Electoral Rights of Environmentally Displaced Persons

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The impacts of climate change on conflict, displacement and migration are increasingly far-reaching and apparent. Oftentimes, when people are forced from their homes, their ability to exercise their political rights becomes imperiled. It is imperative that climate refugees' rights to fully participate in the political life of their communities, and in particular the right to vote, are respected. IFES is committed to working with partners towards this objective. This important paper breaks new ground in describing some of the challenges in this area, as well as steps to be taken to ensure that the political rights of environmentally displaced people are protected."

- IFES President and CEO Anthony Banbury

Executive Summary

Environmental challenges such as fires, droughts, floods, hurricanes and rising sea levels are being intensified by climate change, resulting in greater numbers of internally displaced persons (IDPs) and externally (cross-border) displaced persons. There is also an increasing risk of entire populations of countries being displaced. With the exception of border regions and small island states, most migrants and displaced people remain within their own country. In 2019 alone, 24.9 million people were internally displaced as a result of natural disasters, more than ever previously recorded and three times as many as were displaced by conflict during the same period (Internal Displacement Monitoring Centre). According to the World Bank, unless concerted action is taken, sub-Saharan Africa, South Asia and Latin America may have to "cope with more than 143 million internal climate migrants by 2050."

This paper addresses the electoral rights of people displaced due to environmental challenges. Climate change is a major contributing factor. However, environmental displacement is broader and includes displacement caused by extensive adverse natural events that may be unrelated to climate change. Environmentally displaced people share many of the challenges faced by those displaced by conflict – with important distinctions. First, large numbers may be affected by environmental displacement, making the need even more pronounced. Second, some environmental displacement risks are predictable, so advance planning can take place. Third, there is an existential need given the global threat from climate change and the importance of hearing the voices of those most at risk or affected. Fourth, the protection gap for persons who are internationally displaced due to environmental challenges jeopardizes their ability to participate in elections.

International agreements emphasize the importance of ensuring that those affected by environmental challenges maintain their fundamental human rights and are involved in decision-making. Electoral participation is one of the most effective ways for environmentally displaced persons to be involved. They need to be able to vote, run for office and engage with candidates and elected representatives to influence agendas, challenge policies and hold governments accountable. Political participation is particularly important in integrating displaced persons into their new environments to avoid conflict with host communities.

United Nations Sustainable Development Goal (SDG) 13, on taking urgent action to combat climate change and its impacts, includes targets related to strengthening resilience and adaptive capacity. It can be argued that, to do this, there must be full opportunity for political participation – including by those who have been or are at risk of being displaced. Also relevant are SDG 10, on reducing inequality, including a target of well-managed migration, and SDG 16, on peaceful and inclusive societies, including a target of responsive, inclusive, participatory and representative decision-making at all levels.

Environmental challenges can exacerbate pre-existing vulnerabilities. Widely ratified international treaties and resolutions obligate the state to provide accessible electoral processes, including special measures for women, persons with disabilities, youth, Indigenous peoples and minorities who may be at increased risk of marginalization as well as be critical agents to address the consequences of climate change.

¹ Rigaud, K.K., de Sherbinin, A., Jones, B.R., Bergmann, J.S., et al. (2018). <u>Groundswell: preparing for internal climate migration (Vol. 2)</u>: Main report (English). Washington, D.C.: World Bank Group.

IDPs should have the same rights as other citizens, including electoral participation. Under the widely ratified International Covenant on Civil and Political Rights (ICCPR), states are obligated to provide not only the right for citizens to take part in elections but also the opportunity in practice. While the ICCPR does not require extending the franchise to citizens abroad (i.e., the externally displaced), other international instruments do promote electoral participation for migrants abroad. These include the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) and the Global Compact for Safe, Orderly and Regular Migration (GCM).

Practical challenges can mean that special modalities may be required for displaced persons to vote and run as candidates, and these may need changes in legislation and the work of the election administration. These matters must be carefully worked out and agreed upon to maintain electoral integrity and ensure the election is inclusive and the process and outcome are accepted. The obligations regarding political enfranchisement, as well as the benefits, costs and risks, all need to be considered and, ideally, consensus reached among key stakeholders. There may be heightened security issues around some displaced populations, and the challenges of displacement can increase the risk of conflict. This can make often contentious events like elections even more challenging and at risk of violence.

To address challenges IDPs face in electoral participation, IFES recommends (1) that planning take place in advance, (2) consultation be undertaken with IDPs and a range of stakeholders, (3) cross-party agreement be reached if possible for political consensus, (4) data be made available toinform judgements and decisions, (5) special measures be undertaken to facilitate IDP participation and (5) IDPs be given the choice of voting for constituencies of origin or current constituencies. For the externally displaced, IFES recommends exploring and agreeing on the suitability of out-of-country voting (OCV) on a case-by-case basis. While OCV may extend the franchise more inclusively, it also involves integrity risks and financial costs.

This paper identifies various issues and makes recommendations to build countries' adaptive capacities and strengthen the fulfilment of displaced persons' rights. Recommendations include: (1) governments developing data and elaborating plans to protect the political rights of the displaced; (2) parliaments undertaking consultative processes and amending legislation to provide for special measures; (3) election management bodies designating focal points, undertaking research and consultation, making data available, increasing specialized voter education, engaging security services and sensitizing the judiciary; (4) political parties addressing environmental and displacement issues; (5) the media covering displacement in an accurate, effective and inclusive manner; and (6) civil society advocating for and observing the political participation of environmentally displaced persons. To support implementation of these recommendations, IFES offers a range of activities and tools also used to address displacement and migration in other contexts. While the paper reflects on at-risk communities' role in advocating to prevent environmental displacement, the scope does not include the politics of climate change itself.

With large-scale problems like environmental displacement, the international community must prepare in advance. This requires collaboration among affected countries, neighboring nations, domestic and international non-governmental organizations and international bodies. Those most affected need to be heard and represented in local and national decision-making.

Introduction: Increasing Levels of Environmental Displacement

Environmental challenges such as fires, droughts, floods, hurricanes and rising sea levels are being intensified by climate change. These challenges are causing dramatic increases in the number of internally displaced persons (IDPs) and externally displaced (cross-border). There is also the risk of permanent external displacement of entire populations of some countries, particularly island nations. Environment-induced migration and displacement can be temporary or permanent, seasonal or singular, proactive or reactive.² Analysts refer to intensive climate risk (associated with sudden-onset, high-severity events) and extensive climate risk (associated with low-severity, high-frequency or persistent weather and climate events). Environmental challenges can result in displacement (when people are forced to leave), migration (movement that is to some extent voluntary) and planned relocation (typically managed by the state).³ These distinctions are often not clear-cut, with reasons for migration typically multi-causal.⁴ The recent Global Compact on Refugees recognizes that "climate, environmental degradation and natural disasters increasingly interact with the drivers of refugee movements." Typically, entire communities – not only individuals or a minority group – are affected by environmental displacement. At-risk groups are often disproportionately affected by food insecurity, diseases and hate crimes, and their vulnerabilities exacerbated, as has been evident with the ongoing COVID-19 pandemic. This paper uses the term environmental displacement interchangeably with environmental migration as defined by the International Organization for Migration (IOM).⁶ The term *climate migration* is also used widely in literature and activism and is a subset of environmental displacement where the change in the environment that caused migration was due to climate change.

Environmental migrants are persons or groups of persons who, predominantly for reasons of sudden or progressive change in the environment that adversely affects their lives or living conditions, are obliged to leave their habitual homes, or choose to do so, either temporarily or permanently, and who move either within their country or abroad."

- International Organization for Migration

There is increasing high-level, multilateral focus on displacement in the international community. The Platform on Disaster Displacement, launched in 2016, is an initiative by a group of states working together for the better protection for people displaced across borders in the context of disasters and climate change.⁷ In October 2019, the United Nations secretary-general established the High-Level Panel on Internal Displacement. Among other issues, the panel was tasked with addressing internal

² Wilkinson, E., Kirbyshire, A., Mayhew, L., Batra, P., et al. (2016). <u>Climate-Induced Migration and Displacement:</u> <u>Closing the Policy Gap</u>. London: Overseas Development Institute.

³ Ibid.

⁴ See, for example, Weerasinghe, S., <u>International Protection in the Context of Nexus Dynamics Between Conflict or Violence and disaster or Climate Change</u>, UNHCR Legal and Protection Policy Research Series, December 2018.

⁵ Global Compact on Refugees, United Nations, A/73/12 (Part II), reissued September 13, 2018, p. 2.

⁶ International Organization for Migration: <u>Ninety-Fourth Session</u>, <u>Discussion Note</u>; <u>Migration and The Environment</u>; 1 November 2007.

⁷ Platform on Disaster Displacement.

displacement in the context of disasters and the adverse effect of climate change.8

There is also increased recognition of the growing peace and security implications of climate change, as discussed during the United Nations Security Council's April 2020 Earth Day virtual Arria session on climate and security risks. The president of the International Crisis

In 2019, 24.9 million people were internally displaced as a result of disasters (as opposed to conflict), more than ever previously recorded.

Group noted, "climate change is undeniably a conflict threat multiplier. We are by now all familiar with the data suggesting a ten to twenty percent increase in the risk of armed conflict associated with every half-degree increase in local temperatures." The president added that what matters "is how authorities deal with the problems induced or exacerbated by climate change; how equitably and effectively they allocate and distribute resources; how inclusive and accountable they are."

More and More People Affected

Emerging environmental challenges increase risks of displacement, potentially for entire countries. Long-term environmental migration has begun in the Pacific Islands, the Indian subcontinent and the Sahel region in West Africa,¹⁰ and permanent displacement is projected to increase throughout this century.¹¹ The scale of displacement and permanent resettlement related to climate change is difficult to forecast but has been "estimated at between 50 and 200 million people by 2050, mostly in developing countries," constituting a significant global policy challenge.¹² According the World Bank, unless concerted action is taken at national and international levels, sub-Saharan Africa, South Asia and Latin America may have to "cope with more than 143 million internal climate migrants by 2050."¹³ Little data is available on environmental cross-border displacement, with affected persons ineligible for refugee status (see below).

To date, with the exception of border regions and small island states, most migrants and displaced persons remain within their own country. The latest global figures show that there are more IDPs than ever previously recorded. The Internal Displacement Monitoring Centre (IDMC) reports that there were more than 33.4 million new internal displacements in 2019 alone, across 145 countries. The vast majority, 24.9 million, were the result of natural disasters (three times the number displaced by conflict and violence). The main reasons were weather-related, including storms (13 million), floods (10 million), wildfires, droughts, landslides and extreme temperatures. In total, 38.6 percent of people experiencing displacement were in East Asia and the Pacific, and 38.3 percent were in

- 8 See <u>UN High-Level Panel on Internal Displacement</u>. Also <u>Press Release by Ms Federica Mogherini and Dr Donald Kaberuka, Co-Chairs of the UN Secretary-General's High-Level Panel on Internal Displacement on <u>Commencement of the Panel's work, Geneva, Switzerland. Undated.</u></u>
- 9 <u>Climate Change is Shaping the Future of Conflict</u>, UN Security Council's virtual Arria session, International Crisis Group President and CEO, April 22, 2020.
- 10 Ives, M. "A Remote Pacific Island, Threatened by Rising Seas Carbon Casualties Series." New York Times., July 2, 2016.
- 11 Refugee Studies Centre, (2011). <u>Protecting environmentally displaced people: Developing the capacity of legal and normative frameworks</u>
- 12 Environmentally Displaced People, Oxford Department of International Development.
- 13 Rigaud, K.K., de Sherbinin, A., Jones, B.R.; Bergmann, J. S., et al. (2018). <u>Groundswell: preparing for internal climate migration (Vol. 2)</u>: Main report (English). Washington, D.C.: World Bank Group.
- 14 Internal Displacement Monitoring Centre (IDMC), Norwegian Refugee Council. IDMC's <u>Global Report on Internal Displacement</u> is the official repository of data and analysis on internal displacement. P. 12.

South Asia. As noted previously, natural disasters may cause or exacerbate conflict which could lead to displacement.

While many people who were internally displaced by disasters were later able to return home, this is not always the case. According to IDMC at least 5.1 million people remained internally displaced due to disasters across 95 countries and territories as of December 31, 2019. IDMC also reports that "this is the first time such a global figure has been compiled.... The overall figure is an underestimate.... The scarcity of time-series data makes it difficult to fully understand the scale and nature of protracted displacement triggered by disasters and climate change impacts."¹⁵

Some scholars estimate that current numbers of cross-border climate migration are probably not very large. ¹⁶ There are indeed considerable challenges to cross-border migration. According the office of the United Nations High Commissioner for Refugees (UNHCR), currently 26 million people around the world are refugees. While it is hard to estimate the scale of future of environmental displacement, it is likely that it will indeed increase. The International Organization for Migration (IOM) notes that "millions of men, women and children around the world move in anticipation or as a response to environmental stress every year... anthropogenic climate change is expected to increasingly affect migration and other forms of people moving to manage these changing risks."¹⁷

Escalating Climate Crisis

The Intergovernmental Panel on Climate Change (IPCC) projects dramatic increases in heat waves, altered rainfall patterns and rising sea levels by the end of this century. Warming climates threaten the long-term habitability of major population centers. Globally, the proportion of land in extreme drought is projected to increase to 29 percent by 2090. Southern Europe, sub-Saharan Africa and the Middle East are projected to become drier throughout the next century, and extreme precipitation events are projected to increase in frequency and strength across Central America, northern South America, and Southeast Asia.¹⁸

The Asia-Pacific region is forecast to experience the most forced displacement due to climate- and weather-related disasters.¹⁹ Coastal and island communities experience disproportionate impact from increasingly powerful storms and sea level rise, leaving large numbers of people and even entire countries at risk of disasters that lead to increased displacement.²⁰ Indonesia, for example, is moving its capital to Kalimantan, reportedly in part because of the depletion of underground aquifers causing Jakarta to sink.²¹

20 Ibid.

¹⁵ IDMC Global Report on Internal Displacement, April 27, 2020.

¹⁶ Obokata, R., Veronis, L. and McLeman, R. (2014). "Empirical Research on International Environmental Migration: A Systematic Review." Population and Environment 36 (1): 111–35. doi:10.1007/s11111-014-0210-7. 17 IOM, World Migration Report 2020, op cit, p. 253.

¹⁸ Stocker, T.F. et al. (eds.) (2013). <u>Technical Summary. In Climate Change 2013: The Physical Science Basis.</u> <u>Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change</u>. Cambridge University Press, Cambridge, United Kingdom and New York, N.Y., p. 91.

¹⁹ Norwegian Refugee Council/Internal Displacement Monitoring Centre, <u>Global Report on Internal Displacement - 2017</u>

²¹ Welch, C. Why Cape Town is running out of water, and who's next, March 5, 2018.

Bangladesh is considered one of the most vulnerable nations to sea level rise. The IPCC projects that Bangladesh will lose 17 percent to 20 percent of its land mass by 2050 due to rising oceans.²² According to the Government's National Climate Change Strategy, more that 20 million people will be displaced by climate change. Already, nearly a half-million migrants pour into Dhaka each year, the majority ending up in slums due to lack of adequate employment and housing. Rapid- and slow-onset disasters, including storms and salinization of coastal land, as well as coastal erosion, have historically driven villagers to cities and will likely do so with increasing frequency.²³

Small island states such as the Maldives, Kiribati, Tuvalu and the Marshall Islands are projected to be fully or partially uninhabitable by 2100.²⁴ On average, the sea level rise on Tuvalu's main atoll of Funafuti is approximately three times the global average.²⁵ When coupled with stronger storm surges, coastal communities are faced with increased flooding, salinization of cropland and freshwater supplies, and elevated erosion rates that threaten long-term habitability long before total submersion. All four countries are currently relocating communities from increasingly precarious outlying islands and atolls. Some residents of the Marshall Islands could take advantage of the 1983 Compact of Free Association that allows the Marshallese to live and work in the United States visa-free.²⁶ In a controversial move, Kiribati purchased 6,000 acres on the Fijian island of Vanua Levu under former president Anote Tong as a part of his "migration with dignity" scheme.²⁷

The Protection Gap for Persons Externally Displaced for Environmental Reasons

Persons externally displaced to other countries for environmental reasons, lack international legal protection, as they have traditionally not qualified for refugee status under international law: The key stipulation of the 1951 United Nations Convention Relating to the Status of Refugees is that a person must be fleeing persecution from a state or non-state actor.²⁸ Under this definition, the environment is not recognized as a persecuting agent.²⁹ Thus, while there is escalating need, there has been a lack of protection for the internationally displaced. This protection gap has been subject to increased legal

- 22 Muniruzzaman, A.N.M. (2013). "Security implications of climate change: A case study of Bangladesh," NTS Policy Brief, No. PO13-02 (Singapore: RSIS Centre for Non-Traditional Security (NTS) Studies, p 2. See also Zahan, N. (2008). 'Environmental Security: Coping with climate change and climate security of Bangladesh'. BIPSS Issue Brief, Issue 3 (Bangladesh Institute of Peace and Security Studies, p. 2.
- 23 Bhattacharyya, A. and Werz, M. (2012). <u>Climate Change, Migration, and Conflict in South Asia: Rising Tensions and Policy Options across the Subcontinent.</u>
- 24 <u>Climate Change 2014: Synthesis Report. Contribution of Working Groups I, II and III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change</u>, p. 14; Topic 2: Future Climate Changes, Risks and Impacts.
- 25 Asian Development Bank. (2017). A Region at Risk: The Human Dimensions of Climate Change.
- 26 Compact of Free Association, U.S.-Marshall Islands, June 25, 1983, TIAS 04-501.
- 27 Kiribati Ministry of Labor and Human Resource Development. (2015). <u>National Labour Migration Policy and Action Plan. Walsh, K. "Kiribati Confronts Climate Upheaval by Preparing for 'migration with dignity'"</u>. See also Asian Development Bank. (2017). <u>A Region at Risk: The Human Dimensions of Climate Change</u>.
- 28 UN General Assembly, <u>Convention Relating to the Status of Refugees</u>, July 28, 1951, United Nations Treaty Series, Vol. 189 p. 137.
- 29 The 1951 UN Convention and 1967 Protocol (UN General Assembly, <u>Protocol Relating to the Status of Refugees</u>, January 31, 1967, United Nations Treaty Series vol. 606, p. 267) classify a refugee as a person possessing "a well-founded fear of being persecuted for reasons of race, religion, nationality, [or] membership of a particular social group or political opinion" and specify the protections they are afforded.

testing; courts in Australia and New Zealand have upheld the exclusion, although at times with some qualifying commentary.³⁰

A recent landmark view by the United Nations Human Rights Committee, the treaty monitoring body for the International Covenant on Civil and Political Rights (ICCPR), has the potential to change this course.³¹ In 2015, the Supreme Court of New Zealand ruled that, since the state of Kiribati had taken measures to protect its citizens from the effects of environmental degradation, its citizens do not qualify as refugees and therefore the petitioner, lone Teitota, was required to leave. However, the court noted that this decision should not be a precedent to underestimate the potential impacts of climate change and deny future asylum claims.³² Teitota then submitted a case to the United Nations Human Rights Committee on the basis of the right to life. On January 7, 2020, the Human Rights Committee ruled that, although Teitota's deportation from New Zealand had not been unlawful as he was not in immediate danger, climate change is a serious threat to the right to life.³³ The Committee determined that people who flee the effects of climate change and natural disasters should not be returned to their country of origin if their essential human rights would be at risk on return.

The Human Rights Committee noted that it may be unlawful under the treaty for governments to return people to countries where the effect of climate change exposes them to life-threatening risks (ICCPR Article 6) or they are at real risk of cruel, inhuman or degrading treatment (ICCPR Article 7).³⁴ The committee also noted that, "given that the risk of an entire country becoming submerged under water is such an extreme risk, the conditions of life in such a country may become incompatible with the right to life with dignity before the risk is realized."

Similarly, in 2017, the UNHCR published legal considerations indicating that people displaced by humanitarian crises linked to a mix of the consequences of conflict, public disorder, the effects of climate change and drought may qualify as refugees within the meaning of the 1951 Convention.³⁵ UNHCR is developing legal guidance on the applicability of international and regional refugee law frameworks in the context of climate change and disaster.³⁶

- 30 There have been 19 court cases in Australia and New Zealand. New Zealand: Climate Change Refugee Case Overview. Library of Congress. United States Congress, July 29, 2015.
- 31 States that are parties to the ICCPR <u>Optional Protocol</u> recognize the competence of the Human Rights Committee to receive and consider communications from individuals who have exhausted all available domestic remedies. The committee is not a judicial body, but its views are "arrived at in a judicial spirit" and represent "authoritative interpretation of the treaty." <u>General Comment 33</u>, Human Rights Committee, paragraphs 11 and 13.
- 32 Teitiota v Chief Executive of the Ministry of Business, Innovation and Employment, NZCA 173 (May 8, 2014).
- 33 <u>Views Adopted by the Committee Under Article 5 (4) of the Optional Protocol, Concerning Communication No. 2728/2016</u>, UN Human Rights Committee (treaty body for the International Covenant on Civil and Political Rights), January 7, 2020. See also <u>UN Human Rights Committee Decision on Climate Change is a Wake-up Call</u>, UNHCR spokesperson Andrej Mahecic, January 24, 2020.
- 34 "The Committee is of the view that without robust national and international efforts, the effects of climate change in receiving states may expose individuals to a violation of their rights under articles 6 or 7 of the Covenant, thereby triggering the *non-refoulement* obligations of sending states." UN Human Rights Committee, op. cit, paragraph 9.11.
- 35 <u>Key Messages and Commitments on Climate Change and Disaster Displacement</u>, Conference of the Parties 25 Madrid, Spain, December 2–13, 2019, UNHCR. <u>Legal Considerations on Refugee Protection for People Fleeing Conflict and Famine Affected Countries</u>, UNHCR, April 2017.
- 36 Key Messages and Commitments on Climate Change and Disaster Displacement, op. cit.

Human Rights, Involvement in Decision-Making Political Participation

International agreements strongly emphasize the importance of upholding the rights of people affected by environmental challenges and involving them in decision-making.³⁷ For example, the Paris Agreement states that "parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights,... the rights of... local communities, migrants..."³⁸ It refers to adaptation action following a "country-driven, gender-responsive, participatory and fully-transparent approach, taking into consideration vulnerable groups, communities and ecosystems."

Those affected by environmental challenges need to be involved in decision-making. One of the most effective ways for this to happen is through participation in elections. While providing for de facto participation is complex, not doing so risks disenfranchising individuals, marginalizing communities, exacerbating the exclusion of vulnerable populations and decreasing the chances of finding durable solutions for the displaced and effective environmental strategies.

The Task Force on Displacement, mandated by the United Nations Framework Convention on Climate Change's (UNFCCC) Conference of the Parties, also referred to the need for integrated approaches and developing national adaptation plans³⁹ "to avert, minimize, and address displacement related to adverse impacts of climate change and issues around human mobility, taking into consideration human rights obligations and other relevant international standards and legal considerations... with the participation of relevant stakeholders."⁴⁰

One of the most effective ways for environmentally displaced persons to be involved in decision-making is through participation in elections. While providing for participation is complex in practice, not doing so risks disenfranchising or further exacerbating the exclusion of marginalized groups. It also risks weakening democratic oversight of profoundly important matters of the environment and displacement. Exclusion can also prevent the development of durable solutions for IDPs, given that one of the eight criteria for durable solutions to displacement is "participation in public affairs, at all levels, on an equal basis with the resident population." Also, effective plans need to be developed for integrating displaced person into their new environments to avoid conflict with host communities. Displaced people often find disinformation and hate speech weaponized against them by some political actors in the host community who portray them as being a

³⁷ Similarly for IDPs more widely, for example the <u>UN Special Rapporteur on the Human Rights of IDPs</u> has as one of her five areas of reporting priority "strengthening the participation of IDPs in responses to internal displacement."

^{38 &}lt;u>The Paris Agreement</u>, United Nations Climate Change. The Paris Agreement came into force in November 2016 and has now been ratified by 197 countries.

³⁹ National adaptation plans are created through a process developed under the <u>UN Framework Convention on Climate Change</u> (UNFCCC). They are designed to be flexible, country-driven instruments that involve reviewing gaps, undertaking preparatory analysis, developing implementation strategies and carrying out reporting and review. UNFCCC, <u>National Adaptation Plans</u>. To date <u>18 developing countries have submitted NAPs</u> to UNFCCC.

⁴⁰ See the <u>Report of the Task Force on Displacement</u>, established by the Executive Committee of the Warsaw International Mechanism for Loss and Damage associated with Climate Change Impacts as requested by the Conference of Parties. September 17, 2018.

⁴¹ UNHCR, <u>Durable Solutions Preliminary Operational Guide</u>, January 2016, p. 13.

burden on the host community and not sharing the same values as the hosts. Furthermore, exacerbated marginalization through electoral exclusion could increase the risk of agitation or unrest.

People most affected by environmental challenges need to be able to vote, run for office and engage with candidates and elected representatives to help influence the agenda, challenge policies and hold governments to account. This is particularly important regarding environmental issues and displacement. As well as being more fair to individuals, it is a benefit to society for displaced persons to be part of local- and national-level government decisions related to the environment and climate change.

As discussed below, various international frameworks are relevant to the electoral and political rights of those affected by climate change. However, in practice such political participation can be complex. First, political sensitivities and vested interests can reduce state commitment to hearing and acting on the perspectives and interests of displaced persons. Second, there can be practical challenges. As discussed later in this paper, special modalities may be required for displaced persons to vote and run as candidates, and these may need changes in legislation and the work of the election administration. These modalities must be carefully developed and agreed upon (much earlier) so that the overall integrity of the election process is maintained, the election is inclusive and the process and outcome can be accepted. The obligations regarding political enfranchisement, as well as the benefits, costs and risks, all need to be considered methodically and, ideally, consensus reached among parliamentary parties and other key stakeholders.

Many of the challenges to political participation that environmentally displaced persons face are similar to those of other IDPs and refugees. However, the needs of environmentally displaced persons are somewhat distinct for various reasons. First, large numbers may be affected, making the need even more pronounced. Second, some environmental displacement risks are predictable, so advance planning can take place. Third, there is an existential need, given the threat to the world from climate change and the importance of hearing the voices of those most at risk or affected. Fourth, the protection gap for persons internationally displaced due to environmental challenges makes their status and ability to participate in elections subject to greater vulnerability and uncertainty.

The COVID-19 pandemic is a powerful example of a large-scale natural disruption that has led to significant migration and displacement. The World Health Organization suggests there is evidence that most infectious diseases originate in wildlife, and human encroachment in the natural environment fuels disease emergence.⁴² It is worth noting that many of the root causes of climate change, such as deforestation, are also factors that increase risk of pandemics.⁴³ People displaced by COVID-19 have been further impacted by lack of access to adequate housing, health care and financial resources.⁴⁴ Furthermore, fear and tensions around the pandemic increased discrimination against migrants and the

⁴² Coronavirus disease (Covid-19): Climate change, World Health Organization, April 22, 2020.

⁴³ Coronavirus and Climate Change, Harvard T.H. Chan School of Public Health.

⁴⁴ COVID-19 and Human Rights – We are All in This Together, UN, April 2020. This notes, "COVID-19 is sweeping through populous, high-density informal settlements and to refugee, IDP and migrant camps, where physical distancing is challenging, access of health services limited and popula-tions especially vulnerable to disease" (p. 8). See also UNHCR COVID-19 Guidance on Migrants, Displace People, and Refugees.

displaced⁴⁵ have further marginalized them and reduced possibility of their participation in elections as candidates or voters.

Displaced persons who identify as women, minorities, persons with disabilities, and Indigenous peoples are likely to experience additional barriers to their inclusion. Government restrictions have resulted in large numbers of migrants returning to their homes of origin, uncertain how long they will stay there while ongoing physical distancing measures are required. Alternatively, some migrants may have wanted to return but are barred from doing so. Uncertainty over where someone will be residing makes it harder to take part in an election. As United Nations Global Protection Cluster institutions and experts note in regard to COVID-19, "In these uncertain times... meaningful IDP participation

in decisions affecting them, [is] as relevant as ever."46 As environmental displacement increases, individual countries, and the international community more widely, will need to find effective solutions for internally and externally displaced persons, including in regard to their political rights.

This paper identifies various issues and proposes some ways to build countries' adaptive capacities and strengthen the fulfillment of displaced persons' rights. IFES recommends a coherent and proactive approach as part of investing in community and national resilience so the vulnerable do not become more marginalized, and to find more robust ways to address the environmental challenges we all face. Those most affected need to have their voices heard and to be represented in local and national decision-making. The

In these uncertain times, meaningful IDP participation in decisions affecting them is as relevant as ever. IFES recommends a coherent and proactive approach as part of investing in community and national resilience. This is needed so that the vulnerable do not become more marginalized, and more robust ways can be found to address the environmental challenges we are all facing.

international community must prepare for this future, with a problem of this scale requiring a global collaborative effort among affected countries, neighboring nations, domestic and international non-governmental organizations, and international bodies.

^{45 &}lt;u>COVID-19</u> and <u>Human Rights – We are All in This Together</u>, ibid. This notes "The instability and fear that the pandemic engenders is exacerbating existing human rights concerns, such as discrimination against certain groups, hate speech, xenophobia, attacks and forced returns of refugees and asylum-seekers, mistreatment of migrants" (p. 3). The UN also issued a <u>Guidance Note on Addressing and Countering COVID-19 Related Hate Speech</u>, May 11, 2020. See also Noel, N., <u>Minorities, Migrants, and Social Exclusion</u> During COVID-19, May 2020.

^{46 &}lt;u>Press Statement on the 22nd Anniversary of the Adoption of the UN Guiding Principles</u>, Global Protection Cluster, statement by a group of leading UN displacement experts and institutions, April 17, 2020.

International Framework for the Electoral Participation of Environmentally Displaced Persons

This section considers the international legal framework that addresses the rights of environmentally displaced people – internal and external (cross-border) and the rights of at-risk groups within the displaced populations such as women, persons with disabilities, minorities and Indigenous communities. In addition to relevant international instruments, a discussion on how these rights fit into the framework of the United Nations Sustainable Development Goals is also provided.

Internally Displaced Persons

As internally displaced persons (IDPs) are displaced within their own country, they should have the same rights as other citizens, including electoral participation. While they may have these rights in principle, they may not be able to access them for a range of reasons including loss of identity documents in disasters, not being registered in the constituency to which they have been displaced and difficulty in proving residency in current location. In some cases, IDPs may face additional barriers due to political, racial, ethnic or religious discrimination. There is an obligation on states not just to provide for the right to take part in elections but also the opportunity in practice. Article 21 of the 1948 Universal Declaration of Human Rights includes a provision for electoral rights.⁴⁷ This protection was strengthened in the 1966 International Covenant on Civil and Political Rights (ICCPR), which is binding for the 173 countries that are now party to the treaty. The ICCPR states that "every citizen shall have the right and the opportunity... without unreasonable restrictions: a) to take part in the conduct of public affairs, directly or through freely chosen representatives; b) to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors."

These and other international instruments also contain non-discrimination commitments, including obligations to protect the rights of women, minorities and persons with disabilities – all groups that are typically overrepresented in displaced populations. While exemptions to electoral rights are permitted, these should only be for legitimate reasons and should be proportionate. Authoritative interpretations of the ICCPR and other treaties refer to the need for states to take effective and positive measures to ensure that citizens can overcome specific difficulties and exercise their rights.⁴⁸ Such provisions need to be balanced with other treaty obligations so that the electoral rights of all citizens are upheld in practice.

Although IDPs are not referred to explicitly in current international treaties and their authoritative interpretations by treaty bodies, this is an evolving area of international law. However, one relatively

⁴⁷ Article 21: Everyone has the right to take part in the government of his country, directly or through freely chosen representatives. Everyone has the right of equal access to public service in his country. The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

⁴⁸ The <u>Convention for the Protection and Assistance of Internally Displaced Persons in Africa</u> (known as "the Kampala Convention"), Article 9(2)l. The treaty has been <u>signed by 40 out of 55 African Union countries</u>, of <u>which 29 have ratified the Convention</u>.

recent African Union regional treaty made specific provision for the electoral rights of IDPs. The 2009 Kampala Convention explicitly obliges states that are parties to the treaty to "take necessary measures to ensure that internally displaced persons who are citizens in their country of nationality can enjoy their civic and political rights, particularly public participation, the right to vote and to be elected to public office." Similarly, the African Union's 2007 African Charter on Democracy, Elections and Governance notes that "State Parties shall adopt legislative and administrative measures to guarantee the rights of women, ethnic minorities, migrants, people with disabilities, refugees and displaced persons and other marginalized and vulnerable social groups" (emphasis added).

In addition to these binding conventions, some political agreements refer explicitly to IDP electoral rights. The *Guiding Principles on Internal Displacement*, endorsed by the 2005 United Nations World Summit, is the main international agreement covering internal displacement. It states that IDPs shall have "the right to vote and to participate in governmental and public affairs, including the right to have access to the means necessary to exercise this right." It also states that IDPs shall have the right to participate fully and equally in public affairs at all levels and have equal access to public services. "51 At a regional level, the Council of Europe Committee of Ministers stated in 2006 that member states "should take appropriate legal and practical measures to enable internally displaced persons to effectively exercise their right to vote," with similar commentary from the Parliamentary Assembly. 52

Some good practice guidance on planned relocation within national borders also refers to political rights. For example, the United Nations High Commissioner for Refugees (UNHCR) and others note that "Planned Relocation should be carried out within a rights-based framework that safeguards both individual and collective civil, political... rights of Relocated Persons and Other Affected Persons." States are directed to "provide the necessary conditions to enable Relocated Persons to... retain their rights, including those related to freedom of movement and political participation." The guidance also notes, "when there is good governance, people are more likely to trust the State when it makes such life-altering decisions."

Externally Displaced Persons (Cross-Border)

The ICCPR does not require states to extend the right to vote to citizens who reside abroad. While the treaty refers to citizens having the "right and the opportunity" to take part, it also notes that there can be "reasonable restrictions." It may be argued that the risks and costs involved in out-of-country voting could undermine the integrity of the overall electoral process. Thus, externally displaced migrants may retain the right to take part in an election if they return to their home country but, *de facto* and *de jure*, they do not always have the opportunity to do so while they are in another country.

- 49 The <u>Convention for the Protection and Assistance of Internally Displaced Persons in Africa</u> (known as "the Kampala Convention"), Article 9(2)l. The treaty has been <u>signed by 40 out of 55 African Union countries</u>, of which 29 have ratified the Convention.
- 50 Guiding Principles on Internal Displacement.
- 51 For more information see Grace, J. and Mooney, E. (2007). <u>Democracy and the Displaced: Political Participation Rights, in Particular the Right to Vote and be Elected</u>, American Society of International Law, p. 18. 52 <u>Europe's Forgotten People: Protecting the Human Rights of Long-Term Displaced Persons</u>, Recommendation 1877 (2009).
- 53 <u>Guidance on Protecting People from Disasters and Environmental Change through Planned Relocation,</u> Brookings, Georgetown University School of Foreign Service, and UNHCR, October 7,2015, pp. 6, 11 and 24. For further resources, see <u>Mapping of Existing International and Regional Guidance and Tools on Averting, Minimizing Addressing and Facilitating Durable Solutions to Displacement Related to the Adverse Impacts of Climate Change, UNHCR, August 2018.</u>

Other international instruments promote the extension of the franchise to migrants located in other countries. The 1990 International Convention on the Protection of the Rights of All Migrant Workers

Under the International
Covenant on Civil and
Political Rights, states are
not required to extend the
franchise to citizens who
are abroad. However, other
international instruments
promote extension of
electoral rights to migrants in
other countries.

and Members of their Families (ICRMW) refers to the right to vote for and be elected in their country of origin. However, the treaty uses somewhat discretionary language, noting that "the states concerned shall, as *appropriate* and *in accordance with their legislation*, facilitate the exercise of these rights" (emphasis added).⁵⁴ The convention has limited applicability, as only 55 countries (mainly in West Africa and Latin America) are parties to, and therefore bound by, the treaty.⁵⁵

The Global Compact for Safe, Orderly and Regular Migration (GCM), a cooperative non-binding framework endorsed by the United Nations General Assembly in December 2018, encourages states to enable migrants to be able to take part in their home country elections.⁵⁶ Objective 19 refers to creating conditions for

migrants and diasporas to fully contribute to sustainable development in all countries. To realize this objective, reference is made to "enabl[ing] political participation and engagement of migrants in their countries of origin, including in peace and reconciliation processes, in elections and political reforms, such as by establishing voting registries for citizens abroad, and through parliamentary representation, in accordance with national legislation." The United Nations Network on Migration was established to support Member States in GCM implementation.⁵⁷

Under the ICCPR, there is no obligation for host countries to enfranchise people who have come from other countries, as electoral rights are restricted in the treaty to citizens of the country. While the 1990 ICRMW encourages such enfranchisement, it uses discretionary language. It notes that "migrant workers may enjoy political rights in the State of employment if that State in the exercise of its sovereignty, grants them such rights" (emphasis added).⁵⁸ In practice, in the vast majority of countries national franchise is the prerogative of citizens, so the displaced would need to naturalize before being able to take part in an election.

Electoral Rights of Marginalized and At-Risk Groups in the Context of Environmental Displacement

This section lists some key international instruments that address the rights of marginalized groups such as women, youth, people with disabilities, minorities and Indigenous communities. The rights of these groups are especially important in the context of environmental displacement as often they are at greatest risk.

The widely ratified 1979 Convention on the Elimination of All Forms of Discrimination Against Women puts an emphasis on special measures to provide for de facto equal participation, including in regard to

^{54 &}lt;u>International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families</u>, Article 41.

⁵⁵ See also the ICRMW ratification database.

⁵⁶ Global Compact for Safe, Orderly and Regular Migration.

⁵⁷ United Nations Network on Migration.

⁵⁸ ICRMW, Article 41.3. See also ratification database for the treaty.

elections.⁵⁹ International initiatives such as the Women, Peace, and Security Agenda and the International Youth, Peace, and Security Agenda provide the framework to pursue active engagement of women and youth as critical groups in displacement scenarios. Security Council Resolution 2535 outlines five pillars of action: participation, protection, prevention, partnerships, and disengagement and reintegration. Women and youth are both disproportionately affected by crises, and they are also critical agents in addressing those crises.

The 1969 International Convention on the Elimination of Racial Discrimination (CERD) refers to electoral rights without distinction as to race, color or national or ethnic origin. 60 CERD is widely ratified, with 182 states party to the treaty. 61 The treaty also provides for "special measures taken for the sole purpose of securing adequate advancement of certain racial or ethnic groups or individuals requiring such protection as may be necessary in order to ensure such groups or individuals equal enjoyment or exercise of human rights and fundamental freedoms."

The 2006 United Nations Convention on the Rights of Persons with Disabilities (CRPD) has been ratified by 94 percent of member states and puts the onus on states to provide for electoral participation.⁶³ This involves making polling accessible, providing electoral information in accessible formats, recognizing the right to an assistant of one's choice and ensuring the inclusion of all persons with disabilities, including intellectual or psychosocial disabilities. Article 11 of the CRPD calls on member states to take "all necessary measures to ensure the protection and safety of people with disabilities in situations of risk, including armed conflict, humanitarian emergencies and the occurrence of natural disasters."

The United Nations Human Rights Council recently adopted a resolution on climate change and the rights of people with disabilities. The resolution calls on governments to adopt a disability-inclusive approach when developing strategies to address climate change. ⁶⁴ Adhering to the principle of "nothing about us without us" means disabled people's organizations should be consulted on the development of policies and practices, including policies to increase access to electoral participation of displaced populations.

Article 5 of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) recognizes the rights of Indigenous peoples to participate in the political life of the country if they so choose, and Article 29 recognizes the right to conserve and protect the environment. Indigenous peoples who may be separated by international borders also have the right under Article 36 to maintain contact for political purposes. UNDRIP calls on member states to consult with Indigenous peoples on the implementation of these rights. International Labor Organization Convention 169, Article 6, calls for Indigenous peoples' inclusion in decision-making in policies that affect them; Article 7 calls for environmental protection; and Article 32 recognizes cross-border cooperation.

Sustainable Development Goals

There is increasing international recognition of the scale of the challenge of climate change, as seen in Sustainable Development Goal (SDG) 13, on taking urgent action to combat climate change and its

- 59 <u>Convention on the Elimination of All Forms of Discrimination against Women</u> and <u>general recommendation 23</u> (on political and public life) and <u>general recommendation 5</u> on temporary special measures.
- 60 International Convention on the Elimination of all Forms of Racial Discrimination (CERD), Article 5.
- 61 CERD ratification database.
- 62 CERD, Article 1.4.
- 63 Convention on the Rights of Persons with Disabilities, Article 29.
- 64 https://www.hrw.org/sites/default/files/supporting_resources/hrc41_climate_change_and_disability.pdf

impacts. Targets for this goal include, inter alia, strengthening resilience and adaptive capacity to climate-related hazards and natural disasters in all countries; integrating climate change measures into national policies, strategies and planning; and improving education on climate change adaptation and impact reduction.

It can be argued that, in order to combat climate change and its impact, there must be full opportunity for political participation by those who have been most affected. Adaptive capacity, whereby states can provide for citizens' rights and needs through the challenges of climate change, can be strengthened through advance planning for possible electoral implications. This can include the development of national policies and strategies, and by developing citizens' awareness of how they can exercise their political rights if faced with environmental challenges and displacement.

SDG 13, on taking urgent action to combat climate change and its impacts, includes targets relating to strengthening resilience and adaptive capacity. It can be argued that, in order to do this there needs to be full opportunity for political participation, including by those who have been most affected and displaced. SDG 10, on reducing inequality is also relevant, including a target of well-managed migration, as is SDG 16, on peaceful and inclusive societies, which includes a target of responsive, inclusive, participatory and representative decision-making at all levels.

A further SDG 13 target refers to promoting mechanisms for raising capacity for effective climate change-related planning and management in least developed countries and small island developing states. SDG 13 also refers to focusing on women, youth and marginalized communities.

SDG 10, on reducing inequality within and among countries, also has targets that refer to empowering and promoting the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status. Target 10.7 refers to facilitating the orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies. It can be argued that well-managed migration should provide for political rights, including the ability to stand as a candidate and to vote.

SDG 16 is about promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions at all levels. Target 16.7 refers to ensuring responsive, inclusive, participatory and representative decision-making at all levels. For this to be meaningful, displaced persons must have equitable access to decision-making events such as elections to hold policymakers accountable. Taking part in decisions on climate change policies is critical, given the profound local, national and global consequences of the problem.

These SDGs and their targets provide a global framework, with national reporting, that enables progress and gaps to be seen. They provide an agreed way forward for leaving no one behind, including persons who have been environmentally displaced.

Operational Practices and Issues

Enfranchisement of displaced people poses significant challenges to electoral administration. While some elements are common to different types of environmental displacement, some are unique to specific circumstances – whether the displacement was internal or external or whether entire nations become uninhabitable due to environmental challenges.

Internally Displaced Persons (IDPs)

Persons displaced within their own country typically face unique challenges in exercising their electoral rights. These include complications with residency conditions, constituency choice, documentation requirements, discrimination, voter information, conflict and insecurity, lack of access and lack of information. FES documented and discussed these in its 2016 white paper "IDPs and Electoral

Participation: A Brief Overview."66

To address the practical challenges IDPs face in electoral participation, IFES recommends advance planning, consultation, cross-party agreement, data made available, special measures undertaken as required and that IDPs be given individual choice on voting as members of constituencies of origin or current constituencies (to which they are displaced).

To address these challenges, IFES recommends in its white paper that IDP rights be supported through advance planning by authorities, consultation with IDPs and wide groups of stakeholders, engendering cross-party agreement for political consensus if possible, as well as the availability of data so informed judgements and decisions can be made. To coordinate actions that need to be taken by a number of state institutions, civil society organizations, and political parties, a dedicated task force should be set up, both for effective coordination and to send a clear signal that the political rights of displaced people is a topic of importance. Also, special measures should be undertaken as required to facilitate IDP participation and individual choice for IDPs on voting for constituencies of origin or current constituencies (those to which they are displaced).

IDPs often lack personal documentation, particularly if they have been forced to flee with little warning (such as during sudden, intensive natural disasters). Stringent electoral documentation requirements can therefore leave IDPs highly vulnerable to disenfranchisement. There are also cases of identification problems being exploited to systematically disenfranchise certain groups. In Croatia's 1997 local elections, for example, displaced ethnic Serbs' access to documentation was severely limited, resulting in widespread disenfranchisement among the Serb community. The government blamed technical challenges for the delays, while the affected voters decried their limited access as deliberate obstruction and voter suppression, leading to unrest at some polling stations.⁶⁷

⁶⁵ See, for example, <u>Political Participation and the Right to Vote</u>, Action Sheet 12, <u>Handbook for the Protection of Internally Displaced Persons</u>, June 2010, Global Protection Cluster facilitated by UNHCR.
66 Shujaat, A., Roberts, H. and Erben, P. (2016). <u>Internally Displaced Persons and Electoral Participation: A Brief Overview</u>. White paper. IFES.

⁶⁷ Bagshaw, S. (2000). Internally Displaced Persons and Political Participation: The OSCE Region.

To promote the meaningful electoral participation of IDPs, IFES recommends that voters who are IDPs be permitted to individually choose the constituency contests in which they would like to participate – their constituency of origin (the one they left) or the constituency in which they reside during displacement. Voting for constituencies of origin enables continued connection and representatives that are more likely to be active in supporting IDPs and issues affecting them (including climate change). Since returning to vote in constituencies of origin can be difficult and expensive, and often involves security risks, absentee voting arrangements are typically needed for voters to cast ballots at their new location, with their votes counted for the constituency where they are registered (rather than where they are voting). Conversely, voting in the constituency of residence promotes integration but risks validating displacement, and there can be backlash from citizens in the district – particularly if IDPs form a majority population.

If environmental challenges result in long-term displacement, electoral boundaries may need to be reviewed at some point to maintain equality of the vote given the population changes. This is often a sensitive exercise that will affect how displaced populations are represented. As with all delimitation exercises, it is important that there be a trusted and independent responsible body, sufficient opportunity for stakeholder comment and transparency in the process.

Displacement can also make it difficult for IDPs to access information about polling and any special arrangements for them, such as absentee voting. Such challenges can be compounded by language and literacy barriers. For example, IDPs have faced barriers to making informed voting decisions in Turkey, where campaigning in non-Turkish languages was prohibited until 2012,⁶⁹ and in Azerbaijan, where the government has mandated use of the Latin rather than the Cyrillic alphabet in election-related materials.⁷⁰ While both of those nationwide barriers indicated affect IDPs and non IDPs alike, had they remained in regions where their native language communities lived in large concentrations, more information would have been available to them from their communities.

Some countries, including Afghanistan, Georgia, Iraq and Ukraine, have developed laws on the political participation of IDPs. Other countries address IDP participation through regulations. These laws and regulations, and how they work in practice, need to be reviewed regularly so that there is ongoing political agreement and they evolve in response to developing circumstances. One example of positive legislative reform is from Ukraine. Since 2017, IFES has supported the drafting of Law 6240 on the electoral rights of IDPs and other "mobile" groups of Ukrainian citizens. In 2019, the draft law was effectively incorporated into the Election Code, giving IDPs at their current location the same political and electoral rights as other citizens of Ukraine.

Another example occurred following Japan's 2011 triple disaster of earthquake, tsunami and nuclear meltdown in the Fukushima Prefecture, which displaced an estimated 150,000 people,⁷² with 60,000

⁶⁸ Shujaat, A., Roberts, H. and Erben, P. (2016). <u>Internally Displaced Persons and Electoral Participation: A Brief Overview</u>. White paper. IFES.

⁶⁹ Office for Democratic Institutions and Human Rights. (2014). <u>Republic of Turkey Presidential Election 2014:</u> OSCE/ODIHR Limited Election Observation Mission Final Report. (Rep.). Warsaw.

⁷⁰ Shujaat, A., Roberts, H. and Erben, P. Op cit.

⁷¹ Durnyeva, T., Jepsen, H.H. and Roberts, H. IDPs' Electoral Participation Gap. Journal of Internal Displacement, Vol. 9, Issue 1, January 2019, pp. 5–35.

⁷² Hasegawa, R. (2015). <u>Returning home after Fukushima: Displacement from a nuclear disaster and international guidelines for internally displaced persons</u>. Policy Brief Series: Migration, Environment and Climate Change, 1(4).

remaining displaced in temporary housing nearly five years later.⁷³ In the first local election, eight months after the disaster, officials extended the campaign period to allow for increased absentee voting and accommodate those who wished to participate.⁷⁴ Similarly, Hurricane Katrina, in 2005 in Louisiana, United States, resulted in the evacuation of 1.3 million households, an estimated 25 percent to 50 percent of the state's electorate. This prompted the postponement of the 2005 elections and the state legislature issuing temporary provisions to support enfranchisement, including satellite voting locations, and allowing displaced persons to bypass the traditional requirement to cast the first ballot in person after a change of registration (and to instead vote by mail).⁷⁵

The manner in which IDP votes are counted and results reported could expose their voting patterns and, in some cases, may pose a security threat to them or their families if they are still in their areas of origin. This vulnerability should be carefully considered in counting and tallying phase operations.

Externally Displaced Persons (Cross-Border)

Out-of-country voting (OCV) enables citizens who are in another country to vote in an election in their home country. While this voting facility is positive in extending the franchise and connections with the

home country, there are integrity risks and financial costs. Therefore, the suitability of OCV needs to be worked out and agreed to on a case-by-case basis. As OCV changes the electorate, it is politically sensitive because it can affect the outcome of an election. In the context of climate displacement, effort should be made to explore how it might be possible to extend the franchise to citizens displaced to other countries while maintaining international standards and good practices for elections. For persons externally displaced for environmental reasons, there can be a stronger argument for electoral inclusion given that there may be time to plan for strengthened OCV arrangements.

In-person OCV has certain legal, operational, financial and security challenges, particularly for countries with large displaced populations and diasporas. It also requires cooperation with host country governments,

Out-of-country voting for external environmental migrants is more inclusive in extending the franchise. However, there are also integrity risks and financial costs. Therefore, the suitability of OCV needs to be worked out and agreed on a case-by-case basis.

not least for the provision of security resources. OCV can be complicated if immigration was illegal or if the externally displaced want to apply for residency or citizenship in the host country (and thus sometimes renounce their voting rights in their home country). Voting can be in person at embassies or special polling stations, both with significant financial implications for home and host countries.⁷⁶ Postal balloting can be used but may be problematic if postal services are not reliable and/or the secrecy of the ballot could be compromised. Temporary repatriation places a large financial burden on voters and can disenfranchise those unable to travel.

Internet voting is often raised as an alternative by those arguing in favor of OCV. Electoral stakeholders should carefully determine whether internet voting would improve electoral integrity and active democracy or instead undermine public trust and compromise the security of the electoral process.

^{73 &}lt;u>5 Years after Japan disasters, 'Temporary' Housing is feeling permanent</u>. National Public Radio, March 11, 2016.

⁷⁴ McCurry, J. <u>Japan's nuclear disaster towns hold remote local elections</u>. The Guardian, November 20, 2011. 75 Morley, M. (2018). "<u>Election Emergencies: Voting in the wake of natural disasters and terrorist attacks.</u>" Em-

ory Law Journal. Emory University School of Law, Vol. 67 Issue 3.

⁷⁶ Erben, P., Goldsmith, B. and Shujaat, A. (2012). Out-of-County Voting: A Brief Overview. IFES.

IFES recommends that internet voting be evaluated according to five parameters: cost, participation, efficiency, trust and security. Due to the extensive planning, preparation and testing needed, countries should be extremely careful in considering internet voting.⁷⁷

The decision on whether and how to provide for externally displaced persons to take part in home-country elections should be based on detailed research, consideration of options, wide consultation and political debate – ideally, among stakeholders and decision-makers (particularly political parties). Such decisions should consider how integrity can be maintained in different OCV operations, and the likely high costs involved. According to the International Institute for Democracy and Electoral Assistance (IDEA) Voting from Abroad Database, as of 2018, 146 countries had enacted legislation allowing their citizens to vote from abroad. IFES outlines the operational challenges and analyzes different OCV methodologies in its 2012 white paper *Out-of-Country Voting: A Brief Overview*. The paper was largely informed by IFES' experience supporting the implementation of in-person OCV polling in the 2004 Afghan presidential election and 2005 and 2010 legislative elections in Iraq.

Electoral participation in host countries' elections by persons displaced from other countries appears to be low, and "available research on immigrants' electoral participation consistently shows a turnout that is considerably lower than that of the native-born electorate," even when controlling for age and class variables. International IDEA also notes that "a similar conclusion can be drawn regarding the share of elected representatives with an immigrant background," particularly at the national level. This can be seen as showing the impact that can result from additional barriers that migrants face. Some important elements for promoting participation appear to be civic and voter education about the host country's political and electoral systems, and the commitment of electoral institutions, legislatures and political parties to create necessary pathways and remove barriers to participation. Within the European Union, some member states now allow citizens from other member states to vote in local elections after a relatively short period as a resident. It is also the state's responsibility to address any discrimination or stigma toward displaced people.

Displacement of Entire Countries

In cases where entire countries become submerged or unfit for human occupation, displacement will likely be permanent, with future repatriation not possible. In this uncharted territory, there would need to be political discussion and agreement on displacement locations, along with arrangements for how those affected will be able to have a political voice through voting and running as candidates. Political participation could be facilitated with procedures by which all people who are displaced become citizens of host countries or through a special arrangement for citizens of the affected country to relocate to a new place.

This scenario is most likely to occur among small island nations. The most recent example, though unrelated to an environmental disaster, is the displacement of Indigenous people of the Indian Ocean's Chagos Archipelago. In the 1970s, the entire population was forced to leave to allow for the construction of a strategic U.S. military base.⁸⁰ The people of Chagos Archipelago now live in the island nations of

⁷⁷ Applegate, M., Chanussot T. and Basysty, V. (2020). <u>Considerations on Internet Voting: An Overview for Electoral Decision-Makers</u>. IFES.

^{78 &}lt;u>Political Participation of Refugees: Bridging the Gaps</u>, International IDEA, 2018. Also see <u>International IDEA Voting from Abroad Database</u>.

⁷⁹ Bekaj, A. and Antara, L. (2018). <u>Political Participation of Refugees: Bridging the Gaps</u>, International IDEA. 80 <u>Shapiro, A. Islanders pushed out for U.S. base hope for end to 40-year exile</u>. National Public Radio, April 16, 2015.

Mauritius and Seychelles, nearly 2,000 kilometers from their homes of origin – many in poverty. ⁸¹ Taking in refugees is often seen as an economic liability to the host country. In her hard-hitting 2009 book, Cleo Paskal offers an alternative perspective. Countries that take in populations of island nations that are lost to the ocean may make a case for administering the maritime zone of the inundated island(s). This access to the maritime zone (with fishing and extraction rights) could make intake of refugees a net benefit to the host community. The host country could also make a case to build a military naval base where the island-nation once stood. Particularly in the Pacific, this raises questions of geo-political security. ⁸²

Electoral Security

Environmental displacement often also involves the interaction of elements of conflict and violence with disaster or climate change problems.⁸³ Climate change acts as a threat multiplier, converging with other existing risks and pressures, increasing the likelihood of fragility and violent conflict.⁸⁴ For

example, in Security Council Resolution No. 2349 on the conflict in the Lake Chad region, climate change is explicitly identified as a factor contributing to instability. Just as environmental challenges may lead to conflict, it is also true that societies that are already in conflict are less able to address the impact of environmental challenges.

The challenges of displacement can increase the risk of conflict within groups of displaced people as well as between displaced people and their host communities, as limited land and resources are often limited and uncertainty is high, and those affected are under physical and psychological stress.⁸⁵ The United Nations High Commissioner for Refugees (UNHCR) notes, "new displacement patterns, and competition over depleted natural resources can spark conflict between communities or compound pre-existing vulnerabilities."⁸⁶

While data on election violence and environmental displacement is not abundant, exercises in IDP and OCV operations can be instructive. Displaced persons' electoral participation often occurs

There are often heightened security issues around displaced populations. The challenge of displacement can also increase the risk of conflict. This can make often contentious events like elections even more challenging. If elections become marred by violence, this can negatively impact on finding durable solutions and the political and development processes needed to address climate change and environmental challenges. IFES advocates for a rights-based approach to security.

in difficult security conditions, either because they are returning to conflict-affected constituencies of origin or there may be sensitivities around their voting in their current constituencies.⁸⁷ The risks can

⁸¹ Vine, D. (2004). War and Forced Migration in the Indian Ocean: The US Military Base at Diego Garcia. International Migration. 42. 111 - 143. 10.1111/j.0020-7985.2004.00291.x.

⁸² Paskal, C. Global Warring: How Environmental, Economic, and Political Crises Will Redraw the World Map. New York: Palgrave Macmillan, 2010.

⁸³ See <u>Climate Chante and Disaster Displacement</u>, UNHCR. Also <u>International Protection in the Context of Nexus Dynamics Between Conflict or Violence and disaster or Climate Change</u>, Weerasinghe, S., UNHCR Legal and Protection Policy Research Series, December 2018.

⁸⁴ Insurgency, Terrorism and Organised Crime in a Warming Climate, Adelphi, April 2017.

⁸⁵ International Organisations and Policy Support. (2018). <u>The relationship between climate change and violent conflict</u>. (Working Paper). Swedish International Development Cooperation Agency.

⁸⁶ UNHCR, Climate Change and Disaster Displacement.

⁸⁷ For more information see UNDP, <u>Elections and Conflict Prevention</u>, <u>A Guide to Analysis</u>, <u>Planning and Programming</u>, August 2009.

be particularly pronounced where there is a large influx of displaced persons from outside a district or country. The manner in which states manage the relationship between displaced and host communities often plays a major role in the safety and security of displaced persons. Furthermore, disinformation and hate speech against displaced persons may intensify security vulnerabilities. A range of steps can be taken by election management bodies, legislatures, human rights institutions, political parties, civil society, media and community leaders to reduce the impact of disinformation and hate speech targeting displaced people in elections. These steps are discussed in greater detail in other IFES publications.⁸⁸

Being able to vote, run for office and engage with candidates and those elected helps channel the frustrations of both displaced people and host communities in a constructive manner and increase the chances of peaceful resolution of conflicts. IFES advocates for a rights-based approach to security, promoting an enabling environment.⁸⁹ To do this, a holistic approach is needed, identifying potential drivers and triggers of electoral violence. The risk of electoral conflict and violence can be reduced by ensuring a well-run election and an opportunity for effective remedy. In this way, people can trust the process and accept the outcome. This includes having an election administration that is transparent, consultative and seen to be fair, as well as a trusted mechanism for electoral dispute resolution, typically through independent adjudication by the judiciary. Additional actions that can be taken include supporting security forces in acting appropriately during the process, promoting multistakeholder forums at the national and local levels and mapping risks.

⁸⁸ Strategies for Countering Disinformation Guidebook, Consortium for Elections and Political Process Strengthening, 2021 (forthcoming) and Mohan, V. and Barnes, C. (2018) <u>Countering Hate Speech in Elections:</u> <u>Strategies for Electoral Management Bodies</u>.

⁸⁹ Mohan, V. (2014). <u>A Rights-Based Approach to Electoral Security</u>. International Foundation for Electoral Systems.

Inclusion of Marginalized Groups

Environmental challenges exacerbate pre-existing inequalities, particularly for displaced persons who identify as women, minorities or persons with disabilities as well as those who belong to Indigenous communities. 90 This section explores intersectional challenges faced by those with multiple marginalized identities. Also noted are the active roles played by these groups. Women, young people and Indigenous communities have often been at the forefront of sustained climate activism on both national and global levels. Leveraging their advocacy can translate into effective political participation and policy.

In particular, female and young migrants face increased risks of sexual and gender-based violence, including sex trafficking, domestic violence and human trafficking during journeys and resettlement.⁹¹ Young women and girls are also at increased risk

Environmental challenges can exacerbate pre-existing vulnerabilities, including marginalization. Widely ratified international treaties put an emphasis on the state to provide accessible electoral processes with special measures for women, persons with disabilities, youth and Indigenous peoples, all are at increased risk of marginalization.

of early marriage as families face financial difficulties, and some women may engage in commercial sex work to support themselves during the resettlement process.⁹² Displacement disrupts access to education and can increase susceptibility to radicalization or apathy. Given the increased risks to these groups, it is vital that the voices of women and young people are incorporated in decision-making.

Some research is emerging that elected women representatives may lead their countries to adopt more stringent climate change policies. In their ground-breaking research, Astghik Mavisakalyan and Yashar Tarverdi compared the percentage of seats held by women in the legislatures of 91 countries to the rigor of each country's climate policies. Their findings demonstrate a robust positive association between women's representation in a country's parliament and the stringency of its climate change policies.⁹³

The pressing climate crisis has given rise to a youth-led environmental movement, urging leaders to take swift action and ensure the future of the next generations. Hanny youth activists have started in their own communities, but their voices are being heard around the world. Swedish student Greta Thunberg has inspired millions of youth in over 100 countries to participate in school strikes and protests through the Fridays for Future movement. Autumn Peltier is a Canadian Indigenous water activist of Ojibway/Odawa heritage from the Wikwemikong First Nation. At 13, she addressed the United Nations General Assembly, and she continues to advocate for clean water access in Indigenous communities

⁹⁰ UNHCR. (2018). The slow onset effects of climate change and human rights protection for cross-border migrants (A/HRC/37/CRP.4). (Rep). Human Rights Council.

⁹¹ UNHCR (2018), op. cit.

⁹² Alam, M., Bhatia, R. and Mawby, B. (2015). <u>Women and Climate Change: Impact and Agency in Human Rights, Security, and Economic Development</u>. Georgetown Institute for Women, Peace and Security. Georgetown University.

⁹³ Mavisakalyan, A. and Tarverdi, Y. <u>Gender and climate change: Do female parliamentarians make difference?</u> European Journal of Political Economy, Vol. 56, January 2019, pp. 151-164.

^{94 &}lt;u>Protesting Climate Change, Young People Take to Streets in a Global Strike</u>, New York Times, Somini Sengupta. September 20, 2019.

⁹⁵ School strike for climate: Protests staged around the world, BBC, May 24, 2019.

in Canada and around the world. Helena Gualinga is a member of the Sarayaku Indigenous community in the Ecuadorian Amazon who speaks out about the risks the fossil fuel industry poses to the region. In 2020, she started the "Polluters Out" campaign, which includes youth climate activists, scientists, Indigenous people and members of grassroots organizations representing over 40 countries.⁹⁶

Another example of youth activism is the Zero Hour Platform, a nationwide coalition presenting a list of demands to elected officials in the United States to effectively address the impact of climate change. Kibiriti Majuto, a U.S.-based 20-year-old refugee from the Democratic Republic of Congo is one of the main authors of the Zero Hour Platform.⁹⁷

These are several examples of the many youth activists who speak out about the existential threat that climate change poses and who inspire their peers to do the same. Efforts to engage youth are also crucial to prevent them from becoming radicalized or joining violent groups.

The 1 billion people in the world who have a disability experience physical, attitudinal, communication and institutional barriers, including lack of information in accessible formats and stigma and discrimination, as they participate in public life. During natural disasters, people with disabilities are at a higher risk of injury, abandonment and death. People with disabilities who have been displaced are also at a greater risk of gender-based violence. Recording the Caregivers, governments and disaster relief organizations have not always directly sought meaningful input from disabled people's organizations or from people with disabilities in the design and delivery of critical services. Patty Berne, a disability justice activist, has highlighted the intersectional barriers encountered by people with disabilities: From homeless encampments to local jail cells, the social, political, and economic disparities among disabled, queer and trans people of color put our communities at the frontlines of ecological disaster.

Ethnic, religious, national and linguistic minorities are other marginalized groups in many nations. A large portion of them live in poverty and are underrepresented as voters, candidates and elected representatives. Environmental challenges often have significant negative impacts on these groups, and their electoral and political participation is vital in ensuring that their concerns are factored into decision-making. For instance, a 2009 report by the Equity Research Institute finds that African Americans in Los Angeles are almost twice as likely to die as other Los Angeles residents during a heat wave. The report notes that African Americans are more likely to be segregated in the inner city and are more susceptible to the "heat island" effect, which refers to temperatures magnified by concrete and asphalt. They are also less likely to have access to air conditioning or cars to escape the heat.¹⁰⁰

Indigenous peoples have often contributed the least to climate change but may be the most affected by its consequences. Indigenous peoples are overrepresented among the poorest and most marginalized and often depend for their survival on natural resources and fragile ecosystems that are being depleted. There is also growing recognition that Indigenous Peoples and their lifestyles may provide models to

^{96 &}lt;u>Helena Gualinga is a voice for indigenous communities in the fight against climate change</u>, Latin America Reports, Sophie Fogan, January 31, 2020.

^{97 &}lt;a href="http://thisiszerohour.org/our-platform/">http://thisiszerohour.org/our-platform/

⁹⁸ IASC Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action, 2015. https://interagencystandingcommittee.org/working-group/documents-public/iasc-guidelines-integrating-gen-der-based-violence-interventions

⁹⁹ https://www.teenvoque.com/story/disabled-people-vulnerable-climate-crisis

¹⁰⁰ Frosch. R.M., Pastor, M., Sadd, J. and Shonkoff, S. (2009). <u>The Climate Gap: Inequalities in How Climate Change Hurts Americans & How to Close the Gap</u>.

explore to combat climate change. ¹⁰¹ Authoritative Convention on the Elimination of Racial Discrimination interpretation calls on state parties to "ensure that members of Indigenous Peoples have equal rights in respect of effective participation in public life and that no decision directly relating to their rights and interests is taken without their informed consent." ¹⁰² For this practice to be meaningful, Indigenous People need to be able to fully participate electorally before, during and after any environmental event that may result in their displacement.

Many Indigenous peoples are at a higher risk today as a legacy of settler colonialist policies that resettled Indigenous peoples in environments that were more vulnerable to natural disasters. Indigenous peoples also frequently find themselves on the losing side of majoritarian development policies. As noted by the International Work Group for Indigenous Affairs, "The rapid dispossession of Indigenous peoples from their land and resources further weakens their meaningful participation in any political exercise and structure." 103

Around the world, Indigenous communities are playing a leadership role in activism around the impact of climate change. For example, Indigenous women of the Munda community of the Sundarban delta area on the Bay of Bengal, some of the most vulnerable communities in the region to environmental displacement, have been increasing their participation in developing adaptation measures and local decision-making bodies in response to the rising sea level and salinity of their arable land. These women leaders organized through local government and the Asia Pacific Forum on Women, Law and Development to articulate their needs to the Bangladeshi government and international bodies to be taken to the 2015 United Nations Climate Change Conference to demand commitments from countries to recognize their rights as Indigenous communities and turn away from extractive, profit-based economies toward equitable, locally driven and gender-sensitive models.

Marginalized communities around the world find disinformation and hate speech weaponized against them and their full and meaningful participation in electoral processes. Displaced people – and, within that broad group, women, minorities and persons with disabilities are further at risk of disinformation and hate. Effective countermeasures are required to address this threat to their rights and to provide an alternative narrative.

¹⁰¹ Indigenous Peoples Disproportionately Impacted by Climate Change, Systematically Targeted for Defending Freedoms, Speakers Tell Permanent Forum, United Nations, April 18, 2018. World Indigenous Peoples Present Climate Action Commitments at UNSG Climate Action Summit

¹⁰² International Convention on the Elimination of Racial Discrimination. <u>ICERD, General Comment No 23</u>: Indigenous Peoples (1997).

¹⁰³ International Work Group for Indigenous Affairs. Challenging Politics: Indigenous People's Experiences with Political Parties and Elections. Edited by Kathrin Wessendorf. Copenhagen: Eks-Skolens Trykkeri aps. (2001). P. 278.

¹⁰⁴ Six Bangladesh Women on the Front Lines of Climate Change, PBS, Marlene Cimons, March 8, 2019.

¹⁰⁵ Rising Sea, Rising Strength, Asia Pacific Forum on Women, Law and Development, December 8, 2015.

Recommendations

While noting that some recommendations are common to scenarios of environmental displacement and other causes of displacement, IFES offers the following recommendations for addressing the electoral participation of environmentally displaced persons:

- 1. Governments should develop and update data on the numbers of persons at risk of internal and external environmental displacement in their countries, as well as possible locations for future settlement within the country or abroad. This data will also be of critical importance for national adaptation plans. This process should be highly consultative with at-risk and affected groups, and even more so with Indigenous communities.
- 2. As part of elaborating a national adaptation plan or similar such policies, governments should address how environmental displacement may impact citizens' political rights.
- 3. To coordinate actions that need to be taken by a number of state institutions, civil society organizations, political parties and environmental research institutions, a dedicated task force should be set up, both for effective coordination and to send a clear signal that the political rights of displaced people is a topic of importance.
- 4. Parliaments should undertake research, hold consultations and debate how best to define, identify and enumerate persons at risk of environmental displacement and positively address their electoral inclusion. This work should be transparent and based on wide consultation with groups that are broadly representative of persons affected, women and other marginalized communities, technical experts and civil society. Parliaments can also commission research to support such consultations. In addition to including Indigenous peoples' representatives in these broad consultations, to align with international best practice and, in many cases, signatory state obligations, states should also engage in focused consultations with Indigenous peoples at risk of environmental displacement.
- 5. Focal points or units for displaced persons should be established within election management bodies to promote communication and consultation on displacement issues and needs that different departments of the administration are addressing. These focal points or units should be connected with environmental researchers and advocacy groups so that they take into account both conflict and environmental displacement in their planning and interventions.
- 6. Election management bodies should proactively undertake research on possible modalities for election participation by environmentally displaced persons, including consideration of a range of implementation options and their respective advantages, risks and costs. This research should be made publicly available for parliamentary and wider debate.
- 7. Special measures should be provided as required in law to facilitate the equality of opportunity for and representation by environmentally displaced persons. Special measures may include adjusting residency requirements and alternative documentation provisions, providing additional opportunities for registration and absentee voting, making materials available in

- additional languages, etc. IDPs should be given the individual choice of whether to vote in their constituencies of origin or current constituencies.
- 8. Election management bodies should record and make public all data on the participation rates of displaced persons as voters and candidates, as well as those elected and working as electoral staff, while respecting individuals' right to privacy. Particular attention must be paid to determine similarities among and differences between environmental displacement and conflict displacement.
- 9. Governments and election management bodies should take additional measures to promote the inclusion of traditionally marginalized groups, such as women, minorities, young people, persons with disabilities and Indigenous communities, including through consultation at all stages, tailored voter education and information, and inclusive practical arrangements.
- 10. Election management bodies and civil society organizations should undertake voter education on special arrangements needed for displaced persons to be able to take part as candidates and voters. Education should be available in the languages of both displaced and host communities and widely circulated and promoted. Disinformation and hate speech that undermine the electoral participation of displaced groups should be actively and effectively countered.
- 11. Security services should proactively consider the security implications of internal displacement regarding electoral participation to ensure the safety of internally displaced voters, including for rallies and campaigning as well as the polling and results processes. Security services should work closely with the election administration to help promote the participation of displaced populations. Overall plans and information should be made publicly available.
- 12. The judiciary should be sensitized to issues of internal displacement and electoral participation. Practical arrangements should be made, such as permitting appeals to be lodged in other locations for those who cannot return to their constituency of origin.
- 13. Political parties should address climate and environmental issues in their manifestos, including their positions on the rights of the displaced and their electoral participation.
- 14. The media (particularly publicly funded media) should address climate and environmental issues, including displacement and the political rights of the displaced. The media should make every effort to interview representatives of affected communities. It is also important to report on environmental displacement with nuance and context so that migration is not only seen as a problem of those displaced but the responsibility of the state and entire society. This will help reduce discrimination and stigma against displaced persons.
- 15. Civil society organizations should proactively address the electoral rights of environmentally displaced persons and observe and report on their electoral participation. Environmentally displaced persons should be included in consultations and as observers. Existing internally displaced person or refugee groups should be supported and included. Challenges faced by environmentally displaced people from drought or famine areas such as Ethiopia, Somalia and the Lake Chad region could be studied to learn lessons for future application.

- 16. Election management bodies should develop environmental policies that are made public and on which they provide updates. This should include an environmental audit of their current practices and targets for improvements. This would be a signal of commitment to addressing climate challenges.
- 17. As the environmentally displaced population continues to grow, particularly in sub-Saharan Africa, Latin America, the Pacific Islands and South Asia, it is necessary for the international community to take proactive measures to promote continued enfranchisement and political participation of displaced peoples. We hope this paper is a starting point in the process and brings together climate change experts and advocates as well as election and political process experts to address this vital issue. In doing so, it is extremely important to look at displaced people themselves as both knowledgeable and key stakeholders in their own life circumstances and who bring skills, insights and talents that benefit their new communities.

List of Acronyms

CERD Convention on the Elimination of Racial Discrimination

COVID-19 Coronavirus Disease 2019

CRPD Convention on the Rights of Persons with Disabilities

GCM Global Compact for Safe, Orderly and Regular Migration

ICCPR International Covenant on Civil and Political Rights

ICRMW International Convetion on the Protection of the Rights of All Migrant Workers

and Members of Their Families

IDEA Institute for Democracy and Electoral Assistance

IDMC Internal Displacement Monitoring Centre

IDP Internally Displaced Person

iEXCEL IFES Executive Curriculum in Electoral Leadership

IOM International Organization for Migration

IPCC Intergovernmental Panel on Climate Change

OCV Out-of-Country Voting

SDG Sustainable Development Goal

UN United Nations

UNDRIP United Nations Declaration on the Rights of Indigenous Peoples

UNFCCC United Nations Framework Convention on Climate Change

UNHCR United Nations High Commissioner for Refugees

Relevant IFES Activities and Tools

To support implementation of these recommendations, IFES offers a range of activities and tools that are used to address displacement and migration in other contexts. These include:

- Supporting election management bodies in developing (1) their general election administration capacities, (2) their research and consultation capacities and (3) their ability to implement special arrangements for displaced populations.
- Developing and supporting implementation of operational plans that proactively include internally displaced and externally displaced persons. A more detailed discussion of these issues can be found in the IFES papers on Internally Displaced People and Out-of-Country Voting.
- Providing crisis leadership training for members of election management bodies. See the IFES
 Executive Curriculum in Electoral Leadership (iEXCEL).
- Working with national actors to deliver targeted voter awareness and education in the languages of those displaced and their host communities.
- Conducting workshops and trainings designed to help displaced and host communities identify potential causes for conflict and triggers for violence and to foster dialogue. The <u>People Against Violence in Elections</u> program implemented in Bangladesh and Libya is one example.
- Providing electoral security trainings for election officials and law enforcement officers, encouraging collaboration and shared responsibility and using a human rights framework.
- Undertaking women's leadership programs to promote electoral participation and to help mitigate political and electoral violence. One example is the <u>IFES She Leads program</u> conducted in Cambodia, Myanmar, Papua New Guinea and Sri Lanka.
- Supporting youth leadership and engagement. Examples include the <u>"Your Voice, Your Vote, Your Future"</u> program that engages youth as active citizens and voters, and IFES' civic education courses, such as <u>Democracy from Theory to Practice</u>.
- Implementing programs that build the capacity of people with disabilities and disabled persons'
 organizations, covering leadership and advocacy including in regard to political participation.
 The Engaging a New Generation for Accessible Governance and Elections (ENGAGE) course
 is an example.
- Supporting the judiciary in developing procedures, with training for the <u>effective management</u> of election disputes and violations.
- Working closely with election management bodies and civil society organizations to <u>counter</u> <u>disinformation</u> and <u>hate speech</u> that undermine the electoral participation of marginalized groups.

