and was twice awarded the Nobel Peace Prize for its efforts, in 1954 and 1981.<sup>5</sup>

Today, 82.4 million people are forcibly displaced worldwide, 48 million of whom are internally displaced. 68% come from only 5 countries, Syria (27%), Venezuela (16%), Afghanistan (11%), South Sudan (9%) and Myanmar (5%). The 5 countries that have received the most

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<sup>1</sup> <https://www.unhcr.org/history-of-unhcr.html>

<sup>2</sup> <https://www.unhcr.org/3b66c39e1.html>

<sup>3</sup> <https://www.unhcr.org/what-we-do.html>

<sup>4</sup> <https://www.unhcr.org/figures-at-a-glance.html>

<sup>5</sup> <https://www.nobelprize.org/prizes/peace/1954/refugees/facts/>

refugees are Turkey (3.7 million), Colombia (1.7 million), Pakistan (1.4 million), Uganda (1.4 million) and Germany (1.2 million).<sup>6</sup>

## **Structure**

The UNHCR a part of the UN Programs and Funds, and reports annually to the General Assembly and the Economic and Social Council (ECOSOC). It is governed by its administrative body, the Executive Office, which is comprised of 85 members (2018) and meets annually. The executive office sets its strategy and oversees the UNHCRs activities worldwide and ensures accountability. It is also responsible for advising the High Commissioner in the exercise of their functions, authorize the High Commissioner to make appeals for funds, to approve the proposed budget and set the UNHCRs strategy.<sup>7</sup> The Executive Office includes the High Commissioner, Deputy High Commissioner, Deputy High Commissioner for Operations, Deputy High Commissioner for Protection, and the Head of Cabinet, as well as their staff. It liaises directly with high-level donors and States to ensure UNHCR's political and financial support. The UNHCR has its headquarters in Geneva, Switzerland, and is currently employing more than 17,324 staff members in 135 Countries. The office of the High Commissioner, elected by the General Assembly for a five-year term, is currently held by Filippo Grandi<sup>8</sup> and has previously been held by now secretary General of the UN, António Guterres.<sup>9</sup>

## **Funding**

The UNHCR's budget is based almost entirely on voluntary payments from states, organizations and private individuals. The agency receives only a small subsidy for administrative costs from the UN Budget. The UNHCR's annual budget in 2020 was \$9.13 billion. Of this, 86% comes from governments and the European Union and 10% from private donors. The largest contributor is the United States with 1.973 billion (42% of the total budget), followed by the European Union and its Member States with 1.613 billion (34% of the total budget).<sup>10</sup> However, underfunding remains a major problem for UNHCR, which received

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<sup>6</sup><https://www.unhcr.org/flagship-reports/globalreport/#:~:text=©%20UNHCR-,funding%20,-Despite%20the%20global>

<sup>7</sup> <https://www.unhcr.org/executive-committee.html>

<sup>8</sup> <https://www.unhcr.org/the-high-commissioner.html>

<sup>9</sup> <https://www.unhcr.org/antonio-guterres-portugal-2005-2015.html>

<sup>10</sup> <https://www.unhcr.org/figures-at-a-glance.html>

funding of only \$4.458 billion in 2020, mostly in voluntary contributions. In total, there was a 51% funding gap in UNHCR's budget. This regularly forces UNHCR to suspend or scale back several of its activities. The funding gap is largest for UNHCR's work in Iraq and South Sudan, where only 33% of necessary programs are currently funded, a shortfall of approximately \$720.9 million. The underfunding affects several critical services such as protection monitoring, legal assistance, education support, health and nutrition, and many others.<sup>11</sup>

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<sup>11</sup> <https://www.unhcr.org/underfunding-2020/>

## 4. Introduction to the Topic:

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The issue of climate refugees has become increasingly relevant over the past years, even though media coverage and political discussions may not have been on full display for the everyday citizen. While the topic of refugees has always been on the agenda of the United Nations and a well-known component of global history, reasons for refuge have usually been rooted in religious or racial intolerance, armed conflict or political agendas.<sup>12</sup> In order to be able to evaluate whether movement due to the escalating consequences of climate change can be seen as climate refuge, one has to first gain an understanding of how climate change can lead to movement, which results in forced displacement and refugees.

### **Climate Change**

Climate change as defined by the United Nations is “a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is, in addition to natural climate variability, observed over comparable time period”.<sup>13</sup> Effects of climate change can be seen in rising sea levels, drought, coastal erosion as well as land and ecosystem degradation.<sup>14</sup> While these consequences are undeniably significant long term factors that might lead to climate based displacement, disasters such as hurricanes, floods and wildfires show just how quickly someone might end up a “climate refugee”. Since 2010 weather emergencies have forced around 21.5 million people to move on from their residence every year, with roughly ninety percent of refugees stemming from the most vulnerable countries being least likely to be able to adapt to the impacts of climate change.<sup>15</sup>

### **Refugee**

The term “refugee” is commonly understood as any person experiencing involuntary displacement from their homeland,<sup>16</sup> which differs significantly from the legal definitions developed over the years. The most significant and well known definition would be the one proposed by Article 1 paragraph 2 of the Geneva convention in 1951 and defines a refugee as any person who “owing to well- founded fear of being persecuted for reasons of race, religion,

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<sup>12</sup> <https://www.britannica.com/topic/refugee>

<sup>13</sup> Article 1 United Nations Framework Convention on Climate Change (UNFCCC)

<sup>14</sup> 2019 International Migration and Displacement Trends and Policies Report to the G20, p. 12.

<sup>15</sup> <https://news.un.org/en/story/2021/04/1090432>

<sup>16</sup> <https://www.britannica.com/summary/refugee>



nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or unwilling to return to it”.<sup>17</sup> In some cases this definition has been extended to include events seriously disturbing public order as well.<sup>18</sup>

Undeniably the consequences of climate change in combination with pre-existing conditions such as violence or conflict might allow for coverage under pre-existing conventions, refugee status solely based on climate change related events is not guaranteed. The term “climate refugee” is also not endorsed by the UNHCR, instead the concerned persons are referred to as “persons displaced in the context of disasters and climate change”.<sup>19</sup> This term is not all that different to this 1997 definition of an environmental refugee as a “person displaced owing to environmental causes, notably land loss and degradation, and natural disaster”.<sup>20</sup>

### **Who is affected?**

Back in 2008 Myers already predicted there to be around 200 million climate refugees by the year 2050.<sup>21</sup> By 2018 the prediction for the number of climate refugees by the year 2050 had already increased to 216.1 million (85.7 million in sub-Saharan Africa, 48.4 million in East Asia and the Pacific, 40.5 million in South Asia, 19.3 million in North Africa, 17.1 in Latin America and 5.1 million in Eastern Europe and Central Asia).<sup>22</sup> Additionally, there are several island nations that are at risk to losing their entire territory due to rising sea waters, putting their entire population at risk.

Between 2008 and 2020, 318.7 million people have already experienced internal displacement due to disastrous weather events, while violence and conflict have only led to the displacement of 97 million people over that same period of time.<sup>23</sup>

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<sup>17</sup> The UNHCR addressed the issue of claiming refugee status under the Geneva convention in; *Legal considerations regarding claims for international protection made in the context of the adverse effects of climate change and disasters*, October 2020.

<sup>18</sup> 1969 OAU Convention 1984 Cartagena Declaration

<sup>19</sup> <https://www.unhcr.org/climate-change-and-disasters.html>

<sup>20</sup> Glossary of Environment Statistics, Studies in Methods, Series F, No. 67, United Nations, New York, 1997; <https://stats.oecd.org/glossary/detail.asp?ID=839>

<sup>21</sup> International Organization for Migration: Migration and Climate Change, No. 31, 2008, p. 11.

<sup>22</sup> Clement, Viviane, Kanta Kumari Rigaud, Alex de Sherbinin, Bryan Jones, Susana Adamo, Jacob Schewe, Nian Sadiq, and Elham Shabahat. 2021. Groundswell Part 2: Acting on Internal Climate Migration. Washington, DC: The World Bank, p.80.

<sup>23</sup> <https://www.internal-displacement.org/database/displacement-data>

## 5. Problems Identification:

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The process of developing a definition for people forcibly displaced due to the consequences and impacts of climate change must necessarily acknowledge significant issues to the topic. When drafting a new definition, the impact of the chosen terminology can often times be more significant than initially expected. When defining the term delegates might want to consider not only the current circumstances of spring 2022 but consider projections regarding the development of climate change and which consequences might warrant for someone to be considered a climate refugee. Another issue to consider would be the chosen terminology, as the UNHCR has actively distanced itself from the term “climate refugee” in the past. Most importantly though, the kind of legal status and privileges associated should be evaluated, especially with regard to the duration of asylum.

Back in 2009 Docherty and Gianni proposed that a definition for a person displaced due to climate change must include forced migration, temporary or permanent relocation, movement across national borders, disruption consistent with climate change, sudden or gradual environmental disruption, and a 'more likely than not' standard for human contribution to the disruption.

### **Climate – Scope**

Displacement due to climate change can be caused both directly and indirectly. While natural disasters such as hurricanes, floods, earthquakes, or wildfires create immediate displacement, adverse impacts such as rising temperatures, droughts, heat waves and melting glaciers can indirectly encourage economic migration.<sup>24</sup> Indirect factors hold a significant relevance for densely populated, agriculture dependent nations such as India, Nigeria, Pakistan or the Philippines as they are likely to become subjects of mass displacement due to extreme weather developments.<sup>25</sup>

Limiting the scope of the definition to long term effects of climate change could prove problematic as current international frameworks fail to extend legal protection to “climate

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<sup>24</sup> World Economics Forum, The Global Risks Report 2022, p.61, [https://www3.weforum.org/docs/WEF\\_The\\_Global\\_Risks\\_Report\\_2022.pdf](https://www3.weforum.org/docs/WEF_The_Global_Risks_Report_2022.pdf)

<sup>25</sup> World Economics Forum, The Global Risks Report 2022, p.61, [https://www3.weforum.org/docs/WEF\\_The\\_Global\\_Risks\\_Report\\_2022.pdf](https://www3.weforum.org/docs/WEF_The_Global_Risks_Report_2022.pdf)

refugees” or “environmental migrants” sudden disasters could likely result in the international framework being overwhelmed by a sudden spike of migration. For example, the Haitian earthquake on the 12th of January 2010 caused approximately 600,000 Haitians to relocate in the aftermath.

While all consequences of climate change can cause displacement within the population, evaluating when a displacement was caused by them might prove difficult. While sudden natural disasters are relatively straightforward to register, displacement caused by long term effects of climate change might be more difficult to prove, requiring long term data collection in most cases.

This also raises the question whether the scope should be extended from climate change related events to other natural catastrophes that might make the concerned area uninhabitable.

### **Refugee or Migrant**

While acknowledging those who fled their home due to the consequences of climate change as refugees rather than migrants may lend some urgency to the situation, there is a distinct difference between the terms which should be considered when forging a definition.

The term “refugee” as coined by the Geneva Convention on the Status of Refugees in 1951 and the 1967 New York Protocol grants right to asylum only to the qualifying individuals. Defining the ones displaced due to consequences of climate change as refugees despite not meeting the criteria of the Geneva Convention or New York Protocol might lead to confusion, as they would not be eligible to claim international protection. Widening the scope of the refugee term without the accompanying legal privileges could also be seen as weakening its overall meaning. Individuals attempting to claim their status as climate refugees might run into issues when required to prove that their displacement is caused by climate change.<sup>26</sup>

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<sup>26</sup> European Parliament Research Service Briefing: The concept of climate Refugee, towards a possible definition, October 2021, p. 2, [https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/698753/EPRS\\_BRI\(2021\)698753\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/698753/EPRS_BRI(2021)698753_EN.pdf)

On the other hand, employing the term “refugee” rather than migrant highlights the urgency of the situation while also lending credibility to the issue itself.<sup>27</sup> When speaking of migrants and migration instead of refugees it creates the impression that the individuals have relocated of their own volition, rather than due to their home becoming endangered by the consequences of climate change.<sup>28</sup> Additionally, forced displacement due to consequences of climate change primarily leads to internal rather than external displacement.<sup>29</sup>

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<sup>27</sup> <https://www.climate-refugees.org/why>

<sup>28</sup> European Parliament Research Service Briefing: The concept of climate Refugee, towards a possible definition, October 2021, p. 4,  
[https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/698753/EPRS\\_BRI\(2021\)698753\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/698753/EPRS_BRI(2021)698753_EN.pdf)

<sup>29</sup> European Parliament Research Service Briefing: The concept of climate Refugee, towards a possible definition, October 2021, p. 2,  
[https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/698753/EPRS\\_BRI\(2021\)698753\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/698753/EPRS_BRI(2021)698753_EN.pdf)

## 6. PAST ACTIONS

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In the past, there have been a variety of agreements and pacts amongst the member states that concern refugees and migrants, which in themselves have addressed environmentally displaced people in different ways.

### **Geneva Convention**

The Geneva Convention was adopted at a special UN conference in Geneva on July 28, 1951 and entered into force on April 22, 1954. It was originally limited to protecting European refugees immediately after World War II, but the Convention's scope was then expanded with the 1967 Protocol. It is the most important international document for refugee protection. It defines the rights and also obligations of refugees, which include amongst others the right to education and the right to work, as well as the prohibition against returning a refugee to a country where he or she fears persecution, known as non-refoulement. 146 states have acceded to the Refugee Convention, and 147 to the Protocol, most recently South Sudan on December 10, 2018.

Most people forced to leave their homes due to natural disasters and climate change are not refugees in the international legal sense of the Geneva Refugee Convention. However, it has been suggested that there may be situations in which the 1951 Convention's refugee criteria or the broader refugee criteria of regional refugee laws could apply, such as when climate change and related natural disasters result in armed conflict which then leads to displacement across borders or when certain groups in the countries are disproportionately affected by such disasters, for example, by being deprived of protection or relief measures. In the UNHCR's "Legal considerations regarding claims for international protection made in the context of the adverse effects of climate change and disasters", published in 2020, it is argued that:

"People seeking international protection in the context of the adverse effects of climate change or disasters may have valid claims for refugee status. They may have a well-founded fear of persecution under Article 1A(2) of the 1951 Convention. In addition, there may be grounds for international protection under general international human rights law, i.e. non-refoulement obligations, including the right to life. Whether such a claim for protection arises from sudden or slow-onset effects of climate change or disasters, States are bound to ensure access to fair and efficient RSD procedures under which the need for international protection is assessed."

An interesting example for the application on the term “refugee” for people who in foreseeable future could be forced to leave their home due to climate change is the case of Ioane Teitiota from Kiribati, a small island nation in the Pacific Ocean that is considered to be the first state to disappear due to rising sea levels. For this reason, Teitiota applied for refugee status in New Zealand, but this was rejected by a New Zealand court in 2015, on the grounds that there was no concrete evidence of life-threatening circumstances due to climate change and environmental degradation, and furthermore that Kiribati had taken sufficient protective measures. Subsequently Teitiota was repatriated to Kiribati in 2016. Teitiota then filed a complaint with the UN committee responsible for reviewing human rights violations, the Human Rights Council (HRC), on the basis of the "right to life" set out in the International Covenant on Civil and Political Rights. Although the committee did not find the New Zealand government's decision to deport Mr. Teitiota illegal, it recognized in principle that climate impacts can lead to displacement and further elaborated that national courts should take this into account.<sup>30</sup>

### **New York Declaration for Refugees and Migrants**

The 2016 so-called “New York Declaration for Refugees and Migrants” is a Resolution of the General Assembly that addresses how the international community should best deal with the growing global phenomenon of large refugee and migration flows and was adopted unanimously.<sup>31</sup>

### **Global Compact for Safe, Orderly and Regular Migration (GCM)**

The establishment of the GCM was laid out in Annex II of the New York Declaration of the New York Declaration for Refugees and Migrants. Global Compact for Safe, Orderly and Regular Migration (GCM) is an international agreement developed under the leadership of the United Nations General Assembly, which formally endorsed it in 2019. It is intended to cover the shares of global migration not already covered by the Global Compact on Refugees. It is the first intergovernmental agreement negotiated under the auspices of the United Nations that holistically and comprehensively regulates all dimensions of international migration. It contains a short subsection dedicated to “Natural disasters, the adverse effects of climate

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<sup>30</sup> Ioane Teitiota v. New Zealand (advance unedited version), CCPR/C/127/D/2728/2016, UN Human Rights Committee (HRC), 7 January 2020, available at: <https://www.refworld.org/cases,HRC,5e26f7134.html>

<sup>31</sup>[https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A\\_RES\\_71\\_1.pdf](https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_71_1.pdf)

change, and environmental degradation” and addresses resilience strategies and human rights amongst others but does not elaborate on specific definitions. The agreement is non-binding.<sup>32</sup>

## **Global Compact on Refugees**

Annex I of the of the New York Declaration of the New York Declaration for Refugees and Migrants laid out the establishment of a Global Compact on Refugees, which was affirmed by the GA in 2018. Its four main objectives are to “ease the pressures on host countries; Enhance reliance; Expand access to third-country solutions; Support conditions in countries of origin for return in safety and dignity.”<sup>33</sup> The Global Compact specifically states that “While not in themselves causes of refugee movements, climate, environmental degradation and natural disasters increasingly interact with the drivers of refugee movements.”<sup>34</sup>

## **Nansen Initiative**

Since 2012, UNHCR has supported the Nansen Initiative, launched by Norway and Switzerland that year, which aims to develop solutions for situations in which people are forced to leave their home regions by natural disasters. In 2015 the Nansen Initiative adopted the Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change seeks to help states improve their emergency preparedness and response in addressing transboundary disaster displacement. It also initiated a Platform on Disaster Displacement to support states in implementing its recommendations.<sup>35</sup> It does not call for a new legally binding convention concerning environmentally displaced persons at this time. The Nansen Initiative wants to ensure that protection programs are set up for people who have had to flee because of a natural disaster. The Nansen Initiative doesn’t refer to refugees, but rather to displacement, which describes forced movements of people, while the term migration is used for voluntary movements. It further specifically states that the Concept of “Climate Refugee” does not exist in international law and is not endorsed by the Nansen initiative.<sup>36</sup>

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<sup>32</sup> [https://disasterdisplacement.org/wp-content/uploads/2018/07/draft\\_final\\_gcm.pdf](https://disasterdisplacement.org/wp-content/uploads/2018/07/draft_final_gcm.pdf)

<sup>33</sup> <https://www.unhcr.org/the-global-compact-on-refugees.html>

<sup>34</sup> <https://www.unhcr.org/5c658aed4.pdf>

<sup>35</sup> <https://www.preventionweb.net/publication/agenda-protection-cross-border-displaced-persons-context-disasters-and-climate-change>

<sup>36</sup> <https://www.unhcr.org/5448c7939.pdf>

## 7. POSSIBLE SOLUTIONS

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In the past, the international community has provided a general course in which the issue of environmentally displaced people could be developed. However, sustainable long-term solutions are still lacking. The UNHCR could suggest amending existing pacts or conventions to include environmentally displaced people or suggest initiating a new pact that specifically addresses climate-related movements. This can also include a distinct definition for environmentally displaced people, that could either be closer to migration or to refugee, or existing definitions could be suggested to be amended. Additionally, suggestions for a legal framework could include specific protection and preparation mechanisms that specifically address situations where large migration flows are imminent due to climatic conditions in a particular region, based on models developed by climatologists, and what rights the people in this area should have. Furthermore, it should be addressed when exactly these protective mechanisms take effect in connection with how imminent the climate-based danger is. In addition, some of the island states, among others, face a major threat to their existence. How could a state without a legal territory be dealt with and what should be the status of its former inhabitants, taking into account the fact that a return is impossible, and how the non-refoulement principle could be applied?<sup>37</sup> The UNHCR assists in the resettlement of permanently displaced persons outside their home country, however, of the approximately 20.7 million refugees under UNHCR protection, only less than 1% are admitted to the resettlement program.<sup>38</sup> This is partly because few Member States accept resettlement, and the procedure can be very complicated and lengthy.<sup>39</sup> Resettlement provides displaced people with, among other things, a permanent right of residence, legal and physical protection, and integration into society.

As some argue that the expansion of UNHCR's powers and responsibilities to include internally displaced persons and victims of natural disasters would weaken the organization's core protection mandate and exceed its limited resources for refugee protection and assistance.<sup>40</sup> The delegates could address to what extent this concern is valid, and how it could be circumvented.

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<sup>37</sup> M. J. Fernández (2015) „Refugees, climate change and international law“, FMR 49

<sup>38</sup> <https://www.unhcr.org/resettlement.html>

<sup>39</sup> J. Prantl (2021), „The UNHCR in 2021: Refugee Resettlement as a Challenge of Underfunding, Power Imbalance and Impartiality“ available at: <https://voelkerrechtsblog.org/de/the-unhcr-in-2021-refugee-resettlement-as-a-challenge-of-underfunding-power-imbalance-and-impartiality/>

<sup>40</sup> N. Hall (2013), „Moving Beyond its Mandate? UNHCR and Climate Change Displacement“, Refugees, Migration and Climate Change



## 8. QARMAs (Questions A Resolution Must Answer):

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- Should the procedure and integration of Environmentally displaced persons differ from refugees?
- What should be the Focus of addressing environmentally displaced persons?
- Should Environmentally displaced persons be included under the term “refugee”?
- How to environmentally displaced persons differ from migrants?
- To what extent should the international protection laws and services of refugees be applicable to environmentally displaced persons?
- Should “non-refoulment” apply to people who are not yet environmentally displaced, but whose displacement may be considered a foreseeable future?

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