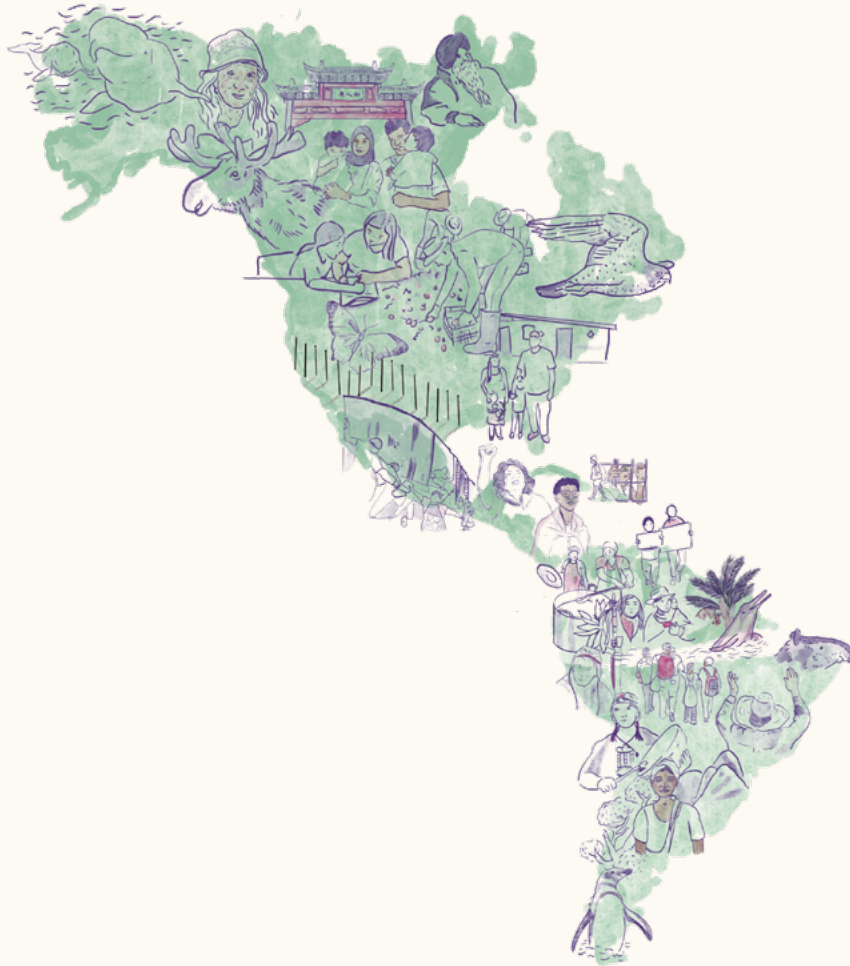


WHEN CLIMATE FORCES MIGRATION: Policies, Protection Gaps, and Proposals for Action from the Jesuit Network with Migrants



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WHEN CLIMATE FORCES MIGRATION: Policies, Protection Gaps, and Proposals for Action from the Jesuit Network with Migrants

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This document presents the approach developed by the Advocacy Dimension of the Jesuit Network with Migrants – Latin America and the Caribbean (RJM-LAC in Spanish) regarding the intersection of forced migration, socio-environmental justice, and care for our Common Home. It primarily focuses on reviewing existing policies, protection gaps, and proposals for action. The document was prepared with support from Open Society Foundations within the framework of the project “Atender nuevas causas y transformar la respuesta de la política migratoria regional para proteger los derechos de las personas migrantes” (Address Emerging Root Causes and Transform Regional Migration Policy Response to Protect Migrants’ Rights).

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LIST OF ACRONYMS

UNHCR – United Nations High Commissioner for Refugees

CEJIL – Center for Justice and International Law

IACHR – Inter-American Commission on Human Rights

UNFCCC – United Nations Framework Convention on Climate Change

COP – Conference of the Parties

I/A Court H.R. – Inter-American Court of Human Rights

CPAL – Conference of Jesuit Provincials of Latin America

IPCC – Intergovernmental Panel on Climate Change

IOM – International Organization for Migration

PDD – Platform on Disaster Displacement

UNDP – United Nations Development Programme

UNEP – United Nations Environment Programme

REDESCA – Office of the Special Rapporteur on Economic, Social, Cultural, and Environmental Rights of the IACHR

RESAMA – South American Network for Environmental Migration

UNCCD – United Nations Convention to Combat Desertification

UNDRR – United Nations Office for Disaster Risk Reduction

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*It would hardly be helpful to describe the symptoms
without acknowledging the human origins of the
ecological crisis – Laudato Si'*



INTRODUCTION

Climate change is rapidly transforming the world. More frequent droughts, severe floods, increasingly destructive hurricanes, and the loss of ecosystems particularly affect the most vulnerable populations in Latin America and the Caribbean. Many people have lost their livelihoods, their health, their access to water, and to adequate food. As a result, millions have been forced to leave their homes. However, there are still not enough laws and policies to protect them. In this context, the Jesuit Network with Migrants – Latin America and the Caribbean (RJM-LAC) considers it urgent to move toward more humane, supportive, and effective responses that acknowledge these new drivers of forced migration.

This document seeks to contribute to that reflection. Its purpose is to provide a reference framework to help understand how the socio-environmental crisis and climate change are driving forced migration. In addition, it explains why these causes should be recognized by States in order to grant protection to those individuals impacted, whether those who cross borders, are displaced within their own countries, or are unable to do so.

The proposal is based on a socio-environmental justice approach that recognizes the deep interconnectedness of people and nature. It also stems from an ethical and spiritual conviction: caring for our Common Home is inseparable from defending human life and dignity. This approach has been enriched by the reflection of

the Church, the Apostolic Preferences of the Society of Jesus, as well as joint work with other networks, communities, and civil society organizations.

The document the reader holds in their hands is the result of a collective effort. It draws on regional dialogues, advocacy processes, research, and experiences accompanying people in situations of mobility. It also considers the contributions from the Integral Ecology Group of the CPAL (2021) and shared initiatives such as the series of discussions on climate migration and socio-environmental justice.

Throughout the document, several key questions are addressed: How is climate change harming people and communities? What legal frameworks exist to protect those who are forced to migrate due to socio-environmental reasons? What perspectives do the Church and social organizations bring to this issue? What proposals can we enhance to strengthen the defense of human rights in these contexts?

This document is linked to the report “Neither Natural nor Voluntary: Intersections between Forced Migration, Socio-Environmental Justice, and Care of our Common Home. Analysis of the Ecological Crisis and its Impact on Human Mobility,” which sets out the core notions that support the proposals and perspectives presented here. The structure comprises four sections. First, a review is presented regarding the positions, legal and policy frameworks in the migration and climate fields, and how they address (or do not address) the protection of individuals displaced due to socio-environmental reasons. Key reports, recent resolutions, and both advances and existing gaps are examined. Second, we highlight the approaches put forward by the Catholic Church, the Conference of Jesuit Provincials of Latin America and the Ca-

ribbean (CPAL) of the Society of Jesus, and several civil society organizations that have promoted proposals to address and transform this reality. The third and fourth chapters aim to set out our perspective, as well as specific proposals for protection, prevention, and care, and priority measures to advocate before States and regional organizations in the advocacy scenarios we identify. The document also includes an annex with relevant international standards and guidelines.

To summarize, this publication seeks to be a useful tool for those working to defend the rights of migrants and displaced individuals in Latin America and the Caribbean, and to serve as a call to act with urgency and commitment amid one of the deepest crises of our time: the climate crisis and its consequences on human mobility. We hope this document will help guide care and advocacy measures within the projects and institutions that are part of the Jesuit Network with Migrants (RJM in Spanish), as well as other organizations interested in this intersection among forced migration, socio-environmental justice, and care for our Common Home.

1. CLIMATE REFUGEES OR ENVIRONMENTAL MIGRANTS?

Positions, Legal and Policy Frameworks for the Recognition of the Human Rights of People who Migrate due to Disasters and Socio-environmental Conflicts, as well as the Adverse Effects of Climate Change

One of the greatest challenges faced by people displaced due to socio-environmental disasters and the adverse effects of climate change is the lack of a binding global legal instrument intended to ensure the protection of their human rights. At the same time, there is no consensus on the designation or category by which they should be recognized, particularly for those who cross borders. Additionally, we observe that the various legal and policy frameworks are not always coordinated in response actions and the protection of these people's needs.

The discussion about a binding and consensual legal framework often opens a debate on the categories to designate these individuals and the implications this would entail. What we observe in various forums is that the consensus tends to lean toward avoiding the term “climate refugees” so as not to violate the 1951 Convention or the 1967 Protocol.

We are convinced that the debate should focus on the minimum—or maximum—measures that must be ensured for the protection of these individuals, rather than on consensus around categories. For this reason, we consider it pertinent to present a brief state of



the art that highlights human rights considerations and how other relevant actors have approached this issue, as well as which legal or policy frameworks have been proposed globally and regionally, in both migration and climate fields -particularly those addressing migration in the context of climate and socio-environmental context. This review is not exhaustive, nor does it analyze national responses, as these exceed the scope and capacity of this document; however, this does not mean that further analysis is unnecessary. **The purpose is to acknowledge existing frameworks so that our own position does not start from scratch.**

Advances within the Human Rights System

Within the Human Rights System, the United Nations High Commissioner for **Human Rights**, in its report on the relationship between climate change and human rights (2009), recognizes displacement as one of the consequences affecting the enjoyment of human rights, as presented in the previous section. At the same time, it acknowledges rapid-onset and slow-onset events as the causes of these displacements. It also notes that standards do not account for situations that may be faced by people displaced due to the submergence of island States, adding that “It could be said that addressing these potential disasters and protecting the human rights of those affected will primarily require appropriate long-term political solutions, rather than new legal instruments” (para. 60). This also provides a selection of human rights standards and guidelines related to the effects of climate change (see Annex 1)

In 2019, five United Nations (UN) human rights treaty bodies issued a **Joint Statement on Human Rights and Climate Change**, which, in addition to its impact on human rights, also highlights the effects on ecosystems, which in turn affect the enjoyment of human rights. This is significant, as it reflects a deep understanding of the interdependence between individuals and their environment. The statement also notes that high harm is particularly severe for marginalized communities, including women and indigenous people, among others. It also presents migration as a normal human adaptation strategy, “as well as the only option for entire communities and must be addressed by the United Nations and States as a new cause of migration emerging from conflicts and internal displacement” (2019, para. 5). It encourages States to “address the effects of climate change, environmental degradation, and natural disasters as drivers of migration and ensure that these factors do not hinder the enjoyment of the human rights for migrants and their families” (para. 6), and to provide complementary protection mechanisms, temporary solutions, or accommodation arrangements for migrant workers displaced across international borders who cannot return to their countries.

For the first time, in January 2020, the Human Rights Committee issued a **ruling on an asylum request based on the effects of climate change**. The Teitiota-New Zealand case refers to the States’ obligation not to extradite, deport, expel, or otherwise remove an individual from their territory when there are substantial grounds to believe there is a real risk of harm, as provided in Articles 6 and 7 of the International Covenant on Civil and Political Rights. The case recalls how the effective enjoyment of the right to life can be compromised by environmental degradation, climate change, and unsustainable development (Human Rights Committee, 2020, para. 9.11). This landmark case opens the door to new asylum

applications and represents the first decision on this matter by a UN human rights treaty body. Likewise, since it is a decision in favor of the right to a dignified life before the risk materializes, that is, before an entire country is submerged under water.

In turn, special rapporteurs have produced several reports in recent years on this subject. In 2020, the **Special Rapporteur on the human rights of internally displaced persons**, Cecilia Jimenez-Damary, dedicated her report to internal displacement in the context of slow-onset adverse effects of climate change. In it, she recommended enhancing mitigation efforts to prevent displacements, and

Adopting and allocating resources to mitigation measures in urban planning, rural development, land use, sustainable livelihoods, and the provision of basic services, in order to reduce exposure and vulnerability to slow-onset phenomena, ensuring a whole-of-government approach, and fostering the capacity of authorities and local communities in that regard (Special Rapporteur on the Human Rights of Internally Displaced Persons, 2020, para. 68.c).

On the other hand, the **Special Rapporteur on the human rights of migrants**, Felipe González, in his 2022 report, analyzed the relationship among climate change, human rights, and migration, as well as the multiple factors driving cross-border migration in the context of climate change. Among other relevant aspects, he called for inclusive, rights-based mitigation measures to prevent, minimize, and address displacement, particularly in countries and communities most vulnerable to climate impacts, based on their specific needs (2022, para. 86).

In 2023, the **Rapporteur on climate change**, Ian Fry, in his report *Providing Legal Measures to Safeguard the Human Rights of Persons Displaced across International Borders due to Climate Change*, highli-

ghed the absence of regular pathways for people displaced across international borders due to climate change. This exposes them to a considerable risk of various human rights violations, considering the context of containment and militarization (para. 20). He noted that “countries historically most responsible for the climate crisis spend more money reinforcing border security to keep migrants out than on addressing the crisis that forces people to leave their homes” (2023, para. 10).

In 2024, the **Special Rapporteur on the human rights of internally displaced persons**, Paula Gaviria, submitted her report to the Human Rights Council on the Planned Relocation of People in the Context of Disasters and the Adverse Effects of Climate Change (2024). The rapporteur concludes that relocations may become increasingly complex to avoid as certain areas disappear or become uninhabitable, and that, whether they are preventive or reactive, planned relocations should be a solution of last resort, while outlining their social and cultural consequences. She also notes that well-designed strategies must prioritize community needs and lay the foundation for achieving durable solutions.

At the regional level, in December 2021, the **Inter-American Commission on Human Rights (IACHR) issued Resolution 3/21 on Climate Emergency**, the first Inter-American system document dedicated to climate change. It calls on States to ensure due process in recognizing migratory status, access to rights, and justice for those who are mobilized due to direct and indirect reasons associated with climate change (IACHR, 2021, para. 21).

In 2024, the IACHR approved the REDESCA 2024-2026 Work Plan, titled “**A Hemispheric Agenda for ESCER**,”¹ which continued

¹<https://www.oas.org/es/cidh/jsForm/?File=/es/cidh/prensa/comunicados/2024/060.asp>

to emphasize the connection between climate change, internal displacement, and international migration from the perspective that climate change exacerbates structural causes such as violence, lack of employment opportunities, and human rights violations. This plan calls on States to “address these underlying causes and comply with their international obligations to protect persons in situations of mobility, including their access to economic, social, cultural, and environmental rights (ESCER)” (2024, para. 54). Within this framework, it is noteworthy to expand the rights-based perspective linking migration and climate change to cultural and environmental rights, which have so far received limited development.

In December 2024, following the Regional Hearing: *Human Rights of Persons in Human Mobility Due to the Effects of Climate Change*², the IACHR issued **Resolution No. 2/24 on human mobility induced by climate change**. It stated there that the people and communities most affected are those who have contributed the least to greenhouse gas emissions and who have historically experienced the greatest discrimination and inequalities. It acknowledges that there are different types of “climate mobility”, including internal movements, cross-border movements, immobility, and planned relocations. Additionally, it urges States to develop regulations, programs, and public policies that protect the rights of individuals displaced by the adverse effects of climate change, specifying that such measures must adhere to the principles of: equality and non-discrimination; differentiated approaches; human-centered protection; climate justice; access to information; and transparency.

²<https://www.youtube.com/watch?v=jsRZtk2rI0k&list=PL5QlapyOGhXu41jJZFKQkneErp7MYqIQ&index=14>

An essential element of this resolution is that it establishes obligations for States to protect the rights of people experiencing the consequences of climate change, urging them to respond through cooperation with a human rights-based approach. It proposes legal guidelines related to: i) ensuring access to information and data availability; ii) prevention, mitigation, and adaptation; iii) measures aimed at protection and assistance amid immobility, migration, or displacement; iv) guidance for the implementation of durable solutions, such as safe return, reintegration, or planned relocation; and v) principles to ensure access to justice and remedies. This resolution sets a precedent that enables advocacy actions directed at States to guarantee the human rights of individuals displaced in the region under these circumstances (IACHR, 2024).

In July 2025, the Inter-American Court of Human Rights - I/A Court H.R.- published **Advisory Opinion 32 of 2025 on Climate Emergency and Human Rights**, which defined a legal path regarding States' obligations to respect and guarantee human rights in this context. There, it acknowledged that the

accelerated increase in global temperatures, a result of various anthropogenic activities, produced unevenly by States within the international community, which increasingly affects and severely threatens humanity, and, particularly, the most vulnerable population (I/A Court H.R., 2025a)

In particular, the opinion states that climate change drives human mobility in four scenarios:

(i) disasters related to meteorological phenomena, such as hurricanes or floods; (ii) the gradual environmental degradation and slow-onset disasters, such as desertification, the submergence of coastal areas, and potential total submersion of low-lying island States; (iii) increased disaster risks, which would entail resettle-

ment of people away from high-risk areas; and (iv) violence and social unrest attributable to climate change-related factors (I/A Court H.R., 2025b, p. 147).

In addition, it acknowledges that migration may be triggered by other effects of climate change, such as the loss of fertile soil, droughts, and crop losses, among others. In light of this outlook, this document urges States to adopt measures to prevent forced migration and displacement caused by climate change-related phenomena, with the caveat that many of these measures may be insufficient to address the drivers of migration. Therefore, States must have regulatory, policy, institutional, and budgetary instruments to support people in this condition.

While this Opinion includes significant advances, such as recognizing climate immobility, and provides general guidance on cooperation agreements among States, it does not establish specific guidelines to ensure international protection, complementary protection, or address internal displacement and situations of immobility.

The Challenge of Naming and Protecting: Responses from the Migration System

UNHCR's Position

In 2020, the UNHCR published the *Legal considerations regarding claims for international protection made in the context of the adverse effects of climate change and disasters*, "concerning the application of international and regional refugee law and human rights law

in cases of cross-border displacement” (UNHCR, 2020, p. 2). The document notes that, in the context of cross-border displacement, not all displaced individuals will be recognized as refugees. Therefore, it establishes some points for governments to analyze when determining refugee status.

For the UNHCR, the evaluation of international protection applications should not focus strictly on the disaster or climate change event itself, as this would overlook the social and political dimensions of climate change effects, together with the impacts of disasters, and their interaction with other factors driving displacement. It also states that these legal considerations are relevant to refugee status determination at both the individual and group levels.

Drawing from the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, the definition of a refugee requires the existence of a well-founded fear of persecution for one or more reasons, for which the authorities of the country of origin are unable or unwilling to provide protection. The elements of the definition are set out below, although they indicate that it must be applied as a whole.

- The well-founded fear of persecution must be assessed with a forward-looking approach, since the adverse effects of climate change and disasters vary in intensity, magnitude, frequency, and timing, impacting the enjoyment of human rights. Added to this is the capacity, possibility, and willingness of States to provide protection, and the fact that “climate change and disasters may limit access to land, natural resources, livelihoods, individual rights, freedoms, and lives, as well as control over them. This could threaten, among others, the enjoyment of the right to life, physical integrity, an adequate standard of living, health, water and sanitation, self-determination, and development” (UNHCR, 2020, p. 4).

- “On the grounds of” (or causal link) requires assessing whether well-founded fears of persecution may arise, especially in the case of marginalized or vulnerable populations; whether the State’s response may be biased based on race, ethnicity, religion, political opinion, gender, or membership of a particular social group. It also refers to existing pressures and violence against specific groups and profiles, such as human rights defenders. Furthermore, it notes that State inaction may be understood as a tool of oppression.
- Regarding interaction with conflict and violence, it is acknowledged that adverse effects and disasters can exacerbate violence and, in some cases, incapacitate the State from providing protection to the population.
- When assessing the internal flight alternative, it is advisable to evaluate why individuals could not resettle in another area within their own country, noting that sometimes there are no relocation conditions due to the State’s failure to provide guarantees or due to environmental degradation affecting other territories as well.

In addition to the Convention and the Protocol, the UNHCR considers the regional criteria for the refugee definition from the 1969 Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa (1969 OAU Convention), and the 1984 Cartagena Declaration. Regarding the latter, it states that in situations of *events seriously disrupting public order*, the population’s recognition could be considered. To support this, it refers to the UNDRR’s definition of disasters as:

“[...] a severe disruption of the functioning of a community or a society at any scale due to hazardous phenomena interacting with conditions of exposure, vulnerability, and capacity, leading to one or more of the following: human, material, economic, and environ-

mental losses and impacts.” Furthermore, “the effects of a disaster may be immediate and localized but are often widespread and may extend over a long period of time.” The effects may test or exceed the resilience of a community or society to survive using its own resources, and may therefore require assistance from external sources, such as neighboring jurisdictions or those at the national or international level (UNHCR, 2020, p. 9).

Since there is no single definition of public order, it is understood that a “disturbance” occurs when there is a disruption of the effective, regular, and stable functioning of the administrative, social, political, and moral order through which States operate in relation to their population. The “seriousness” dimension may encompass both quantitative and qualitative aspects regarding the nature and duration of the disruption, as well as its consequences for the security and stability of the State and society. In any case, the primary concern is the effects of a given situation (p. 10).

In addition to regional mechanisms, States may provide protection in a pragmatic way through complementary forms of protection and temporary protection mechanisms, which are time-bound and may be useful when the situation in the country of origin is evolving or uncertain. This does not mean that these mechanisms do not exclude the right to apply for international protection.

Finally, this document acknowledges that, (i) there may be recognition of refugee status in accordance with general principles of international human rights law, such as non-refoulement obligations (Teitiota-New Zealand case); (ii) protection claims must be assessed regardless of whether they arise from sudden- or slow-onset effects of climate change or disasters; and (iii) States are obliged to ensure access to fair and effective refugee status determination procedures.

Another document that helps to understand the UNHCR’s(2023) position on this matter is the *Amicus Curiae* submitted to the Inter-American Court of Human Rights in the advisory opinion on climate emergency and human rights, requested by Colombia and Chile in 2023. The first point to note is that within this text, a differentiated categorization to refer to this reality is discarded, arguing that there are no such things as climate refugees and that this label has been primarily assigned by the media.

In addition to the legal considerations document, it outlines how the Inter-American Commission has recorded cases of persecution related to political positioning in the context of climate change, as experienced by community leaders, journalists, and environmental defenders, who may be covered under the traditional concept of refugee. In the same regard, the document submitted to the I/A Court H.R. also points out how climate change can act as a “factor multiplier” that intensifies tensions that may lead to violence.

The *Amicus Curiae* refers to the need to recognize differentiated protection for the most vulnerable groups from a gender and childhood perspective, highlighting that stateless individuals, indigenous people, LGBTIQ+ individuals, and women, among other groups, may face greater impacts due to climate change and disasters. The document emphasizes that not all people displaced in this context require international protection, as there may also be individuals displaced for purely economic reasons, such as a negative change or loss of their livelihoods, without this necessarily implying a risk of persecution or violence, or when their country of origin is able and willing to protect them in such a situation. It should be noted that although both UNHCR and the International Organization for Migration (IOM) seek to coordinate efforts to address mixed flows, from the Perspective of the Network, references to economic reasons often blur the multicausal nature of

migration in the region and the forced character it entails. Consequently, these arguments ultimately undermine more protective and rights-based frameworks, such as the Cartagena Declaration.

To conclude this approach the **UNHCR Strategic Framework for Climate Action** (2021) and the *Strategic Plan for 2024-2030*, which outline that its work in relation to this reality must focus on strengthening the interpretation and implementation of legal and policy frameworks to address it; promoting resilience capacities in host, displaced, refugee, and stateless communities through a mitigation and environmental rehabilitation approach; preparing responses for cases of displacement. Finally, they highlight ways to reduce the environmental impact generated by the office itself.

IOM's Position

The International Organization for Migration (IOM), in its glossary on migration, defines **environmental migration** as the movement of individuals or groups of individuals who, mainly due to sudden or progressive environmental changes, are forced to leave their usual place of residence and relocate within their country or abroad (2019, p. 129).

Within this category, we find two subcategories, which specify it. On the one hand, the concept of **climate migration**, defined as the movement of individuals or groups of individuals who, mainly due to sudden or progressive environmental changes caused by climate change, are forced to leave their usual place of residence, or choose to do so, whether temporarily or permanently, within a State or across international borders. (p. 130). On the other hand, **displacement due to disasters**, understood as the movement of individuals who are forced or obliged to leave their place of origin

or usual residence due to a disaster, or to avoid the effects of an imminent and foreseeable natural hazard. (p. 62).

To address this reality, the IOM (2021) developed the *Institutional Strategy on Migration, Environment, and Climate Change 2021-2030*, which has promoted a comprehensive, rights-based, and data-driven approach that enables cross-referencing information on migration within the context of environmental degradation, climate change, and disasters. Additionally, it emphasizes that its approach focuses on human security, recognizing that when “migration is well managed, it becomes a safe and accessible choice and can help people adapt to environmental pressures and climate change.” (p. 2). The strategy also aims to align with other existing tools, such as the Sendai Framework, the Nansen Initiative, and United Nations-issued strategies for addressing climate change, as well as other working documents issued by actors including the UNHCR, UNDP, UNEP, and UNDRR, among others.

When reviewing their strategic objectives, we can observe that they focus on collaborating with governments to strengthen a protection framework in the event of disasters, climate change, or in a context of environmental degradation that triggers migration. To this end, they establish the following: working on solutions that facilitate greater mobility in these contexts; developing and promoting assistance and protection measures for those displaced; and strengthening the capacities of communities of origin to enhance greater resilience in the face of such events.

Their primary measures aim to promote policies and regulations that establish a link between climate change, environmental degradation, and natural hazard-related disasters with migration and displacement. It also reinforces its data production to provide an in-depth understanding of this relationship and supports the res-

ponses that States may need to provide if these events occur in their territories. They emphasize the importance of using urban and peri-urban planning to develop a response plan for the arrival of migrants, applying an environmental and climate sustainability perspective.

Policy Frameworks

Regarding **internal displacement**, we identify two instruments: the Guiding Principles and the Peninsula Principles on Climate Displacement. Each of them is outlined below.

The **Guiding Principles on Internal Displacement** (1998), adopted by the United Nations General Assembly in 1998, establish the rights and guarantees required to prevent forced internal displacement through protection measures, as well as to provide protection and assistance during displacement, return, resettlement, and/or reintegration.

In their definition, natural and human-caused disasters are recognized as causes. Among the principles outlined, the following stand out: the right to equality and non-discrimination; the responsibility and obligation of States to provide protection and humanitarian assistance; and the differential perspective in safeguarding populations that may face greater vulnerability, among others.

It should be noted that Principle 6, which addresses arbitrary internal displacement, establishes among its prohibitions that “in cases of large-scale development projects that are not justified by a compelling or overriding public interest” (p. 7), development models may cause displacement deemed legitimate, thereby opening the possibility for people to experience further violations or excessive use of this provision.

The **Peninsula Principles on Climate Displacement Within States**, promoted by the non-governmental organization Displacement Solutions (2013), along with other civil society organizations and academic networks, aims to provide a framework for States to address climate-related displacement. Some noteworthy principles include: the right to remain in one's territory; informed consent in relocation processes; the promotion of adaptation, mitigation, relocation, and protection measures for those forced to move; and humanitarian assistance, among others. They are the result of efforts carried out outside of States and international organizations, similar to the Nansen Principles, they serve as a tool of persuasion and political pressure. Although non-binding, the Government of Panama has used them as a guide to relocate some communities from islands near the mainland in the Guna-Yala region (Ramón, 2016, pp. 77–78).

On the other hand, the **Global Compacts for Safe, Orderly and Regular Migration (2018)** and the **Global Compact on Refugees (2018)** are policy frameworks that, although not legally binding, establish a series of measures that States can develop to address this reality. While the **Global Compact on Refugees** calls for the prevention of, and response to, root causes such as climate change, environmental degradation, and disasters, which do not directly cause refugee displacement, but increasingly interact with the drivers of such movements, the **Global Compact for Migration** contemplates climate change-induced migration and expects States' commitment to the following objectives:

Objective 2. Minimize the adverse drivers and structural factors that compel people to leave their country of origin. “Harmonize and develop subregional and regional approaches and mechanisms to address the vulnerability of people affected by sudden- and slow-onset natural disasters, ensuring that they have access to huma-

nitarian assistance that meets their essential needs and that their rights are fully respected wherever they may be, while promoting sustainable outcomes that increase resilience and self-reliance, taking into account the capacity of all countries concerned” (sub-paragraph (k));

Objective 5. Enhance availability and flexibility of pathways for regular migration. “Cooperate to identify, develop and strengthen solutions for migrants forced to leave their countries of origin due to slow-onset natural disasters, the adverse effects of climate change, and environmental degradation, such as desertification, land degradation, drought and sea-level rise, including by devising planned relocation and visa options, in cases where adaptation in their country of origin is not possible or return is not feasible” (sub-paragraph (h))

In 2022, during the First International Migration Review Forum, States committed to:

redouble efforts to improve and diversify the pathways available for safe, orderly, and regular migration, even in response to demographic and labor market realities, and for migrants in vulnerable situations, as well as for those affected by disasters, climate change, and environmental degradation (UN. General Assembly, 2022). It is worth noting the reference not only to climate issues, but also to environmental issues.

At the regional level, we find the **Cartagena Declaration of 1984**, an agreement among Latin American countries for safeguarding refugees and asylum seekers. One of its contributions to the international protection system is the expansion of the criteria under which asylum seekers and refugees may be considered, going beyond those established in the 1951 Convention and the 1967 Protocol.

The expanded refugee definition adopted in the region includes individuals *who have fled their countries because their life, safety, or freedom has been threatened by widespread violence, foreign aggression, internal conflicts, massive violations of human rights, or other circumstances that have seriously disturbed public order*. Although it is not a legally binding instrument, the expanded refugee definition has been incorporated into 16³ national legislations and into state practice, and it may be considered as “customary.”

According to the UNHCR (2013), “the expanded refugee definition of the Cartagena Declaration aims to provide protection against situational or group-based risks (...) Cartagena requires an examination of the situation in the country of origin and the particular circumstances of the individual or group of individuals seeking protection as refugees. However, the evaluation of refugee status focuses on the exposure of individuals or groups of individuals to the risks inherent in the five situations set forth in the definition (...). The Cartagena definition also includes the indirect effects of the five situational events –including poverty, economic deterioration, inflation, violence, disease, food insecurity and malnutrition, and displacement.”⁴ (paras. 8-9).

In the same document, the UNHCR notes that the Cartagena Declaration does not distinguish between the types of rights that

3 It has been incorporated in: Bolivia (1983), Ecuador (1987), Belize (1991), Mexico (1991), Colombia (1995), Brazil (1997), Argentina (1998), Guatemala (2001), El Salvador (2002), Paraguay (2002), Peru (2002), Honduras (2003), Uruguay (2006), Nicaragua (2008), Chile (2010), and Costa Rica (2014) in the latter through its Courts. Regulatory incorporation remains pending in: Venezuela, Panama, Cuba, the Dominican Republic, and other Caribbean countries.

4 UNHCR (2013). Expert Meeting: Interpretation of the Extended Refugee Definition Contained in the 1984 Cartagena Declaration on Refugees. Montevideo, Uruguay, 15-16 October 2013. Retrieved from: <https://www.refworld.org/es/pol/exconc/unhcr/2014/es/129590>

may be under discussion for protection purposes, even though protection could only be granted when such massive human rights violations rise to threats to life, security, or freedom” (para. 21). Despite the legitimacy with which Cartagena is recognized as a regional protection instrument, in addition to the 1951 Convention, the major weakness lies in its low level of implementation and recognition, largely due to political decisions.

It should be noted that Cartagena is not only a definition or a document; it is a dialogue process that responds to regional realities and challenges. For this reason, a review process is conducted every ten years to adapt it to the context. In the 2014 review, within the Brazil Declaration and Plan of Action (2014), the challenges posed by climate change and disasters, as well as cross-border displacement of individuals, were recognized (p. 19), and requested the UNHCR to conduct an analysis to support the adoption of adequate national and regional measures, tools, and guidelines, including response strategies, contingency plans, integrated disaster risk management responses, and humanitarian visa programs, within its mandate (p. 19). Special chapters were included in this Plan for Central America and the Caribbean, broadening its geographical reach.

In 2024, the review and negotiation process were developed, concluding the adoption of the Chile 2024–2034 Declaration and Action Plan. In continuity with what had already been proposed on the Brazil Plan, this new Plan established a specific chapter entitled “Protection in contexts of forced displacement due to disasters,” divided into three sections: “Prevention, preparedness, response, and humanitarian action in affected countries”; “Protection and inclusion of cross-border displaced persons”; “Regional solidarity in displacement contexts caused by disasters” (UNHCR, 2024).

This plan includes proposed actions that States may voluntarily adopt within their national frameworks. Among its provisions, it is worth highlighting the participation of displaced individuals in the development of programs and policies, as well as the strengthening of national and regional statistical systems, early-warning systems, inter-institutional and cross-sectoral coordination mechanisms, planned relocation, access to justice, and the socio-economic integration of those displaced, among others.

Additionally, regarding international protection, States are left to decide how to assess claims when individuals apply on this ground, while it is emphasized that the principle of non-refoulement must prevail. It is also recommended to connect with the Program for Alternate and Complementary Protection Mechanisms established in the same document. Regarding coordinated responses, it urges continued regional and sub-regional efforts to promote and implement bilateral and multilateral humanitarian and free movement agreements that include access to territory and humanitarian assistance, access to documentation and services, as well as inclusion policies and solutions, among other measures.

Although this chapter represents a regional step forward in seeking greater protection for people displaced due to disasters and the adverse effects of climate change, one of its challenges lies in implementation by States over the next ten years.

At the sub-regional policy frameworks established by the **Regional Conferences on Migration**, guidelines are available to address this reality. On the one hand, the South American Conference on Migration has the “Regional guidelines on protection and assistance for cross-border displaced persons and migrants in countries affected by natural disasters” (2019). On the other hand, the Regional Conference on Migration has the “Guide to good practices

for CRM (in Spanish) member states: protection for persons crossing borders in the context of disasters and the adverse effects of climate change” (2024).

Both documents aim to compile the policies, regulations, and measures already established by States. Their scope establishes that the proposed are not binding but rather aim to serve as a reference to strengthen existing frameworks. The foregoing limits the extent of measures that can be established at the regional level, since their application remains at the discretion of each State.

From Rio to Paris: What Does the Climate Agenda Say about Human Mobility?

According to Solanes Corella (2021), despite the absence of an international instrument that establishes explicit obligations regarding the protection of people forced to move, environmental law -including legislation on climate change- develops elements directly related to forced migration. For example, the Rio Declaration on Environment and Development (United Nations, 1992c) outlines several fundamental principles, including common but differentiated responsibility, the precautionary principle, cooperation, the responsibility to future generations, and environmental protection as an integral part of sustainable development. Thanks to Rio, three conventions have been approved that have addressed forced migration: the United Nations Convention on Biological Diversity (UNCBD), the United Nations Framework Convention on Climate Change (UNFCCC), and the United Nations Convention to Combat Desertification (UNCCD). The progress made within these conventions regarding forced migration will be presented below.

The **United Nations Convention to Combat Desertification (UNCCD)** highlights a connection between desertification and drought -considered slow-onset phenomena- and sustainable development, human activities, poverty, food security, health, migration, and displacement due to environmental and desertification factors (United Nations, 1992a). This document must provide definitions relevant to understanding impacts that may be exacerbated by climate change.

The first, *desertification*, defined as: “land degradation in arid, semi-arid and dry sub-humid areas resulting from various factors, such as climatic variations and human activities” (United Nations, 1992a, p. 4). The second, *drought*: “the naturally occurring phenomenon when rainfall has been significantly lower than normal recorded levels, causing serious hydrological imbalances that harm land resource production systems” (United Nations, 1992a, p. 4). The third is *land degradation*:

- [...] defined as the reduction or loss, in arid, semi-arid and dry sub-humid areas, of the biological or economic productivity and complexity of rainfed cropland, irrigated cropland, or grassland, pasture, forest and woodlands resulting from land uses or from a process or combination of processes, including processes arising from human activities and habitation patterns, such as:
- soil erosion caused by wind or water,
- deterioration of the physical, chemical, and biological or economic properties of soil, and
- long-term loss of natural vegetation; (United Nations, 1992a, 5).

It should be noted that this agreement includes a specific annex of regional implementation for Latin America and the Caribbean, establishing the existence of vulnerable territories affected by desertification and/or drought which, being cumulative and increasing, may negatively impact social, cultural, economic, and environmental aspects, and “their severity is accentuated by the fact that the region has one of the world’s greatest reserves of biological diversity” (United Nations, 1992a, 47). This is linked to unsustainable development activities that exacerbate these phenomena, highlighting how social, political, physical, biological, cultural, as well as international economic factors, such as foreign debt and type of exchange, as well as trade practices on agricultural, fishery, and forestry products, may intensify inequalities. Consequently, they indicate how desertification and/or drought generate impoverishment, deterioration in the quality of life, migration, and internal displacement.

In the **United Nations Framework Convention on Climate Change (UNFCCC)** (1992b), migration is addressed in the **Cancun Agreements** adopted in 2010 during the 16th Conference of the Parties to the UNFCCC (COP 16). These agreements explicitly consider human rights as part of the climate agenda, acknowledging that climate change has both direct and indirect consequences for the enjoyment of human rights. In addition, the section on common but differentiated responsibilities requires the parties to “adopt measures to enhance understanding, coordination, and cooperation with regard to displacement, migration, and planned relocation as a consequence of climate change” (United Nations, 2010, Paragraph 14(f)).

In 2015, the **Paris Agreement** adopted at COP 21 reaffirmed the commitments and obligations of States in the field of human rights. It established additional considerations by recognizing the rights

of Indigenous Peoples, local communities, migrants, children, and other vulnerable groups (United Nations, 2015a). Furthermore, the instrument strengthened the **Warsaw International Mechanism for Loss and Damage**⁵ from a mitigation and adaptation perspective. Although it does not address migration, the mechanism outlines the following areas of analysis that may contribute to understanding and responding to displacement situations:

- a) Early warning systems; b) Emergency preparedness; c) Slow-onset events; d) Events that may cause permanent and irreversible loss and damage; e) Comprehensive risk assessment and management; f) Risk insurance services, climate risk pooling, and other insurance-related solutions; g) Non-economic losses; and h) Communities, livelihoods and ecosystem resilience. (United Nations, 2015c, p. 9).

Regarding the 2030 Agenda for Sustainable Development (United Nations, 2015b), it is worth noting that the roadmap of 17 goals adopted by United Nations Member States acknowledges that social and economic development depends on the sustainable management of natural resources. Although the connection between migration and socio-environmental disasters is not explicitly addressed, it is recognized that people in situations of poverty are more exposed and vulnerable to extreme climate-related events. With respect to migration, it calls on stakeholders to “facilitate

5 “Scientists have adopted the term “Loss and Damage” (with capital letters) to refer to the political debate under the UNFCCC framework following the establishment of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts in 2013, which aims to “address loss and damage associated with the impacts of climate change, including extreme weather events and slow-onset events, in developing countries that are particularly vulnerable to the adverse effects of climate change.” When written in lowercase (loss and damage), it refers more generally to the harm and adverse impacts caused by (observed) climate impacts and (anticipated) risks (see Mechler et al., in press)”. Retrieved from: https://www.ipcc.ch/site/assets/uploads/sites/2/2019/09/SR15_Summary_Volume_spanish.pdf IPCC pg. 87.

safe, orderly, regular, and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies” (p. 24).

Aligned with the 2023 Agenda and the Paris Agreement, in 2015 the United Nations General Assembly adopted the **Sendai Framework** for Disaster Risk Reduction 2015–2030. This framework provides Member States with a set of concrete actions to safeguard development gains against disaster risk. The UNDRR is the United Nations agency responsible for supporting the implementation, monitoring, and review of the Sendai Framework⁶, whose overall objective is:

The substantial reduction of disaster risk and losses in lives, livelihoods, and health, and in the economic, physical, social, cultural and environmental assets of individuals, businesses, communities and countries (United Nations, 2015c, p. 12)

The Framework emphasizes the importance of preventing and reducing exposure and vulnerability to disasters through the implementation of integrated and inclusive measures across economic, structural, legal, social, health, cultural, educational, environmental, technological, political, and institutional factors. This enhances preparedness for response and recovery by strengthening resilience. It also highlights the impact of structural inequality as a key factor in disaster prevention. Although this framework is non-binding either, it provides a reference for what is expected to be implemented by States and regions.

In Priority 3, which focuses on investing in disaster risk reduction for resilience, it is stipulated that one of the required actions at the

national and local levels is: “*Encourage the adoption of policies and programs addressing human mobility induced by disasters to strengthen the resilience of affected people and host communities, in accordance with national laws and circumstances*” (United Nations, 2015, p. 20). Upon reviewing what is stipulated, it is concerning that the focus of these policies, should States decide to promote them, is placed on national actions rather than on a regional protection approach that could provide specific protection mechanisms for this population. Moreover, the emphasis is primarily on minimizing impacts on economic development rather than protecting individuals.

In 2019, the UNDRR published a guide on responding to disaster displacement, entitled *Words into Action* (2019). Its objective is to provide guidelines for integrating disaster displacement and other forms of human mobility into regional, national, subnational, and local disaster risk reduction strategies. This guide addresses *disaster displacement and other related forms of human mobility*, recognizing that the concept of “human mobility” encompasses forced displacement, voluntary migration, and planned relocation (p. 17). **Disaster displacement** is defined as a situation in which individuals are forced to leave their habitual territory, either internally or across borders, due to sudden-onset or slow-onset disasters, or short-term evacuation scenarios.

Planned relocation is understood as a voluntary or involuntary process in which individuals move from their habitual residence to a designated territory due to the risks they face. Although initially described as potentially voluntary or involuntary, the guide later clarifies that such situations are in fact forced, as they result from circumstances beyond the population’s control, such as disasters and environmental changes, including the adverse effects of climate change.

⁶ See: <https://www.undrr.org/es/implementing-sendai-framework/what-sendai-framework>

Migration, on the other hand, refers to voluntary movement in which individuals have the capacity to decide whether to remain or to be affected or exposed to hazards and environmental degradation. The guide also highlights the concept of **adaptive migration**, which refers to movements that seek to strengthen resilience and adaptive capacity in the face of hazards. It further emphasizes the existence of **trapped populations**, individuals who, despite their willingness, are unable to relocate and must remain in areas under threat or already affected. Taking these concepts into account, the guide underscores that human mobility is not static, meaning that individuals may shift from voluntary to involuntary movement. It is within this complexity that such issues must be addressed.

In terms of response, the Sendai Framework identifies a series of activities to reduce, prepare for, and **respond to disaster displacement, both within countries and across international borders**. These activities include promoting cross-border cooperation to reduce the risk of disaster-induced displacement and “ensuring a rapid and effective response to disasters and related displacement” through measures such as evacuation drills, training, and the establishment of area-based support systems (p. 20). The priorities for action focus on:

1. Understanding the risk of disaster displacement before, during, and after mobility, using historical data to identify needs and generate planning actions to prevent it;
2. Strengthening disaster risk governance to manage displacement risk through laws and public policies that allocate budgetary resources, establish clear institutional leadership, and foster interstate collaboration based on international principles, with the effective participation of affected populations;
3. Promoting settlement prevention policies in high-risk areas, such as planned relocation;

4. Investing in disaster risk reduction for resilience to minimize displacement risk, including policies that address structural inequalities;
5. Enhancing preparedness to enable effective disaster response and achieve improved recovery outcomes, through measures such as early warning systems, evacuation planning, and contingency action plans;
6. Finally, it is recognized that global and regional actions are necessary to work in a coordinated manner to create efficient and integrated response, drawing on lessons learned across different continents.

In an effort to respond to the provisions of paragraph 14(f) of the 2010 Cancun Agreement, mentioned above—which calls on Parties to take measures to understand, coordinate, and cooperate on matters related to displacement, migration, and planned relocation as a consequence of climate change—the **Nansen Initiative** was created. It was conceived as a bottom-up consultative process led by Norway and Switzerland to identify practices implemented by States to build consensus around key principles or elements that pave the way for responding to the protection needs of people displaced across borders in the context of disasters and the adverse effects of climate change.

In 2015, through intergovernmental consultations and meetings with civil society, 109 countries endorsed the adoption of the *Agenda for the Protection of Cross-Borders Displaced Persons in the Context of Disasters and Climate Change* of the Nansen Initiative. Complementing the provisions of the UNFCCC, the Sendai Framework, the 2030 Agenda for Sustainable Development, and the World Humanitarian Summit, this agenda promotes an approach focused on the integration of effective practices related to human

mobility in disaster contexts, through the incorporation of effective practices by States and/or (sub)regional organizations within their own regulatory frameworks and adapted to their particular contexts. This Agenda highlights three priority actions:

1. Collect data and expand knowledge on cross-border displacement in disaster contexts.
2. Improve the use of humanitarian protection measures for people displaced across borders due to disasters, including mechanisms to identify durable solutions [...].
3. Strengthen the management of displacement risk in countries of origin, as follows:
 - A. Incorporate human mobility into disaster risk reduction strategies, climate change adaptation, and other relevant development processes;
 - B. Facilitate migration in conditions of dignity as a potential positive way to address the adverse effects of natural hazards and climate change;
 - C. Enhance the use of planned relocation as a preventive or responsive measure to disaster and displacement risk;
 - D. Ensure that the needs of internally displaced people in the context of disasters are specifically addressed in relevant laws and policies on disaster risk management or internal displacement (Nansen Initiative, 2015, pp. 10–11)

In the specific area of *Protection of Cross-Border Displaced Persons in Disaster Contexts*, the Agenda includes:

- A. Admission and stay of individuals displaced across borders in disaster contexts.

- B. Non-return of individuals who are abroad at the time a disaster occurs; and
- C. Identification of durable solutions for individuals displaced across borders in disaster contexts.

To follow up on the Nansen Initiative, the **Platform on Disaster Displacement (PDD)** was established, also led by States, to support them and other stakeholders in implementing the recommendations of the agenda.

In its 2024–2030 work plan, the Platform on Disaster Displacement set the objective of supporting States and key actors in strengthening the protection of *people* displaced by disasters and the adverse effects of climate change, and in preventing or reducing displacement risks in countries of origin (2023). It outlines three strategic lines of work: commitment to implementing measures to protect those displaced across borders; promotion of disaster displacement risk management within climate change contexts, disaster risk reduction, and sustainable development; and contribution to public policies on planned relocation, as well as on internal displacement caused by disasters and durable solutions.

With respect to the first strategy, it should be noted that the PDD considers the protection gaps experienced by people displaced across borders are the result of insufficient application and implementation of human rights, legal instruments, and other established standards. Therefore, its advocacy work does not focus on developing new standards and legal instruments, but rather on promoting better implementation of existing mechanisms and supporting future processes to develop relevant standards at all levels.

Regarding the second strategy to ensure the inclusion of disaster displacement, the work involves engagement with global platforms on disaster risk reduction, UNDRR, the Sendai Framework, the loss and damage mechanism, as well as to collaboration with governments to promote related policies and regulations. Its third and final strategy also involves working with governments with a focus on strengthening their capacities and knowledge on planned relocation and sharing regional practices. In addition to supporting the promotion of policies to address people displaced by these causes, it also engages with the High-Level Panel on Internal Displacement and the United Nations Secretariat for the Agenda for Action on Internal Displacement.

At the regional level, the Regional Agreement on Access to Information, Public Participation and Access to Justice in Environmental Matters in Latin America and the Caribbean, also known as the **Escazú Agreement**⁷, was adopted in Costa Rica, in 2018 and negotiated by the States with the significant participation of civil society. Its objective is to guarantee the right of all individuals to access information in a timely and appropriate manner, to participate meaningfully in decisions that affect their lives and environment, and to access justice when these rights have been violated, particularly in relation to the right to a healthy environment and sustainable development. Although this agreement does not make explicit reference to migration, it does seek to address inequality and discrimination faced by individuals and groups in vulnerable situations, such as those who may be impacted and potentially forcibly displaced by development projects. For example, Indigenous peoples or environmental defenders who, due to causal links, could be recognized as refugees in the context of forced migration.

2. VOICES OF COMMITMENT: THE CHURCH AND CIVIL SOCIETY IN THE FACE OF CLIMATE MIGRATION

The Church

Since 1992, the Church has recognized as **de facto refugees** those individuals who were victims of armed conflicts, misguided economic policies, or disasters not covered by the 1951 Convention (Pontifical Council for the Pastoral Care of Migrants and Itinerant People, 1992). Although this category remains relevant in practice, it has no place in policy discussions, as mentioned at the beginning of this section. There is no interest within the international system in adapting existing instruments.

In turn, the **Encyclical *Laudato Si'*** calls for rethinking the Care of Our Common Home within the complexity of the link between social, economic, and environmental issues, though the lens of integral ecology. It states: “The tragic rise in the number of **migrants** fleeing from growing poverty caused by environmental degradation, who are not recognized as refugees under international conventions and carry the weight of their abandoned lives without any legal protection” (Pope Francis, 2015, para. 25). In the **Encyclical *Fratelli Tutti*** (2020), Francis proposes the Care for Our Common Home as the care of a shared “We,” rooted in a moral commitment to humanity⁸.

8 “When we speak of caring for our common home—the planet—we appeal to that minimal sense of universal awareness and concern for mutual care that may still remain in individuals. If someone has an abundance of water and still conserves it out of concern for humanity, it is because they have reached a moral height that allows them to transcend themselves and their group of be-

In 2021, the Vatican's Migrants and Refugees Section published the **Pastoral Orientations on Climate Displaced People**, aimed at providing useful considerations and ten challenges with their respective responses so that the Church as a whole can plan its pastoral action and develop programs designed to respond to the needs of climate-displaced people, whether those who have been displaced within their countries of origin or across borders (Migrants and Refugees Section - Integral Ecology Sector - Dicastery for Promoting Integral Human Development, 2021, p. 5). This document acknowledges the link between the natural and human-induced causes of the climate crisis and displacement, the disproportionate impacts on historically impoverished and marginalized communities (rural populations, Indigenous peoples, Afro-descendants, and others), and calls for their participation in solutions, as well as the promotion of networking and cooperation among different stakeholders.

In 2023, Pope Francis published the **Apostolic Exhortation *Laudate Deum***, which explicitly addresses the effects of climate change on forced migration, stating: "We will feel its effects in areas such as health, sources of employment, access to resources, housing, and forced migration" (Pope Francis, 2023, para. 2). This document presents several reflections that explain this link by tracing its causes: the anthropogenic origin of climate change, associated with an economic model based on the human exploitation of nature, and the false promises of so-called development projects that make life impossible in many territories.

longing. That is wonderfully human! This same attitude is what is needed to recognize the rights of every human being, even if they were born beyond one's own borders" (para. 117).

The Conference of Jesuit Provincials of Latin America and the Caribbean (CPAL)

Aligned with *Laudato Si'*, the CPAL published the *Marco de orientación para el estudio y el trabajo en ecología integral* (Guidance Framework for Studying and Working with Integral Ecology), developed by CPAL's Integral Ecology Group (2021). This document aims to be a practical and proactive guide that supports the deepening of affective and practical commitment in line with the necessary ecological conversions described throughout *Laudato Si'*.

The document proposes the following transversal vectors or operational dimensions of Integral Ecology: a) Recognition of human dignity, including the reception of migrants and refugees; b) Solidarity with the poor and marginalized people of the world, and commitment to overcoming social inequalities; and c) Care for the gifts of Creation. This proposal is complemented by a central operational concept: Socio-Environmental Justice, as previously defined. Among the strategic agendas of Socio-Environmental Justice are the rights of migrants, refugees, and access to housing.

Civil Society Organizations

It is also relevant to review the positions of civil society organizations working on this issue.

The **South American Network for Environmental Migration (RE-SAMA in Spanish)**, founded in 2010, is an independent network of experts and practitioners working on environmental migration, particularly in areas related to human mobility agendas, disaster risk reduction, climate change, human rights, and the environment. Its creation was motivated by "concern over the invisibility of affected people in this context, the lack of recognition and legal

protection, as well as the urgent need to include the issue in regional agendas”⁹. RESAMA has contributed to the development of policy frameworks in the region and to the work with communities directly impacted.

The **Center for Justice and International Law (CEJIL)** is also a key actor that has worked on this issue in Central America and Mexico. In the *Amici Curiae* submitted to the Inter-American Court on Human Rights (I/A Court H.R.) as part of the advisory opinion on “Climate Emergency and Human Rights” (2023), they highlight the need to guarantee the dignity, security, and human rights of refugees, migrants, and internally displaced people in the context of the climate emergency. They emphasized that States have common but differentiated responsibilities and the obligation to guarantee all rights to this population.

They also called for an expansion of the concept of international protection and refugee status to include displacement caused by climate-related emergencies, noting that the greatest impacts of such emergencies are experienced in developing countries. Furthermore, they urged States to legally recognize the concepts of environmental and climate migrants proposed by UN Women, so that these individuals may be granted formal migration status. Among the actions highlighted to address this crisis by States and cooperation efforts are: tackling structural causes; upholding the principle of non-refoulement; promoting regular and safe pathways, such as humanitarian visas, humanitarian corridors, among others; integrating displaced people without discrimination; and combating forced labor in the context of these displacements.



Amnesty International includes climate change¹⁰ among its main areas of work, given its close connection to human rights, as it affects not only the environment but also the well-being and, ultimately, the survival of humanity. Regarding migration, it has analyzed how rights such as life, health, housing, water, and sanitation are disproportionately impacted by climate change, highlighting displacement as one of its consequences. Within this framework, it categorizes individuals who have been forced to migrate for these reasons as climate-displaced people or people at risk of climate displacement.

They call for addressing this reality through a critical perspective grounded in environmental racism, an intersectional approach, and environmental justice, emphasizing that those who contribute least to climate change are the ones who experience its consequences the most. They note that:

[...] this is due not only to their exposure to climate-related disasters, but also to underlying political and socioeconomic factors that amplify the effects of such phenomena. In particular, the enduring consequences of colonialism and its legacy of unequal resource distribution among countries have reduced the capacity of low-income countries to adapt to the adverse effects of climate change (Amnesty International, n.d.)

⁹ <https://migracionesclimaticas.org/la-red-sudamericana-para-las-migraciones-ambientales-resama-produciendo-conocimiento-y-sinergias-para-el-reconocimiento-y-proteccion-de-los-migrantes-ambientales/>

¹⁰ <https://www.amnesty.org/es/what-we-do/climate-change/>

3. OUR PERSPECTIVE FROM SOCIO-ENVIRONMENTAL JUSTICE: PROPOSALS FOR MIGRATION WITH DIGNITY

This section sets forth the position that, from the Network and its member institutions, should **guide advocacy efforts in support of individuals forcibly displaced by disasters, socio-environmental conflicts¹¹, and the adverse effects of climate change**. To this end, we have based our proposals on public statements made in spaces such as the IACHR hearings, the agenda developed for the review process of the Cartagena Declaration¹², and the recommendations submitted to the IACHR for the Resolution on Human Mobility Associated with Climate Change¹³, among others.

To determine which proposals the Jesuit Network should focus its actions on, we compiled a list of 51 actions divided into two categories: I) the climate agenda, and II) the migration agenda, in which actions were classified according to different displacement patterns. Following a collective discussion, the most strategic actions were selected to be presented to States:

I. Regarding the Socio-Environmental and Climate Agenda.

11 We use the term socio-environmental because the anthropogenic or human factor is decisive. Human beings and nature are not separate.

12 https://www.redjesuitaconmigranteslac.org/_files/ugd/d2c5adc32e036e3c4d4567b8a20cf49f70a3c7.pdf

13 https://www.redjesuitaconmigranteslac.org/_files/ugd/d2c5ad_90973bd8e8f441b78f06e05bf1d09572.pdf

Three sets of actions were identified.

I.1. The first set relates to the prevention, adaptation, and restoration of ecosystems and natural resources, so that the people supported (displaced persons, migrants, as well as those who do not want or are unable to relocate) can develop their livelihoods sustainably from an ESCER perspective. This also includes strengthening the capacity of communities to manage and sustainably use their natural assets and to conserve and protect ecosystems. The following recommendations are proposed to achieve this:

- 1.** Protect and restore critical ecosystems for adaptation: Urge States to implement protection and restoration programs for ecosystems essential to the resilience of local communities, such as forests, wetlands, mangroves, and water sources, ensuring that these efforts directly contribute to the capacity of communities to adapt and remain in their territories.
- 2.** Implement sustainable livelihoods support programs: Develop programs that strengthen local livelihoods, including economic diversification, access to microcredit, and training in new agricultural or fishing technologies, so that communities can continue to live sustainably in their territories.
- 3.** Strengthen the capacities of Indigenous and Afro-descendant communities to manage their natural resources and territories: Promote their autonomy and resilience in the face of climate change.
- 4.** Promote adaptation by improving long-term access to ESCER rights, social protection, and livelihood diversification.

I.2. The second set focuses on promoting and strengthening com-

munity participation and agency in decision-making processes, ensuring that people's voices are reflected in agendas and decisions. This involves intercultural dialogue, the creation of spaces for knowledge exchange among communities, consultation and participation mechanisms, and ensuring that participation is enforceable within decision-making contexts:

- 1. Promote intercultural dialogue:** Foster spaces for dialogue and knowledge exchange between traditional communities and scientific and government institutions, facilitating the integration of diverse approaches in climate adaptation.
- 2. Establish consultation and participation mechanisms related to mitigation and adaptation actions:** Ensure that individuals at risk of displacement, as well as those already displaced, have access to these mechanisms, particularly those who, due to discriminatory policies and practices, would otherwise be excluded from participation.
- 3. Implement participation spaces where communities most affected by multiple factors can make decisions and work on coordinated alternatives with local and national governments to develop adaptation and mitigation responses, including decision-making on investment priorities, infrastructure design, and natural resource management, while respecting traditional knowledge and local environmental management practices.**

I.3. The third set integrates the perspective of loss and damage with data-driven, evidence-based plans and policies, enhancing the visibility of impacts. It also refers to the need to advocate for compensation measures and differential approaches in all compensation processes, which, in the long term, also entails advocating for the recognition and protection of the comprehensive

rights of present and future communities:

- 1. Urge States to prioritize the implementation of adaptation measures that enable communities affected by climate change to remain in their territories.** This includes investments in resilient infrastructure, water management systems, sustainable agricultural technologies, and the restoration of local ecosystems to mitigate climate impacts.
- 2. Develop mechanisms to obtain reliable information for the design of public policies and evidence-based decision-making.**
- 3. Promote plans and policies based on differentiated indicators of loss and damage, both economic and non-economic, affecting the territories most vulnerable to climate change, cross-referenced with data on poverty, inequality, and geographic risks, in order to implement actions that foster adaptation and mitigation, while ensuring the right of people to remain in their territories or migrate with dignity, from an intersectoral and institutional perspective.**
- 4. Establish a national registry of loss and damage associated with climate change:** create a system that documents both financial aspects and impacts on human and social development. This registry should include disruptions to essential services, such as education and healthcare, and reflect how these damages affect the well-being and future of vulnerable communities.
- 5. Incorporate a gender perspective into the loss and damage framework:** Ensure that reparations and compensations recognize and address the specific needs of displaced women and girls, who are often disproportionately affected by climate change and forced displacement.
- 6. Include the protection of the rights of future generations in the**



loss and damage framework: Recognize and safeguard the rights of future generations through the adoption of policies and measures that ensure environmental and social sustainability in contexts of climate-related forced displacement.

II. Regarding the cross-cutting obligations of care and protection for people displaced or migrating due to socio-environmental disasters and the adverse effects of climate change

1. Establish prevention, protection, and assistance measures that include people who are unable to relocate, those displaced within national borders, and, moreover, those who cross an international border in search of protection.
2. Recognize that during internal or cross-border displacement, people experience multiple harms and threats to their integrity, safety, and freedom, arising from the surrounding contexts and the lack of humanitarian and protection responses.
3. States must collaborate to develop policies that not only address the immediate needs of displaced people but also promote long-term solutions that enable them to rebuild their lives in a new environment, ensuring their dignity and rights.
4. Adopt prevention and protection mechanisms for environmental, land, and territory defenders.
5. Strengthen reporting mechanisms for human rights violations related to forced displacement caused by climate change: Invest in sufficient human resources to handle the volume of complaints and ensure an effective response.

6. Recognize and address the psychological and emotional impacts of forced displacement: Implement psychosocial support programs for displaced people, focusing on mental health and emotional well-being as an integral part of reparations.

7. Create specific funds for the rehabilitation of communities affected by climate change: Establish financial resources for the reconstruction of infrastructure, essential services, and the cultural revitalization of displaced communities, ensuring a comprehensive and sustainable recovery.

II.1. Regarding the obligations to care for and protect internally displaced people due to climate change

1. Establish prevention, protection, and assistance measures that include people who are unable to relocate, those displaced within national borders, and, importantly, those who cross an international border. These measures should include conducting risk assessments, developing prevention plans, adapting legal frameworks, collecting data and generating statistics, and allocating budgetary resources, among others.
2. States must develop policies that address the immediate needs of displaced people, incorporating protection and non-discrimination approaches, and ensuring access to their rights. This includes, among others, the provision of shelter, food, safe drinking water, medical care, and psychosocial support. Emphasis should be placed on attending to the urgent needs of people who have just been displaced during the initial phase of the displacement emergency.
3. States must promote long-term solutions to address internal displacements. In this regard, these solutions should enable dis-

placed people to rebuild their lives while ensuring their active participation at all times, as well as respect for their dignity and rights. Such solutions may involve compensation mechanisms, social assistance, and planned relocation processes, among others.

II.2. Regarding the obligations for the care and protection of people crossing borders

As noted by the Rapporteur on Climate Change in his 2023 report, the lack of sufficient pathways for people displaced by climate change to move regularly across borders exposes them to a significant risk of multiple human rights violations. For this reason, legal and procedural responsibilities toward them require a differentiated approach. It is essential to transform States' restrictive and security-driven responses at borders into **dignified and protective border systems**, where people experiencing climate-related displacement are not exposed to detention for migration-related reasons, deportation without due process, or other forms of violence resulting from the irregular migration status associated with climate-induced displacement. In light of this, three sets of actions are proposed regarding State responsibility.

II.2.1. The first action falls within the priority of **protection** and involves promoting a progressive interpretation of the Cartagena Declaration. This is complemented by the collective nature of recognition and proactive cooperation to address the needs of people displaced by socio-environmental disasters and conflicts, as well as by the adverse effects of climate change. This should be achieved through measures such as improving regional migration and protection frameworks and strengthening and expanding free movement agreements. Specifically, it is recommended to:

1. Promote a progressive interpretation of the Cartagena Declaration that acknowledges how the effects of climate change and disasters interact with various elements of the refugee definition, particularly in cases involving mass human rights violations and disruptions to public order.
2. Recognize the collective nature of certain applications for international protection, such as those arising from displacement caused by the adverse effects of climate change.
3. Proactively cooperate to address the needs of climate-displaced people through measures such as improving regional migration and protection frameworks and strengthening and expanding free movement agreements.

II.2.2. The second action concerns **integration** through prevention, adaptation, and risk mitigation programs with an intersectional approach. The following measures are proposed:

1. Promote integration programs with a focus on prevention, adaptation, and risk mitigation, ensuring that people in need of international protection have access to safe housing in secure environments, rather than in disaster-prone or marginalized areas where they are often forced to settle, exposing them to new displacement.
2. Move beyond temporary regularization policies toward protection and integration policies, given that many people will not be able to safely return to their places of origin. Experience shows that once temporary permits expire, people often fall into irregular status and are left without access to other migration categories.
3. It should be recognized that border and host communities often lack the necessary skills, preparation, and resources to respond to migration flows, which can lead to tensions and conflicts with

receiving populations. Therefore, in addition to immediate responses, affirmative and integrative actions must be implemented to dismantle hate speech, racism, discrimination, and xenophobia that jeopardize efforts aimed at protecting people.

II.2.3. The third action focuses on raising **visibility** to the issues related to prioritizing work at border areas, with the aim of strengthening advocacy efforts and serving as a tool for anticipating responses:

- 1.** Design information-gathering and early warning systems that include indicators to quantify the number of people affected, as well as to identify their specific needs and vulnerabilities. These systems should consider multi-causal categories, including social, economic, and anthropogenic indicators, with intersectional and intercultural approaches.

Following the feedback and prioritization carried out during the November 2024 meeting, the agreed-upon points were set forth in the following Declaration¹⁴:

¹⁴ <https://www.redjesuitaconmigranteslac.org/post/atender-las-nuevas-causas-de-la-migraci%C3%B3n-forzada-encuentro-rjm-y-aliadas-sobre-las-intersecciones>

The Jesuit Migrant Network of the Americas and its allies met in Bogotá from November 25 to 27, 2024, to discuss our work on forced migration, socio-environmental justice, and the care for our Common Home; to establish our position and define a joint advocacy agenda **in support of people who are forcibly displaced by socio-environmental disasters and conflicts, as well as by the adverse effects of climate change.**



OUR COMMON HOME CONTINUES TO BE HARMED.



The extractivist and consumption-driven development model that sustains the global economy is devastating the foundations that support all forms of life on the planet. As global temperatures rise, climate variability increases, rendering many places—especially the most impoverished—uninhabitable. All of this undermines the guarantee of economic, social, cultural, and environmental rights, as well as civil and political rights. As a result, thousands of people are being forced to abandon their territories in search of conditions that allow them to live with dignity.

For this reason, our stance is rooted in **socio-environmental justice**, which includes climate justice, with the aim of identifying, analyzing, and addressing the structural inequalities that exacerbate the impacts of socio-environmental disasters and conflicts, as well as the adverse effects of climate change on historically marginalized populations. We recognize that:

1. The link between forced migration and climate change in our region is driven by an economic model of development, production, and consumption based on extractivism, which, on the one

hand, dispossesses and destroys territories and limits the right to a healthy environment—generating the forced displacement of marginalized populations—and, on the other hand, intensifies the effects of climate change.

2. We are facing a civilizational crisis in which the ecological crisis goes beyond climate change, requiring a social transformation agenda with impacts on social, economic, cultural and other dimensions.

3. Socio-environmental justice calls for a paradigm shift in how people relate to territories, Mother Earth, and other forms of life. We understand ourselves as part of a single creation with the planet.

4. We seek to transform structures that affect both people and their territories.

5. This perspective will allow us to work more effectively at the intersection of migration and climate-related issues.

Contrary to States' obligations to protect their populations and preserve the Common Home, even for future generations, we observe that their presence is primarily manifested through militarization, resource management that favors extractive projects, and the promotion of restrictive migration policies. These approaches result in inadequate responses to the needs of affected populations, leading to insufficient measures in both the environmental and migration spheres.

We observe that **socio-environmental disasters and conflicts, as well as the adverse effects of climate change**, are part of the multi-causal nature of forced migration, along with armed conflict, organized crime, inequality, poverty, racism, gender-based violence, and geographic marginalization, among others. These factors affect human mobility in the region in several ways:

1. Through the overexploitation of Mother Earth, which, combined with historical and structural inequalities and violence, leads to increased conflicts and environmental degradation, undermining the community social fabric and the possibility of living with dignity.
2. Through the impact on subsistence systems and access to rights, such as health, food security, and access to water.
3. Through the loss of housing and habitable spaces, due to the intensification of disasters linked to both sudden and slow-onset phenomena, such as sea-level rise and coastal erosion, a situation already occurring in several areas of the region.

Recognizing these impacts, we understand that **people forced to move due to socio-environmental disasters and conflicts, as well**

as the adverse effects of climate change, are those who undergo forced, multi-causal movements—whether temporary or permanent, planned or emergency-driven. Although they are among those who contribute the least to the global crisis, they experience the violations and impacts of the ecological crisis, arising from a range of situations that degrade Mother Earth and, combined with multiple political and economic factors, either pressure them to abandon their homes or prevent them from leaving. These impacts disproportionately affect Indigenous, Afro-descendant, and peasant communities; other vulnerable population groups, such as children, youth, women, persons with disabilities, older adults, and sex-gender diverse individuals; as well as environmental and territorial defenders.

In light of the invisibility of this type of migration, which is often classified as voluntary economic displacement and lacks an international legal framework, we advocate for **socio-environmental disasters and conflicts, as well as the adverse effects of climate change**, to be recognized as grounds for comprehensive protection by States. This recognition should enable for the establishment of measures for **care, prevention, and protection throughout the entire migration cycle**, including countries of origin, transit, destination, and return. These measures must consider the different patterns of mobility, i.e., those who cannot or choose not to move (immobilities), those displaced within national borders, those who cross an international border, and those who decide to return to their territories, provided it is under conditions of dignity, voluntariness, and safety.

Additionally, we identified a **continuum of violence that affects and threatens, in multiple ways**, the integrity, security, and freedom of



people who are displaced from their territories, as well as during transit, at their destination, and upon return—sometimes forced. This is evidenced in territorial disputes, lack of access to justice, migration containment practices, geographic marginalization in places of destination, criminalization and persecution, among others. Within this ongoing violence throughout the entire migration cycle, States, organized crime, armed groups, and economic actors, among others, exacerbate the conditions of vulnerability faced by people. **The continuum of violence should allow us to recognize the overlapping injustices they experience.**

ADVOCACY AGENDA IN SUPPORT OF INDIVIDUALS IN FORCED HUMAN MOBILITY

Our advocacy agenda promotes practices based on human rights, intersectional, intergenerational, intercultural, participatory, and racial justice approaches, aimed at:

1. Upholding the right of communities to remain and settle with dignity, to the freedom of movement, and to choose their place of residence.
2. Defending territories and caring for the Common Home.
3. Working on peripheral areas and borders.
4. Emphasizing that States are obliged to respect the human rights of all people, regardless of their migration status, and must promote long-term solutions that enable people to rebuild their lives, while ensuring their dignity and their rights.

5. Promoting care, prevention, and protection measures throughout the migration cycle, including risk assessments, prevention plans, information gathering, generation of statistics, adaptation of legal frameworks, and budgetary resources to ensure their viability.

6. Promoting access for all individuals to the right to international protection without delays, based on the interpretation of international instruments and the principles of equality, non-discrimination, non-return, family reunification, and due process, as sought under the Cartagena Declaration.

7. Promoting integration programs with a risk prevention, adaptation, and mitigation approach, ensuring that people can access adequate housing in safe environments.

8. Promoting collaborative and regional cooperation responses.

9. Encouraging an approach of shared, yet differentiated, responsibilities within the climate agenda.

10. Highlighting the intersection between socio-environmental disasters and conflicts, as well as the adverse effects of climate change on forced displacement and immobility.

11. Ensuring access to sustainable and diversified livelihoods through the protection and restoration of ecosystems essential for community resilience, making sure these efforts contribute to territorial management and access to ESCER rights by communities, so that they can adapt and remain in their territories.

12. Ensuring the participation of the most affected communities in decision-making through a cross-cultural dialogue that recognizes traditional knowledge, so that they are the ones who work on coordinated alternatives with local, national, and regional governments, while guaranteeing the right to free, prior, and in-



formed consultation, including in climate change mitigation and adaptation initiatives.

13. Promoting loss and damage indicators, both economic and non-economic, to adopt a differential approach that includes analytical elements such as poverty, inequality, geographical risks, gender, impacts on access to rights, and human and **social development**.

With all the above, and resuming the General Congregations 32, 34, 35, and 36, we reaffirm that our mission is linked to recognizing the structural causes of injustices and responding to socio-environmental challenges that jeopardize our Common Home.

We are compelled to research how to transform the economic model of development, production, and consumption, based on extractivism, which, together with the adverse effects of climate change, is threatening our Common Home and displacing the most vulnerable people. We call for broadly pursuing new ways of practicing ecological solidarity.



4. ACT NOW: ADVOCACY OPPORTUNITIES TO TRANSFORM POLITICAL RESPONSES



Currently, there are several scenarios in which it is imperative to develop advocacy measures to promote an approach that guarantees the human rights of individuals being forced to migrate due to socio-environmental disasters and the adverse effects of climate change.

We have identified several contexts where advocacy measures could be developed as a Network, that is, jointly and collaboratively, to promote and approach that guarantees the human rights of individuals being forced to migrate due to socio-environmental disasters and the adverse effects of climate change. Some of these will require further in-depth information.

A. Intergovernmental Spaces

- In the Chilean Action Plan, the third chapter addresses “Protection in Contexts of Forced Displacement due to Disasters.” This could provide a chance during its implementation and monitoring over the next ten years.
- Regional migration conferences, such as the Regional Conference on Migration (CRM) and the South American Conference on Migration (CSM in Spanish), as well as spaces promoted by

the Southern Common Market (Mercosur in Spanish), should emphasize migration circularity and protection.

- The inclusion of this agenda in the implementation of the Global Compacts and the synergies they seek with the Paris Agreement, under the United Nations Framework Convention on Climate Change (UNFCCC), the 2030 Agenda for Sustainable Development, and the Sendai Framework for Disaster Risk Reduction.
- Directly in the climate agenda, projecting greater inclusion in COP30 in Brazil and advocacy within the Loss and Damage regime.

B. Human Rights Spaces

- At the inter-American level, promote the implementation of Resolution No. 2/24 on Human Mobility Induced by Climate.
- Another opportunity lies in the legal pathway established by Advisory Opinion 32 of 2025 on Climate Emergency and Human Rights issued by the Inter-American Court of Human Rights (I/A Court H.R.).
- Promote and monitor the implementation of the Escazú Agreement as a potential forum to advance the perspective we wish to propose and to ensure greater participation of directly affected individuals and communities.
- With existing mechanisms within the Universal Human Rights System where this approach can be advanced.

ANNEX: SELECTION OF HUMAN RIGHTS STANDARDS AND GUIDELINES RELEVANT TO THE EFFECTS OF CLIMATE CHANGE

Effects	Examples of Affected Rights	Human Rights and Climate Change Standards
Extreme Weather Events	Right to Life: ICCPR Article 5; CRC Article 6; Universal Declaration of Human Rights Article 3.	Human Rights Committee, General Comment No. 6 (1982) on Article 6 (Right to Life) Inter-Agency Standing Committee (IASC), Protection of Persons Affected by Natural Disasters - IASC Operational Guidelines on Human Rights and Natural Disasters. Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2, Annex).
Increased Food Insecurity and Risk of Hunger	ICESCR Article 11; CRC Article 24 (c); CRPD Articles 25 (f), 28, Paragraph 1; CEDAW Article 14, Paragraph 2 (h); ICERD Article 5 (e); Universal Declaration of Human Rights, Article 25	CESCR, General Comment No. 12 (1999) on the Right to Adequate Food (Article 11). FAO, Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food
Increased Water Stress	Right to Drinking Water ICESCR Articles 11 and 12; CEDAW Article 14, Paragraph 2 (h); CRPD Article 28, Paragraph 2 (a); CRC Article 24, Paragraph 2 (c).	CESCR, General Comment No. 15 (2002) on the Right to Water (Articles 11 and 12 of the Covenant) Report of the United Nations High Commissioner for Human Rights on the scope and content of the relevant human rights obligations related to equitable access to safe drinking water and sanitation under international human rights instruments (A/HRC/6/3). Realization of Right to Drinking Water and Sanitation (E/CN.4/Sub.2/2005/25)

Health Impacts	Right to the Highest Attainable Standard of Health: ICESCR Articles 7 (b), 10, and 12; CEDAW Articles 12 and 14, Paragraph 2 (b); Universal Declaration of Human Rights, Article 25; ICERD Article 5 (e) (iv); CRC Article 24; CRPD Articles 16, Paragraph 4, 22, Paragraph 2, and 25; ICRMW Articles 43, Paragraph 1 (e), 45, Paragraph 1 (c), and 70	CESCR, General Comment No. 14 (2000) on the Right to the Highest Attainable Standard of Health (Article 12). Committee on the Rights of the Child, General Comment No. 4 (2003) on the Adolescent Health and Development in the Context of the Convention on the Rights of the Child. Committee for the Elimination of Discrimination Against Women, General Recommendation No. 24 (1999) on Article 12 of the Convention (Women and Health). Human Rights Committee, General Comment No. 6.
Sea-Level Rise and Flooding	Right to Adequate Housing: ICESCR Article 11; ICERD Article 5 (e) (iii); CEDAW Article 14, Paragraph 2; CRC Article 27, Paragraph 3; ICRMW Article 43, Paragraph 1 (d); CRPD Articles 9, Paragraph 1 (a), 28, Paragraphs 1 and 2 (d); Universal Declaration of Human Rights, Article 25	CESCR, General Comment No. 4 (1991) on the Right to Adequate Housing (Article 11, Paragraph 1, of the Covenant). CESCR, General Comment No. 7 (1997) on the Right to Adequate Housing (Article 11, Paragraph 1, of the Covenant): Forced Evictions OHCHR, OCHA, UN-HABITAT, UNHCR, FAO, NRC, <i>Handbook on Housing and Property Restitution for Refugees and Displaced Persons: Implementing the "Pinheiro Principles."</i>

Source: (United Nations High Commissioner for Human Rights, 2009, p. 34)

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