

Annex I: International Legal Frameworks

Though not exhaustive, this annex lists the most pertinent international frameworks concerning human mobility in the context of climate change, including both binding and non-binding initiatives.

The Cartagena Declaration on Refugees

The [Cartagena Declaration on Refugees](#) is a non-binding regional instrument adopted in 1984 in Cartagena, Colombia, that complements the 1951 UN Convention on the Status of Refugees. This declaration extends protection based on additional grounds, including to those “who have fled their countries because their lives, safety or freedom have been threatened by . . . [other circumstances which have seriously disturbed public order].” Many countries in Latin America and the Caribbean have incorporated the extended Cartagena Declaration definition into their asylum frameworks, making this extended definition binding and operational. The Cartagena Declaration’s definition may be used to extend refugee protection to individuals displaced by climate-related and environmental disasters, at the discretion of the state’s interpretation.

Following the adoption of the Cartagena Declaration, the [Cartagena Process](#) was established as an innovative regional collaboration framework and consultation process. Every ten

years, Latin American and Caribbean governments, with the support of international organizations and civil society, make additional commitments to address the emerging challenges related to displacement, which serve as road maps for strengthening protection in the region. This has led to the adoption of subsequent declarations and related ten-year action plans (namely in 2004, 2014, and 2024). The [Brazil Declaration and Action Plan](#), adopted in Brasilia in 2014, formally recognized the displacement challenges posed by climate change and environmental disasters. Most recently, in 2024, during the fortieth anniversary commemoration of the Cartagena Declaration held in Santiago, Chile, the region’s countries adopted the [Chile Declaration and Plan of Action](#). This document further recognizes the need for a regional approach to address displacement exacerbated by sudden and slow onset disasters and the adverse effects of climate change, including special attention to the needs of receiving communities to foster a rights-based public policy. To this end, the Chile Plan of Action dedicates a chapter to identifying three main programs for managing displacement challenges: prevention, preparation, response, and humanitarian action in the affected states; protection and inclusion of cross-border displaced persons; and regional solidarity for displacement in the context of disasters.

United Nations Framework Convention on Climate Change (UNFCCC)

The UNFCCC was adopted in 1992 to stabilize global greenhouse gas emission concentrations to reduce the impact of human activity on the climate system. The UNFCCC processes formally recognize climate mobility in the Cancun Agreements—a set of decisions reached during the sixteenth session of the UNFCCC Conference of Parties (COP16) held in Cancún, Mexico, in 2010, which introduced the Cancún Adaptation Framework in [Decision 1/CP.16](#). This decision invites member states to enhance action on adaptation by undertaking “measures to enhance understanding, coordination and cooperation about climate change induced displacement, migration and planned relocation, where appropriate, at the national, regional and international levels.” In 2012, the [Doha Decision on Loss and Damage 3/CP.18](#) paragraph 7 (a) (vi) encouraged “further work to advance the understanding of and expertise on loss and damage, which includes . . . enhancing the understanding of . . . how impacts of climate change are affecting patterns of migration, displacement and human mobility.” In 2013, the [Warsaw International Mechanism on Loss and Damage](#) (WIM) was established during COP19, with a mandate to increase knowledge on how the impacts of climate change affect human mobility, and it dedicates a strategic workstream focused on “[human mobility, including migration, displacement and planned relocation](#).”

In 2015, the [Paris Agreement](#) integrated provisions to enhance the resilience of communities vulnerable to climate impacts, including the notion of human rights of migrants in its preamble. Additionally, [the Task Force on Displacement](#) was created under the WIM during COP21 to “develop recommendations for integrated approaches to avert, minimize and address displacement related to the adverse impacts of climate change.” The WIM’s [2018 report to COP](#) included recommendations by the Task Force on Displacement. In COP27, a loss and damage fund under the [Sharm el-Sheikh Implementation Plan](#) was created to address, among other things, “forced displacement . . . [and] human mobility.” COP28 confirmed the [inclusion of human mobility in the scope of loss and damage fund](#), and COP29 confirmed human mobility in the funding decision and as part of the [indicator recommendation](#) in the Global Goal on Adaptation.

Guiding Principles on Internal Displacement

Adopted by the United Nations Commission on Human Rights in 1998, the [Guiding Principles on Internal Displacement](#) are a non-binding set of guidelines for states aimed at safeguarding the protection, needs, and assistance of internally displaced persons worldwide, including those displaced by “natural or human-made disasters.” The principles outline the duties of states during various stages of the climate displacement process, including preparation and planning, displacement and post-displacement, and return when possible.

African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)

Adopted in 2009 during an African Union summit in Kampala, Uganda, the [Kampala Convention](#) is a legally binding instrument that addresses the protection and assistance needs of internally displaced persons across the African continent. This treaty acknowledges that natural disasters, including those exacerbated by climate change, cause displacement and places obligations on states to protect and assist those displaced by the impacts of climate change. In 2018, the African Union issued a model law to assist states in drafting domestic legislation to implement the Kampala Convention.

Framework on Durable Solutions for Internally Displaced Persons

Issued in 2009 by the Inter-Agency Standing Committee, this [framework](#) offers guidance for achieving durable solutions after internal displacement caused by [armed conflict, general violence, human rights violations, and natural or human-made disasters](#). It also acknowledges that climate change worsens natural disasters and the resulting displacement.

The Nansen Principles

The [Nansen Principles](#) resulted from the [Nansen Conference on Climate Change and Displacement in the 21st Century](#), convened by the Norwegian

government in Oslo in 2011. The conference gathered nearly 300 experts, government representatives, and civil society organizations to facilitate dialogue and improve understanding of the current challenges of the issue. It concluded with a set of recommendations for action.

Peninsula Principles on Climate Displacement Within States

Adopted in Australia in 2013 by a coalition of academics and nongovernmental organizations led by Displacement Solutions, the [Peninsula Principles](#) provide a comprehensive normative framework to address the rights and needs of people internally displaced by climate change.

Guidance on Protecting People from Disasters and Environmental Change Through Planned Relocation

Developed by the United Nations High Commissioner for Refugees (UNHCR) in 2015, [this initiative](#) aims to establish safeguards, ensure consultation with affected communities, and guarantee that planned relocation is a measure of last resort. The guidance resulted from a consultative process that took place between 2011 and 2015, which brought together representatives of states, international organizations, and experts from various disciplines and experiences. The drafting and consultation process was supported by Georgetown University and the Brookings Institution. In 2017, this effort was followed by the release of [A Toolbox: Planning Relocations to Protect People from Disasters and Environmental Change](#), which aimed to complement the guidance and offer concrete suggestions for states and other actors considering relocating people in the context of disasters or environmental change.

The Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change (known as the Nansen Protection Agenda)

Endorsed by a global intergovernmental consultation on October 12–13, 2015, in Geneva, Switzerland, the [Nansen Protection Agenda](#) consolidates the results of the Nansen Initiative, a regional intergovernmental consultative process

led by Switzerland and Norway. The agenda aims to enhance states' preparedness and capacity to respond to the needs of persons displaced across borders by disasters and climate change, including by incorporating effective practices into existing state and regional legal and policy frameworks. In 2016, the [Platform for Disaster Displacement](#) (PDD) was established as a state-led initiative and a follow-up to the Nansen Initiative to ensure the implementation of the Nansen Protection Agenda. Under the guidance of founding members—Australia, Bangladesh, Brazil, Canada, Costa Rica, the European Union, Fiji, France, Germany, Kenya, Madagascar, Maldives, Mexico, Morocco, the Philippines, Senegal, and Switzerland—the PDD was conceived as a flexible hub for dialogue and information-sharing and a catalyst for research, analysis, and policy development.

Sendai Framework for Disaster Risk Reduction 2015–2030

Endorsed by the United Nations General Assembly in 2015 after the Third UN World Conference on Disaster Risk Reduction in Sendai, Japan, [this global nonbinding agreement](#) aims to reduce disaster risk and enhance resilience to disasters. The framework acknowledges disaster displacement as a significant concern, recognizing it as both a consequence and driver of disaster risk, and calls for actions to prepare responses that reduce humanitarian needs and increase the resilience of those affected. The Global Platform for Disaster Risk Reduction enables participants to monitor the implementation of the Sendai Framework, share new knowledge, exchange best practices, and discuss the latest developments and trends in disaster risk reduction. At the session in Cancún, Mexico, in 2017, governments [reaffirmed their commitment](#) to the Sendai Framework and underscored the importance of including “disaster risk considerations when addressing questions concerning migration, displacement, refugees and human mobility.”

Guidelines to Protect Migrants in Countries Experiencing Conflict or Natural Disaster

The [guidelines](#) were launched in 2016 as the final product of the Migrants in Countries in Crisis (MCIC) initiative, which was created in 2014 at the [Global Forum on Migration and Development](#).

Co-chaired by the United States and the Philippines, the MICIC initiative was established as a consultative process to enhance the capacity of states, the private sector, international organizations, and civil society to prepare for and respond to the needs of migrants during conflicts or natural disasters, including those linked to climate change. MICIC concluded in 2016 with the release of the guidelines, which aim to safeguard all migrants' rights and dignity, regardless of legal status, whether temporarily or permanently situated in a crisis-affected country.

New York Declaration on Refugees and Migrants

Adopted on September 19, 2016, during the seventy-first session of the United Nations General Assembly, the [Declaration on Refugees and Migrants](#) addresses global challenges related to large movements of refugees and migrants. It formally acknowledges the importance of tackling the root causes of forced displacement and irregular migration, recognizing the adverse impacts of climate change, natural disasters, and other environmental factors as drivers of migration, while endorsing commitments to strengthen protections for affected populations. The declaration lays the groundwork for developing two global compacts that would follow: one for refugees and another for migration. This landmark agreement aims to ensure that international migration, like many other areas of international relations, is guided by shared principles and approaches agreed upon within the UN framework.

ECOSOC Resolution E/2017/L.24

Adopted in June 2017 by the Economic and Social Council, [this resolution](#) recognizes that the increasing number and scale of disasters, including those related to the adverse effects of climate change, may contribute to displacement. This resolution encourages the United Nations and relevant stakeholders to strengthen efforts to address the needs of individuals displaced by disasters and emphasizes the importance of sharing best practices to prevent and prepare for climate change-induced displacements.

Human Rights Council Resolution A/HRC/RES/F35/20

Adopted in June 2017 by the UN Human Rights Council, [this resolution](#) addresses human rights and climate change. It urges states to enhance international cooperation and assistance for adaptation measures that support migrants and individuals displaced across international borders because of the adverse effects of climate change. It emphasizes the urgency of protecting and promoting the human rights of migrants and those displaced across international borders, particularly in light of the adverse impacts of climate change on small island developing states and least developed countries.

UN General Assembly Resolution A/RES/72/132

Adopted by the UN General Assembly on 11 December 2017, [this resolution](#) addresses international cooperation on humanitarian assistance in the realm of natural disasters, encompassing both relief and development efforts. It acknowledges the detrimental effects of climate change as factors contributing to environmental degradation and extreme weather events, which can result in disaster-induced human mobility. Additionally, it encourages member states to address the humanitarian and development needs arising from displacement caused by natural disasters, including by implementing national policies and resilience-building measures. States are urged to formulate the necessary and appropriate laws and policies to prevent and mitigate internal displacement in the context of disasters and the adverse effects of climate change.

Global Compact for Safe, Orderly and Regular Migration (GCM)

Approved in December 2018 in Marrakech during the Intergovernmental Conference to Adopt the Global Compact for Safe, Orderly and Regular Migration, and later endorsed by the UN General Assembly, the [GCM](#) is a non-legally binding cooperative framework based on the members' commitments under the New York Declaration for Refugees and Migrants. It constitutes the first global agreement on a common approach to international migration, acknowledging that no country can address it alone and fostering international

cooperation. Additionally, it recognizes climate change, environmental degradation, and natural disasters as drivers of human mobility. The GCM encourages states to take actions for disaster risk reduction, mitigation, adaptation, and the development of resilience strategies. Furthermore, it invites states to cooperate and create migration pathways and policies. For the first time, UN member states make specific commitments to address the drivers that compel people to leave their countries of origin in disaster and climate change contexts, and to protect and assist those on the move.

Global Compact on Refugees (GCR)

Affirmed by the United Nations General Assembly on December 17, 2018, the [GCR](#) aims to enhance the international response to large movements of refugees. The UNHCR was mandated by the New York Declaration to build upon the Comprehensive Refugee Response Framework, detailed in Annex I of the New York Declaration, and to develop a blueprint for governments, international organizations, and other stakeholders to support host communities and assist refugees in leading productive lives. Although climate change did not receive the same level of attention in the GCR as it did in the GCM, the GCR represents a critical acknowledgment that climate, environmental degradation, and natural disasters increasingly intersect with factors contributing to displacement, as well as a recognition that states may need to seek support to respond to the complex challenges of “forced displacement [that] may result from sudden-onset natural disasters and environmental degradation.”

Protocol on Free Movement of Persons in the IGAD Region

The [Protocol on Free Movement of Persons](#) was endorsed in February 2020 by member states of the Intergovernmental Authority on Development (IGAD), which includes Djibouti, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan, and Uganda. The protocol grants rights of movement, residence, and establishment to citizens of any IGAD state in another IGAD member state. While its adoption was only achieved in 2024 and its implementation is still in early stages, the protocol has been hailed as a landmark milestone because of its specific provisions for persons affected by natural disasters.¹ The protocol not only recognizes the positive

contribution that free movement can have in mitigating impacts of disasters, droughts, climate change, and environmental degradation, but also allows those “moving in anticipation of, during or in the aftermath of a disaster to enter into [another] territory” to seek safety and facilitates “the extension of stay or the exercise of other rights by citizens of other Member States who are affected by disaster.” This ensures migrants will not be sent home until it is safe and reasonable to return.

The Rising Nations Initiative (RNI)

Launched by the Pacific Atoll Heads of States in 2021 and supported by a core group of champion countries, the [RNI](#) is facilitated by the Global Centre for Climate Mobility—a global partnership of UN member states, relevant UN system agencies, the World Bank, and regional inter-governmental organizations to address climate mobility. The RNI aims to protect the statehood of Pacific atoll countries, preserve their sovereignty, and safeguard the rights and heritage of affected populations.

Kampala Declaration on Migration, Environment and Climate Change (KD-MECC)

The [Kampala Declaration](#) is the outcome of the Inter-Ministerial Conference on Migration, Environment and Climate Change held in Kampala in July 2022. The Ugandan government organized the conference, bringing together representatives from eleven countries in the East and Horn of Africa region, who signed the first high-level regional Declaration on Migration, Environment and Climate Change. Since its signing in 2022, the KDMECC has made significant progress toward implementation, including the establishment of an expert working group.

Organisation of Eastern Caribbean States Ministerial Declaration on Migration, Environment and Climate Change

Adopted in 2023 by the Organisation of Eastern Caribbean States, [this framework](#) establishes a comprehensive approach to human mobility in the context of climate change. It includes a commitment to “develop concrete solutions for persons

crossing borders in the contexts of disasters, environmental degradation and climate change on the basis of national legislation and regional frameworks.”

Pacific Regional Framework on Climate Mobility

Endorsed by the Pacific Islands Forum Leaders at their fifty-second forum, held in Rarotonga, Cook Islands, in 2023, [this nonbinding instrument](#) provides a framework to guide states, communities, and relevant actors in the Pacific in ensuring a rights-based and people-centered approach to movement in the context of climate change. It promotes a proactive, inclusive, and collaborative regional strategy that reflects common Pacific interests in a culturally appropriate manner while respecting national sovereignty and diversity.

Technical Guide on Integrating Human Mobility and Climate Change Linkages into Relevant National Climate Change Planning Processes

Prepared under the action plan of the Task Force on Displacement of the Executive Committee of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts (WIM ExCom), this document offers detailed guidance for stakeholders interested in integrating human mobility into climate change planning processes, particularly UN National Adaptation Plans.

African Guiding Principles on the Human Rights of All Migrants, Refugees and Asylum Seekers

These [principles](#) were adopted by the African Commission on Human and Peoples' Rights (ACHPR) in 2023, according to Article 45(1) (b) of the African Charter, which empowers the ACHPR to formulate standards, principles, and rules upon which African governments can base their legislation. The guiding principles recognize global climate change as an emerging issue that particularly affects migrants, propose a novel definition for climate migrants, and highlight ways

that existing African law protecting refugees could serve to safeguard those climate migrants who are displaced across borders.

Kaldor Centre Principles on Climate Mobility

Adopted in 2024 by the Kaldor Centre for International Refugee Law, [this initiative](#) provides stakeholders with evidence-based, legally sound tools to address climate mobility. It draws from a wide range of international, regional, and national laws, policies, and standards to offer guidance that can be adapted to different contexts.

Declaration on International Protection in the Context of Disasters and Climate Change

Adopted by the Refugee Law Initiative in 2024, the [declaration](#) aims to provide guidance regarding the applicability of international protection to help determine claims from people seeking international protection related to the impacts of disasters and climate change. An [analytical paper](#) was also published by legal experts along with the declaration, assessing the arguments outlined in the declaration.

Inter-American Commission on Human Rights Resolution No 2/24

Adopted by the Inter-American Commission on Human Rights in 2024, these [legal recommendations](#) are based on inter-American standards to address climate mobility. They aim to serve as a practical guide for states and promote the adoption of effective, human rights-based responses to protect the rights of individuals affected by climate mobility and their host communities.

Notes

- 1 Various African regional economic communities—such as the Economic Community of West African States, the East African Community, the Economic Community of Central African States, and others—have free movement and/or transhumance protocols. While these protocols are relevant to climate mobility, they have not been included in this annex as they do not address climate-specific considerations. More generally, free movement agreements can be a positive policy response to address climate mobility globally because they facilitate human mobility regardless of its cause.

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