

Position Paper for the UNHCR Executive Committee

The topics before the UNHCR Executive Committee are: Preamble, Scope and Definitions, Assistance and Protection, Implementation, and Final Provisions. Tuvalu is deeply committed to the establishment of an international agreement to assist and protect persons displaced by climate change. As a small island developing state, Tuvalu is particularly vulnerable to the effects of climate change and welcomes the discussion of this important issue.

I. Preamble

Tuvalu is a strong supporter and advocate of these international efforts, and of a cohesive global approach to addressing climate change. There are key international protocols, including the Kyoto Protocol, which serve as landmark efforts to create solutions; however, this early progress has slowly subsided. Tuvalu emphasizes that developed states must reiterate their commitments to climate change negotiations and the development of a clear, comprehensive plan. Tuvalu believes that any new agreement must take note of existing commitments, but further respect human rights and the rule of law, while maintaining the preservation of traditional culture and values. For Tuvalu, it is important that the preamble balance the need for a comprehensive international agreement, while recognizing the sovereignty of all states, specifically Pacific Island States, and people's cultural connection to the land.

II. Scope and Definitions

Within Tuvalu, it is nearly impossible to distinguish between those who migrate due to climate change and those who migrate due to social and economic problems, as these are inextricably linked. Tuvalu believes that this is a key consideration in outlining the parameters of any definitions within a new treaty. This agreement must emphasize that migration of peoples may well become a necessity in coming years, and that it must be acknowledged as a legitimate and realistic policy option that states not-at-risk will need to accept. Further, this scope must reinforce the concept of cultural identity, and the desire for peoples to maintain that identity, even in the face of migratory pressure. Tuvalu believes climate change should be recognized as a threat to international peace and security, including by the United Nations Security Council.

Tuvalu has signed and ratified the UN Framework Convention on Climate Change (UNFCCC) as well as the Kyoto Protocol. Tuvalu supports the definitions of "climate change" and "adverse effects of climate change" from Article 1 of the UNFCCC and believes that they should remain the definitions used within the international system. With respect to migration and displacement, Tuvalu emphasizes a need to distinguish between internal relocation and cross-border migration, specifically with respect to a distinction between forced and voluntary movement. Further, Tuvalu believes that the definition of Persons Displaced by Climate Change (PDCCs) must be inclusive, including those who move voluntarily in anticipation of a climate crisis. Tuvalu believes that there should be a special Pacific Access Category (PAC) for Tuvaluans considering climate change vulnerability and forced climate migrants, allowing for easier migration opportunities.

III. Assistance and Protection

Tuvalu faces a serious threat from climate change as sea level rise, and saltwater encroachment will make the islands uninhabitable within the next fifty to one hundred years. Looking ahead to the expected relocation of the entire population, the Tuvaluan government has attempted to secure land in neighboring states, allowing the creation of a new sovereign territory. It is important that any resettlement plans fully recognize the self-determination of the Tuvaluan people and respect their continued political, cultural, and territorial rights. However, while Tuvalu recognizes the likelihood of resettlement, they continue to assert that the primary goal should be climate change mitigation, rather than relocation of affected populations.

Tuvalu proposes a treaty that focuses on pre-emptive assistance to persons facing climate change displacement. Climate change migration plans should be drawn up in consultation with local communities in order to maintain local identity and customs and protecting the needs of the most vulnerable communities. Assistance should focus first on climate change mitigation and adaptation, but any legal framework must include the resettlement and recognition of Tuvalu as a sovereign state within the current territory of another country. In addition, Tuvalu believes the economic and social costs of climate change should be borne by those responsible, and seeks legal and financial redress to protect their population. Recognizing the limited resources of Tuvalu and other Small Island Developing States, the treaty must include the provision of financial, legal and technical assistance towards both countries of origin and recipient countries, as well as countries where internal displacement occurs, for the protection of PDCCs.

IV. Implementation

In order to achieve an effective treaty, Tuvalu supports the creation of a dedicated entity to address the needs of persons affected by climate change. The Tuvaluan Government recognizes that climate change displacement is a cross-cutting issue and has sought support from the Security Council, General Assembly, Economic and Social Council, and the UNFCCC Secretariat. However, given the importance of this matter, a dedicated secretariat should be established to coordinate assistance and protection needs. While Tuvalu recognizes the important work done by UNHCR, including their humanitarian assistance to PDCCs, the creation of a separate entity is essential to meeting the unique needs of both domestic and international climate change migration.

V. Final Provisions

Tuvalu looks forward to a robust treaty that will be adopted with consensus under the auspices of the UNHCR. Tuvalu supports a rapid entry into force and will look for the ratification threshold to be an achievable range of 20-40 Member States. With such a pressing issue, Tuvalu hopes that no Member State will seek reservations on the treaty, but would be open to considering reservations if necessary.