**Anti-Slavery International and the International Institute for Environment and Development**

***Response to the call of the UN Special Rapporteur on the promotion and protection of human rights in the context of climate change for input on addressing the human rights implications of climate change displacement, including legal protection of people displaced across international borders.***

**November 2022**

This submission by the UK-based Anti-Slavery International[[1]](#footnote-2) and International Institute for Environment and Development (IIED)[[2]](#footnote-3) , focuses on the modern slavery risks arising for individuals and communities who move in the context of climate change. Our research[[3]](#footnote-4) shows a clear link between climate-induced migration, displacement and modern slavery. The lack of recognition of this relationship results in an absence of strong, targeted policies, and thus lack of protection for the people who need it most. This link needs to be urgently recognised and addressed.

**What experiences and examples are you aware of, of individuals or communities, displaced by climate change?**

Even though the negative effects of climate change are felt across the world, to certain degrees, countries that have least contributed to it are most affected.[[4]](#footnote-5) Among them, the poorest and most marginalised inhabitants bear the brunt of and are the least resilient to the harmful effects of climate change,[[5]](#footnote-6) particularly those who face discriminations based on their social status, caste, ethnicity, race, age, ability, or gender, among others; women, children, and minorities face particular risk.[[6]](#footnote-7)

When socio-economic marginalisation hinders access to support systems, any vulnerabilities are exacerbated[[7]](#footnote-8) because people lack the resources needed to withstand the effects of climate-related shocks and rebuild their lives, other than migrating elsewhere. When decisions to migrate are taken under distress, as often in the context of climate change, people are made more vulnerable to modern slavery, especially when inequalities are already severe.

In the Sundarbans region in Bangladesh/India, for example, trafficking is thriving due to the negative impacts on individuals and households of climate change, and critically affecting the area. Widows, female-headed households, but also girls and men are targeted by traffickers and forced into exploitative labour and sex work. In Ghana, climate change is rendering women and girls more vulnerable to modern slavery as families sell them into marriage or to recruitment agents to reduce pressure from climate-induced lack of resources; this often intersects with gender-based discrimination.[[8]](#footnote-9)

Our research[[9]](#footnote-10) suggests that the link between climate change, migration and displacement and modern slavery can arise in three different contexts:

1. **Sudden and extreme climate events**, such as cyclones and hurricanes, which lead communities to migrate and expose them to different types of slavery. This is the most well-documented type of case; evidence shows a common increase in trafficking after such disasters. For instance, many women who widowed by cyclone Sidr in Bangladesh became a target for traffickers and were forced into sex work.
2. **Slow-onset climate events**, such as increasing temperatures and erratic rainfall, which negatively impact crop production and increase food insecurity, push people into finding alternative livelihoods opportunities elsewhere. This may take place via risky strategies that lead to debt-bondage or forced labour.[[10]](#footnote-11) For example, in Cambodia, farmers commonly end up selling their debts to kiln factory owners, who then force them into conditions of modern slavery.
3. The intersection between **slow-onset events and conflict and forced displacement**. Climate change events are a threat multiplier for conflict as resources become scarcer. When conflict arises in climate change-affected communities, existing institutions and mechanisms are weakened and their ability to support affected populations is low. Without adequate support to recover from external shocks, individuals and communities become more vulnerable to modern slavery.

A fourth context, highlighted by Dr O’Connell’s research,[[11]](#footnote-12) is where **environmental degradation** results from extractive industries and agri-business. This complex relationship sees pressure from global supply chains that drives demand for cheap labour; yet the destruction of the environment also pushes communities into migration and vulnerability to exploitation. This displacement can even lead people to find work in exploitative conditions in these same industries, a vicious circle in which climate change drives, and is driven by modern slavery. For example, environmental degradation resulting from gold mining in Madre de Dios, Peru, is leading former farming communities to migrate for survival and many find work in gold mines. With little access to support networks, such people are vulnerable to modern slavery.[[12]](#footnote-13)

**Do you think there are differences between the notion of climate change migrants and people displaced by climate change? If yes, what are these differences?**

We do not support making a distinction between the notions of climate migrants and people displaced by climate change because this can lead to the former being left at potentially greater risk of the negative effects of climate, as their vulnerabilities are overlooked.

As per the IOM Glossary on Migration,[[13]](#footnote-14) *climate (change) migration* indicates the movement of people as a result of slow or rapid onset climate change events. This movement is either forced or voluntary. *Displacement*, instead, is a term that specifically refers to people being forced to flee. This can be for a range of reasons, including natural disasters.

Yet an understanding of constraint in the context of climate change migration requires consideration. Even though the search for new livelihoods can appear to have mainly economic drivers, the decision to migrate due to a lack of alternatives is essentially forced, driven by survival needs.[[14]](#footnote-15) A western-centric view that strives to make a clear-cut distinction between voluntary and forced migration, as well as between economic and climate drivers, fails to grapple with the complexity of the migration spectrum and prevents people from accessing the protection they need. IIED’s most recent research in two Indian districts evidenced that vulnerability in the context of climate change is greater in slow-onset disasters than sudden disasters: support and protection mechanisms are more often triggered during sudden crises.[[15]](#footnote-16)

**What legislation, policies and practices are you aware of that are in place to give protection to the rights of individual and communities displaced by climate change?**

Existing frameworks do not sufficiently address the intersection between climate change and migration and do not recognise vulnerabilities to modern slavery. It is difficult to highlight existing promising practices due to a highly limited evidence base at scale. Much more research is needed into interventions that tackle the nexus between climate change, migration and modern slavery, and ensure protection for affected and at-risk peoples, particularly protection from trafficking and forced labour.

However, a positive step in the right direction is exemplified by the 2020 Intergovernmental Authority on Development (IGAD) Free Movement of Persons Protocol.[[16]](#footnote-17) By facilitating entry and stay to people migrating in relation to climate events, recognising migrants’ right to work, in line with the policies of the country of destination, and encouraging the portability of social security benefits, the Protocol promotes greater protection of those displaced by climate change from vulnerability to modern slavery.

**Please provide examples of policies, practices and legal remedies and concepts of how States, business enterprises, civil society and intergovernmental organizations can provide protection for people and communities displaced by climate change.**

Key responses to improve migrants’ protection and resilience in the context of climate change must:

* Address factors that generate inequalities; for instance, by ensuring that the most vulnerable in society have access to basic services and support systems, with consideration to specific characteristics and their intersections, like gender, caste and social standing. Generally, more research is needed to understand the degree to which different factors can prevent individuals and communities from pursuing risky coping strategies in different contexts.
* Design community-led solutions to climate-adaptation that are context-specific and meaningfully include women, youth, indigenous communities and minorities voices, along with survivors of modern slavery where relevant.
* Prioritise the drafting and implementation of national anti-slavery legislation and incorporate anti-slavery actions in national climate policy (see Q5).
* Create safe migration pathways that facilitate entry, work and residence, including paths for citizenship. for people displaced by climate change.
* Provide access to social protection and apply national (e.g. labour) legislation to migrants on an equal footing to country nationals.
* Hold businesses accountable for the impacts of their operations and value chains on people and the environment, by introducing mandatory human rights and environmental due diligence laws.

**What international, regional and national policies and legal approaches are necessary to protect people and communities displaced by climate change**

To improve the protection of those who migrate in the context of climate change and to reduce their vulnerability to modern slavery, as well as that of the families they leave behind or those who decide not to/are unable to migrate, it is vital that the link between these three dimensions is incorporated into:

* Climate finance via the loss and damage mechanism of the UN Framework Convention on Climate Change.
* National determined contributions and national climate adaptation, resilience, and loss and damage development plans. These plans need to grant special status and access to support systems to those migrating in the context of climate change and define prevention mechanisms against modern slavery. They should protect internal and international migrants alike.
* The Warsaw International Mechanism Task Force on Displacement, which should recognise the intersection of these issues and include it in the action plan, so that it can be considered within the framework of UNFCCC.

Lastly, it is essential that at-risk and affected communities are meaningfully included in all climate action negotiations at international level, and in decision making and design, particularly of local forms of resilience and adaptation. For example, evidence suggests that indigenous communities are key in identifying workable solutions, through their ancestral knowledge of the environments where they live.[[17]](#footnote-18) Similarly, the contributions of women – particularly most-affected women – are being increasingly recognised as crucial for climate adaptation, mitigation and societal resilience.[[18]](#footnote-19)

**Please provide separate considerations for people or communities internally displaced and those displaced across international borders.**

Migration in the context of climate change tends to remain internal or interregional, because people often don’t have the means or desire to move away from their homes.[[19]](#footnote-20) By 2050, the number of internal climate migrants in Africa, Asia and Latin America could reach 216 million.[[20]](#footnote-21) Yet the risks associated with internal migration are still overlooked.[[21]](#footnote-22)

The patterns of internal migration are diverse, but increasing pressure is being placed on urban areas, where growing numbers migrate to.[[22]](#footnote-23) In Bangladesh, for example, it was estimated that between one and two thousand people migrate to Dhaka every day, with large numbers motivated by climate considerations.[[23]](#footnote-24) Limited and inadequate infrastructure results in many migrants ending up in urban settlements, where they remain exposed to climate events[[24]](#footnote-25) and where precariousness and marginalisation increases their vulnerability to modern slavery, such as trafficking and forced labour.[[25]](#footnote-26) [[26]](#footnote-27) Unlike smuggling, trafficking can also happen within a country’s border, including within one locality.

More research is needed to identify the scale of migration and displacement in the context of climate change across borders.[[27]](#footnote-28) In these cases, the vulnerability of individuals to modern slavery is further increased by a lack of safe migration routes that further reduce their access to protection. Restrictive immigration rules often force people to find life-threatening and undocumented ways to enter a country, placing them at risk of exploitation by traffickers, unscrupulous employers and recruitment agents who take advantage of barriers to safe migration to severely exploit migrants. [[28]](#footnote-29)

**Should separate and particular considerations be given to indigenous peoples with respect to climate change displacement? What are these particular considerations?**

Climate change is not a neutral phenomenon. Women, children, youth, the elderly, and indigenous peoples, for example, are all affected differently. As risks to modern slavery often find their roots in inequality and power imbalances, this must be considered when designing solutions.[[29]](#footnote-30)

Indigenous peoples are heavily reliant on their lands and natural resources for survival, culturally, spiritually, and for their livelihoods. Global attention must be paid to the high risk of modern slavery for indigenous people, where their livelihoods are endangered because of climate change.

This is exemplified by the case of the Uru community in Bolivia, traditionally a fishing group. When Lake Poopo, Bolivia’s second largest lake, dried up the Uru lost access to the main natural resource on which their livelihoods depended: some migrated across borders to find employment in exploitative industries, whilst others migrated to urban areas to find jobs as domestic workers, a sector where modern slavery is also rife.[[30]](#footnote-31) The heightened risk of indigenous communities to trafficking due to climate change has notably been recognised by the Brazilian government .[[31]](#footnote-32)

1. [Anti-Slavery International](https://www.antislavery.org/), established in 1839, challenges modern forms of slavery by working with partners to tackle slavery’s root causes. [↑](#footnote-ref-2)
2. [IIED](https://www.iied.org/), established in 1972, is an international policy and action research organisation, working across the globe to find solutions to the world’s most pressing sustainable development challenges. [↑](#footnote-ref-3)
3. Bharadwaj, R. et al., [Climate-induced migration and modern slavery. A Toolkit for Policy Makers](https://www.antislavery.org/wp-content/uploads/2021/09/ClimateMigrationReportSep2021_low_res.pdf), Anti-Slavery International and IIED, 2021 [↑](#footnote-ref-4)
4. OHCHR, [UN expert condemns failure to address impact of climate change on poverty](https://www.ohchr.org/en/press-releases/2019/06/un-expert-condemns-failure-address-impact-climate-change-poverty?LangID=E&NewsID=24735), Press Release, 2022 [↑](#footnote-ref-5)
5. OHCHR, [Climate change the greatest threat the world has ever faced, UN expert warns](https://www.ohchr.org/en/press-releases/2022/10/climate-change-greatest-threat-world-has-ever-faced-un-expert-warns), Press Release, 2022 [↑](#footnote-ref-6)
6. Bharadwaj, R. et al., 2021 [↑](#footnote-ref-7)
7. Bharadwaj, R. et al., [Social protection and informal job market reform for tackling climate migration nexus](https://www.iied.org/21121iied), IIED, 2022 [↑](#footnote-ref-8)
8. Bharadwaj, R. et al., 2021 [↑](#footnote-ref-9)
9. Ibid. [↑](#footnote-ref-10)
10. [Research](https://www.antislavery.org/wp-content/uploads/2021/04/ASI_ViciousCycle_Report_web2.pdf) of Dr O’Connell shows evidence of people in the context of climate change pursuing migration even when the prospect of migration is exploitation. [↑](#footnote-ref-11)
11. O’Connell, C., [From a vicious to a virtuous cycle. Addressing climate change, environmental destruction and contemporary slavery](https://www.antislavery.org/wp-content/uploads/2021/04/ASI_ViciousCycle_Report_web2.pdf), Anti-Slavery International, 2021 [↑](#footnote-ref-12)
12. Ibid. [↑](#footnote-ref-13)
13. International Organization for Migration (IOM), [Glossary on Migration](https://publications.iom.int/system/files/pdf/iml_34_glossary.pdf), IOM, 2019 [↑](#footnote-ref-14)
14. Bharadwaj, R. et al, 2021 [↑](#footnote-ref-15)
15. Bharadwaj et al., [Climate change, migration and vulnerability to trafficking](https://www.iied.org/20936iied), IIED, 2022 [↑](#footnote-ref-16)
16. [Protocol On Free Movement of Persons In The IGAD Region](https://environmentalmigration.iom.int/sites/g/files/tmzbdl1411/files/event/file/Final%20IGAD%20PROTOCOL%20ENDORSED%20BY%20IGAD%20Ambassadors%20and%20Ministers%20of%20Interior%20and%20Labour%20Khartoum%2026%20Feb%202020.pdf), IGAD, 2020 [↑](#footnote-ref-17)
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18. O’Connell, 2021 [↑](#footnote-ref-19)
19. [Environmental Migration](https://www.migrationdataportal.org/themes/environmental_migration_and_statistics), Migration Data Portal, last accessed 09/11/2022 [↑](#footnote-ref-20)
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30. O’Connell et al., 2021 [↑](#footnote-ref-31)
31. [Submission of the Brazilian Government](https://owncloud.unog.ch/s/kFQa8RmZP4mSGn9?path=%2F1)%20States#pdfviewer), OHCHR, 2022 [↑](#footnote-ref-32)