Between Rights and Resilience: struggles over understanding climate change and human mobility.

Abstract
Increasingly the climate change and human mobility nexus (put simply, the impacts that climate change will have on human mobility) is conceptualised as being played out in a landscape of risks to which people must become resilient. This is leading to the narrative that, in order to increase resilience, migration may be adopted by populations vulnerable to the effects of climate change as a climate change adaptation strategy. In order to lead to positive outcomes (for migrants, sending states, and receiving states) this migration should be managed and orderly. Human rights appear only at the margins of these narratives, although there are clear human rights concerns caught up in the climate change and human mobility nexus. A more human rights-based narrative, although existing, has not gained the same prominence and is often relegated to the side-lines. Understandings of climate change and human mobility are therefore caught between rights and resilience, with both understandings sitting uneasily side-by-side. This chapter explores the challenges that may be preventing a human rights-based approach to human mobility in the context of climate change and outlines the alternative narratives of resilience and migration management that are becoming increasingly mainstream. This analysis is used to inform a discussion on potential entry points for human rights to debates on climate change and human mobility and concludes with a call to the human rights community to be more involved in this burgeoning area of both academic enquiry and governance. This is an important analysis, because through understanding how dominant narrative and functioning and where entry points may exist for other voices, a contribution can be made to opening up the discursive landscape and allowing for the nexus to be understood, and governed, in different ways.

Introduction
“Human mobility in the context of climate change is a climate justice issue. It illustrates the important linkages between climate change, sustainable development and human rights. Migration rarely occurs as a direct effect of climate change; it is motivated by a range of issues that are environmental, social and economic. So addressing migration as a climate, development or human rights issue only is unlikely to be effective – instead responses need to be found across the international processes addressing these issues and translated into actions on the group at the regional and national level.” (Mary Robinson, 2015).

The human rights community is increasingly making the link between human rights and climate change. The position of UN Special Rapporteur on Human Rights and the Environment has been established, the human rights heavyweight Mary Robinson has been made UN Special Envoy on Climate Change, a series of Human Rights Council Resolutions have recognised the link between human rights and climate change (Human Rights Council, 2008, 2009, 2011, 2014, 2015), and the area of work is being increasingly taken up by the Office of the High Commissioner for Human Rights (OHCHR 2015). Pre-negotiations in Geneva in the run-up to the Paris climate change negotiations were harnessed by the human rights community to raise the profile of human rights in the context of climate change, where a group of states1 announced the Geneva Pledge on

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1 Initial signatories of the Geneva Pledge were: Costa Rica, Chile, France, Guatemala, Ireland, Kiribati, Maldives, Marshall Islands, Micronesia, Mexico, Palau, Panama, Peru, Philippines, Uganda, Uruguay, Samoa, and Sweden.
Human Rights in Climate Action, in which they emphasised the importance of human rights in climate action and pledged to improve coordination between their involvement processes surrounding the UNFCCC and the Human Rights Council (The Geneva Pledge, 2015).

In parallel, the human rights consequences of irregular human mobilities have been increasingly coming into the spotlight globally. The humanitarian catastrophe playing out at Europe's borders, with people continuing to risk their lives crossing the Mediterranean, has been catapulted into the public consciousness and has not been neglected by the human rights community. Criticisms of the conditions (and related human rights concerns) leading to these irregular movements of people and the dangers faced along the journey to safety are becoming the focus of attention, as are critiques of the policy responses of the European Union and the conditions people are facing upon arrival (for example, see Human Rights Watch, 2015, Amnesty International, 2015, UNHCR and Council of Europe, 2015).

Apart from rare exceptions such as the quote from Mary Robinson opening this chapter, the human rights community continues to discuss these two issues mainly in isolation. This is despite growing recognition from other quarters that human mobility in various forms will be a central societal consequence of anthropogenic climate change (IPCC, 2014). This link has been explicitly recognised within the sphere of climate change politics, featuring in the United Nations Framework Convention on Climate Change (UNFCCC) Cancun Adaptation Framework (UNFCCC, 2010: 14(f)) Doha decision (UNFCCC, 2013: 7 (a) (iv)) and, most recently, the decision document of the Paris Climate Summit (UNFCCC, 2015: 50). The Preamble to the Paris Agreement even joins up the issues of climate change, migration, and human rights by referring to the need to consider the human rights of migrants in responding to climate change (UNFCCC, 2015: Preamble).

Displacement related to disasters has also been the focus of international attention during 2015, with the Sendai Framework for Disaster Risk Reduction calling for enhanced action to prevent displacement (2015: 28(d)) and to rapidly and effectively respond to displacement (2015: 33(h)) in the context of disasters. In the field of development, the Agenda for Sustainable Development also lists “more frequent and intense natural disasters” and “forced displacement of people” among concerns that threaten “to reverse much of the development progress made in recent decades” (United Nations General Assembly, 2015: 14). Climate change is also listed by the Agenda as “one of the greatest challenges of our time”, with its adverse impacts undermining “the ability of all countries to achieve sustainable development” (2015: 14).

States have also recognised the links between disasters and displacement through the Nansen Initiative, which was a “state-led, bottom-up consultative process intended to identify effective practices and build consensus on key principles and elements to address the protection and assistance needs of persons displaced across borders in the context of disasters, including the adverse effects of climate change” (The Nansen Initiative, 2015a: 6). The Initiative, which ran from October 2012 until December 2015, played a key role in creating awareness of displacement in the context of disasters (and climate change) within the international community. Its Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change (Protection Agenda), consolidating the findings of the consultations and meetings held
throughout the initiative, has been endorsed by 109 states (The Nansen Initiative, 2015b). The Nansen Initiative is being followed up by the Platform on Disaster Displacement, launched at the World Humanitarian Summit in May 2016, and, with a more operational outlook, is designed “to follow-up on the work started by the Nansen Initiative consultative process, and to implement the recommendations of the Nansen Initiative Protection Agenda” (Platform on Disaster Displacement, 2016).

A human rights-based approach to the climate change and human mobility nexus however appears only on the margins of both academic and policy discussions, and in struggles over understanding the nexus other approaches are becoming dominant. One explanation for this may be that the climate change and human mobility nexus is highly complex, which in turn presents a challenge to the human rights community. Even conceptualising the links between climate change and human mobility is challenging, with the range of different types of human mobility involved and the difficulty of attribution between climate change and particular movements of people providing just two of the many conceptual headaches (see, for example, Betts, 2010, Geddes et al., 2012, McAdam, 2012).

In addition, climate change on the one hand, and migration on the other, are (even individually) thorny political issues and a human rights framing might be considered as counter-productive to creating governance ‘solutions’. Both issues are highly sensitive for states, are not particularly well anchored in human rights treaties, and may well be bound up with highly contentious (and costly) positive obligations, should they be articulated in rights terms.

Rather, human mobility in the context of climate change is increasingly being articulated in terms of resilience, whether it is a lack of resilience to the risks related to climate change leading to forced displacement scenarios, resilience-building programmes being required as part of climate change adaptation, or even the potential of (planned, organised, managed) migration to contribute to the resilience of communities and prevent larger (unplanned, disorganised, unmanaged) movements of people.

This chapter addresses the relative absence of the human rights community in the politics of the climate change and human mobility nexus. It begins by exploring some of the complexities present in the human mobility and climate change nexus, in particular the challenges these complexities pose for the establishment of a human rights-based approach. The second section turns to alternative (connected) narratives that are becoming increasingly dominant in conceptualising the climate change and human mobility nexus, namely resilience and migration management. The chapter then turns to potential entry points for human rights into discussions on climate change and human mobility, before concluding with a call to the human rights community for more

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2 Climate change is not explicitly referred to in any of the UN human rights treaties, with work on human rights and climate change frequently referring to existing human rights within core treaties (particularly the International Convention on Civil and Political Rights (ICCPR) and the International Convention on Economic, Social and Cultural Rights (ICESCR)) that may be endangered by the negative impacts of climate change. On migration a specific convention, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, does exist but is the most poorly ratified of the core UN human rights treaties and is overwhelmingly ratified by migrant-sending rather than migrant-receiving countries. This convention is also concentrated on labour migration and does not consider other types of human mobility.
involved in this issue. This discussion is highly relevant to the academic and policy community that has built up around the climate change and human mobility nexus. Through understanding how dominant narratives are functioning and where entry points may exist for other voices, a contribution can be made to opening up the discursive landscape and allowing for the nexus to be understood, and governed, in different ways.

1. Human rights and the climate change and human mobility nexus

Perhaps not surprisingly, human rights concerns and the concept of climate justice have been present in broad debates surrounding the climate change and human mobility nexus. When the issue rose to prominence in the early to mid-2000s, it was very much one of justice: the figure of the vulnerable “climate refugee” being forced to flee because of the injustices of climate change (Stern, 2007, Environmental Justice Foundation, 2009, Christian Aid, 2007, Council of the European Union, 2008). The ‘climate refugee’ put a ‘human face’ to the impacts of climate change and fed into ‘calls to action’ directed at the international community (Biermann and Boas, 2008, Environmental Justice Foundation, 2009) and has led to calls for concrete protection mechanisms. Proposals have been made for the creation of a separate legal regime to protect ‘climate refugees’ under the auspices of the UNFCCC (Biermann and Boas, 2010, Williams, 2008) or in the international human rights regime, modelled on the Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (CAT) (Falstrom, 2001). However, for good reason these proposals have faced a great deal of opposition (for example, see McAdam, 2011, Geddes et al., 2012). The normative power behind the idea of human rights has been mobilised here to legitimise the issue as one of concern and stress its moral imperativeness.

Academic scholarship on the climate change and human mobility nexus has also employed human rights in two other ways. Firstly, human rights are employed in a legal sense, as existing tools of international law that may provide an avenue for approaching protection challenges (McAdam, 2012, Gromilova, 2014, Kälin, 2010, Zetter, 2010, Mayer and Cournil, 2016, Mayer, 2011, McAdam and Ferris, 2015). In another route human rights are employed as normative standards that can be utilised as indicators against which policy alternatives can be measured (Schade, 2013, Leighton, 2011).

In both of these paths, human rights frequently cited include “the inherent right to life” (ICCPR, 1966: Article 6), “the right of everyone to an adequate standard of living for himself [sic] and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions” (ICESCR, 1966: Article 11) and “the right of everyone to the enjoyment of the highest attainable standard of physical and mental health” (ICESCR, 1966: 12). Further rights are highlighted as being potentially compromised in the wake of certain climatic events, particularly if infrastructure is damaged, such as “the right of everyone to education” (ICESCR, 1966: Article 13) or “the right of everyone to take part in cultural life” (ICESCR, 1966: Article 15). If a state of emergency is declared and restrictions to civil and political rights are thus enacted then “the right of peaceful assembly” (ICCPR, 1966: Article 21) and the right “to take part in the conduct of public affairs, directly or through freely chosen representatives (ICCPR, 1966: Article 25) are also highlighted as being potentially compromised.
In their recent contribution, Mayer and Cournil (2016) argue that general human rights provisions provide many tools with which to protect the mobile people at the heart of the climate change and human mobility nexus, with the provisions contained within these documents being applicable, regardless of their mobility status. The group-specific provision that are most relevant to the migration and climate change nexus (the Refugee Convention, the Guiding Principles on Internally Displaced Persons, the Statelessness Convention, and the Migrant Workers’ Convention) actually add few additional protections (the most notable being the principle of non-refoulement contained in the Refugee Convention and a similar provision of non-expulsion in the Statelessness Convention and additional provisions regarding undocumented workers outlined in the Migrant Workers’ Convention). This speaks against the commonly held assumption that the logical involvement for human rights (in particular international human rights law) in the climate change and human mobility nexus would be with the creation of a new group-based convention or treaty instrument specifically aimed at protecting the rights of people whose mobility is influenced by climate change.

These largely academic interventions have been complemented by (limited) engagement by the UN human rights apparatus with the nexus. In 2009, OHCHR produced a report on climate change containing a section on displacement (Office of the High Commissioner for Human Rights, 2009). In the same year, the then Special Rapporteur on the Human Rights of Internally Displaced Persons, Walter Kälin, included a thematic section on climate change in his annual report to the United Nations General Assembly (Kälin, 2009), an act that was repeated by his successor Chaloka Beyani in 2011 (Beyani, 2011). A similar move was made by François Crépeau, Special Rapporteur on the Human Rights of Migrants, in 2012, when he also used his annual report to the General Assembly to include a thematic section on climate change (Crépeau, 2012). The fact that these particular individuals have used this forum to highlight the connections between human rights, climate change, and migration is important. They are widely regarded to be experts in their respective areas and therefore the knowledge produced by these individuals may enjoy more legitimacy than knowledge coming from individuals or organisations that have not been given this official recognition. Furthermore, the Special Rapporteurs are appointed by the Human Rights Council and

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3 General human rights provisions refer to non-group-specific provisions set out in documents such as the UDHR, ICCPR and ICESCR.

4 The principle of non-refoulement states that “No Contracting State shall expel or return (‘refouler’) a refugee in any manner whatsoever to the frontiers or territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion” (Convention relating to the Status of Refugees, 1951: Article 33). The Statelessness Convention states that “The Contracting States shall not expel a stateless person lawfully in their territory save on grounds of national security or public order” (Convention relating to the status of stateless persons, 1954: Article 31.1).

5 The Migrant Worker’s Convention contains the following provision on undocumented migration: “1. State Parties, including States of transit, shall collaborate with a view to preventing and eliminating illegal or clandestine movements and employment of migrant workers in an irregular situation. The measures to be taken to this end within the jurisdiction of each State concerned shall include: (a) Appropriate measures against the dissemination of misleading information relating to emigration and immigration; (b) Measures to detect and eradicate illegal or clandestine movements of migrant workers and members of their families and to impose effective sanctions on persons, groups or entities which organize, operate or assist in organizing or operating such movements; (c) Measures to impose effective sanctions on persons, groups or entities which use violence, threats or intimidation against migrant workers or members of their families in an irregular situation (Migrant Workers Convention, 1990: Article 68).
therefore enjoy a great deal of legitimacy with states, although retaining an independent position.

Outside of the UN system, an increasingly prominent voice on human rights and climate change, and advocate for climate justice, the Mary Robinson Foundation - Climate Justice, has recently started working on the climate change and human mobility nexus. Previously, human mobility concerns have been dealt with largely in passing by the organisation as one of many societal consequences of climate change that may have human rights consequences, and therefore is utilised to strengthen the argument for a human rights-based approach to climate change. However, recently the organisation has been engaging specifically on the climate change and human mobility nexus, for example through a submission to the UNFCCC on displacement and other forms of human mobility (Mary Robinson Foundation - Climate Justice, 2016b).

2. Complexity and the climate change and human mobility nexus
The climate change and human mobility nexus is highly complex. Firstly, the term ‘human mobility’ is used as an umbrella term and when broken-down reveals a range of categories of human mobility that are understood to be contained within it (Advisory Group on Climate Change and Human Mobility, 2014). Displacement scenarios are perhaps the most prominent, and are conceptualised as a forced type of movement that most closely resemble large-scale refugee scenarios due to their forced nature. Migration is another possible type of movement and can be conceptualised as more or less voluntary in nature (for example labour migration). Finally, planned relocations, where entire communities are relocated to another location, should be considered. This tripartite differentiation has been adopted in the Cancun Adaptation Framework of the UNFCCC (UNFCCC, 2010: 14(f)) and has since been used by advocacy organisations as a basis for their work (Advisory Group on Climate Change and Human Mobility, 2015: 2), with the phrase ‘displacement, migration and planned relocation’ becoming somewhat of a mantra for work on this issue.

As well as differentiation in terms of how voluntary or forced a particular instance of human mobility may be, movement will also differ with short-term, long-term, permanent, temporary and circular mobility all pointed to by researchers as being potential responses to climate change (Foresight, 2011, Black et al., 2012, Stojanov et al., 2014). In addition to focussing on mobile people, more attention is being paid in recent years to those people who are unable to move in the context of climate change and who are frequently labelled as ‘trapped populations’. The logic holds that some of the people most vulnerable to the negative effects of climate change are unable to move even if they wish to do so (see Black et al., 2011, Geddes et al., 2012, Black et al., 2012).

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6 The submission was made to the Executive Committee of the Warsaw International Mechanism on Loss and Damage, which called for submissions in order to inform the work of the Task Force on displacement established in the COP decision from the Paris climate change negotiations (UNFCCC, 2015: 50).

7 An exception to this understanding of ‘displacement’ is held by the Mary Robinson Foundation-Climate Justice, which uses the term ‘climate displacement’ to refer to movement due to climate change that is of a forced, voluntary or planned nature (Mary Robinson Foundation - Climate Justice, 2016b: 2-3).

8 An exception to this understanding of ‘migration’ is held by the International Organization for Migration (IOM), which uses the term to refer to all kinds of movement. The organisation defines migration as follows: “The movement of a person or a group of persons, either across an international border, or within a State. It is a population movement, encompassing any kind of movement of people, whatever its length, composition and causes; it includes migration of refugees, displaced persons, economic migrants, and persons moving for other purposes, including family reunification” (IOM, 2014b).
A further axis of complexity concerns how the climate change and human mobility nexus interacts with state borders. Whilst the most high-profile discussions are concerned with mobility that may involve the crossing of international borders (and mainly in the form of more forced movements) because of the legal conundrum it presents (for example, cross-border displacement was the focus of the Nansen Initiative), most mobility related to climate change is likely to be internal (Warner and Afifi, 2014b, Foresight, 2011, McAdam, 2011).

On top of this, most movements are actually multi-causal in nature and climate change interacts with other drivers and structural factors (such as poverty or existing vulnerabilities). Climate change will rarely be the sole cause of migration (McAdam, 2012), but rather the negative effects of climate change are imposed on top of existing vulnerabilities (Black et al., 2012). Climate change can therefore rarely be separated out from other factors leading to mobility, such as socioeconomic factors, political processes or ongoing conflicts (McLeman and Hunter, 2010: 457) and indeed both the practical and normative value of separating out human mobility in the context of climate change from movements with different drivers has been, and continues to be, questioned (Betts, 2010, Mayer and Cournil, 2016).

Finally in terms of mobility dynamics, a perhaps fairly obvious but often overlooked aspect of the climate change and human mobility nexus is that mobility strategies and outcomes will be context specific. The issue is a global one that will impact a diverse range of people and communities who have different perceptions of human mobility and different wishes. Whilst some people and communities may have strong ties to their communities or their land and wish to remain there, others will express the wish to move in order to expand their opportunities (for a selection of case studies highlighting some of these differences, see Warner and Afifi, 2014a).

As well as the complexities of differing migration responses, the range of climate change impacts themselves is multifaceted. Predicted climate change impacts that are likely to influence human mobility vary from sea-level rise, to desertification, and an increase in number and intensity of extreme weather events (IPCC, 2014). This means that whilst some impacts (typically extreme weather events) will occur suddenly with little (or no) warning, others (sea-level rise and desertification) are slow-onset events that will gradually impact how habitable an area is.

These complexities that are inherent to both sides of the conceptual couplet of climate change and human mobility are impacting moves towards governing this issue as a phenomenon in its own right. The nexus can be described as an essentially contested phenomenon (White, 2011: Ch 1) - that is, while the phenomenon is recognised to the extent that it has become worthy of attention from the international community, no consensus exists regarding how it should be understood, conceptualised, and reacted to. Secondly, discussions regarding human mobility and climate change have been conducted almost exclusively in the “future conditional tense” (Baldwin, 2012: 628), leading to discussions that often revolve around prediction and speculation.

The climate change and human mobility nexus also cuts across several policy areas; from climate change policy, and migration/displacement policy, through to development, security, disaster risk reduction, and humanitarian policy (McAdam, 2012:
212 has described these policy areas as ‘lenses’ through which the issue area can be viewed) and is also very much a human rights issue. The danger here is that the nexus is addressed in each of these policy silos but in a disjointed manner. Any governance regime that is created in such a manner may do more harm than good to the lives of the mobile people at its centre by creating disjointed, or even contradictory, responses.

**Challenges for a human rights-based approach**

The extremely complex nature of the climate change and human mobility nexus leads to conceptual headaches that pose problems for pursuing a human rights-based approach to the climate change and human mobility nexus. These challenges may contribute to the relative side-lining of a human rights framing to the climate change and human mobility nexus.

The first challenge relates to the difficulty of establishing causality between particular movements of people and climate change. Not only does the multidimensionality of movements make it difficult to establish whether environmental factors in general are the sole or main driver of movement (Geddes et al., 2012: 961), but establishing whether climate change is the cause of particular environmental changes is also not straightforward. For example, climate scientists have established that extreme weather events and disasters will increase with climate change (IPCC, 2014), but linking particular individual events to climate change is extremely difficult. Particularly for a human rights-based approach taking a legal approach and wishing to draw upon international human rights law, the difficulty of establishing a causal relationship between climate change and particular instances of human mobility is a big hurdle (McAdam, 2011: 14-15).

A second challenge for the human rights community is the difficulty of identifying the human rights impacts as these will differ across different contexts, specifically relating to different types of mobility and the preferences of individuals or a community regarding whether they wish to move. This means on one hand that no blanket statements can be made regarding the human rights of mobile people in the context of climate change. On the other hand, this also means that proposing a convention to protect the human rights of those moving in the context of climate change (often a reaction of the human rights community to protect vulnerable groups) is difficult as the group is so heterogeneous.

A third challenge that hinders the human rights community in interactions with the human mobility and climate change nexus is the focus of the nexus on climate change in particular as a driver of mobility, whereas more familiar territory for human rights-based approaches would be considering the catalogue of rights affected, regardless of the reasons for moving. The focus on a particular driver of mobility also presents a moral issue: namely, why should particular groups of mobile people (in this case, people whose movement is connected to climate change) be allocated specific protections when other mobile people (whose movement is not connected to climate change) may have the same needs (for an argument that uses this concern to argue for the concept of ‘survival migration’, see Betts, 2010).

Lastly, a challenge is posed by the politically sensitive nature of both climate change and migration, even as stand-alone issues for the international community. Both are transboundary issues that necessitate cooperation between states in order to create
governance mechanisms but are extremely difficult areas to build consensus. The long and difficult process towards the Paris Agreement in the area of climate change, and the failed attempts to achieve agreement, even at the EU level, concerning how to deal with the recent movements of people arriving in Europe have especially brought this home.

3. Alternative narratives for understanding the climate change and human mobility nexus
The language of human rights has not become the dominant language for discussing the human mobility and climate change nexus. This section briefly sketches out two of the alternative (connected) narratives that have instead come to the forefront of discussions: resilience; and migration management. This overview has a clear purpose: only through understanding the narratives that are circulating in relation to the climate change and human mobility nexus, can a discussion of how to open up the discursive landscape and identify entry-points for human rights narratives become possible.

**Resilience**
Billed as “the new superhero in town!” (Dunn Cavelty et al., 2015) and as a replacement to the once-fashionable ‘sustainability’ (Zolli, 2012), the concept of resilience has also been making an appearance in relation to climate change and human mobility. It is the malleability of this concept which has made it so popular, transitioning from ecology (Holling, 1973) into social research (see Olsson et al., 2015) and being used in areas as diverse as security, development, and environment. Although a variety of definitions exist, the concept is generally concerned with the ability of a system (be it an ecological or social system) to withstand or adapt to external shocks or disturbances.

People who are resilient exhibit a great deal of agency, and resilience is in therefore a “loose antonym for vulnerability” (defined – in relation to environmental shocks or disturbances - as “the exposure of groups of people or individuals to stress as a result of the impacts of environmental change”) (Adger, 2000: 348). However vulnerability is more to resilience than simply an antonym, indeed they are “two sides of the same coin” (Dunn Cavelty et al., 2015: 7) as vulnerability is presupposed by the concept of resilience. Vulnerability is therefore actually the “underlying ontology of resilience”: “To be able to become resilient, one must first accept that one is fundamentally vulnerable” (Evans and Reid, 2013: 84).

How vulnerable or resilient an individual (or a community) is therefore refers to how they are able to respond to different risks, which are inevitable, and to be expected, learned from and adapted to. Resilient people caught up in the climate change and human mobility nexus therefore largely take on the role of (labour) migrants utilising their mobility in order to adapt to the negative effects of climate change. Migration (in the sense of more or less voluntary labour migration) is therefore painted in a (potentially) positive light and a narrative emerges that migration can be considered as a climate change adaptation strategy, for example with the influential Foresight report arguing that:

“Migration can represent a ‘transformational’ adaptation to environmental change, and in many cases will be an extremely effective way to build long-term resilience. International policy should aim to ensure that migration occurs in a way which maximises benefits to the individual, and both source and destination communities” (Foresight, 2011).
People who utilise this strategy do not require the assistance of external actors (and therefore external actors do not need to take responsibility for them or their human rights) but rather they are able to adapt their lives according to the external conditions they face.

The concept of resilience is used to argue for new ways of conducting adaptation—"whereas other notions of vulnerability focus on factors that might endanger the preservation of the status quo in the face of environmental change, resilience looks for ways to utilize this change in order to promote creative adaptation measures" (Methmann and Oels, 2014:280). This move away from the preservation of the status quo is also contained in the concept of 'transformational' adaptation mentioned in the Foresight report, and undeniably applies to migration as a climate change adaptation strategy, which implies a change in geographical location for the resilient people utilising this strategy, often accompanied by a change in type of livelihood.

Some (critical) attention has already been given to how resilience has cropped up in discourses on climate change and human mobility (Methmann and Oels, 2015, Reid, 2012), with three main critiques. The first critique centres around the depoliticising potential of a resilience narrative, drawing attention away from root causes that, in the case of climate change and human mobility, can lead to a dangerous diversion of attention away from climate change mitigation (Methmann and Oels, 2015). The second problem concerns the detraction of responsibility away from the international community (in particularly the industrialised states that are overwhelmingly responsible for climate change- and have enjoyed its benefits) on to the shoulders of individuals (predominantly the inhabitants of states that have barely contributed to climate change- but are feeling its effects) (Bettini et al., forthcoming). This shifting of responsibility has acquired a large normative question mark. Finally, critiques have been levelled at the resilience narrative on climate change and migration because of its relationship to neo-liberalism (Felli, 2013), placing people vulnerable to the effects of climate change at the mercy of markets rather than within support systems.

**Migration Management**

A second (related) narrative that is active in discussions surrounding human mobility and climate change is that of migration management (Nash, 2016). The logic of this narrative is that the potentially positive effects of migration (in a voluntary form, following the understanding of migration contained in the tripartite categorisation of the Cancun Adaptation Framework) can only be achieved if mobility is conducted in an organised manner, and is thus suitably managed. Should migration be properly managed, a triple-win scenario is possible, with positive effects being felt by migrants, sending states, and receiving states. Facilitating properly, managed voluntary migration is said to also have the potential to help prevent large-scale displacement scenarios, therefore also working to decrease forced movements of people.

Under managed migration, labour migration is most often understood, with preferred forms of migration being circular and/or temporary in nature. Much of the focus is on the power of remittances from those who have undertaken labour migration to improve the situation of household member who have not migrated. This narrative has many parallels to narratives from international development and migration, where migration...
has been portrayed as a tool to be utilised for development purposes (Bettini and Gioli, 2016).

One of the attractions of this narrative is that it emphasises the potential of migration and moves away from narratives concerned with security, border control and the limitation of migration. In many instances, a ‘migration management’ approach can be seen as taking up a (problematic) middle ground between restrictionist zero-migration policies with closed borders and completely open borders (Geiger and Pécoud, 2012). This can also be true for discussions on human mobility and climate change, where securitized narratives have also been prevalent in the development of discussions and have been heavily criticised for their securitization of mobile people (Bettini, 2013, Martin, 2010, Baldwin et al., 2014, White, 2011). The migration management narrative makes a move away from securitisation and an emphasis on border control without advocating for an open-boundary regime.

The most high-profile promoter of this narrative is the International Organisation for Migration (IOM), with the organisation self-identifying as being “prominent among organizations seeking to promote the inclusion of environmental migration across the different dimensions of migration management (among other policy areas)” (IOM, 2014b: 55). Policies to both regulate and facilitate migration are therefore proposed as concrete activities that should be implemented, both by IOM and other agencies. As well as being one of the biggest promoters of migration management at the international level, IOM is becoming increasingly active in advocacy work specifically related to the climate change and human mobility nexus. The manoeuvring of the organisation into a prominent position in terms of advocacy work on this issue was emphasised by the creation of a section within the organisation for ‘Migration, Environment and Climate Change’ that became operational on 1st January 2015 (IOM, 2014a: 2).

IOM is not alone in promoting this narrative. The Foresight Report also hints towards this direction, arguing that “‘no migration’ is not an option in the context of future environmental change: migration will continue to occur in the future and can either be well managed and regular, or, if efforts are made to prevent it, unmanaged, unplanned and forced” (Foresight, 2011: 16). This perspective represents a rapidly emerging consensus within advocacy and large sections of academia on the climate change and human mobility nexus: namely that mobility in the context of climate change is inevitable but that by managing movement, and by allowing it to be planned and even anticipatory, displacement refugee-like scenarios can be avoided.

Despite its positive outlook with regards to the potential of migration and distinct improvement on a blanket securitisation of migration and related calls for the tightening of border regimes, the migration management discourse is not without critiques. Although examination of this narrative in relation to the climate change and human mobility nexus is in its infancy (for an exception, see Nash, 2016), critical perspectives on migration management generally are more established (Geiger and Pécoud, 2010, Ghosh, 2012, Geiger and Pécoud, 2012). Geiger and Pécoud identify two particular critiques that have been levelled at migration management. Firstly, it can be viewed as “a technocratic invention that disguises, often under the label of more humanitarian and rights-based approaches to migration, the perpetuation of restrictionist migration control” (Geiger and Pécoud, 2012: 12). Secondly, the managerial approach can distract from the politics underlying migration, both threatening existing core protection
principles and undermining attempts to create consensus surrounding new ones (Geiger and Pécoud, 2012: 12).

It is clear that the migration management and resilience narratives are by no means mutually exclusive. Migration management is often linked to the narrative of resilience in relation to the human mobility and climate change nexus, with only managed migration being capable of taking on the job of increasing resilience to the risks associated with climate change. An archetypal example of this narrative can be found in the latest submission from the Advisory Group on Climate Change and Human Mobility to the UNFCCC:

“Well-managed migration, whether circular, temporary or undertaken with the intention to settle elsewhere, has the potential to increase the resilience of climate vulnerable populations by creating new livelihood opportunities and strengthening resilience and the adaptive capacity to future risks” (Advisory Group on Climate Change and Human Mobility, 2016).

4. Entry points for human rights to the discourse

At the most basic level, the climate change and human mobility nexus, however abstract this formulation may seem to be, is about people. This already provides an entry point for human rights, which are ultimately held by the individual (as opposed to states or other entities). The shared defining feature of the people whose lives are shaped by the climate change and human mobility nexus is that their mobility is somehow being influenced by climate change. The Mary Robinson Foundation- Climate Justice has also stressed that “climate displacement by its very nature, will impact the most vulnerable people disproportionately in both numbers and severity” (Mary Robinson Foundation - Climate Justice, 2016b). Particularly for these vulnerable people, this could lead to a domino effect, with a broad range of human rights being affected by human (im)mobility in the context of climate change, making human rights an important tool with which to highlight the range of impacts.

A human rights-based approach also offers an alternative way of recognising the agency of mobile people in the context of climate change to the resilience and migration management narratives outlined in the previous section. In these narratives the agency of individuals and their mobility are used as arguments to support the adoption of migration as a self-help strategy. A human rights approach, on the other hand, also recognises the agency of individuals in that they are rights-holders who can demand that their catalogue of rights is upheld (Donnelly, 2003).

The potential of human rights as a counterpoint to logics of resilience should also be tied into the broader context of how human rights are (not) being mobilised at the international level, where a post-interventionalist shift has been diagnosed, embodied by “a shift away from liberal internationalist claims of Western securing or sovereign agency and towards a concern with facilitating or developing the self-securing agency-resilience- of those held to be the most vulnerable” (Chandler, 2012: 213). For example, it is this shift materialising in humanitarian politics that has motivated the organisation...
Médecins Sans Frontières (Doctors Without Borders) to pull out of the 2016 World Humanitarian Summit, citing an apparent focus of the summit on “an incorporation of humanitarian assistance into a broader development and resilience agenda”, that threatens to “dissolve humanitarian assistance into wider development, peace-building and political agendas” (Médecins Sans Frontières, 2016) as their reason, as an important member of the humanitarian community, for taking this highly symbolic (and overtly critical) step.

This agency is of a different nature than the agency allotted to the resilient individual, as their rights claims are addressed by a duty-bearer who bears the responsibility for ensuring that these rights are upheld. This duty-bearer role is usually allocated to states (or in the case that the state does not have the capacity to do so, the international community10). Thus, although implementation is not necessarily the strength of the human rights regime, in theory a duty-bearer exists to which the rights-holder can turn to make sure that their rights are upheld.

Another entry point to the debate on the climate change and human mobility nexus for human rights is as part of the concept of climate justice, with most definitions of the concept containing some reference to human rights (see Schlosberg and Collins, 2014). The Mary Robinson Foundation - Climate Justice describes climate justice as linking “human rights and development to achieve a human-centred approach, safeguarding the rights of the most vulnerable people and sharing the burdens and benefits of climate change and its impacts equitably and fairly” (Mary Robinson Foundation - Climate Justice, 2016a). Therefore, rather than identifying a group of people requiring attention in terms of human rights, this approach identifies a phenomenon (climate change) which may have negative impacts on the enjoyment of human rights and is thus deserving of attention from the human rights community.

Whilst legal human rights-based approaches to the climate change and human mobility nexus are problematic due to the difficulty of establishing causality between climate changes, mobility and any corresponding negative impacts on human rights, a more philosophical approach to human rights that attempts to utilise the normative power of human rights to bring attention to the rights and needs of people at the centre of the climate change and human mobility nexus and is not interested in utilising a legal argument may be able to side-step this issue. Rather than struggling over legal difficulties, discussions with the rights of affected people and the injustices they are exposed to at the centre may be able to re-focus discussions and provide a more human and progressive perspective.

Finally, the universality of human rights means that human rights are relevant for all policy areas11. For the climate change and human mobility nexus, which is at risk of being channelled into several distinct policy silos, human rights may be one way to begin striving for a holistic approach. In their report for the Universal Rights Group, McAdam and Limon sketch the following benefits of applying or mainstreaming human rights principles and norms across these policy silos:


11 Indeed, recognising the universal relevance of human rights, OHCHR as part of its work “leads efforts to integrate a human rights approach within all work carried out by United Nations agencies” (OHCHR, n.d.).
“These include emphasising the plight of individual people and communities; drawing attention and giving voice to the concerns and opinions of vulnerable and marginalised groups; enhancing equity in international decision-making; encouraging more effective, fair and sustainable outcomes through the promotion of accountability concepts and participatory and democratic principles in decision-making; emphasising international cooperation; and responding to gaps in the existing policy architecture” (McAdam and Limon, 2015).

By using human rights as a lens with which to understand the nexus (and most importantly its impacts on people) and calling for policy responses that are founded in or at the very least compatible with human rights, inconsistencies between approaches from different policy silos could be highlighted and hopefully avoided.

5. Conclusion; and a call to the human rights community

This article concludes with a call to the human rights community to pay more attention to the human mobility and climate change nexus, not because human rights is a panacea for all problems of international politics, but because the human mobility and climate change nexus calls for input from all quarters. The academic literature focussing on the climate change and human mobility nexus from the perspective of human rights is scarce and policy interventions founded in human rights are also in the minority.

However, the potential of human rights is much greater. A human rights-based approach is another possible lens with which to approach the climate change and human mobility nexus, one within which a more people-focussed approach to the climate change and human mobility nexus may be possible, where the people whose mobility is impacted by climate change are the focus of attention. The climate change and human mobility nexus is all too often treated as an abstract phenomenon, a conundrum for international law, or simply one aspect of the dire warnings made by climate scientists. A human rights-based approach is one of the possible ways with which to bring into focus how people are impacted.

Since the conclusion of the Paris climate negotiations, culminating in the Paris Agreement, human rights language has started to make an appearance in advocacy work at the UNFCCC level on the climate change and human mobility nexus. The Mary Robinson Foundation- Climate Justice has submitted information specifically on the issue to UNFCCC processes for the first time (2016b) and the high-profile (and influential) Advisory Group on Climate Change and Human Mobility has included language on human rights in their submission (2016), a framing that they have avoided in the past. However, human rights framings are still very much on the fringes of the discourse and will need a great deal more attention if to become established.

Human rights theory also provides an entry point into discussions surrounding the moral dilemmas involved in global governance. In particular, discussions requiring more attention with regard to the human mobility and climate change nexus exist in relation to whether it makes (both logical and moral) sense to take steps to govern human mobility in the context of climate change when people with similar needs might be moving for other reasons but require similar protections. Discussions surrounding the kind of mobilities we, as global society, want to imagine and promote in the context of climate change, as well as conceptualising responsibilities in relation to this nexus, could
also benefit from further work influenced by a human rights-based approach, which can act as a counterpoint to discussions orbiting around resilience and migration management.

As the complexities inherent to the climate change and human mobility nexus outlined in this chapter illustrate, human rights will not be able to ‘solve’ the ‘problem’ of human mobility in the context of climate change. Indeed, adding the ‘thorny’ controversies surrounding human rights in global politics to already sensitive discussions will have to be carefully weighed up in order to avoid potentially overloading the issue making it even more polemic. However, it is an important perspective to the issue that has the potential to contribute to new imaginaries of human mobility and add to nuanced critiques of dominant narratives. This is not only a task for the academy but for human rights organisations, advocates, and civil society. For without input from the human rights community, a human rights-based approach to the climate change and human mobility nexus is unlikely to hold its own against competing dominant paradigms that frame the issues in fundamentally different terms.

References


ADVISORY GROUP ON CLIMATE CHANGE AND HUMAN MOBILITY. 2014. *Human mobility in the context of climate change. Recommendations from the advisory group on climate change and human mobility COP20 Lima, Peru*.

ADVISORY GROUP ON CLIMATE CHANGE AND HUMAN MOBILITY. 2015. *Human mobility in the context of climate change UNFCCC- Paris COP-21, Recommendations from the Advisory Group on Climate Change and Human Mobility (November 2015), November 2015*.


CHRISTIAN AID. 2007. Human tide: the real migration crisis, London:


Convention relating to the status of stateless persons. 1954. Economic and Social Council resolution 526 A (XVII)


FORESIGHT. 2011. Migration and global environmental change, London:


International Covenant on Civil and Political Rights 1966
International Covenant on Economic, Social and Cultural Rights 1966


IOM. 2014b. *IOM outlook on migration, environment and climate change*, Geneva:


MARY ROBINSON FOUNDATION - CLIMATE JUSTICE. 2016b. *Submission to the Executive Committee Warsaw Mechanism*, 16 May 2016.


PLATFORM ON DISASTER DISPLACEMENT. 2016. *Addressing the protection needs of people displaced across borders in the context of disasters and climate change*.


SENDAI FRAMEWORK FOR DISASTER RISK REDUCTION 2015 Sendai Framework for Disaster Risk Reduction 2015-2030 UN Doc.A/CONF.224/CRP.1


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THE NANNSEN INITIATIVE. 2015b. *Press Release, More than 100 governments affirm broad support to better protect people displaced across borders by disasters and the effects of climate change*.


UNFCCC. 2013. *Report of the Conference of the Parties on its eighteenth session, held in Doha from 26 November to 8 December 2012. FCCC/CP/2012/8/Add.1*.

UNFCCC. 2015. *Durban Platform for Enhanced Action (decision 1/CP.17) Adoption of a protocol, another legal instrument, or an agreed outcome with legal force under the Convention applicable to all Parties. FCCC/CP/2015/L.9/Rev.1*.


UNITED NATIONS GENERAL ASSEMBLY 2015 *Transforming our world: the 2030 Agenda for Sustainable Development* 21 October 2015 A/Res/70/1

WARNER, K. & AFIFI, T. 2014a *Special Issue: Connections between (changing) rainfall patterns, food and livelihood security, and human mobility: Evidence and a new analytical framework Climate and Development 6: 1*

WARNER, K. & AFIFI, T. 2014b. *Where the rain falls: Evidence from 8 countries on how vulnerable households use migration to manage the risk of rainfall variability and food insecurity. Climate and Development, 6, 1-17.*


