

THE NANSEN INITIATIVE

DISASTER-INDUCED CROSS-BORDER DISPLACEMENT



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TOWARDS A PROTECTION AGENDA FOR PEOPLE DISPLACED ACROSS BORDERS IN THE CONTEXT OF DISASTERS AND THE EFFECTS OF CLIMATE CHANGE

THE CHALLENGE

Every year around the world, millions of people are forcibly displaced by floods, wind-storms, earthquakes, droughts and other disasters. Many find refuge within their own country but some have to go abroad. In the context of climate change, such movements are likely to increase. National and international responses to this challenge are insufficient and protection for affected people remains inadequate.

While people displaced within their own countries are covered by national laws, international human rights law, the UN Guiding Principles on Internal Displacement and a few regional instruments, a serious legal gap exists with regard to cross-border movements in the context of disasters and the effects of climate change. These people are in most cases not refugees under international refugee law, and human rights law does not address critical issues such as their admission, stay and basic rights. Criteria to distinguish between forced and voluntary movements in the context of disasters have not yet been elaborated.

The situation is exacerbated by operational and institutional shortcomings, such as a lack of coherent institutional responses and effective inter-state as well as (sub-)regional cooperation.

THE RESPONSE

In view of this protection gap, there is a need for an inter-governmental process to address the challenges of cross-border displacement in the context of disasters and the effects of climate change.

With the adoption of paragraph 14 (f) of the Cancún Outcome Agreement in December 2010 (COP16), states recognized climate change-induced migration, displacement and relocation as an adaptation challenge, and agreed to enhance their understanding and cooperation in this respect. Based on the outcome of the Nansen Conference on Climate Change and Displacement in Oslo (June 2011), Norway and Switzerland pledged at the UNHCR Ministerial Conference in December 2011 to address the need for a more coherent approach to the protection of people displaced across borders in the context of disasters and the effects of climate change. The pledge was welcomed by several states and provides the basis of the Nansen Initiative.

THE APPROACH

The Nansen Initiative is a bottom-up, state-led consultative process with multi-stakeholder involvement.

To feed the Nansen Initiative process with good practices and build a sound knowledge base, inter-governmental regional consultations and civil society meetings are taking place (see map).

The results of the regional consultations and civil society meetings will be consolidated and discussed at a global inter-governmental consultation in Geneva on 12 and 13 October 2015. The Nansen Initiative does not seek to develop new legal standards, but rather to build consensus among states on the elements of a Protection Agenda, which may include standards of treatment. Its outcomes may be taken up at domestic, regional and global levels and lead to new laws, soft law instruments or binding agreements.

A follow-up process shall ensure wide dissemination and facilitate implementation of recommendations.

GOAL AND SCOPE OF THE NANSEN INITIATIVE

The overall goal of the Nansen Initiative is to build consensus among States on key principles and elements to protect people displaced across borders in the context of disasters caused by natural hazards, including those linked to climate change.

The planned outcome of this process is a protection agenda based on three pillars:

- 1 **INTERNATIONAL COOPERATION** and solidarity;
- 2 **STANDARDS FOR THE TREATMENT** of affected people regarding admission, stay, status; and
- 3 **OPERATIONAL RESPONSES**, including funding mechanisms and responsibilities of international humanitarian and development actors.

KEY AREAS OF THE PROTECTION AGENDA



The agenda will cover all relevant phases, namely

- 1 **PREPAREDNESS** before displacement occurs;
- 2 **PROTECTION AND ASSISTANCE** during displacement; and
- 3 **TRANSITION TO SOLUTIONS** in the aftermath of the disaster.

While the Nansen Initiative focuses on the needs of persons displaced across borders, it also addresses related issues such as disaster risk reduction, internal displacement, or the management of migration as an adaptation measure.

ORGANIZATIONAL STRUCTURE

With States as primary stakeholders, the Nansen Initiative is managed by a Steering Group, a Consultative Committee, an Envoy and a small Secretariat.

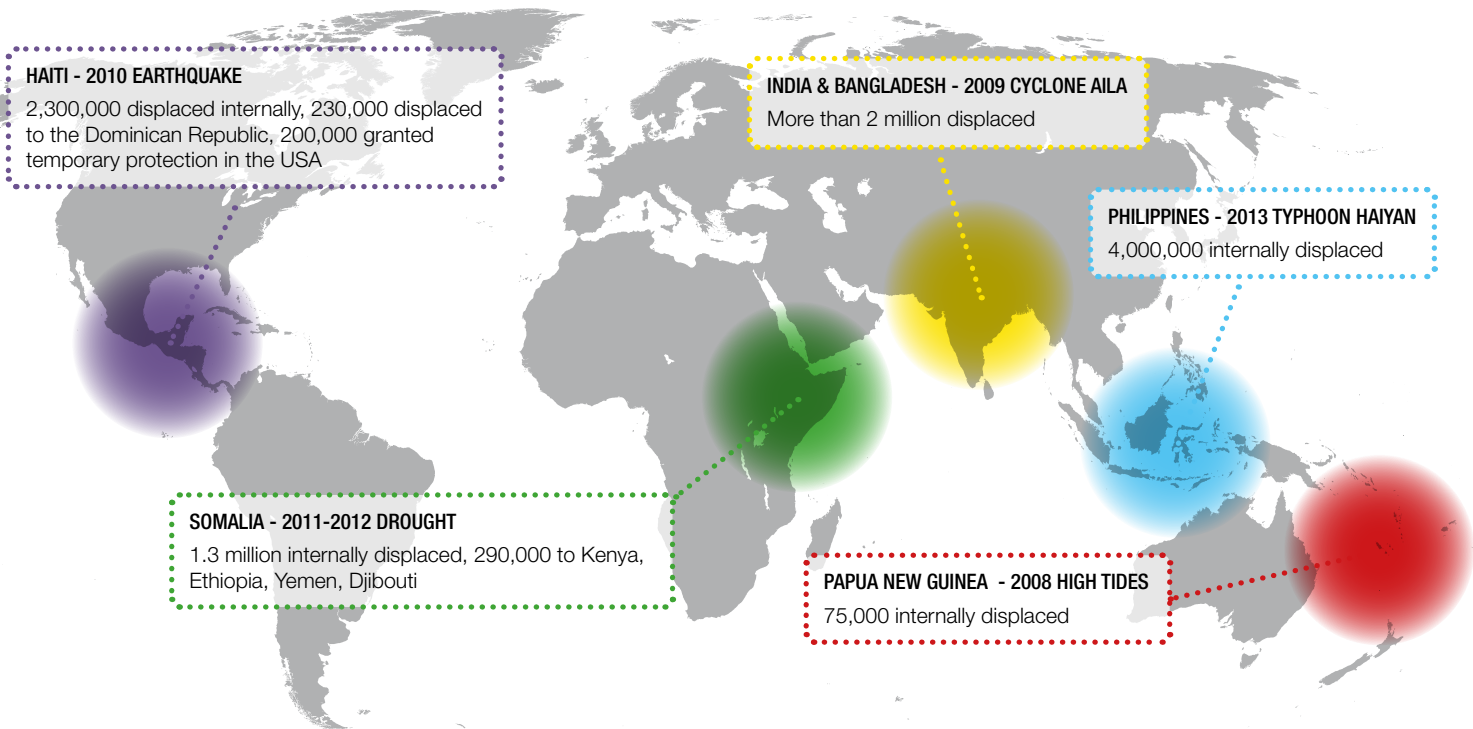
Nine states with balanced representation from the Global South and North form a **STEERING GROUP** that initiates, hosts, overviews and steers the process. The Steering Group is chaired by Switzerland and Norway and includes the following countries: Australia, Bangladesh, Costa Rica, Germany, Kenya, Mexico and the Philippines. The Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM) are Standing Invitees to the Steering Group.

A **CONSULTATIVE COMMITTEE** made up of representatives from international organizations dealing with displacement and migration issues, climate change and development, researchers, think tanks and non-governmental organizations are informing and supporting the process through the experience of its members.

A **GROUP OF FRIENDS OF THE NANSEN INITIATIVE** comprising interested states who would like to be associated with the Initiative contribute to the work of the Initiative with comments and proposals.

Professor Walter Kaelin acts as **ENVOY OF THE CHAIRMANSHIP** of the Nansen Initiative, representing it throughout the process and providing strategic guidance and input.

Finally, the process is supported by a small **NANSEN INITIATIVE SECRETARIAT** based in Geneva, Switzerland.



REGIONAL CONSULTATIONS

LEGEND: ■ Intergovernmental ■ Civil Society

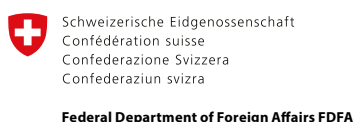
- 1 PACIFIC:** Human Mobility, Natural Disasters and Climate Change in the Pacific 21-24 May 2013, Rarotonga, Cook Islands
- 2 CENTRAL AMERICA:** Disasters and Cross-Border Displacement in Central America: Emerging Needs, New Responses 2-4 December 2013, San José, Costa Rica
- 3 GREATER HORN OF AFRICA:** Natural Hazards, Climate Change, and Displacement in the Greater Horn of Africa: Protecting people on the move, 3-4 March 2014, Nairobi, Kenya
- 4 CENTRAL AMERICA:** Disasters and Cross-Border Displacement in Central America: Emerging Needs, New Responses, 1-2 April 2014, Guatemala city, Guatemala
- 5 GREATER HORN OF AFRICA:** Natural Hazards, Climate Change, and Cross-Border Displacement in the Greater Horn of Africa: Protecting people on the move, 21-23 May 2014, Nairobi, Kenya
- 6 SOUTH-EAST ASIA:** Disasters and Displacement in South-East Asia, 30 June – 1 July 2014, Bangkok, Thailand
- 7 PACIFIC:** Impacts of Climate Change and Disasters on Human Mobility in the Pacific: Challenges and Opportunities, 18-20 August 2014, Suva, Fiji
- 8 SOUTH-EAST ASIA:** Human Mobility in the Context of Disasters and Climate Change in South-East Asia, 15-17 October 2014, Manila, Philippines
- 9 SOUTH ASIA:** Climate Change, Disasters and Human Mobility in South Asia, 3-5 April 2015, Khulna, Bangladesh
- 10 SOUTH ASIA:** Climate Change, Disasters and Human Mobility in South Asia, 2-3 February 2015, Kathmandu, Nepal

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