

Human Rights Implications of Climate Change Displacement

Questions	Answers
<p>1. What experiences and examples are you aware of, of individuals or communities, displaced by climate change?</p>	<p>For Cambodia, climate change crisis is an exacerbating issue, as the capability and resource to reduce the impact of natural hazards is limited. There is a wide range of climate sensitive sectors such as agriculture, forestry, fishery can be seen, bringing the impact to rural communities located by the coastal area and riverbank, they are the most likely to meet the crisis. Unarguably, the vulnerability for subnational is much higher than in urban agglomerations. As the infrastructure to safeguard is either absent or cannot function as climate proofing.</p> <p>There cause of the displacement could be 2 sides:</p> <ul style="list-style-type: none"> <li>- From the economic point of view, in the countryside, some farmers still rely on conventional agriculture with the traditional practice method. Since the soil is less productive, causing agricultural output declines and the livelihood is much harder to be able to afford. Thus, seeking an alternative job in the city is the option.</li> <li>- Sudden natural hazard occurs, the water level rises up during the rainy season. There were real evidences about the climate change displacement in Cambodia, the cases of the Mekong riverbank collapsed in the past, which torn away households. A worse example happened in 2019, when 300 metres of riverbank collapsed in Stueng Trang district, Kampong Cham province, forcing hundred families to displace.</li> </ul>
<p>2. 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?</p>	<p>There are 2 definitions to differentiate to this:</p> <ul style="list-style-type: none"> <li>- <b>Climate change migrant</b> is the people who acknowledge to move searching for a better livelihood to support the living, since the threat of climate change becoming more extreme.</li> <li>- <b>Climate change displacement</b> happened after the people/ community already faced more often extreme hazards, the neighborhood is unsafe to settle, which force to displace in order to save the life.</li> </ul>
<p>3. 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.</p>	<ul style="list-style-type: none"> <li>- N/A</li> <li>- Note: Ministry of Environment has conducted the study on VA and develop climate change policy at country level. For sectoral adaptation and vulnerability assessment, line ministries prioritized their activities and develop action plan based on their mandate.</li> </ul>
<p>4. 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</p>	<p>Public and private partnership plays an important role in terms of building collaboration in the society development. Each entity is heavily depending on each other to sustain its operation and PPP role to address social/ global issues and together, in the name of <i>Corporate Social Responsibility CSR</i>, it is a responsibility and matter for all. On one side private sector, namely business enterprise,</p>

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<p>and communities displaced by climate change.</p>	<p>civil society, NGO, these entities have multiple missions and able to contribute differently, based on the commitment and resource, by providing technical expertise and budget possibly to call 'climate change tax/responsibility'. On the other side, the public sector, the government will arrange the budget to build resiliency, warning system, climate proof planning tool and disaster risk reduction and so on to effectively take action responding to climate change displacement.</p>
<p>5. What international, regional and national policies and legal approaches are necessary to protect people and communities displaced by climate change</p>	<ul style="list-style-type: none"> <li>- There are already few nations created policies regarding climate change-related to human rights. INGOs also working on a similar case to give rights protection support to those who are in dire need of displacement. OHCHR, HRF and IDMC are few of them, with approaches in terms of historical data recording globally. <i>'In the IDMC data portal recorded internal displacement associated with disasters in between 2008 to 2021 about 827,449 of internal displacements. Last year, in 2021 there were 15,000 Internal Displacement and the total number of Internally Displaced People IDPs were 5,800 in Cambodia'</i>.</li> <li>- At this point of time Cambodia has not yet prepared its national policy for climate change displacement. Anyways, Cambodia is party to the following international human rights treaties of relevance to displacement in the context of disasters and climate change: <ul style="list-style-type: none"> <li>• Convention on the Elimination of Racial Discrimination 1965 (CERD)</li> <li>• International Covenant on Economic, Social and Cultural Rights 1966 (CESCR)</li> <li>• International Covenant on Civil and Political Rights 1966 (CCPR)</li> <li>• Convention on the Elimination of All Forms of Discrimination against Women 1979 (CEDAW)</li> <li>• Convention on the Rights of the Child 1989 (CRC)</li> <li>• Convention on the Rights of Persons with Disabilities 2006 (CRPD)<sup>2</sup>.</li> </ul> </li> </ul>
<p>6. Please provide separate considerations for people or communities internally displaced and those displaced across international borders</p>	<p>1)- Most displacement normally happens within the country, it is much easier to control. The government has already provided humanitarian aids, incentives for displaced people in neighboring regions, where safety is secured and resource available to support new livelihood.</p> <p>2)- Cross-border displacement is another step when neighboring regions within the country is nonexistent or undeveloped. But due to some administrative duty, bureaucratic procedure and cultural hindering cross-</p>

<sup>1</sup> IDMC (2022) 'Country profile Cambodia', Geneva, Switzerland

<sup>2</sup> Raoul Wallenberg Institute RWI (2020), 'Cambodia National Law and Policy Report, Displacement in the Context of Disasters and Climate Change' Jakarta, Indonesia

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	<p>border displacement. The governments may have to work together with the countries close to its geographical location breaking the boundary ensuring, safety is secured and with the inclusions of long-term humanitarian/ mentality support, living rights, social protection and accessibility to basic needs for the high priority vulnerable group.</p> <ul style="list-style-type: none"> <li>- Some initiative, a policy report by UNFCCC 'Human rights climate change and cross-border displacement'. And in 2015, 109 governmental delegations endorsed the Nansen Initiative Protection Agenda, which identifies tools to help states prevent, prepare for, and address "protection needs of people displaced across borders in the context of disasters and climate change." States are already using the tools it provides, such as humanitarian visas or temporary protection and stay arrangements<sup>3</sup>.</li> </ul>
<p>7. What do you understand by the concept of "climate change refugee"? Do you think that the UN Refugee Convention should include a separate category for climate change refugees? How do you think this would work? What other legal options may be possible?</p>	<ul style="list-style-type: none"> <li>- Climate change refugee can be described as a victim faced life threat, seeking a legal residency status in other countries after forced leaving their community cause by devastated disaster.</li> <li>- What the world knows, climate change is a global burden, every nation must take an urgent act in a responsible and collaborative manner. When it comes to humanitarian, it is of course a priority to include a separate category for climate change refugees. Due to the fact that, the UN Refugee Convention was created since 1951, when climate change agenda was not broadly awoken. Therefore, a separate category will match today's agenda much more.</li> </ul>
<p>8. Should separate and particular considerations be given to indigenous peoples with respect to climate change displacement? What are these particular considerations?</p>	<p>Climate change refugee status should be applied as one size for all, which meant regardless of nationalities, races, colors, religions, politics. There is no obligation to include a particular consideration for a group of people.</p>

<sup>3</sup> UNHCR (2017) 'Why UNHCR is taking action on climate change displacement' Geneva, Switzerland