

## **Are We Ready for the Perfect Storm?—Rethinking the Science, Ethics and Law to Address Environmental Migration**

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Prepared for UNU Conference on *Environment, Forced Migration and Social Vulnerability*, Bonn, Germany, October 9, 2008

### *Introduction*

It is a great pleasure to be here and I thank the organizers, particularly Prof. Dr. Janos Bogardi and Koko Warner, for bringing together such a diverse group of intellectual thought-leaders in this area.

In the past few decades, researchers, commentators and humanitarian agencies have warned of the growing stream of migrants leaving their homelands because of environmental disaster, drought and desertification. The warnings have often come with a plea to governments that these migration flows be better documented, monitored by early warning systems and considered in formulating national immigration policies. Having largely not heeded these cautions, we find ourselves in the midst of yet another problem—the migration disaster predicted under climate change scenarios, heading our way sometime between this moment and twenty years. We are all familiar with the problem that has befallen the U.S. and global financial markets this past week, with one headline from the *Globe and Mail* shouting, “Economic Storm Touches Down.” We also now face another impending storm, what may be the “perfect storm,” in terms of social vulnerability and conflict.

This is where three discreet social and political problems that independently could likely be managed converge to create one larger, more monstrous problem that may present an unmanageable crisis for the international community. These are: 1) the growing volume of migrants and hostility by receiving communities to this influx; 2) the lack of verifiable data on the causes and consequences of the problem that is needed for cogent solutions; and 3) the failure of a concerted and systematic set of policies and laws to adequately and justly govern this migration.

The consequence of our failure to prioritize this issue in science and policy arenas means that millions of poor who migrate to escape severe environmental conditions could face a more brutal future and that receiving communities could engender more conflict. All of us are likely to pay the price. It will cost more for the global community to fix the problem later than to seek solutions now. I will sketch out briefly why I think this is so, add to the mapping already done in the earlier remarks of my colleagues and, finally, suggest one aspect of the “solution” I hope that you will consider in the next few days of deliberations.

### *The problem of sheer volume*

There are about 200 million international migrants worldwide, or 3% of the global population, a doubling of the migrant population since 1960. In Europe there are over 56 million, more than 7% of the population. Over half of the global population of migrants is now comprised of women, a cohort more vulnerable than their male counterparts. The Red Cross estimated in 2003 that of all migrants, those displaced because of natural disaster or forced to migrate because of severe environmental problems, such as desertification and drought numbered 25 million, more than any other categories of refugees, with a significant number bound for Europe and the United States.

For Europe, the number of undocumented or “irregular” migrants is estimated to be growing, with a current count as high as 7-8 million. The growth in migration is largely coming from the African continent. About 350,000 migrants are being trafficked from Africa into Europe each year, with more than 100,000 trafficked across the Mediterranean to southern European shores. The perilousness of these trips, the deaths and human suffering were a common feature of the headlines throughout 2006. Yet, the number of migrants attempting to enter European jurisdiction continue to grow. The number of arrivals on the Canary Islands, for example, jumped from 4,700 in 2005 to 34,000 in 2006. Spain, Italy, Malta, Greece, Cyprus and Turkey have also borne much of this irregular migration. Not surprisingly, organized crime rings are gaining in size and sophistication in their quest to control the human trafficking business.

Migration resulting from the failure to arrest both environmental and agricultural declines is part of this pool of economic migrants. This migrant pool is destined to grow larger with the impacts of change change predicted by the IPCC, discussed below.

#### *The problem of ignorance*

Researchers have documented for years that there is link, a correlation, even a *causal* connection between environmental change and migration. The most obvious is displacement caused by natural disasters, such as the 2005 Tsunami. Less crisis-driven, but more systemic, is migration linked to desertification and drought. Poverty attendant with desertification--the deteriorating fertility of soils and consequently the reduction of farm income—is a determinant of migration. In some cases, migration is the only viable coping strategy for families affected by long-term desertification and drought.

None of these problems are new. The call to the world community to better document and anticipate movements related to pervasive land degradation and water scarcity came during the 70s and 80s. In 1994, many thought this cry was heard when governments negotiated the treaty to combat desertification and drought (“CCD”). That treaty expressly committed governments to support efforts to obtain better statistical and demographic information on where and how the most serious impacts are occurring, and to develop an early warning system to prevent future crises.

Yet, 14 years later, there are still significant deficits in the data, statistics on population movements and our understanding of the crisis points. Until recently, there were only a handful of studies that compared biophysical change with socio-economic change based upon data collected over time, or time series data, from representative

samples of migrating communities. As we look forward today, we have a bigger crisis to digest.

The large numbers of people likely to be displaced because of the impacts of climate change is daunting. The IPCC now tells us,

“climate change clearly will increase the vulnerability of some coastal populations to flooding and erosional land loss. Estimates put about 46 million people per year currently at risk of flooding due to storm surges. In the absence of adaptation measures, a 50 cm sea-level rise would increase this number to 92 million; at 1 m sea-level rise would raise it to 118 million.”

This does not include the migration likely from the 50% reduction in rainfed agriculture that the IPCC predicts for the African drylands---the origins of current migration streams to Europe. Those who do not migrate internationally will become internally displaced, adding to the burdens of the already fragile developing nations.

The studies, data, and modeling needed to address this phenomenon will now have to be so much more sophisticated. Time series data to correlate biodiversity loss, land degradation, poverty and migration is both difficult to obtain in developing countries and difficult to integrate spatially. As we seek to integrate climate change patterns to understand the biophysical dimensions of the problem, the scenarios necessarily become more complex and perhaps, less reliable. This, of course, assumes that the data can be obtained verified and analyzed in comparative formats. In many local areas, this will be a new process, lengthening the time by which we can obtain results to soundly predict trends and advise on policy reform.

### *The problem of politics*

The problem of politics now must be discussed, as the third ingredient of our storm. There is the politics of environment and development, the politics of migration, and then the politics of climate change.

Governments to date have not made land degradation and drought a political or financial priority, notwithstanding the CCD. Neither funding of scientific research nor the development of early warning systems anticipated by the Convention have materialized substantially. The reduction in overseas development assistance (“ODA”) for these issues reflects this lack of priority. We are thus further behind in finding solutions to helping the most vulnerable communities cope or to manage migration for positive results.

This lead us to consider the politics of migration. Migration remains highly politicized in OECD countries. There are no protections for environmentally-vulnerable migrants, those who simply have no choice but to move to sustain their lives. Migration law and policy has hardly advanced positively in the past few decades. Governments have alternately opened and closed their doors, loosened and tightened their border

security, encouraged or criminalized migrant workers. In my country, this fluctuates with each new administration—watch the elections in November.

We must also consider that in some countries migration is viewed as a viable development strategy. Remittances nearly doubled in Sub-Saharan Africa from 2000-2004, increasing from 4.9 billion to 8.1 billion. For some economies in this region, remittances now exceed ODA. For others, however, migration represents controversy over jobs, discrimination and cultural integration.

Added to these political variables is the new politics of climate change. The fighting among governments on what future action is required or urgent is something about which we can read in our news. The most salient aspect for this discussion is that governments are haggling over concepts of “adaptation” and how much money and what methodology to use in predicting the cost of coping with climate change. This is important to be sure but it has obscured any rational discussion on issues of prevention and mitigation on a meaningful timetable.

What does this have to do with migration? Focusing on prevention is important if we want to sharpen the lens on how we can best assist the most vulnerable communities in better managing their drylands and water supplies now, to avert harm or how to help them ensure greater resilience to climate impacts. As a colleague of mine, a writer in this field, Eugene Linden, recently commented to me, “mitigation may be your best “adaptation” strategy.” Not engaging in a robust dialogue around these issues may mean that someone else’s ‘adaptation’ strategy could be to encourage more irregular migration to your country. If Mexico, for example, chose to deal with the impacts of climate change and drought by encouraging more irregular migration to the United States (maybe because the U.S. refused to negotiate on how to prevent or manage the impacts), the United States would most certainly have a demographic crisis to manage.

The perfect storm, therefore, is the opposite of this foresight. It is the scenario we must envision if we allow these three significant problems to converge at their peak: the sheer volume of unskilled men and women uprooted from their lands, displaced, on the move; the lack of data on how or in what manner we can cope with the causes and consequences of these displacements; and the lack of any real legal framework to manage the crisis when the real eye of the storm hits us---the addition of nearly a hundred million more people swept into these movements by climatic events. We can expect significant conflict in our receiving countries, as there will not have been new laws or policies to help manage the situation, we can expect the spread of crime and lawless human trafficking rings, we can expect more poverty and human suffering. We can also expect the price tag for managing the crisis to go up.

### *Moving Forward*

We need not witness this future. I am hopeful that as we begin now we may indeed experience a less destructive climate. I would like to focus on what I believe is one aspect of the legal and institutional frame in moving forward toward solutions.

We have a critical need for governments to clarify the legal protection for environmentally vulnerable migrants. Immigration law is generally developed at the national level but the transboundary nature of the issues means we must act as a global community. Adopting thoughtful laws and policies for this group of migrants can help governments to better manage migration toward more productive ends—for communities of origin and for receiving communities.

Migrants, as opposed to refugees in general, receive little protection. Environmentally vulnerable migrants receive no protection. Nevertheless, as human beings, often among the most vulnerable in society, they are entitled to human dignity and human rights. The rights to life, water, food, shelter, health, family, culture, development and due process continue to apply whether they remain in their homelands or travel across borders. In times of economic stress, we tend to ignore human rights, blame the migrants for their plight, and our economic woes. It is even more necessary during these times to ensure that we have in place appropriate international standards based on human rights and humanitarian considerations.

Moreover, there are equity considerations in responsibility and burden-sharing. Migrants facing environmental disaster, particularly the impacts of climate change, are facing a problem wrought by the world's largest and/or fastest growing economies. China, the U.S., Europe and a handful of other Asian nations come to mind. Yet, many of these countries have laws that would prevent those affected from migrating legally. We would send them back to a despairing climate, or worse, criminalize them for seeking refuge in our developed countries.

We need a new perspective, a more humane one that recognizes how fast our world is changing and how out of date is our decades-old refugee convention. We can begin to do this by clarifying a set of international principles and standards for protecting migrants and negotiating in earnest a new Multilateral Migration Agreement.

*Why do I think this is part of the solution?*

Though there are human rights and humanitarian concerns, no cohesive migration treaty yet exists in this context. A new agreement can:

- clarify and uphold human rights and humanitarian norms;
- improve government cooperation across borders on training and development programs for affected communities, as well as on migration management; and
- mobilize financial resources.

It can help to answer questions like: How can we better identify and help the most vulnerable communities that may be forced to leave their homelands? How can we better utilize development assistance and remittances to strengthen the resilience of people wanting to remain in their homelands? How will already impoverished nations in Africa cope with a doubling or tripling of internally displaced persons?

How will we in Europe and the United States manage the pressure on our borders, in a just and humane way?

*Why do I think this is feasible?*

Immigration in some form or another will have to be considered by governments at the upcoming Copenhagen negotiation on climate change. It must be discussed as part of prevention and mitigation, as well as adaptation strategies.

Governments need guidance on a cohesive set of principles. A migration agreement that can encapsulate broader principles on voluntary and involuntary migration, identify standards for addressing forced environmental migration, and facilitate cooperation can be beneficial to all governments concerned.

If migration fails to be a part of the negotiations on climate, the “politics of migration” will control the fate of vulnerable communities, not sound planning and foresight. And, when the sheer volume of people affected becomes too great a crisis for one country, it will be left to the humanitarian agencies to address, with the typical over-expectation and under-funding. We should find this unacceptable.

*Why do I think this is Urgent?*

For nations on the front lines of climate impact, such as Small Island Nation States (SIDS), the need for dialogue on accommodation of their communities is urgent. They have no choice but to consider how to manage population out of harms way. There are few, if any, rules to guide them or the international community. The legitimately ask: Who will take these forced migrants when the time comes? Who will pay for this in the long term? How will communities and cultures stay united? Our nationally-focused “go it alone” strategy will simply not prepare us for the coming 10 or 20 year events. We need to envision a different future: one that is just, humane, promotes global cooperation and prepares for adversity, so we do not wake-up to find ourselves like the global banking industry today, in the middle of a perfect storm.