

LEGAL ASPECTS OF PROTECTING  
MIGRANTS' RIGHTS IN THE CONTEXT  
OF DISASTERS, CLIMATE CHANGE  
AND ENVIRONMENTAL DEGRADATION



The designations employed and the presentation of material throughout the publication do not imply expression of any opinion whatsoever on the part of IOM concerning the legal status of any country, territory, city or area, or of its authorities, or concerning its frontiers or boundaries.

IOM is committed to the principle that humane and orderly migration benefits migrants and society. As an intergovernmental organization, IOM acts with its partners in the international community to: assist in meeting the operational challenges of migration; advance understanding of migration issues; encourage social and economic development through migration; and uphold the human dignity and well-being of migrants.

---

This publication was made possible through support provided by the Climate Action Division (CAD), the International Migration Law Division (IML) and the Protection Division (PXD).

Publisher: International Organization for Migration  
17 rout des Morillons  
P.O. Box 17  
1211 Geneva 19  
Switzerland  
Tel.: +41 22 717 9111  
Fax: +41 22 798 6150  
Email: [hq@iom.int](mailto:hq@iom.int)  
Website: [www.iom.int](http://www.iom.int)

This publication was issued without formal editing by IOM. This publication was issued without IOM Publications Unit (PUB) approval for adherence to IOM's brand and style standards. This publication was issued without IOM Research Unit (RES) endorsement.

Cover photo: © IOM 2024/Hugo BRANDAM

Required Citation: International Organization for Migration (IOM), 2024. *Legal Aspects of Protecting Migrants' Rights in the Context of Disasters, Climate Change and Environmental Degradation*, IOM, Geneva.



© IOM 2024

Some rights reserved. This work is made available under the [Creative Commons Attribution-NonCommercial-NoDerivs 3.0 IGO License](https://creativecommons.org/licenses/by-nc-nd/3.0/igo/) (CC BY-NC-ND 3.0 IGO).

For further specifications please see the [Copyright and Terms of Use](#).

This publication should not be used, published or redistributed for purposes primarily intended for or directed towards commercial advantage or monetary compensation, with the exception of educational purposes, e.g. to be included in textbooks.

Permissions: Requests for commercial use or further rights and licensing should be submitted to [publications@iom.int](mailto:publications@iom.int).

# INTRODUCTION

Each year, millions of people are driven into displacement as a result of disasters related to natural hazards, the adverse effects of climate change, and environmental degradation. Many more remain trapped or immobile in areas exposed to slow and sudden-onset events, in situations of high vulnerability. Disasters and associated displacement and immobility threaten the human rights of individuals and communities, exacerbate pre-existing vulnerabilities and weaken resilience, disproportionately affecting those already facing social inequality and/or discrimination because of their gender, age, class, indigeneity, disability, health condition, migration, or other status. States have the duty to respect, protect and fulfill the rights of all individuals in their territories and under their jurisdiction at all times.

In this context, protecting the rights of migrants<sup>1</sup> and affected communities remains central to IOM's climate action as well as to promoting safe, orderly and regular migration as a choice<sup>2</sup>. To achieve this objective, IOM believes that current migration management systems should be leveraged to reduce vulnerabilities and provide assistance and protection to people on the move in a changing climate through a comprehensive and rights-based approach. To that end, as underlined in IOM's Institutional Strategy on Migration, Environment and Climate Change 2021-2030, IOM supports the development and implementation of anticipatory actions, life-saving aid, and inclusive and rights-based approaches that ensure durable solutions, across the humanitarian-development-peace nexus.

All activities and initiatives undertaken in that context are aimed at obtaining full promotion, protection and respect for the rights of individuals under international law, in particular international migration law, which includes all branches of law relevant to migration. The purpose of this paper is to outline IOM's position with respect to the legal foundation of protection related to migration in the context of disasters, climate change and environmental degradation and to elaborate on the legal and policy instruments available for the protection of migrants' rights.

---

1. IOM defines 'migrant' as an 'umbrella term, not defined under international law, reflecting the common lay understanding of a person who moves away from his or her place of usual residence, whether within a country or across an international border; temporarily or permanently, and for a variety of reasons. The term includes a number of well-defined legal categories of people, such as migrant workers; persons whose particular types of movements are legally defined, such as smuggled migrants; as well as those whose status or means of movement are not specifically defined under international law, such as international students.' IOM, IOM Glossary on Migration, 2019, p.132

2. IOM, IOM's Approach to Protection, 2023, p.4.

# ELABORATING THE DEFINITION OF ENVIRONMENTAL MIGRATION

IOM defines environmental migration as the ‘movement of persons or groups of persons who, predominantly for reasons of sudden or progressive changes in the environment that adversely affect their lives or living conditions, are forced to leave their places of habitual residence, or choose to do so, either temporarily or permanently, and who move within or outside their country of origin or habitual residence.’<sup>3</sup> Accordingly, ‘environmental migrant’ is an operational term, not meant to create any new legal categories, but aimed at describing the various situations in which people move in the context of environmental factors<sup>4</sup>.

In this context, migration can be associated with the increased vulnerability of affected people, particularly if it is forced. Yet, migration can also be a positive response to environmental stressors, allowing individuals and communities to adapt to changes in the environment and to build resilience. This is one of the main reasons why IOM has adopted a broad and flexible operational definition of environmental migrant. IOM’s definition aims to account both for the diverse range of movements predominantly for reasons of changes in the environment and to illustrate the permeability and transferability of the different existing categories of migrants while prioritizing human rights for all.

The forms of movements in these contexts are diverse – encompassing temporary shifts like disaster displacement, pre-emptive evacuation, seasonal and circular migration, as well as permanent movements such as planned relocation and resettlements. At the same time, those that have mobility at the centre of their livelihood, such as pastoralist communities, have also seen their mobility

impacted by a combination of factors sometimes in terms of departure, arrival, duration, trajectory and travel organization. In some cases, herders and their livestock have also been forced to abandon their way of life and settle. In addition, immobility is a key component of the discussion around environmental migration, given that numerous individuals lack the resources or capacity to move, or choose not to do so. The decision to move is multi-causal, with environmental factors often intersecting with or reinforcing other drivers of migration that can include social, economic, political or demographic factors.

Climate change challenges individuals’ and communities’ capacities to prevent, adapt to, cope with, and recover from its impacts – not least regarding accessing habitable land, water, and energy, as well as the availability of safe and decent housing and secure livelihoods. In 2023 disasters resulted in 26.4 million internal displacements worldwide, with disaster displacement accounting for 56% of the total number of displacements<sup>5</sup>. Displacement occurs as a consequence; a form and a driver of the loss and damage people suffer<sup>6</sup>. Negative impacts include economic and non-economic losses such as loss of cultural heritage, indigenous or local knowledge, societal or cultural identity and livelihoods. While these occurrences are global, their impacts are borne disproportionately by those in vulnerable situations.

3. IOM, *International Migration Law (IML) No. 34 - Glossary on Migration*, 019, p.65. (last accessed 27 June 2024).

4. Ibid, p.64-65.

5. Internal Displacement Monitoring Center, *Global Report on Internal Displacement*, 2024.

6. *Implementing the Task Force on Displacement (TFD) Recommendations through Loss and Damage Policy and Practice - A contribution to loss and damage discussions from a human mobility perspective*. (last accessed 27 June 2024).

# LEGAL FRAMEWORKS FOR PROTECTING AND UPHOLDING MIGRANTS' RIGHTS

The reasons, drivers and circumstances which can influence the decision to move are complex and multi-faceted, and in most contexts environmental factors are difficult to isolate from others. As such, any legal regime used to address environmental migration needs to offer a broad scope to cover a variety of contexts. Environmental migration should not be understood as a wholly negative or positive outcome: although it can increase existing vulnerabilities and add new ones, it can also allow people to build resilience and foster development. Therefore, the main goal of any proposed legal solutions should primarily be focused on identifying individual needs and vulnerabilities – on a case-by-case basis – to protect the respective rights of those individuals affected while ensuring the fulfillment of States' international obligations.

Although there is no global legal instrument specifically focusing on the rights of environmental migrants, various international, regional, and national<sup>7</sup> legal and policy frameworks exist to ensure the protection of the rights of all individuals, encompassing also those impacted by disasters, climate and environmental changes. People who become displaced, migrate or relocate predominantly for reasons of changes in the environment are entitled to the same rights' protection as others, whether they move within a country or across borders. Applicable legal instruments and protection norms derive mainly from international customary law, human rights law, refugee law, nationality law, labour law, humanitarian law, environmental law and disaster response law, among others, and which should be interpreted in conjunction. International human rights law, by its universal nature, offers the most comprehensive and flexible framework for protecting the rights of environmental migrants. It imposes binding duties on States that have ratified pertinent treaties and conventions or follow customary law to safeguard fundamental rights for all individuals. Numerous rights within this framework are directly relevant to environmental migrants, whether their mobility decisions are involuntary or voluntary, and whether mobility takes place across borders or within a state. In situations involving large movements of people or in the context of humanitarian crises, where individual status determination becomes challenging (especially immediately

after a disaster or during ongoing instability in the country of origin), temporary or humanitarian protection arrangements offer practical and efficient means to protect those displaced across borders. These arrangements – while not affecting refugee status or other forms of international protection – should be linked to longer-term strategies to ensure that the rights of temporarily protected individuals are upheld, and that they have access to regular pathways and durable solutions. This aligns with the practice of swiftly granting a form of protection to people displaced in the context of disasters, climate change or environmental degradation, e.g., through humanitarian visas<sup>8</sup>, labour mobility pathways, free movement agreements and other regular pathways. In particular, attention should be given to the categories of people who might be impacted by additional vulnerabilities, such as children and women, indigenous peoples, migrants and displaced persons, amongst others.

In climate change law, the Paris Agreement of COP21 is the first legally binding climate agreement and the first to formally include<sup>9</sup> “migrants” in the Preamble. Parties to the UNFCCC are encouraged to “respect, promote and consider their obligations on [...] the rights [...] of migrants” when “taking action to address climate change”. Furthermore, at COP21, the Executive Committee of the Warsaw International Mechanism for Loss and Damage (WIM Excom), was tasked with operationalizing the Task Force on Displacement. Its original mandate was to develop recommendations for integrated approaches to avert, minimize and address displacement related to the adverse impacts of climate change (Decision 1/CP.21). The recommendations, adopted at COP24, also invite Parties to “consider formulating laws, policies and strategies, as appropriate, that reflect the importance of integrated approaches to avert, minimize and address displacement related to the adverse impacts of climate change and in the broader context of human mobility, taking into consideration their respective human rights obligations and, as appropriate, other relevant international standards and legal considerations”.

While refugee law is another relevant branch of international law in this area, the application of the 1951 Refugee

7. Philippine's case provides an example of successful integration and implementation of legal frameworks where the government uses disaster risk reduction and climate adaptation laws in combination with international humanitarian standards to help protect the rights of people in vulnerable situations, including those displaced by disasters.

8. In May 2022, Argentina “adopted a new humanitarian visa pathway for people from the Caribbean, Central America and Mexico who were displaced due to natural events.” MPI 2022, (Chapter 3) (last accessed 20 June 2024).

9. United Nations, The Paris Agreement, 2015 (last accessed 20 June 2024).

Convention to offer international protection in the context of environmental migration is rather limited<sup>10</sup>. Not only is disaster displacement mainly internal and often short-term, but also in cases of cross-border displacement, the key criteria in determining the refugee status – such as fear of persecution based on race, religion, nationality, membership of a particular social group or political opinion – may be absent or difficult to establish given the multiplicity of displacement drivers. In some specific circumstances, however, the impacts of disasters, climate change and environmental degradation may generate or exacerbate the risk of persecution or discrimination which could allow the affected refugees to benefit from international protection under international and regional refugee law<sup>11</sup>.

At the regional level, the 1969 Organization for African Unity (OAU) Convention<sup>12</sup> and the 1984 Cartagena Declaration<sup>13</sup> are of fundamental importance. Within their respective regions, they broaden the definition of a refugee to encompass individuals forced to leave their country due to ‘events seriously disturbing public order’ (OAU Convention) or in the Americas, as a result of a ‘massive violations of human rights or other circumstances which have seriously disturbed public order’. This expanded understanding of refugee status criteria could potentially cover those affected by the adverse impacts of climate change. These frameworks serve as complementary regional avenues of protection for individuals crossing borders in the context of disasters.

It is also essential to acknowledge the absolute principle of non-refoulement, which ensures protection for all environmental migrants under international customary law and human rights law, and for refugees under refugee law<sup>14</sup>. The principle of non-refoulement dictates that no

individual (regardless of their administrative status) may be expelled or returned to a territory when there are substantial grounds to believe that there is a real risk of persecution, irreparable harm<sup>15</sup> to their person or serious human rights violations upon their return<sup>16</sup>. Consequently, removal may be prohibited in cases where one can establish a generalized situation of environmental degradation that seriously impacts the enjoyment of human rights, and/or individual circumstances aggravating vulnerability.<sup>17</sup>

According to the Human Rights Committee, this risk must be personal, and it cannot derive merely from the general conditions in the state of origin, except in the most extreme cases<sup>18</sup>. The Committee also determined that there is a high threshold for providing substantial grounds to establish that a real risk of irreparable harm exists. Irreparable harm could be conceived as multiple and overlapping rights violations that do not neatly fit into any single rights violation but that, taken together, amount to a similar level of harm as strictly prohibited, stand-alone rights violations. For example, the European Court of Human Rights expanded the scope of cruel, inhuman, or degrading treatment or punishment to include degrading living conditions in the country of origin which could include lack of available medical treatment<sup>19</sup> which are directly linked to the right to life and the right to health. In assessing such a risk, all relevant facts and circumstances (both objective and subjective) must be considered, including the general human rights situation in the petitioner’s country of origin. In short, the principle of non-refoulement can be interpreted to include the specific vulnerabilities faced by environmental migrants and could provide for their international protection on human rights or humanitarian grounds on a case-by-case basis<sup>20</sup>.

10. [Special Rapporteur on the promotion and protection of human rights in the context of climate change, Ian Fry, Providing legal options to protect the human rights of persons displaced across international borders due to climate change, A/HRC/53/34, UN General Assembly, 18 April 2023, \(last accessed 14 June 2024\).](#)

11. [See \(last accessed 20 June 2024\).](#)

12. Organization of African Unity (OAU), Convention Governing the Specific Aspects of Refugee Problems in Africa (“OAU Convention”), 10 September 1969, 1001 U.N.T.S. 45.

13. While the 1984 Cartagena Declaration is not a treaty as defined in the Vienna Convention on the Law of Treaties, it has gained legal authority of the regional refugee definition through its recognition by the General Assembly of the Organization of American States (OAS), the Inter-American Court of Human Rights and through its integration in national legal frameworks and practice. See Advisory Opinion OC-21/14, “Rights and Guarantees of Children in the Context of Migration and/or in Need of International Protection”, OC-21/14, Inter-American Court of Human Rights (IACrHR), 19 August 2014 (last accessed 20 June 2024).

14. [Ioane Teitiota CCPR, Ioane Teitiota v. New Zealand, UN Doc. CPR/C/127/D/2728/2016 \(24 October 2019\), \(last accessed 20 June 2024\); CCPR, Ioane Teitiota v. New Zealand, UN Doc. CPR/C/127/D/2728/2016 \(24 October 2019\).](#)

15. [Examples of such risks of irreparable harm include, for instance: risk to life; of torture and cruel, inhumane or degrading treatment or punishment; flagrant denial of the right to a fair trial; liberty of the person; serious forms of sexual and gender-based violence; death penalty or death row; female genital mutilation; prolonged solitary confinement; severe violations of economic, social and cultural rights \(amounting to violation of the right to life or freedom from torture, degrading living conditions, complete lack of medical treatment, or mental illness, among other serious human rights violations\), OHCHR, The principle of non-refoulement under international human rights law, \(last accessed 27 June 2024\).](#)

16. [IOM, International Migration Law Unit, Information Note on The Principle of Non-Refoulement, October 2023, \(last accessed 27 June 2024\).](#)

17. [Caskey, Christopher “Non-refoulement and Environmental Degradation: Examining the Entry Points and Improving Access to Protection.” The Global Migration Research Series No.26, 2020, \(last accessed 26 June 2024\).](#)

18. [Human Rights Committee, general comment No. 36, para. 30; and Ioane Teitiota v. New Zealand \(advance unedited version\), CCPR/C/127/D/2728/2016, UN Human Rights Committee \(HRC\), 7 January 2020, \(last accessed 15 May 2024\).](#)

19. [Sufi and Elmi v the United Kingdom, App. Nos. 8319/07 and 11449/07 \(ECtHR, Judgment of 28 June 2011\) para 291. See also Paposhvili v. Belgium, App. No. 41738/10 \(ECtHR \[GC\], Judgment of 13 December 2016\) paras 175 and 183.](#)

20. [IOM, International Migration Law Unit, “Environmental Migrants: Challenges and Opportunities for the Protection of their Rights. Legal Framework Manual and Activity Packet”, Capstone Workshop Project, Columbia University, School of International and Public Affairs, 2021.](#)

Judicial and quasi-judicial jurisprudence and interpretations play an essential role in developing the understanding of state obligations in this area. Several regional courts and UN human rights mechanisms and monitoring bodies have clarified the scope and extent of state obligations regarding upholding human rights in the context of disasters, climate change and environmental degradation and continue to offer legal observations and guidance.

The 2013 case of *Ioane Teitiota v. New Zealand* recognized that “[Tribunal] decisions did not mean that environmental degradation...could never create a pathway into the Refugee Convention or protected person jurisdiction.”<sup>21</sup> Furthermore, while in 2019 the Human Rights Committee did not find that Ioane Teitiota fell within any existing protections provided in law, it did outline a pathway for future environmental migrants. The Committee determined that countries may not deport individuals who face climate change effects that expose them to a violation of their right to life<sup>22</sup>, which upholds the principle of non-refoulement under international human rights law. Similarly, a case brought by a Tuvaluan national and his family in New Zealand clarified that non-refoulement protections could be used if the person can prove “exceptional circumstances of a humanitarian nature”<sup>23</sup> in which it would be unjust or unduly harsh to deport them.

Finally, beyond the above-mentioned branches of international law, soft law instruments can also support states in developing and implementing policies in compliance with international standards, further contributing to the establishment of rules of international customary law. The Guiding Principles on Internal Displacement for instance remain a particularly authoritative reference<sup>24</sup>. Additionally, the Global Compact for Safe, Orderly and Regular Migration<sup>25</sup> establishes a specific commitment to minimize the adverse drivers and structural factors that compel people to leave their country of origin, including disasters, the adverse effects of climate change, and environmental degradation (Objective 2); to enhance availability and flexibility of pathways for regular migration (Objective 5) and to advance policies capable of effectively protecting those who are forced or choose to move in

the context of disasters, climate change or environmental degradation. At regional level, 2023 has seen the endorsement of three relevant soft law instruments: the Pacific Regional Framework on Climate Mobility, the Ministerial Declaration on Migration, Environment and Climate Change and the Continental Kampala Ministerial Declaration on Migration, Environment, and Climate Change.

Understanding the ways in which the various legal frameworks and jurisprudence outlined above relate – and can reinforce each other – is essential for ensuring that environmental migrants are afforded adequate protection.<sup>26</sup>

21. *Teitiota v Chief Executive of the Ministry of Business, Innovation and Employment* [2013] NZHC 3125 (26 November 2013), para 27. The High Court decision is also available through NZLII, (last accessed 27 June 2024).

22. *Teitiota v Chief Executive of the Ministry of Business, Innovation and Employment* CCPR/C?127/D/2728/2016 (23 September 2020) (last accessed 27 June 2024).

23. *AC (Tuvalu)* [2014] NZIPT 800517-520 (4 June 2014), para 81. (last accessed 27 June 2024).

24. *The Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2)* (last accessed 27 June 2024).

25. *Global Compact for Migration, 2018*, (last accessed 27 June 2024).

26. See: Republica de Colombia, Corte Constitucional, Sala Primera de Revisión, Sentencia T-123 de 2024 (last accessed 27 June 2024).

Disasters, whether related to sudden and slow-onset hazards, can prevent the effective enjoyment of a range of human rights – including the rights to life, food, water, health, housing, work, and a clean, healthy and sustainable environment – and increase protection risks as a result. The economic hardships compounded with climate change can push people to pursue risky livelihood strategies – including irregular migration – making them vulnerable to violence, abuse, trafficking and other forms of exploitation and rights violations. Climate change and environmental degradation may exacerbate competition over land and scarce resources, contributing to conflict, undermining social cohesion, and leading to further rights violations – not least violations of housing, land and property rights. The ultimate effect of these intersecting dynamics is to multiply protection risks for those in vulnerable situations.

As such, disasters, climate change, and environmental degradation can exacerbate pre-existing vulnerabilities and weaken resilience. Those individuals and communities already exposed to protection risks – such as those who are marginalized, live in precarious conditions, have fewer resources, or have limited access to services and social protection – are most acutely affected. Communities that are disproportionately affected include displaced populations and migrants – particularly those in irregular situations; women, children, persons with disabilities, older persons, indigenous people, minorities, and people in situations of poverty.

Migrants often face greater protection risks in the context of climate change due to factors including but not limited to restrictions on mobility, access to services and social protection, irregular immigration status, confiscation/loss of identity or travel documents, and language barriers. For women and girls, these factors are compounded by pre-existing gender inequalities, leaving them vulnerable to gender-based violence, early/forced marriage and human trafficking. Exposure to climate change also frequently

has a negative impact on children's well-being and healthy development and hinders their access to key essential services such as health and education, multiplying the protection risks faced by those most vulnerable. Displacement and potential family separation heighten the risk of children facing violence, coercion, and deliberate deprivation – including child trafficking, child labour, and child marriage.

In this context, States as duty-bearers have the primary responsibility to uphold rights, and to prevent and redress human rights violations. While the work on averting and minimizing displacement is of critical importance, another key component of this is providing regular pathways to enable people to move to, enter, and stay in a given state in ways that are authorized by the law of that state and international agreements to which it is a party. Measures taken by states should stem from informed and participatory decision-making by the affected communities – including migrants, regardless of status – and be accountable to those communities in their implementation. Migrants and displaced persons are rights holders with insightful knowledge and experience critical to effective responses and must have avenues to participate in decisions directly impacting their lives and be part of the solutions.

Protecting the rights of migrants and affected communities, whether on the move or immobile, remains central to IOM's climate action. IOM promotes migration as a choice through interventions aimed at reducing protection risks and building resilience at individual, household, community, and structural levels both in humanitarian and non-humanitarian settings. IOM supports states in carrying out their duties to respect, protect and fulfill the human rights and address protection needs in the context of disasters, climate change and environmental degradation and through direct assistance; training and capacity development; advocacy and communications; data, research, and learning; convening and dialogue; and thematic guidance.



## CONCLUSION

The scope, scale, and urgency of climate change present a range of challenges both to people on the move and to states obliged to ensure the protection of their human rights without discrimination. While traditional push factors such as conflict, economic crises, and political fragility continue to drive human mobility, disasters are displacing ever-greater numbers of people – both within and across borders – exacerbating already existing vulnerabilities, increasing protection risks, and giving rise to new and complex needs. For individuals already living in situations of vulnerability – often including indigenous peoples, women, people with disabilities, the elderly, and children, among others – the risk of resorting to harmful coping mechanisms and maladaptive strategies in the face of these disasters is disproportionately high. Alongside this, trapped and immobile populations who remain behind face specific vulnerabilities and protection risks of their own. It is not only in light of these challenges that engagement and action are required of states, but also to harness the opportunities migration presents.

Although there is no universal legal instrument specifically focusing on the rights of environmental migrants and their protection in these contexts, those who become displaced, migrate or relocate predominantly for reasons of changes in the environment are entitled to the same human rights protection as others – whether that is within the borders of one state, or crossing into another. In this respect, international human rights law and international customary law, apart from other branches of international law and various regional instruments, offer the most comprehensive and flexible legal framework for providing protection to environmental migrants.<sup>27</sup>

On the other hand, while the rights of environmental migrants are protected under international human rights law, in conjunction with other branches of international law, gaps remain in the domestication and implementation of these obligations by states. States have human rights obligations and must ensure that any measure or legislation that governs or affects migration is in line with their international law responsibilities, in particular the principle of non-refoulement, and does not adversely affect the full enjoyment of the human rights of environmental migrants.

States have various legal and policy frameworks to draw from to ensure the protection of the human rights of migrants, and they are well positioned to consult with affected communities to develop policies which address their needs and vulnerabilities as they experience them. While there are many examples of the implementation of temporary or humanitarian protection arrangements, States also have access to a growing body of strategies to ensure the rights of these individuals are upheld and that they have access to dignified, longer-term, sustainable solutions, including through expansion of regular migration pathways. In this respect, priority should be given to the effective implementation of existing legal and policy instruments.

At the same time, states have the opportunity to adopt innovative policies and practices to protect those increasingly affected by disasters, while also upholding their existing responsibilities to respect, protect and fulfil migrant's rights. Policies should consider all patterns of movement and immobility, and associated needs and conditions of vulnerability. This comprehensive approach would allow states to address displacement through its whole cycle.

IOM's Strategic Plan (2024-2028)<sup>28</sup>, IOM's "Approach to Protection"<sup>29</sup>, and the "Institutional Strategy on Migration, Environment and Climate Change (2021-2030)"<sup>30</sup> commit the Organization to placing the human rights and the well-being of all migrants at the centre of its operations and decision-making, including in the context of climate change. In this sense, climate action is essentially protection action. While working to support States in upholding the rights of environmental migrants and affected populations, IOM recognizes the importance of collective action and complementarity, and invests in partnerships to address the challenges of the climate crisis. IOM will continue its work to advance climate action to serve populations in need and deliver on the promise of migration. It will do so by building the capacity of national and local authorities to integrate migration, displacement and human rights considerations into migration and climate action laws, policies and plans; by acting as a convenor of different stakeholders at global, regional and national levels to facilitate dialogue and development of policies serving the protection needs of people adversely affected by the climate crisis; and by advocating for the rights of environmental migrants and their communities based on sound data, analysis and policy advice.

27. Supra note 15.

28. IOM, IOM Strategic Plan 2024-2028, 2023 (last accessed 27 June 2024).

29. Ibid.

30. IOM, Institutional Strategy on Migration, Environment and Climate Change (2021-2030), 2021 (last accessed 27 June 2024).



International Organization for Migration (IOM)

17 route des Morillons, P.O. Box 17, 1211 Geneva 19, Switzerland

Tel: +41 22 717 91 11 Fax: +41 22 798 6150

Email: [hq@iom.int](mailto:hq@iom.int) Website: [www.iom.int](http://www.iom.int)