

**Thinkers' Lodge Climate Crisis Retreat
May-June 2020
Thinker's Essays**

**Strategic Re-localization in the
Face of Climate Change:**

**Three Initial Actions to Generate Win-Win Outcomes for Nova Scotia and
Climate Displaced Households Who May Wish (or Hope) to Relocate There**

By Scott Leckie
18 January 2020

Globally three times as many people are now displaced annually because of extreme weather events and climate change than those displaced due to conflict, with the vast majority of those displaced living in developing countries, more than 80% of whom reside in Asia. The movement and planned relocation of people and communities from their homes and lands necessitated by the effects of extreme weather events and climate change is rapidly becoming one of the greatest threats to the enjoyment of human rights and to broader concerns of peace and security. It can be denied no longer; we are in the midst of a global climate displacement crisis. The international community is already struggling to assist and protect the world's 72 million refugees and IDPs, so what will we do when these numbers climb to 250-750 million people facing the potential loss of their homes, lands and properties in coming decades, and possibly many more?

Beyond the social and economic consequences that this displacement will cause for the very large numbers of people concerned in what are already often poor, developing countries, international and national laws and policies, and the institutions in place to enforce them are arguably not yet capable of ensuring that the rights of climate displaced persons and communities will be fully respected and protected. Without appropriate, well-targeted and adequately funded action, millions upon millions of people – all of whom are rights-holders - run the risk of becoming both homeless and landless, and in the process suffering losses of rights, livelihoods and the ordinary attributes of a full and dignified life.

Climate displacement by its very nature implies that people and communities can no longer reside within their traditional homes and that they will require new living arrangements to replace their former homes and lands. This much is clear. What is less clear, however, is where these people will go, who is responsible for them and what policies should be pursued to give climate displaced people the best chance to start life over in the most dignified manner possible.

The Inherent Dignity of the Human Person

Clearly, thus, we need urgently to shift our attention towards preventing and solving or repairing the climate displacement of today and the future. One approach to do so involves the pursuit of land-based solutions to resolving climate displacement, grounded in pre-existing housing, land and property (HLP) rights as

elaborated under international law. These norms can provide an equitable, clear and globally applicable means, grounded in agreed legal norms and best practice, of developing viable rights-based solutions to this growing crisis. Using *the inherent dignity of the human person* as the basis for concerted action (as the international human rights regime stipulates) rightly implies that each and every person, family and community that is forced from their homes and lands, against their will because of climate change, must have access to some form of remedy - both substantive and procedural - which respects their rights, protects their rights and, if necessary, fulfils their rights as recognised under international human rights law.

In effect, therefore, everyone whose HLP rights are affected by climate change needs to have a means of remedying these denials through the provision of appropriate and durable HLP solutions to their status as climate change displaced persons, and more often than not this will involve the acquisition of land and related progressive planning measures. It is often argued that the specter of permanent, non-reversible displacement caused by climate change and rising sea levels is a phenomenon that has yet to be clearly defined enough for States and their people to enable them to take the measures required to secure the long-term HLP rights of everyone affected by climate-induced displacement, but the facts clearly do not bear this out; people are already moving and policies are being put into place in an ever growing number of countries including Fiji, Vanuatu, Panama, Bangladesh and elsewhere.

For governments and others to take these rights seriously will require concerted, planned and targeted responses grounded in good faith and practices of due diligence that aim to secure these rights for everyone, at all times - attempting to prevent displacement, during displacement and if prevention fails, ultimately in helping to facilitate the end of displacement through the provision of durable rights-based solutions.

In practice, this means that States should, individually or collectively, provide climate change mitigation and adaptation assistance and support so that persons can remain in their homes for as long as possible or can move within their state or across borders in a planned manner over time that does not in any way result in homelessness or landlessness. Preventing climate displacement is far preferable to resolving it once it has occurred. But when it has occurred, States should provide climate displaced persons under their jurisdiction with a practicable level of age and gender-sensitive assistance including, without limitation, emergency services, evacuation and relocation, medical assistance, housing, food, clean water, measures necessary for social and economic inclusion, and the facilitation of family reunion.

They should provide all necessary legal, economic, social and other forms of protection and assistance to those climate change displaced persons displaced within their borders and to those likely to be displaced due to climate change. Appropriate laws and policies on compensation for material losses and damages incurred by climate change displaced persons need to be developed.

It is beyond contention that everyone who faces the specter of climate displacement is, in the first instance, a rights-holder who should be afforded the full protection of all internationally recognised human rights and fundamental freedoms. This applies to Bangladeshis as much as to i-Kiribati, and to Guna First Nations peoples in Panama as much as to Maldivians, Solomon Islanders, native Alaskans, Canadians, Nova Scotians and everyone else. Indeed, just as anyone anywhere can potentially

become a refugee or a displaced person, so too can all of us potentially become a climate displaced person. The rights that must be afforded climate displaced people, therefore, include all human rights found within the body of international human rights law, as well as those human rights provisions found within the domestic laws of the country concerned.

Surprise, Surprise - There is Enough Land to Go Around

Ultimately, as with virtually all efforts to improve human rights prospects throughout the world, these processes to protect the housing, land and property and other rights of climate displaced persons and communities will likely only eventuate when civil society in all corners of the globe demand as much. We rarely consider this fact, but it is useful to recall that Earth's total land mass is some 149m km² which is equivalent to 36.8 billion acres or nearly 15 billion hectares of land. If we consider this sizable amount of land in terms of climate change and, more specifically, likely levels of climate displacement, some interesting figures emerge. Basing our calculations on mid-level estimates of projected climate displacement of 250,000,000, assuming an average household size of five persons and further assuming an average land requirement of one acre per household (understanding fully that some households will need more (rural dwellers) and others less (urban and peri-urban dwellers), we find that some 50 million acres of land would be a reasonable estimate of the physical amount of land that would be required to provide various land-based solutions to the world's climate displaced population. While the numbers of people may differ, as may the ultimate amount of viable land, combined with the fact that a whole series of additional financial, economic, social, livelihood, infrastructure, transport and many other issues will determine the ultimate viability of any plan to resolve climate displacement in a rights-based manner involving direct access to land resources, we simply want to make the point here that *we do have enough land* to provide land to those who lose their land or the ability to reside upon their land in a dignified manner. All that is required is the equivalent of 1/700th of the landmass of planet Earth, (roughly the same size as Uganda) would facilitate rights-based solutions to climate displacement. Surely with the right policies, political will and growing civil society engagement, the world can achieve this objective. Our global land-needs models suggest that in total anywhere between 12.5 million (roughly the size of Tasmania or Costa Rica) and 50 million acres (the approximate size of Uganda) of land would be required to provide various land-based solutions to the world's climate displaced population. This may sound like a lot, but in fact it represents a miniscule 0.03-0.14 percent of the Earth's land surface as it exists today; amounts of land certainly within our collective grasp should we pursue such strategies to resolve climate displacement.

What Can Nova Scotia Do Now to Prepare the Ground?

Bearing all of this mind, what precisely can the people and provincial and local governments in Nova Scotia, with the backing of national government, do now to turn these many climate change negatives into laws, policies and programmes that assist in protecting the rights of those displaced due to severe environmental changes? Put even more positively, could Nova Scotia become a global leader in people-based solutions to the human effects of climate change? Rather than restricting immigration or building walls, could Nova Scotia offer the elements of a new blueprint on humanistic climate adaptation?

The organisers of this retreat have posited two key questions: 1. How can we assist local communities towards a new visionary narrative that is forward looking, trusting and deeply collaborative? 2. How can communities best mobilize, engage and coordinate their residents and organizations to achieve meaningful goals within a meaningful timeframe?

Grounded deeply in work Displacement Solutions has carried out throughout the world to prevent and resolve climate displacement in various manifestations, we have considered these two queries and have come up with three specific actions that could be considered by those seeking to transform the crisis of climate displacement into a force for good. In the interests of brevity, we will briefly present these three actions with a view to promoting discussion during our time together at the Thinker's Lodge.

Action 1 - Assess Provincial Popular Sentiments and then Encourage a Strong Public Political Statement

Though Nova Scotia has a small population of around one million residents, it remains the second most densely populated Canadian province. As such, with a population density of that level and continuing competition within the labour market where unemployment stands around 7-8%, it will be vital to assess levels of popular support for any new policies designed to promote the idea of Nova Scotia becoming an intentional magnet (NS-Magnet) for climate displaced persons. Well thought through measures will need to be taken by supporters of the NS-Magnet idea to ensure widespread public support for such an approach. Focusing on the economic benefits of such policies and the growth in prosperity that can be anticipated if the policy is implemented properly - over and above the purely humanitarian aspects of the policy - may assist in generating greater levels of public support, including those sectors that may be initially reluctant to embrace it, eg. those who feel threatened in whatever way by the arrival of new climate migrants.

Action 2 - Appoint a NS-Magnet Planning Commissioner and Office

Just as ministries, departments or agencies are routinely established when new governments with new priorities wish to enact their desired policies and projects, so too can any government, and preferably all of them, establish new state-based agencies, or even ministries, to coordinate solutions to climate displacement. Having either a new provincial-level ministry or a focal point within an existing ministry such as an *NS-Magnet Planning Commissioner and Office* in place within the heavily affected countries would signify a huge step forward in the global quest of protecting the rights of climate displaced persons wherever they may be. Some of the initial efforts of such an institution could include the development of targeted subsidy programs to benefit both new residents and current residents willing to provide jobs or homes to new arrivals, the establishment of quotas within existing immigration and refugee policies to specifically assist climate displaced families, tax exemption policies designed to benefit the local population and new arrivals, lobbying political parties to prioritise these matters, carrying out provincial and local Economic Needs Assessment Plans with Specific Target Groups, and Province-wide diagnostic studies of potential climate displacement in Nova Scotia, particular along coastlines, permafrost areas and waterways.

From a governance perspective, citizens and those seeking a new life in Nova Scotia need to be able to identify which specific domestic institutions are responsible for ensuring the rights of climate displaced persons, and which international institution(s) should be responsible for assisting these victims of climate change. In determining this, climate displaced persons as beneficiaries of existing rights can reasonably be expected to have provided to them clear answers to several very straightforward questions, including: Where do I turn for social, financial and resettlement assistance if my land or home is threatened or no longer viable because of the consequences of climate change?; Which public institution is entrusted with enforcing, respecting and protecting my HLP rights?; If I am displaced due to climate change, what rights do I have to a new home or new land?; What role will insurance play in resolving my situation? What laws and rules are in place recognising my rights and how can I best seek to enforce them?; and If I lose my home or land due to climate change, am I entitled to compensation or reparations? If so, where do I find out how to access these remedies? All governments should have precise, rights-based answers to these and other questions that may be posed by climate displaced persons. Beyond the improved application of existing law and State obligations to respect and protect them, the effective protection of the rights of climate displaced persons will require the existence of clearly defined institutions that can provide clear and sustainable answers to all of these questions wherever they may be posed. Indeed, prevention of harm due to disasters and basic due diligence is increasingly becoming addressed under human rights law.

Action 3 - Establish a Climate Land Bank

The establishment of a Climate Land Bank (CLB) will result in fundamental and positive changes for people and communities threatened with climate displacement, and provide opportunities and prospects that are currently unavailable in the country. In particular, the CLB will create the following policy and institutional improvements for climate-affected people in the country: An institution dedicated to diagnosing the scale and location of climate displacement; A pathway for pursuing climate justice for the most vulnerable coastal communities; A mechanism to prevent potential land conflicts; A means for securing the full spectrum of human rights for all people and communities threatened with climate displacement; and The successful establishment of the Climate Land Bank will provide a remedial model for other countries to emulate in their own quests to deal constructively with growing climate displacement.

Scott Leckie
Director, Displacement Solutions
scott@displacementsolutions.org