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CHALLENGES, SOLUTIONS AND LINKAGES

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P R O C E E D I N G S

MS. FERRIS: I am the Director of the Brookings LSE Project on Internal Displacement. I'd like to welcome you to this session. We will explore the connections between disasters and displacement, looking at some of the challenges and solutions of working on them.

Some 150 million people were displaced by natural disasters, sudden onset natural disasters over the past five years. It's a huge issue and one that deserves more attention.

We have a very distinguished panel that's going to be telling you everything you need to know about disasters and displacement over the course of the next hour or so.

We're going to begin with the Ambassador, Claude Wild, who is the Head of Human Security on the Federal Department of Foreign Affairs of Switzerland. He has a long and distinguished history working in peace keeping operations in Namibia and Western Sahara, and has been a diplomat with the Swiss government since 1992 with Postings and Moscow, Brussels, Ottawa, Legos, Vienna, and now you're back in Bern doing this important work. He'll begin with some opening remarks on the issue of displacement and disasters.

We'll then turn to my co-director of the Brookings LSE project on Internal Displacement, Chaloka Beyani, who is a Professor of International Law at London School of Economics. He too has worked on these issues for many, many years, and was instrumental in drafting the worlds' first binding regional instrument on internal displacement, the AU convention on IDPs, sometimes known as the Kampala Convention. It's great to have you here in Washington with us Chaloka, and look forward to hearing you.

MR. BEYANI: Pleased to be here. Thank you, Beth.

MS. FERRIS: As you might imagine, Chaloka's going to focus on displacement within the borders of a country that are caused by disasters.

We're then going to turn to my former co-director, Walter Kalin, who was representative of the Secretary General on the Human Rights of IDPs until 2010. He's a Professor of International Law at the University of Bern. He's now going to be speaking to us about the Nansen Initiative. He's the envoy of the chairmanship which looks particularly at cross-border disaster induced displacement.

So we'll start by looking at internal displacement. Chaloka's going to talk mainly about internal displacement caused by disasters. Then we're going to turn to Walter Kalin who's going to focus on cross border displacement caused by disasters.

Then to round things off we're delighted to have Jane McAdam with us who's an expert on climate change and displacement. Has written several books on the legal framework and gaps around the issue of displacement. She also teaches International Law at the University of New South Wales in Sydney, and is Director of the new Kaldor Centre for International Refugee Law.

We're delighted to have you Jane, and Walter, and Chaloka. I think it should be a great discussion. Please, if you can't hear any of the speakers give us a little wave and we'll have everybody talk into their microphones. Please, Claude.

MR. WILD: Thank you very much. Excellences, ladies and gentleman, dear panelists, dear Beth, as every year on the occasion of the Swiss date it's a great pleasure for me to be here to brainstorm a little bit with imminent panelists and with the U.S. public about the global challenge in the humanitarian field.

At this year's event we would like to draw your attention to a growing challenge worldwide on which Switzerland has decided to act. This challenge is the one of displacement in the context of disaster.

So let us a little bit analyze this phenomenon of displacement more in detail. I'm giving here the introductory remarks and then we will have the specialists delving into the subject.

Over the year if we look at the factors driving displacements have changed. In the past displacement was usually mainly related to armed conflict and the

ensuing human rights violations. As the numbers show conflict is still an important driver of displacement. According to the International Displacement Monitor Center, IDMC, 29 million people were displaced by conflict in 2012.

However, another driver has gained an importance in recent years. Displacement by disaster which currently outnumbers conflict related displacement. According to IDMC over 144 million people were displaced by sudden onset disaster in more than 120 countries in the five years between 2008 and 2009.

This number is far bigger than the numbers of refugees and IDPs displaced by persecutions and armed conflict, and is likely to increase in the context of global warming. If we were also to count the persons displaced by the so called slow onset disaster like draught the numbers would be exponential, would be much, much higher. So this is words to have in mind.

Displacement, in particular, internal displacement has been an issue of crucial interest to Switzerland for nearly now a decade. Internal displacement persons represent a particularly vulnerable category of civilians who suffer the consequences of conflict and whom government have an obligation to assist and protect. For Swiss foreign policy the protection of the human rights of internally displaced persons is therefore a priority.

We highlight this priority in the Swiss strategy for protection of civilians in armed conflict. I've put some examples of this strategy outside. You are welcome to pick them up. In this strategy we focus on the protection of the most vulnerable groups: Children, women, IDPs.

To implement the IDP protection part of this strategy we started to support the work of the special representative of human rights of IDPs in 2005, and continue closely to cooperate with the mandate of the special rapporteur of the human rights of IDP, Chaloka Beyani. We want result oriented foreign policy. The mandate holder, Chaloka, needs to be empowered.

That's the philosophy why we work, academic, diplomacy, UN. It's a nice

cluster, and is the philosophy of the Swiss foreign policy that is influenced by watch making. We want to see a result not just a nice concept. But we need the academy to give us the right lead on where we should head for results.

All right. As I said, the strategy, you have noticed, is for protection of civilians in armed conflict. But specifically as I said in the beginning we have displaced persons that are displaced outside of armed countries. They too need an instrument of protection.

So with respect to the internal displacement in the context of disaster the special rapporteur of human rights of IDPS has an important role to play. The topic is very rightfully among Chaloka Beyani's diplomatic priorities.

While the need of persons displaced within their own country following a disaster are covered by the operational guidelines on the protections of person in situations of natural disasters, the rights of those fleeing abroad. That is what is important. Fleeing abroad in another country under such conditions are not protected.

We are particularly concerned with this group which does not fit into either of the classic categories of refugees or IDPs. Yet as the understanding of the dynamics of displacement and disaster, respectively, and how these two phenomena are interrelated are still quite poor. Therefore, consolidated findings about displacement in the context of disaster and climate change are urgently needed.

Furthermore, adequate tools and guidance need to be developed so that states are better equipped to protect the rights of people displaced by disaster.

So we have here identified the gap in Swiss humanitarian policy where world governance had no response. So there was a clearer need for an initiative to create a protect agenda for people displaced out of their own country by disasters. Now, how did it start?

We identified the gap, and the response of a responsible diplomacy is to try to fill the gap with an initiative that can be mainstream, yield an agenda that, at the end, is implemented. So that's the journey we are on.

We seized the occasion of the UNHCR Ministerial Conference to commemorate the refugee and statelessness convention in December 2011. We seized this occasion together with Norway to make the following pledge, and I quote. To cooperate with interested states, UNHCR, and other relevant actors with the aim of obtaining a better understanding of such cross border movement at relevant, regional and sub-regional levels identifying best practices and developing a consensus on how best to assist and protect the affected people.

That's the pledge we made in 2011. To implement our pledge we launched the so called Nansen Initiatives. Nansen is a very famous Norwegian explorer. He was also the first commissioner for refugees. That's why it is called the Nansen Initiative. Since the special envoy, Professor Kirk Kelly with the Swiss National the name of the initiative had to be Norwegian since it is a bilateral initiative.

What does a characteristic of this initiative? It is a state-led consultative process which aims at building consensus on the elements of a protection agenda that will address the needs of people displaced across international borders in the context of disasters.

The Nansen Initiative is led by a steering group composed of seven states from the global north and south: Australia, Bangladesh, Costa Rica, Germany, Mexico, Kenya, and the Philippians. We have the five inhabited continents represented. The initiative, of course, is co-chaired by Norway and Switzerland.

To accommodate other interested states a group of friends has been created and I'm very happy to tell you for those that don't know it that the U.S. is a member of this group of friends.

The process is as well supported by a consortative committee composed of representatives from international organizations, researchers, think tank and NGOs. Both Jane McAdam and Beth Ferris are part of this committee. Again, the idea of cluster so that diplomacy doesn't work alone. Often it doesn't yield the optimum. We have to work in cluster with the real world and also the academic world.

So how does it work? At the core of the Nansen Initiative are five regional consultations which aim to gather information about the specific regional situations with regard to displacement in the context of disasters. So far two of these consultations have taken place successfully. One in the South Pacific, and another in Central America. The third one is due for May in the region of the whole of Africa. It will be in Nairobi. But Professor Kalin will delve into the details.

Now, to conclude maybe the protection agenda that will come out of all these regional consultations will be hopefully set up at the global meeting in summer 2015, so it will be soon. Once we have consensus on the key element of this protection agenda for this cross border disaster and displaced persons we will start then. It's another battle that starts to shape the international discussion around this agenda.

Until we reach that stage there are still several challenges. I will just briefly mention them. As the consultations so far revealed the realities regarding displacement in the context of disaster differ, of course, substantially in different regions of the world. So we will have to answer the following questions on the way ahead.

How can the protection agenda address specific regional needs but still be of value at the international level? This requires a creative approach with regard to the design and content of the follow-up.

Second challenge, how should then this protect be best promoted and disseminated to assure it is widely known? Which implementation mechanism will ensure that effective links are established with thematically related processes?

I will stop here with these questions. That shows the ways that we still have to cover to make sure that our initiative does not only create a new protection agenda on paper, but that this protection agenda is then efficiently implemented on the ground so that effective protection can be delivered to this very vulnerable group of disaster induced cross border displaced person. Thank you very much.

MS. FERRIS: Thank you very much, Claude. We'll turn now to Chaloka Beyani to hear more about internal disability caused by disasters.

MR. BEYANI: Thank you, Beth. I hope that my microphone is catching and projecting my voice. Ambassador Claude, distinguished delegates, and my also distinguished fellow panelists it gives me great pleasure to be at Brookings in my capacity as co-director of the Brookings LSC project on internal displacement.

I think it's also a matter of particular pleasure that I share the panel with very distinguished panelists. No less than my predecessor Walter Kalin whose tenure ship of the mandate I try to emulate most of the time. Jane McAdam who has done some cutting-edge work on climate change induced displacement. So I believe that I'm actually in very good company as a result of that.

Let me start by indicating the magnitude of the problem. Of course, the figures may vary depending on who's doing the counting. My figures are very much based on part of the report that I did for UN on climate change in 2011. But according to U.S. estimates up to 50 million people were estimated to be internally displaced due to natural disasters each year. The impact of the nature on the humans often is exacerbated by humanities and mitigated interaction with nature. The consequences of this are a world-wide phenomenon that knows of no geographical boundaries.

We're used to dealing with conflict induced displacement which by and large we see and perceive as a phenomenon of the global south. But in responding to disaster related displacement clearly the (inaudible) and all parts of the world are not exempt.

I do remember that when Walter Kalin looked at the victims of Katrina and called them IDPs there was quite some consternation in this part of the world because IDPs very often are found elsewhere not in the United States or Canada or the United Kingdom for that matter, but that is the reality that we actually face.

Imagine the following scenarios which have just taken place between December 2013 to February 2014. The southwestern part of the UK is completely flooded. Areas in Dolcett are cut off. As were (inaudible) that were washed away by floods and rising sea levels. Farmers unable to tier their land for some time. They're only

compensated by the government 5,000 pounds each, which is obviously inadequate. So food insecurity looms because the farmers say for quite some time our lands will remain unproductive perhaps for the next one or two years.

Last week sandstorms from the Sahara Desert, no less, were carried all the way in the UK causing smoke and pollution. The sick, especially those with asthma, were warned to stay indoors. Cars were covered in soot. People were surprised when they woke up each morning to actually find sand and soot on their cars, and asking why is this? The weather persons did say this is sand that has been carried all the way from the Sahara Desert into the UK.

Prime Minister David Cameron cancels his morning run due to pollution and sand particles in the air. A major of personal adaptation no less. But obviously this indicates that the impacts have no geographical boundaries at all and we are all at risk.

In Washington State here a mudslide kills more than 20 persons. Something that we haven't experienced before. We have heard of mudslides in Uganda, in Asia, and elsewhere. But the impact of climate change in natural disasters is actually real and very much close to us then we do imagine.

So these and other events show that our perception of the gravity of the impact of natural disasters should therefore be reckoned with global measures and global outlooks on precaution taking into account causal links between the pattern and frequency of natural disasters, and climate change as drivers of potential actual displacement in different parts of the world.

Although I refer to climate change I will not get into substance of that because that is Jane's area of expertise. But it is also significant that in 2010 alone 42.3 million people were nearly displaced by sudden onset of natural disasters. 90 percent of which were due to climate related effects. 14.9 million were replaced in 2011 by sudden onset disasters.

In recent years the impact of such disasters has been felt in countries such as Australia, Bangladesh, China, Haiti, India, Japan, Pakistan, the Philippians, New

Zealand, Uganda, UK, and the U.S. Slow onset disasters have also been evident, for example, in the whole of Africa, in the Sahara region, at also in Afghanistan.

Low islands states such as the Maldives, Tuvalu, Nauru have borne the brunt of rising sea levels and felt the risk of submission. It is estimated that between 100 sea levels that will have risen by 1 meter and likely to cause disproportionate effects in different parts of the world.

What then are the adverse impacts of natural disasters? I think even if we refer to these as natural disasters it is always worth recalling it, and I think the point is repeatedly met that natural events or occurrences may have a life of their own. What makes them a disasters is their impact on humanity which in turn owes much to the adverse effect of humanities on activities or interaction with the environment. Lack of better planning. We'd like to have better views of the sea so we build our houses on mountain slopes. When earthquakes, which naturally occur, then, of course, that becomes a disaster. There is a clash between natural events and occurrences and nature.

But the following, obviously, added more adverse impacts that have been tabulated. Increased draughts or rainfall, as the case may be, environmental degradation, and slow onset disasters such as famine or desertification which undermine agricultural livelihoods and reduce food security, intensify competition of access to water and natural resources, and therefore may cause people to move.

Contraction of snow covered areas and melting of sea ice leading, amongst other things, to rising sea levels and high water temperatures affecting the habitability of coastal areas and low-laying island states.

Increased frequency and intensity of weather related natural hazards such as tropical cyclones, hurricanes, mudslides, and flooding which are a threat to the physical safety of affected populations, and leads to potential actual planned relocation of persons from high-risk areas.

Conflict and social upheaval directly or indirectly attributable to climate

change related factors such as competition for natural resources, changing livelihood patterns, increase social tensions, and possible consideration of vulnerable population including nomads, pastoralists, and those in informal settings in poor urban areas where the mega trend owing to slow onset disasters is urban migration, and the consequence that those who migrate leave in precarious areas within the informal settlements.

So within the broader context of the impact of the effects of disasters on humanity and human rights affected populations who have been forced to leave their home or place of habitable residence are a category of persons considered to be especially at risk within states or across international borders as the case may be.

Indeed, as the guiding principles do tell us, those displaced within states fall in the category of internally displaced persons. According to the guiding principles persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitable residence, in particular, as a result of or in order to avoid, in this context the effects of natural or human made disasters, and do not have crossed an international recognized state border.

So it's quite clear that the regime related to IDPs over a period of time was forward looking and including within the definition of IDPs those who may be acquiesced to move as a result of natural or human made disasters as a result.

But as my mandate has repeatedly emphasized it's very important to underscore the need for a human rights based approach to natural disasters and the protection of persons affecting. Natural disasters pose a risk to the right to life, have negative implications for such basic rights as the right to adequate food and housing, water and health, and affect the overall rights to an adequate standard of living.

Several of my colleagues in the special procedures are special rapporteurs on the right to food, housing; for example, document the effects of climate change and disasters on the impact of such rights.

But we have seen progress in the application of the human rights based approached to situations of natural disasters. In 2010 and (inaudible) of the mandate of

the interagency standing committee adopted the revised operational guidelines on the protection of persons in situations of natural disasters.

These guidelines provide a tool for identifying and responding to particular human rights protection challenges in situations of natural disasters, and provide guidance on practical measures that can be taken during all phases of disaster response to mitigate or to prevent such challenges. I'll get back to this theme later.

In my view a human rights based approach also calls for a synthesis between human rights and international environment law. As regards precaution, intergenerational equity and causation, human rights should be seen to provide a basis for organizing these standards in the context of the right to a safe environment. That means state responsibility for protecting human rights is premised on the foreseeability of risk or harm which implicated disaster risk reduction and preparedness with regard to adverse impacts of natural disasters, whether slow onset or sudden onset.

In other words, which areas of the states are foreseeably at risk in the future at the impact of natural disasters? Whether a sudden onset or slow onset. If such foreseeability clearly is indicated then majors of preparedness and disaster risk reduction they should also begin. The failure to do so, including to warn persons of the likelihood of the occurrence of disasters in human rights has found states to be responsible for that failure. So this is an important development within human rights.

Holding a place within the human rights framework for IDPs, of course the 1998 guiding principles that I have already mentioned, the U.S. guidelines on natural disasters, but other to that is also the interagency framework for durable solutions that I will come to towards the end of my discussion. The operationalization of this framework is central to the current priority of my mandate on durable solutions.

The global regime has been complemented by certain regional developments, notably the African Union Convention on the protection and assistance of internally displaced persons or the Kampala Convention, which specifically requires that measures be taken to protect and assist IDPs who have been displaced due to natural or

human made disasters, including climate change.

It's a particular objective of the convention to prevent, mitigate, prohibit, and illuminate the root causes of internal displacement, and this requirement of prevention and mitigation within the convention is further detailed in the obligation to devise early warning systems in areas of potential development, displacement, and develop risk reduction strategies, and emergency preparedness, as well as management majors in addition to providing protection and assistance if necessary.

I think it's also important to notice that preparedness will require investments in technologies. It will also require preparedness as regards sustainability of livelihoods. It will also require preparedness in the context of evacuation as justified by the guiding principles in terms of safety and health of individuals involved. Also should not amount to arbitrary displacement as the guiding principles tell us?

I'd now like to look at the whole issue of durable solutions in the context of natural disasters, and what might be useful in the context of beyond displacement and the need for durable solutions.

A number of factors are conducive to durable solutions. One such factor is ensuring a transition early on from the humanitarian assistance phase to early recovery and reconstruction. Thus, allowing IDPs either to return to their places of origin and resume their lives as early as possible after a disaster. Or to be locally integrated elsewhere or, indeed, be resettled elsewhere according to the circumstances.

But needless to say that the issue of choice must be formed in the participation of IDPs, of course, as the practice has shown must be taken into account.

Similarly, promoting self-reliance of affecting communities and reestablishing local economies and livelihoods such as by increasing access to credit, verified natural services for the poor in the form of microfinance, utilizing existing markets in their different facets, and forms of livelihoods can help facilitate durable solutions.

Actively promoting the participation of affecting communities in all the activities from humanitarian assistance, to livery activities, to engagement with

development actors also encourages early recovery, ensures that projects use and reflects the capacities of IDPs as well as their needs. It's also important to look at the role of receiving communities and their participation in these processes where that is possible.

Achieving durable solutions for IDPs due to natural disasters should be part of contingency plans at local national levels involving composite (inaudible) programs for disaster preparedness, evacuation protection, assistance, and also resilience building support by national budget or provision as well as development processes.

Some effects of natural disasters may affect what types of durable solutions are accessible to affected populations. In the case of certain types of sudden or slow onset disasters, for example, retainment may no longer be possible in the foreseeable future.

Increasingly too, it is acknowledged that durable solutions are not necessarily one dimensional or static, but may, in fact, be a combination of solutions which include, perhaps seasonal or important or split solutions, as the case may be. It could be that one part of the family resides somewhere temporarily; another part of the family could be elsewhere. These are transitional solutions that in the end should lead to durable solutions based on the fact that the decision with regard to durable solutions must be based on free and informed consent.

However, new approaches may have to be made possible through regional and international cooperative efforts which may pave the way for new standards and options including cross border displacement. The Nansen Initiative is a significant development in that respect. My mandate stands ready to reinforce us with the Nansen Initiative in looking at this issue. I think this is the appropriate point at which I should hand over to Jane to look at --

MS. FERRIS: Water.

MR. BEYANI: Water. Is it water? In the Nansen Initiative and what it is

doing. Sorry I got confused.

MS. FERRIS: Thank you, Chaloka. We'll turn to Walter then to look at cross border displacement.

MR. KALIN: Thank you, Beth. Ladies and gentleman it's with some emotions that I'm sitting here. It feels like a class reunion during my time as representative of Secretary General on the human rights of internally displaced persons. I really depended on the support by the Brookings Project on internal displacement, and was always happy to come here and sit also here on this podium.

Going back with a different hat on as you have heard, Envoy of the Chairmanship of the Nansen Initiative. The chairmanship being Switzerland and Norway.

What are we talking about? Some months ago many of the media in many countries had headlines such as The World's First Climate Refugee Not Granted Asylum. This referred to a case mitigated in New Zealand at the level of the immigration tribunal and then the high court of a man from Kiribati, one of the most vulnerable, low-lying islands in the Pacific who had come to ask for asylum in New Zealand saying that he and his family had been living on the main island. The capital had lost the house where they were living. That they were unable to return to the island where they had originally come from because the island was no longer inhabitable as consequences of climate change.

The courts, the judge, accepted that this man was in a very difficult situation, but can to the conclusion, sorry, our national laws exactly as international law does not provide protection for people like you. This is one person.

January 2010 the earthquake in Haiti displacing large numbers of people internally. This is a well-known story, an often told story. What is less known is that already during the first night families showed up with wounded family members at the border to the Dominican Republic. They knew exactly that there was no medical help available at that time immediately after the disaster in Haiti.

In the middle of the night the president was woken up and asked, are we

going to open the borders or do we keep them closed? He couldn't get any guidance from any international standards. It was probably his heart that felt I have to let these people in because they are in a very difficult life threatening situation. But Haitians until today show up in Central American, beyond that, Brazil. Haitians are still in temporary protection status in this country.

The question again is, how should states react to the needs of these people? Do they deserve protection? Do they need protection? Is there an obligation to grant? In the Haitian context we are talking about some 10,000 of people that cross border were arguably displaced across international borders.

2010, 2011 in the whole of Africa the peak of a 10 year period of draught in Somalia. Pastoralists lose their last animals, crops are destroyed. People show up at the borders of Kenyon. The hundred thousands, about 150,000 at the borders of Ethiopia of Chipuchi.

Again, the question is what to do with these people? Governments were very generous and granted them refugee status, but these were people who said we are not really fleeing the conflict. We haven't been attacked. We haven't been targeted by whoever is fighting in this conflict. It's because we will die unless you let us in.

These are some examples. As you can show it can be at an individual level of a few individuals, a family. It can be large communities. It can be really whole countries that are affected by disasters caused by natural hazards. These disasters can be sudden onset like windstorms, earthquakes, tsunamis, flooding. They can be slow onset, like draught, desertification, or rising sea levels with ensuing slow onset deterioration of the environment.

People are displaced, we know also as a consequence of state measures. The sense of duty to protect people this means that their lives, this means that sometimes governments tell people you can't stay here. This is in a disaster prone area. Move out. But where can they go?

Sometimes governments take measures to forcibly relocate people. I've

seen that in Southern Africa in a country where the government said, we simply can't afford every second year after the flooding to rebuild the whole infrastructure, but people didn't want to go.

Many, many questions. As we know most of the people displaced by natural hazards and ensuing disasters remain (inaudible) in their own country. Therefore, Chaloka Beyani's mandate.

Some cross borders. We don't know the actual numbers. This is not a recognized category, and therefore category does not exist. It's not been counted. So we simply don't have the overall number.

But wherever I go to all the regional events to have the consultations not one single government told me it's not an issue. Quite to the contrary. They all say it's a real issue.

To address this real issue in a situation where we have all these gaps, and it's not only legal gaps. It's also gaps in terms of the actual response. Its gaps regarding the mandates of the humanitarian agencies, and to really fall under UNHCRs mandate. Who is responsible? We don't really know. We do have the classical system and the approach, but, for instance when it comes to the protection class. Every time there's a big fight not to have to take over that role of running the protection class. That's just internal. When people cross borders, again, we don't have to respond as there are funding gaps.

Funding gaps are important particularly when we're looking into the future. When we're looking at climate change. Professor McAdam will take that up. But if you just read what the panel of experts on climate change published last week. It's, again, quite alarming.

I do not belong to the alarmist school who says we know for sure that in the middle of the century it will be 200 or 500 million. But we know it's increasing. This is something also humanitarian agencies knew back in 2007, 2008.

We, at that time, had a discussion within the framework of the

coordination mechanism of the humanitarian agencies and (inaudible), the interagency standing committee where we felt that those negotiating on climate change would have to be brought into the picture. That traditional funding mechanisms, response capacities by the international community would be insufficient in the long term.

We made submissions to the climate change negotiations in Copenhagen. I think we were quite successful when the climate change negotiations in Cancun in 2010 adopted the Cancun adaptation framework. We say short paragraph among a long list of paragraphs, paragraph 14F recognizing that displacement, voluntary migration, planned relocation both internally and cross borders are one of the really key challenges of adapting to climate change.

This was a full recognition by the international community. It's an issue that was put on the agenda. But the problem was where to take it from there. With all due respect to climate change negotiators these are not the people that have the role or would be able to give content to such a short paragraph.

It will extend when UNHCR took up the issue not with the success the High Commission for Refugees expected and that's when Switzerland and Norway came in and the initiative was started.

Let me tell you a little bit about kind of lessons learned. This initiative is time bound. We started the beginning of last year. We have conducted two regional consultations as mentioned by Ambassador Wild the Pacific, in Central America we are very close to the third consultation in the whole of Africa. We already had the Civil Society pre-meeting. I went to the region, visited several of the countries, talked to governments, academics, civil society.

What have we learned that far? What are some of the kind of intermediate outcomes? We'll have more consultations towards the end of the year. The Philippians for Southeast Asia. Most likely Bangladesh for South Asia. Middle of next year we will have a global consultation and will adopt what we call the protection agenda, document bringing all of this together.

Let me come back to what this protection agenda should be and how it is instrumental in the process we are envisaging. But let me tell a little bit about some of these consultations, not the Pacific; Jane McAdam will talk about it from the climate change perspective. But let me say a few words about what we discuss in Costa Rico.

In Central America it was very much about sudden onset disasters. Hurricanes, earthquakes, volcano eruptions, and the like. What was felt was that in Central America states do have quite good developed disaster response, disaster management mechanisms. They have regional coordination, but that this was kind of addressing the immediate emergency phase looking at their own people inside their country.

What was felt was that cross border movements of people is a reality. It happens all the time. Very often governments are generous in providing temporary protection or what they call humanitarian visa. But it's an attack approach. It's not coordinated. One of the key recommendations is we have to harmonize our approach to temporary protection to humanitarian visas at the regional level.

The problem is if you admit them temporarily will they go back? They only will go back if they can go back. If there is recovery that's in a relatively short period of time. This is often not happening, and that's why second key conclusion, we need to link temporary protection issues to durable solutions, to recovery activities that are beginning from the beginning starting very early on. We cannot talk about phases, emergency phase for three, six months, one year, then we slowly move into development approach of recovery.

There was a lot of talk about the situation of migrants, regular migrants caught up in a disaster. This is a corridor where many people move towards the U.S. borders. If there is a big disaster these people are stuck. Laws often do not allow to provide them these humanitarian assistance. They are exposed to many kind of abuses very often, and there are no solutions for that. What are we going to do on that? Again, governments want to talk about. There will be regional follow-up for all these issues.

Horn of Africa. Horn of Africa there are three big situations. One is still the situation of Somalia. People still staying in camps. There was a lot of discussion about whether refugee law, in particular the African convention on refuges, was a very wide (inaudible) notion of refugee people having to leave the country because of a collapse of public order whether this was the right approach.

The answer, yes. Because on our region we had displacement in the context of draught is also linked to conflict. To inability to provide the humanitarian assistance, food aid to these people inside the country because of a lack of a secure environment.

We talked a lot, and there will be talk about pastoralists. During centuries people have been moving with their animals to neighboring areas that are now on the other side of the colonial borders. This has been working quite well. It's a measure of adaptation. There is draught in one part of Kenya, for instance, and they move into Uganda or Ethiopia and vice versa.

Problems nowadays are these movements have become more difficult because of, again conflict related issues, proliferation of small arms, conflict between the communities that move and the host communities. Then a legitimate interest of governments to secure their borders because of threats of terrorism. But the two agendas opening up space for pastoralist movement so they can escape, can adapt, and the regional security agenda clash.

Third element, irregular migrants. A lot of irregular migrants. Ethiopians moving to Ethiopia et cetera, and the creation of what happens to them. Smuggling, lots of exploitation. Enormous protection problems. Many of these people move because of poverty. But in many cases poverty is caused by draught, by deteriorating environments.

I think I have to come to an end if I see you. So let me conclude with four points. What have we learned thus far? First, these displacements are multi-causal. It's not just a natural hazard. Its many factors. Pre-existing vulnerabilities, lack of resilience, conflict, and so on, and so on. We have to look at it as multi-causal. There's

no direct link between climate change and movement of persons.

Second, it's very much regional issues. The two examples I gave you big differences. People remain with their regions in most cases, and responses have to be regional. A big role for regional organizations.

Third, we cannot just focus on protection of those already displaced. We need a whole tool box. Helping people to stay, that's about adaptation, resilience building, helping people to move voluntarily to adapt, voluntary migration, helping to people relocate in a good way, planned, and protection for the displaced. Thank you.

MS. FERRIS: Thank you very much. We'll turn now to Jane McAdam to talk about climate change and displacements. Welcome.

MS. MCADAM: Thank you very much. Well, distinguished panelists and ladies and gentleman, may I echo the sentiments expressed by previous speakers and say what a delight it is to be here, once again, at Brookings. In particular, to have the opportunity to be part of this very eminent panel. It's quite a privilege to be on it.

Well, there are certainly a number of overlaps between the issues that Professors Beyani and Kalin have presented in terms of the relationship between disasters and mobility. But I think climate change is distinct in two ways.

The first is that climate change functions as a threat multiplier. So disasters become disasters on steroids. They become more frequent and more intense. Those how are affected are likely to be among the most vulnerable already, so either the very poor, those living in environmentally precarious parts of the country, perhaps without the social networks or the capital to get out of harms' way early on.

Secondly, climate change is a process. The slow onset impacts such as sea level rise or salination or desertification there won't be a sudden event that trigger flight, but rather a gradual deterioration of living conditions that ultimately may render an area uninhabitable.

The classic case that we've heard about is that of the so called sinking island states. It's not a term that I like. It's not a term that inhabitants of those countries

like. Places like Tabula and Kiribati.

As Beth Ferris once said, sudden onset disasters, things like cyclones, hurricanes, and earthquakes are the easy events to identify. The greater challenge relies in responding to the impact of these slower onset processes which potentially pose a more permanent risk to the sustainability of certain human settlements over the long-term.

The point to note is that current legal framework whether international, regional, or national generally don't facilitate movement that is anticipatory where people calculate the future risks and decide that they would rather leave now then stay and wait for the situation to become intolerable.

But current protection frameworks like refugee law or complimentary protection, that is human rights based protections, which prevent people from being sent back to persecution or inhuman or degrading treatment or punishment or places where they face arbitrary deprivation of life are premised on the idea that it's too dangerous to return now. They are far more remedial then they are proactive.

There's a risk that migration in response to slow onset climate change impacts will fade from the international policy agenda because it's considered too high. Raising challenges to the ways in which states have traditionally responded to forced movement.

Another thing is that movement in response to slow onset climate change processes is often perceived by governments as a future problem. When I say governments I'm thinking probably here of potential receiving states. So because the longer term impacts of slow onset climate change don't fit domestic, political election time scales it's pretty easy to overlook policy development in that sphere.

Of course, the irony of all of this is that if we fail to plan for slow onset displacement we may eventually end up with disaster situations that necessitate an emergency response.

Professor Kalin already spoke about the fact that what we're talking

about here is a multi-causal phenomenon. So as with disasters, we can't say that climate change in and of itself will be a sole cause of movement. Studies reveal that people make decisions about whether or not they'll move or stay put based on their overall socioeconomic situation.

The combined changes to the climate and importantly, their interaction with pre-existing stresses that people may be experiencing. Things like general impoverishment, environmental vulnerability, recourse scarcity, lack of livelihood opportunities, and so on will determine if and when people move.

So one Bangladeshi government official I interview said, he put it like this. He said imagine that a person can carry 40 kilos on his shoulders. Then on top of that I kind of put another kilo on the top of that load. Now he keels over and dies. What was responsible for that? Was it the 40 kilos that was already there, so all there pre-existing pressures, environmental, fragility, resource scarcity, and so on? Or was it that kilo of climate change that I put on the top? So that's really what we're talking about here. We cannot easily separate out these things.

Complex causality arguments are also supported by the science of climate change. So a climate scientist will tell you that asking whether or not climate change has caused a particular event is a nonsensical and fundamentally unanswerable question because no particular short-term event can be conclusively attribute to climate change. Rather, climate represents the average of many weather events over a span of years, and varying averages over time define climate change.

Statistical trends point to an increased frequency and severity of extreme weather events which is consistent with global warming. So while individual events can't be predicted, certainly the likelihood of their occurrence can.

So should displacement be addressed then in terms of what drives it? Even that I've already looked at why this is quite difficult to determine exactly what's driving it. Or should we instead be looking at the needs of people who move and perhaps re-conceptualizing this issue altogether?

So I want to turn now to the scope of existing legal frameworks. Currently international law only recognizes a very small class of people as being in need of protection if they cross an international border. They are refuges, stateless persons, and people eligible for complimentary protection, so people fleeing inhuman and degrading treatment, and so on.

So unless you fall within one of these categories or you can migrate for lawful reasons based on, you know, having permission to migrate for employment or family reasons, or education then a state will regard you as an illegal immigrant if you attempt to come in. Even though moving in anticipation of future climate change related events is a perfectly rational response the existing legal frameworks just don't facilitate this.

So very briefly I'll just explain why refugee law isn't a good fit, and then talk a bit more about the human rights based protections. So in most cases international refugee law won't assist someone because there are immense hurdles in showing that climate change impacts amount to persecution, as that is understood in the current case law.

Essentially it's something that is meted out by government or else tolerated by government if the act is being carried out by a non-state actor. It has to be for reasons of race, religion, nationality, political opinion, or your membership of a particular social group. That's very tough to show if you're saying that you're being impacted by the indiscriminate effects of climate change.

Complimentary protection arising under human rights law might offer some protection, but probably not yet. So courts have recognized that things like destitution or dire humanitarian conditions can amount to inhuman or degrading treatment, especially cumulatively.

So, for instance, if someone from a low lying island country were facing an increased risk of natural disasters, extreme water shortages, inability to grow crops, and a heightened risk of illness could they be protected from return? Well, at some point

yes. But at the moment there are a couple of stumbling blocks.

First of all, courts have carefully circumscribed the meaning of inhuman or degrading treatment so that it can't be used simply as a remedy for general poverty except in the most exceptional circumstances. They've been especially reluctant to find that a person needs protection unless a government deliberately withholds resources from them or actively occasions harm.

So it's unlikely that a lack of basic services alone would substantiate a complimentary protection claim unless this were to render survival on return impossible.

This is linked to the second point; the timing of the claim really matters. It would seem that for protection to be forthcoming under human rights law, the harm must be relatively imminent.

Professor Kalin referred before to the case of the man from Kiribati who sought protection in New Zealand unsuccessfully. The decision makers said there was no evidence to show that the environmental conditions faced by the man on return to Kiribati would be so parlance that his life would be, and I quote, place in jeopardy or that he and his family would not be able to resume their prior subsistence life with dignity.

It was emphasized that the man was unable to show that there was a sufficient risk to his life at the present time. So without considerable jurisprudential development current mechanisms simply don't offer assistance to people seeking to escape the future impacts of climate change.

So what's to be done? Well, clearly international legal frameworks, particular those of human rights law provide us with very important benchmarks. They are hopefully buttressed by soft law instruments on internal displacement and disasters as well.

But they have to be complimented by other strategies from other areas. From migration, sustainable development, urban planning, climate change adaptation, and disaster risk reduction among others. Those sectors also need to become better integrated so that responses can be effective and holistic. That has to happen both

within internal ministries in national governments, as well as across the board international.

While there are clearly protection gaps I think we have to turn our attention to proactive interventions that can be put in place now rather than just focusing on what we can do if displacement occurs subsequently.

First of all, communities that are given the resources for adaptation, including disaster risk reduction and sustainable development practices, may have less need to move permanently if disaster strikes. Similarly, the extent to which relief and rehabilitation is available to those displaced by a sudden onset disaster will affect whether and how quickly they can return home and rebuild.

So evidence from last years' Nansen Initiative regional consultation in the Pacific showed that people were very keen to embrace this idea of self-help. They said we need to and we want to strengthen community resilience, raise awareness, and increase our own preparedness.

They wanted to facilitate adaptation so that people could stay in their homes for as long as possible. But they also wanted to develop strategies for people who did want to move. Part of that is developing training and education within their own countries so that people can obtain skills that will be useful if they stay there, but will also be useful if they migrate somewhere else.

In this regard the Pacific consultation encouraged states to review their admission and immigration policies, and to examine their citizenship laws to ensure that if people did move dual nationality would be permitted. In this way that would help safeguard the cultural identity of those who move on a permanent basis.

So planned migration can be a very effective way to build long-term resilience. As the President of Kiribati has been saying for a long time, merits-based migration or migration with dignity is a policy that he wished to pursue.

Overseas employment provides a livelihood diversification strategy, remittances can assist back home. Out migration may actually mean that a small

population can remain in the country of origin for longer because there are fewer people competing for a small amount of resources.

Of course, the extent to which migration can function as a positive form of adaptation will depend on people's socioeconomic status and the extent of assistance available to them. That's why the legal structures that we put in place will play a key role in determining whether or not migration is a form of adaptation or a sign of a failure to adapt.

Well planned migration can certainly also lesson the likelihood of later humanitarian emergencies and displacement. Thank you very much.

MR. FERRIS: Thank you very much, Jane. Thanks to all of our panelists for great interventions. We have time now for questions. I think we'll take three or four and then give our panelists time to respond.

So someone will bring you a microphone and if you can identify yourself as you speak. As you're coming up I'll put my question out there first that you can answer if you'd like at some point. That is the linkages between internal displacement and cross border. Are people displaced internally first, can't find protection, and then cross the border? Does it depend on how far they're living from a border and so on?

Yes, ma'am. Stand up and introduce yourself.

MS. WEISE: Hello. My name is Maleta Weise. I'm here with the United Nations Information Center. Thank you for the very interesting talk. You, Jane McAdams, you talked about the holistic approach to targeting the different types of groups and the Nansen Initiative. You mentioned a few as well.

I was wondering if the panel could address the role of women and how they are disproportionately affected. For example, that they don't have the right to land ownership in many countries. How do you identify these? How do you integrate them in a more holistic model? Thank you.

MS. FERRIS: Thank you very much. We'll take another question or two. Anybody else for the moment? Yes, please.

MS. RATCHBOOT: Good afternoon. It was a wonderful presentation, and thank you so much for inviting us. My name is Suda Ratchboot from the School of Conflict Analysis and Resolution.

I would like to know from the Ambassador what is the biggest challenge as far as protection policy is concerned to respond to disaster related displacement versus those who are displaced because of conflict induced displacement?

Because my research has focused on conflict induced displacement, and I know that the national governments are less than receptive of outside intervention. So how do you think the national governments are going to respond with the intervention that you are proposing to respond to natural disasters?

MS. FERRIS: Okay. We'll take one more here, Joel.

MR. TARDI: Joel Tardi from interaction. It seems to be we're in a very minimalist era when it comes to international conventions and international agreements. You're presentations are reminding me that at least a few years ago there was talk of a convention of side kind. It was even drafted. A model was even drafted on, you know, displacement resulting, especially refugees resulting from natural disasters.

But I get the sense that something like that isn't really tenable, so Walter, you in particular, I'd be interested as you build toward this, you know, final conference. I mean, what's the global legal framework if any? Can anything new emerge or are we just kind of dealing with the way the world is right now?

MS. FERRIS: Thank you. We have four questions for our panelists. Links between internal and cross border, the particular role of women in a holistic approach. A specific question for you, Claude, in terms of responding to disaster related issues. Then the question from Joel about the future of international legal frameworks. Who would like to start? Okay, Walter.

MR. KALIN: Okay. Let me take two of the questions. First and the last one on the chances for any robust legal frameworks.

While I think there have been these proposals, I mean, there are even

written up conventions the problem is that the issue is very complex. Those draft conventions kind of arched into an area that was not significantly explored.

This has to do with questions of causalities. So I haven't seen any convincing definition. Most of these conventions they link it to causalities. People displaced by the effects of climate change, but as Jane explained, this is a non-starter because in a single event you never can link it to climate change. Meaning increased emission of greenhouse gasses because there always has been flooding and et cetera. That's one problem.

The second problem it's sensitive in the sense of what we are promoting is, in a way, a product that cannot really be sold because are we asking governments to open wide their doors at a time when it's difficult even to get admission for refugees that clearly fall under the 1951 convention.

I think we only can address that issue if we can show it's not just about opening your own doors, but it's about lots of steps and measures that can be taken. I think what will come home, that I hope that should come out of this process, is a message it's a problem that is real. That is potentially huge, but that can be managed.

We need to talk about it. If it's manageable then we can avoid many of the negative consequences of just having to react. I think then the time will come when the situation is right to talk about robust legal frameworks.

So it's really step by step. That's why we're talking about building consensus (inaudible). Meaning taking it from the experiences, but also in terms of a step by step process.

Linkages internal displacement, cross border displacement. What we have seen is very often it's the first step, internal displacement. It becomes cross border if there is no protection or not sufficient protection and assistance available in country. Then people simply out of desperation have to move to a neighboring country.

The second situation is there if the disaster occurs in a border area. Some of the people cross borders; some remain simply because of escape routes. You

have a river you cannot cross, so you have to cross the border instead. Those on the other side of the river inside the country they cannot escape to the neighboring country simply for reasons like that, geographical reasons.

The third situation is we have internal displacement, and then secondary movement, but that are more of a voluntary nature. People see recovery activities are insufficient or it will take years to rebuild. I don't really have good chances here, so maybe it's better to look for economic opportunities abroad.

For instance in the aftermath of the earthquake in Christ Church in New Zealand we saw the number of people in that area increasing. An increased number of people from that area moved to Australia. Simply if you're a guy like me, a lawyer, and not an engineer or a construction worker no jobs left in such a situation.

These are kind of the interlink ages, but there are certainly more and we are still exploring and learning more about them.

MS. FERRIS: Claude, would you like to respond?

MR. WILD: Thank you. Thank you, madam, for the question. You're right, the conflict induced displaced people are more on the (inaudible). There are frameworks for protection and agencies that take care of it.

Disaster induced displaced people lack this framework. That's why we try to shape a framework. It doesn't have to be legal. It can be smart, diplomatic engineering. I believe in that. As long as it yields a result that can be quickly implemented that's what does a responsible for human rights in Swiss diplomacy. What I'm interested in.

So we have to build coalition of the willing. That's the thing we make to put an issue on the agenda and then slowly mainstreaming. It happened with the green ecology. Forty years ago it was seen as an obstacle to business, and today you make money with green technology.

So it's about time that human rights' processes are also mainstream. Because without proper protection you cannot have human security. You cannot have

development.

You used the word intervention. Could you specify why you said intervention? Because we see that we are not shaping something that intervenes into sovereignty. We are offering a tool for countries that might receive this population, and are in duty to respond for at least morally for humanitarian help. The same countries can have their own citizens being in these situations.

We are offering a tool, and there is not intervention into sovereignty.

MS. RATCHBOOT: The reason I mentioned the word intervention is because even as a researcher when you are investigating conflict induced displacement you are regarded as an outsider. Because internal displacement being a sovereign issue, a national issue, even the outside researcher is regarded as some interloper.

For example, I was researching the conflict in Kashmir. Even to interview the government officials I was regarded as an interventionist into their national framework. So that's why I'm thinking natural disasters also being a national issue how is your approach going to be taken by the state governments?

MR. WILD: The regional seminar have shown that most countries, and I have noticed they are crying for some kind of a framework. So I don't feel that this would be a big obstacle but I might be wrong.

MR. KALIN: Yes, I can build up on what Ambassador Wild said. Conflict, of course, is always imminently political. Of course, politics is everywhere, but natural disasters are not perceived as primarily political. This helps. That's the first thing.

The second, issue is that the Nansen Initiative you're talking about cross border movements, so it's already internationalized. Country receiving people from their neighboring countries or people from the region and then saying, well, unless we get international support then we are not really able to respond. So again, it's internationalized.

In the context of climate change, particularly countries in the south can also look at the responsibilities of the north at questions of, and this has been discussed,

under loss and damage in the climate change negotiations of who has to pay for that impact. Again, from the beginning on it's an international kind of issue. It's internationalized.

This is really different from internal conflict. I know what you're talking about having been dealing with conflict induced internal displacement. Here I don't see the kind of reactions I got when I was in my previous mandate.

MS. FERRIS: Would someone like to respond on the question of women?

MS. MCADAM: We both can. All right. So, thank you very much for the question. I think personally I haven't done specific research on the rights of women in this context, but from the work I've been involved in certainly what has become very apparent is that if we are consulting with communities about what it is that they want and what strategies they'd like implemented it's important, in fact it's fundamental, that you identify the appropriate people who are considered leaders at a range of different levels within that community.

That can be pretty tricky. Often, not always, but often it can be tricky to work out among women who is it that we should be speaking to about the issues that are of particular concern to them.

One thing that has come up through the refugee context more broadly is that often when people move they find themselves in very different gender roles from what they've been in previously.

Just one example from Kiribati, this was not about movement per say, but I was interviewing a woman who was about 88. In the middle of this conversation she said, of course, the problem was when they told us about Seadore. I'm sorry, what? That's a women's convention essentially. She said, we had people in here who told us about our rights as women. So we went home and our husbands didn't like what we were saying. Apparently domestic violence rates kind of spiked.

Now, that's not to say you don't inform people about what rights they

have. Certainly that's not what I'm trying to do. But what it does show is the importance of making sure that any interventions are culturally specific and supportive rather than kind of maladaptive even when they are incredibly well-intentioned.

Chaloka probably has more to say than I do.

MR. BEYANI: One of the reports that I prepared for General Assembly a few years ago was on IDP women specifically. Some of that did relate to the whole issue of the way in which IDP women respond to displacement and the role that they play in the context of displacement. Also in looking at the report in climate change and the mega trends that are related to slow onset disasters in the context of urban informal settlements.

But I think as the point was made by Walter and Jane there are pre-existing vulnerabilities which relate to women. Very often disasters tend to exacerbate and multiply those vulnerabilities. It then becomes important to look at what special measurers of protection are required in the context of women.

Take Haiti for example, more IDP women are actually as risk of being trafficked out of Haiti because of the lack of an effective protection system for IDP women. But also they attempt to move out of Haiti to go somewhere else in search of certainty and security and better livelihood. So vulnerabilities building around protection in that context.

The second aspect you find is that IDP women are actually a resource for their families in situations of displacement including disasters. Because the issue of livelihoods access to food and water, that responsibility very often falls upon women.

The women are more resilient. The men become disorientated fairly quickly. You know, they lose their balance of where they actually are. Their sense of authority is voided, but women keep their focus. They have to get food, to get water for their children.

Now, that means that if there isn't immediate access at water and food and their safe for those resources they also become more vulnerable and at risk of attack

from others. In fact, it is always the case that they protect their men by saying don't come with me because if you come with me there's a risk that you'll be attacked, but I'll take the risk.

They calculate, you know, the risks as sad and as bad it is that they think it might be best for them to be sexual assaulted then to lose their husband or son in those context. So they take the calculated risk to protect their families in the context of livelihoods.

I think there's also a further issue, especially in relation to slow onset disasters. That because women are the most vulnerable, not only will they be the most disproportionately affected categories, but they may also be the last indicators to try to move from the areas where they are.

It's not uncommon for men to leave their families and move away and find other lives in informal settlements. But the women will remain with their children and family, and will move as a matter of last resort. Therefore it's important, again, to build effective response measures around those kinds of vulnerabilities.

I'll just add one or two things. In the context of IDPs and cross border movements, obviously, internal movement will proceed cross border movements. But one of the factors that influences that, especially where you have common and porous borders in places like Africa, is also common identity across the border.

Where you do have groups of the same ethnicity or identity who are fleeing a disaster in their own country. Very often their choice of where to go will be influenced by whether or not there is ethnic identity across. So most of the Somalis will come to Kenya because in Northern Kenya you also have Somalis. Somalis that also have an Ethiopian identity will go up in to Somalia and not come down south, you know, for obvious reasons. So I think that those dynamics also shape our choices.

In terms of illegal regime I agree entirely with both Walter and Jane. I think there are probably two small things to add. As Walter indicated you don't have numbers in terms of cross border movements. But there's also, I think, a conscious

denial of the fact that this is a social category that should be recognized, and therefore should be protected.

Because very often legal concepts follow recognition of social concepts. A concept is recognized socially and with its effects before the law turn round to actually recognize that. In legal terms this is necessary in order to include legally.

Here international, of course, you have different dynamics in the sense of others who may not want to receive populations who are at risk or who are being relocated. But I think there are huge opportunities at regional levels in terms of the recognition of the problem and the dynamics of that. I think that the problems are like the legal frameworks or policies are likely to arise from regional, national initiatives.

There may also have to be bilateral arrangements, you know, between states. I think this is an important aspect to actually try and promote because of the fact that, as I indicated during our discussions at lunch, those person that are displaced by natural disasters across boundaries are still formally under the responsibility of the state of origin, legally speaking. That engages the responsibility of the state of origin and the receiving state to make adequate arrangements and measures regarding the treatment of these individuals.

But I'd also like to see a link. It is unlikely to happen in practice, but in terms of intellectual thinking and advocacy the Cancun agreements having recognized climate change and (inaudible) displacement.

I'd like to see a link between that category and common but differentiated responsibilities under the climate change framework, so that those responsibilities actually become a basis for dealing with cross border movements on a differentiated, but also on a common basis, and to try and move that regime a little bit forward to being an integrated approach.

MS. FERRIS: I think we'll take one final question from Anita in the back. If you could introduce yourself.

MS. MANGETTI: Anita Mengetti, U.S. Department of State. My

question is actually to anyone that wants to answer in the next two minutes, I guess.

But that is, obviously, what we're talking about is the response or the thing that happens in the lurch when everything else has failed and people have to move. I would say at the core this is a developmental issue, and how we address development.

To that end I'm wondering if any of you have done any thinking or looking for ways for input into the post-2015 development agenda, and some fitting this issue under some of the categories or some possible indicators to measure progress on this? Thank you.

MS. FERRIS: I don't know, Claude. Do you want to respond to that or Walter?

MR. WILD: I had some discussion on this issue last week in New York. Of course, if you're looking at the potential magnitude of the problem, the developmental impact, it should be part of these sustainable development goals.

The challenge is how to get it into that long, long list. We have 19 focus areas, and, I think, 240 targets and goals. Now negotiators are in the process of reducing that to 5 targets and goals per focus areas. Some focus areas will go.

So we'll have to be very clever and join hands to really get it in. But it is of a magnitude for the years and the decades to come that we simply cannot afford not to mention it.

MS. FERRIS: Anything else?

MR. KALIN: I agree. We had an annual meeting on special procedures in the conference of Nice by Austria in June last year to commemorate the Vienna declaration and program of action.

As part of that process we also began to look at how we would influence the post-1215 development agenda. I think the initial approach was to clearly indicate categories that were of concern.

Now, that seems to have generated a somewhat negative reaction that those who are involved do not actually want to see a category approach or vulnerability

also of sustainable development.

So in some of the former discussions that I had in New York there seems to be some process, at least, for an approach which is based on durable solutions on a sustainable basis. I don't use the term durable solution in the orthodox sense that it is used in relation to IDPs or refuges.

I see the initiative that are pursued by the Nansen Envoy as promoting new durable solutions for people who are caught up in disasters and trying to move across, you know, boundaries and borders and receiving protection on that paces.

So that is our thinking about durable solutions I think has to be a little bit more imaginative, and try to include the language on durable solutions linked to development sustainability. That might also be one way of approaching the subject.

MS. FERRIS: I want to thank my distinguished panel and thank all of you for coming this afternoon. I look forward to seeing you again.

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