

## NGO Statement on International Protection

Dear Chair,

This statement has been drafted in consultation with a wide range of NGOs, with the objective of reflecting the diversity of views and commonality of purpose within the NGO community.

### Introduction

UNHCR recently launched its [2024-2030 Strategic Plan for Climate Action](#), including principles for protection-sensitive climate action programming. NGOs welcome this focused attention on climate action by UNHCR, as we see firsthand how climate change is making humanitarian crises and conflicts worse and is creating new risks in frontline communities, including threats of forced displacement, or of becoming 'trapped in place' as conditions grow increasingly harsh.

It is also important to highlight the disproportional effects of climate change: women and girls, particularly those reliant on farming and other climate-sensitive livelihoods and/or displaced by extreme weather events, face increased risks of gender-based violence. We also know that every child faces at least one climate shock per year and it is hurting children's health, food security, educational attainment and safety, for example by putting girls at risk of early and forced marriage.<sup>12</sup> Other data suggests that people with disabilities are two to four times more likely to die or be injured in climate emergencies and encounter unique risks when it comes to evacuation or face unnecessary institutionalization.<sup>3</sup> Furthermore, recent research indicates that LGBTQI+ people will experience greater effects of climate change and will have fewer resources to respond to its impacts.<sup>4</sup>

As UNHCR implements its Strategic Plan for Climate Action, we call on the Agency and its governing bodies to give particular attention to three international protection priorities.

**First**, continue to build internal capacity and that of member States to apply existing refugee protection instruments, including the 1951 Convention and regional agreements, to claims for international protection made in the context of adverse climate change impacts. **Second**, improve access to durable solutions for refugees and internally displaced persons (IDPs) living in climate-vulnerable locations. **Third**, ensure inclusion of refugees, IDPs, and other forcibly displaced populations in broader climate protection efforts, including [National Adaptation Plans](#) and sub-national or municipal climate resilience initiatives. These priorities are elaborated below.

### 1. International protection claims made in the context of adverse climate impacts

UNHCR's Strategic Plan for Climate Action rightly notes that climate change is increasingly linked to conflict and human displacement and that we can anticipate an increase in the number of people fleeing

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<sup>1</sup> [How is the climate crisis impacting on children? \(savethechildren.net\)](#)

<sup>2</sup> Global Girlhood Report 2023. [Global Girlhood Report 2023: Girls at the Centre of the Storm – Her planet, her future, her solutions | Save the Children's Resource Centre](#)

<sup>3</sup> [Disability in a Time of Climate Disaster | Harvard University Center for the Environment](#)

<sup>4</sup> [Climate Change-Related Disasters & the Health of LGBTQ+ Populations - ScienceDirect](#)

climate-fueled crises and disasters in the years to come. It is important to remember, though, that climate change is not only a vulnerability multiplier that increases risks of displacement from violence and conflict – it also increasingly drives displacement in all regions (as noted in the Intergovernmental Panel on Climate Change’s [Sixth Assessment Report](#)) and, for vulnerable communities living on its frontlines, constitutes a human rights threat in and of itself.

UNHCR’s October 2020 [Legal considerations paper](#) provides guidance on how existing international refugee law, including the Refugee Convention as well as regional agreements, may apply to claims for international protection made in the context of adverse effects of climate change. This paper notes that “both in the short and longer-term, affected populations may be exposed to a risk of human rights violations that amount to persecution within the meaning of the 1951 Convention.” This includes situations in which States are unwilling or unable to prevent or respond adequately to adverse climate change impacts due to the Art 1(A)(2) grounds, e.g., in ways that differentially harm specific racial, ethnic, or religious populations, particular social groups or holders of certain/perceived political opinions.

Already, climate-vulnerable communities around the world face serious threats to life, livelihoods, as well as physical and/or psychological integrity, including from increasingly frequent and intense extreme weather events, and from slow-onset processes that are critically degrading their means of survival. In situations where such threats force movement across borders, existing international protection frameworks should apply. We encourage UNHCR to continue its efforts to develop and strengthen applicable case law at national level for this purpose, and to reach out systematically to NGOs, civil society and impacted communities to include their experiences in relevant legal efforts.

We also urge UNHCR to develop comprehensive guidelines on international protection for climate-related cases (similar to the [guidelines for gender-related persecution](#)) as a follow-up to its legal considerations paper. These guidelines would provide essential legal interpretative guidance for governments, legal practitioners, decision-makers, the judiciary, and UNHCR staff involved in refugee status determination.

This would not negate the possibility of, or indeed preference for, in-place climate protections or safer climate mobility pathways within countries. It would, though, recognize that the viability of in-place solutions increasingly depends on member States – and particularly climate-polluting countries – fulfilling commitments to avert and minimize climate-induced displacement in the first place. This includes fulfilling international commitments for adaptation funding and contributing to the new Loss and Damage funding mechanism, in addition to taking robust measures to mitigate climate change, including through an urgent shift away from fossil fuels to renewable energy. Furthermore, the New Collective Quantified Goal (NCGQ) should establish an ambitious target that matches the kinds and levels of investment needed, going far beyond existing pledges. This is the only way to maximize global efforts to avert and minimize climate-induced displacement and related protection needs, while also responding to the protection needs of persons who are already on the move because of climate change impacts.

## **2. Access to durable solutions for refugees and IDPs in climate vulnerable locations**

Durable solutions are in short supply for refugees and IDPs, including persons displaced into climate vulnerable locations and families and communities who have been displaced by climate-related disasters. Climate change can make return to and long-term recovery in places of origin less viable, especially in contexts of recurring hazards or cascading events, as well as slow-onset events and chronic climate stressors, even when conditions that gave rise to violence and persecution may have improved enough to facilitate return.

As [highlighted by NGOs](#) at the March Standing Committee meeting, guidance from the Executive Committee on the role of third country solutions in responding to climate change and natural disasters continues to be very much welcomed. This could include easing barriers to registration for refugees fleeing disaster in their country of first asylum and encouraging mechanisms for the creation of additional resettlement quotas in the event of a disaster in a refugee hosting country. As part of these efforts, UNHCR should also include climate vulnerability among resettlement needs assessment criteria and develop related identification methodologies.

For IDPs who have fled or are at-risk of climate-induced disasters, planned relocation<sup>5</sup> efforts have often failed to provide meaningful protection. Civil society [consultations](#) organized in 2023 by the Climate, Migration and Displacement Platform (CMDP) and Friedrich-Ebert-Stiftung (FES) identified a number of reasons for this, including: limited or no support for livelihood opportunities or for protecting land rights; inadequate community participation in planning; insufficient consideration of physical and social infrastructure needs; inaccurate information or ineffective communication; and lack of resources and policy coordination across different levels and departments of government.

Drawing on its own expertise and that of its implementing partners, UNHCR should continue to contribute to strengthening planned relocation processes, both as a durable solution and preventative measure for climate-induced displacement. UNHCR and its intergovernmental partners, such as IOM and the Platform on Disaster Displacement, should invest in leadership by climate-impacted communities and displaced peoples' networks to identify and develop viable and community-centered approaches to planned relocation.

This could include co-convening processes in which impacted communities and member states can co-create planned relocation frameworks that are fit for purpose in the context of climate change. In Georgia, for example, the NGO Rural Communities and Development Association (RCDA) in 2023 worked with climate-impacted communities to document challenges created by the lack of a unified and systematic approach to displacement risks and planned relocation and to encourage new responses by the national government and its international partners. In a similar vein, the grassroots network Water Initiatives has made rapid assessments of protection challenges faced by people who have been relocated in India.

UNHCR should also continue to analyze and deepen its approach to age, gender, and diversity inclusion within climate responses to understand how climate change is affecting groups differently.

### **3. Inclusion of refugees and IDPs in climate adaptation and resilience planning**

As member States develop National Adaptation Plans (NAPs), and technical and funding partnerships to bring these plans to life, attention must be given to participation by and inclusion of refugees, IDPs, and other persons of concern, including analyzing vulnerabilities from an age, gender, and diversity lens. For example, displaced women and women's groups should be specifically targeted and included in these efforts: only 14% of adaptation actions globally target women, only 20% of NAPs and Nationally Determined Contributions (NDCs) have dedicated budgets for integrating gender equality and social

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<sup>5</sup> "Planned relocation" is one of three forms of human mobility named in the UNFCCC's Cancun Adaptation Framework, and refers here to the movement of households, groups, or whole communities, as a preventative measure in contexts where climate change is increasing displacement risks and/or threatening habitability. While it is often used as an umbrella term for this concept, other additive or complementary terms are also used in various contexts, e.g., "planned and inclusive just rehabilitation" by grassroots campaigners in India or "voluntary community-driven relocation" by the US government, in relation to internal planned relocation.

inclusion, and only 2% of budgeted activities address gender equality.<sup>6</sup> Displaced children and youth, people with disabilities, and other groups with particular protection risks should also be involved in consultation processes to develop NAPs.

Excluding forcibly displaced persons from important decision-making processes such as NAPs, and planning efforts for local risk reduction, anticipatory action, and disaster response and recovery threatens to make these plans ineffective. It also multiplies the potential protection needs of forcibly displaced populations living in climate vulnerable locations, and of climate-affected populations being compelled to move to secure the survival of their families.

UNHCR and member States should bear in mind that forcibly displaced and stateless persons in both camp and urban or non-camp settings are often forced to live in marginal spaces that are highly vulnerable to climate change impacts. This is also true for host community members who face discrimination and exclusion, e.g., because of race, ethnicity, disability status, diverse sexual orientation and gender identity or socio-economic status, among others. There is a growing need to work with host and displaced communities seamlessly to ensure participation in climate adaptation planning and equitable access to needed supports, including those focused on hazard mitigation, disaster recovery, climate-resilient livelihoods, energy transition, ecosystem services, climate protections, and common-pool resources.

NGOs welcome UNHCR's launch of a climate resilience fund to protect the most threatened displaced communities, equipping them to prepare for, withstand and recover from climate-related shocks. In addition, we express our support to the ExCom Conclusions Process on Climate Action in 2025.

We look forward to hearing UNHCR's and member States' reactions to these recommendations, and to discussing how NGOs can best partner with the different stakeholders to advance the priorities outlined in this statement.

Thank you.

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<sup>6</sup> [How to Make the New Climate Finance Target Work for Conflict-Affected Communities \(May 2024\)](https://www.rescue.org/en/news/2024/05/how-to-make-the-new-climate-finance-target-work-for-conflict-affected-communities) ([rescue.org](https://www.rescue.org))