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Just Atonement Inc. (JAI) incites transformative social change by empowering lawyers and law students with the opportunities, training and means to defend democracy, human rights, and a livable planet.

JAI submits this written submission in response to the invitation by the Special Rapporteur on the human rights of internally displaced persons.

Specifically, JAI provides the following response to Question 10: *Information on how slow-onset effects of climate change are inter-related with conflict, i.e. how climate change and conflict combine to act as drivers and causes of internal displacement, and what specific combined effects they have on internally displaced persons.*

JAI calls to the attention of the Special Rapporteur its sole recommendation:

***All governments must commit to a global ceasefire and recommit to the principles of peaceful resolution of disputes and self-determination as the essential framework for stabilizing the climate and managing displacement in a humane and organized manner.***

**The Consequences of Climate Change Will Be Unfair**

1. High and upper-middle income countries contribute 86% of global CO2 emissions, while all of the low and lower-middle income nations of the world together contribute only 14%. The very poorest nations, home to 9% of the world’s population, contribute less than 0.5% of global emissions. 60% of the cumulative CO2 emitted between 1751 and 2017 was from the U.S., the E.U., and China alone.[[1]](#footnote-1)

2.  Poor nations have not been historic polluters and have not caused the climate crisis. Nonetheless, they will be the most impacted by climate change and the least able to protect against or afford its consequences. They are more likely to be located in hotter, dryer areas, at lower elevations, and/or in hurricane, cyclone, and tsunami zones, making them more vulnerable to sea-level rise, salinity intrusion, drought, and increased incidence and scope of natural disasters.[[2]](#footnote-2)

3. This unjust reality will only increase over time. One recent study concluded that warming has already increased global inequality between rich and poor nations by 25%, relative to a world without anthropogenic warming.[[3]](#footnote-3)

**Climate Change Is A Known Driver Of Displacement**

4. The 2007-2010 drought in the Fertile Crescent was the most severe drought on the instrumental record, which cannot be explained by natural variability alone. Century-long trends in precipitation, temperature, and sea-level pressure in the region suggest that “the recent drought had a significant anthropogenic component.”[[4]](#footnote-4) In Syria, the effects of the drought were further exacerbated by the unsustainable land-use policies of the Syrian government, which exploited the region’s limited land and water resources and significantly depleted the groundwater.[[5]](#footnote-5)

5. Up to 1.5 million people were internally displaced in Syria as a result of the drought. Many migrated to Syria’s cities, which were already overburdened by population growth and an influx of up to 1.5 million Iraqi refugees to Syria by 2007. By 2010, roughly 20% of Syria’s urban population consisted of Iraqi refugees and IDPs.[[6]](#footnote-6) This mass migration exacerbated many of the factors which contributed to the social and political unrest in Syria, including massive inequality, unemployment, overcrowding, and crime. A 2015 study thus concluded that the climate change-aggravated drought substantially contributed to the Syrian civil war.[[7]](#footnote-7)

6. Globally, in 2019, natural disasters and weather triggered 24.9 million new internal displacements, while violence and conflict triggered an additional 8.5 million displacements for a total of 33.4 million new internal displacements across 145 countries—in one year alone.[[8]](#footnote-8) These figures likely underestimate displacements caused by climate change in situations where climate change and conflict have combined to create an especially unstable environment: only 2,900 of the IDPs living in Syria in December 2019 were reported as being displaced due to disaster, compared to almost 6.5 million IDPs in Syria reported as displaced by conflict.[[9]](#footnote-9)

7.  India, the Philippines, Bangladesh, and China each recorded more than 4 million disaster displacements in 2019.[[10]](#footnote-10) Conflict and climate change also combined to produce significant displacement in 2019 in Somalia, Ethiopia, South Sudan, and Burkina Faso, among others. Based on political, economic, and demographic data as well as environmental factors such as rainfall and crop failures, the WPS Global Early Warning Tool predicts that water-related conflicts will develop before the end of 2020 in Iraq, Iran, Mali, Pakistan, India, and Nigeria.[[11]](#footnote-11)

8. Powerful countries in the world today have shown little solidarity with displaced peoples in Syria and elsewhere. Thus, the effects of climate change—and the chaos caused by the climate breakdown—are likely to act as a cover for traditional Great Power conflict.[[12]](#footnote-12)

**As Climate Change Starts to Strain Poor Countries, They Will Be Targeted For Exploitation By Great Powers**

9. Many of the world’s internal conflicts ultimately metastasize into Great Power proxy wars. The Syrian Civil War is a proxy conflict between the United States, Russia, and Turkey; the Yemen Civil War is a proxy conflict between Saudi Arabia and the United States on the one hand, and Iran on the other; the growing civil conflict in Venezuela is a proxy conflict between the United States and Russia.

10. Great Powers will not hesitate to break and annihilate societies if, in doing so, it will bring them perceived advantages. The United Kingdom broke India in 1948; France broke Indochina in 1954; and the United States broke Iraq in 2003, leading to present-day sectarian strife and the rise of ISIS.

11. Great Power meddling in North and Central Africa, Central America, the Middle East, and Southeast Asia has been in defiance of the United Nations Charter (the “**Charter**”).

12. The annihilation of smaller countries by Great Powers has led to tremendous numbers of internally displaced peoples and failed states. For example, the war in Iraq in 2003 produced approximately two million refugees and 2.7 million internally displaced persons by 2009.[[13]](#footnote-13)

13. Climate-induced disasters will produce historic strains on smaller countries that will produce new fissures and new forms of internal strife. It is likely that geopolitically sensitive countries will find themselves targeted by the Great Powers, to the extent that such fissures and internal strife present opportunities for external interference.

14. The imminent climate breakdown will provide perverse incentives for powerful countries to interfere in straining, suffering states, leading to (i) greater internal and external conflict, and (ii) greater internal and external displacement from those failing states.

**Countries Have An Obligation To Resolve Their Disputes Peacefully And To Support The Self-Determination Of All Peoples**

15. All countries, including Great Powers, have an *erga omnes* obligation to settle their disputes peacefully coming from treaties (such as the Kellogg-Briand Pact of 1928 and the Charter) and from international customary law.[[14]](#footnote-14)

16. All countries, including Great Powers, have an *erga omnes* obligation to respect the principle of self-determination. This obligation comes from treaties (such as the Charter, the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights) and from international customary law.[[15]](#footnote-15)

**All Signatories to the UNFCCC, Including Great Powers, Have An Obligation to Reduce Emissions and Support Poorer Countries**

17. All 197 countries that have ratified the United Nations Framework Convention on Climate Change (UNFCCC) have an obligation to stabilize greenhouse gas concentrations in the atmosphere at a level that will prevent dangerous anthropogenic interference with the climate system.[[16]](#footnote-16)

18. Developed countries have an obligation under the UNFCCC to “take the lead in combating climate change and the adverse effects thereof”[[17]](#footnote-17) and to “assist the developing country Parties that are particularly vulnerable to the adverse effects of climate change in meeting costs of adaptation to those adverse effects.”[[18]](#footnote-18)

19. Ignoring these obligations (at best), or exploiting and potentially breaking weaker countries in defiance of those obligations (at worst), in all instances will create the conditions for (i) greater internal and external conflict, and (ii) greater internal and external displacement from those failing states, producing people movements not seen since the species initially migrated out of the African continent, and wars not seen since the horrors of the Second World War.

**All Countries Must Reaffirm their Obligations Under the Charter and Should Support A Global Ceasefire**

20.  The Charter’s emphasis on creating and maintaining international peace and honoring self-determination of all peoples are more important than ever.

21. Unless powerful countries are willing to put aside Great Power conflict in favor of a unified, managed, and peaceful response to climate change, Great Powers will ultimately exploit the climate crisis for their own ends—creating a trail of failed and broken societies and millions or tens of millions who are internally and externally displaced.

22. On 23 March 2020, United Nations Secretary General Antonio Guterres called for all countries to commit to a global ceasefire in order to prioritize managing and controlling the SARS-CoV-2 pandemic.[[19]](#footnote-19) Our recommendation is that a global ceasefire is also the critical first step towards stabilizing the climate and preventing imminent social collapse of weaker countries—collapse that will inevitably lead to uncontrolled migration and displacement.

23. The management of internal and external displacement in an organized and humane way is predicated on governments trusting and cooperating with each other.

24. Such trust and cooperation, in turn, will only come about from a genuine commitment to solving the climate crisis through peaceful means.

25. Accordingly, we encourage the Special Rapporteur to recommend to the General Assembly of the United Nations that a global ceasefire be immediately announced within the context of the climate crisis; and that all countries, including Great Power countries, must reaffirm their commitment to (i) *erga omnes* and treaty obligations to resolve their disputes through peaceful means and to protect the self-determination of all peoples; and (ii) obligations under the UNFCCC to support poor and less developed countries in preparing for the historic challenges of the climate crisis.

26. **We emphasize that the breakdown and collapse of the Earth’s climate system is imminent and may have already commenced.[[20]](#footnote-20)** A universal commitment to a global ceasefire to stabilize the climate and manage displacement away from areas now at-risk from the effects of climate change must commence with **all deliberate speed**.

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**Acknowledgement**

*This submission was prepared by Dave Inder Comar (Stanford 2001, Stanford 2002, NYU School of Law 2005) and Emma Costello (University of Michigan 2016, Northwestern Pritzker School of Law 2022)*

1. <https://ourworldindata.org/co2-and-other-greenhouse-gas-emissions#cumulative-co2-emissions> [↑](#footnote-ref-1)
2. <https://www.un.org/esa/desa/papers/2017/wp152_2017.pdf> [↑](#footnote-ref-2)
3. Noah S. Diffenbaugh and Marshall Burke; *Global Warming has Increased Global Economic Inequality*, Proceedings of the National Academy of Sciences April 2019, 116 (20) 9808-9813; DOI:10.1073/pnas.1816020116; available at https://www.pnas.org/content/116/20/9808#ref-4. [↑](#footnote-ref-3)
4. Kelley, et al.; *Climate Change in the Fertile Crescent and Implications of the Recent Syrian Drought*, Proceedings of the National Academy of Sciences March 2015, 112 (11) 3241-3246; DOI:10.1073/pnas.1421533112; available at https://www.pnas.org/content/112/11/3241#ref-12. [↑](#footnote-ref-4)
5. <https://agupubs.onlinelibrary.wiley.com/doi/full/10.1002/2013WR014633> [↑](#footnote-ref-5)
6. Kelley, et al., *supra* note 4. [↑](#footnote-ref-6)
7. *Id*. [↑](#footnote-ref-7)
8. “Displacements” refers here to the number of movements, and not people, as individuals can be displaced several times. <https://www.internal-displacement.org/global-report/grid2020/> [↑](#footnote-ref-8)
9. <https://www.internal-displacement.org/countries/syria> [↑](#footnote-ref-9)
10. <https://www.internal-displacement.org/global-report/grid2020/> [↑](#footnote-ref-10)
11. <https://reliefweb.int/report/world/significant-risk-water-related-conflict-parts-iraq-iran-mali-nigeria-india-and-pakistan> [↑](#footnote-ref-11)
12. By “Great Power conflict,” we mean the historical phenomenon whereby powerful countries compete for dominion over the Earth through the exploitation and control of weaker countries. We assume that the five permanent members of the Security Council can be considered Great Powers, without limitation. [↑](#footnote-ref-12)
13. <https://www.everycrsreport.com/reports/RL33936.html#fn1> [↑](#footnote-ref-13)
14. Military and Paramilitary Activities in and Against Nicaragua (Nicar. V. U.S.), Judgment, 1986 I.C.J. 14, 105 (June 27). [↑](#footnote-ref-14)
15. Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, 2004 I.C.J. 136, 199 (July 9). [↑](#footnote-ref-15)
16. United Nations Framework Convention on Climate Change art. 2, May 9, 1992, S. Treaty Doc No. 102-38, 1771 U.N.T.S. 107 [hereinafter UNFCCC]. [↑](#footnote-ref-16)
17. UNFCCC, *supra* note 16, art. 3 § 1. [↑](#footnote-ref-17)
18. UNFCCC, *supra* note 16, art. 4 § 4. [↑](#footnote-ref-18)
19. https://news.un.org/en/story/2020/03/1059972 [↑](#footnote-ref-19)
20. Steffen, et al; *Trajectories of the Earth System in the Anthropocene*, Proceedings of the National Academy of Sciences Aug 2018, 115 (33) 8252-8259; DOI:10.1073/pnas.1810141115; available at <https://www.pnas.org/content/115/33/8252>. (“[E]ven if the Paris Accord target of a 1.5 °C to 2.0 °C rise in temperature is met, we cannot exclude the risk that a cascade of feedbacks could push the Earth System irreversibly onto a ‘Hothouse Earth’ pathway.”) [↑](#footnote-ref-20)