

L/UMIN Symposium, 3-4 May 2016

Disasters and displacement in a warming world: current realities, legal perspectives

An international symposium is planned to take place at the Faculty of Law, Lund University, on 3-4 May 2016, organized by Rebecca Thorburn Stern, Associate Professor in International Law, Uppsala University and Gregor Noll, Professor of International Law, Lund University within the framework of the Lund/Uppsala Migration Law Network L/UMIN (www.migrationlawnetwork.org) in collaboration with the Raoul Wallenberg Institute of Human Rights and Humanitarian Law, Lund University.

The purpose of this symposium (20-25 participants) is to provide a forum for internationally renowned scholars and practitioners with expertise in displacement, disaster response, risk reduction and climate change to share their knowledge with specialists in international refugee law – a field that is starting to grapple with the phenomenon of disaster- and climate change-related harm, yet lacks deeper practical insights into the reality of these phenomena.

Who are the people who cross borders in the context of disasters, and what are their protection needs, if any? Do disasters have a uniform impact or are some people more at risk than others? What role do socio-economic aspects of disaster play for people's protection needs? How long does it take for life to return to 'normal' after a disaster? Can people just move to another part of the country instead of crossing an international border? And how should these people be categorised – as refugees, as forcibly displaced persons, or something else? These questions are central to an assessment of individual entitlements to international protection, but the answers are not assembled in case law or readily accessible country of origin information that lawyers routinely access when considering individual claims.

Disasters have been the subject of academic and institutional concern for decades. Agencies such as the International Federation of the Red Cross and Red Crescent, along with UN agencies such as the Office for the Coordination of Humanitarian Affairs and the World Food Programme have been working both in response to disasters and in the field of disaster risk reduction at the same time as anthropologists, geographers and other social scientists have been seeking to understand the factors that transform natural hazard events into disasters, how people and states respond in such situations, and how conditions evolve in particular contexts. What can lawyers learn from this combined insight and experience when considering how to apply existing international protection law? Equally, what added pressures can we expect to see manifesting as a consequence of global climate change, and can we expect changes in the number of people experiencing longer distance and/or longer-term cross-border displacement?

A second purpose is to invite refugee lawyers to discuss the state of the art in this field, drawing on their own research as well as reflecting on the insights

provided by colleagues. Have we been too quick to dismiss the Refugee Convention when considering disasters, including those relating to climate change? Must a disaster resemble the apocalypse before complementary protection becomes available? Is the paradigm most appropriately described in terms of international obligations, humanitarian sensitivities, moral responsibility, pragmatic migration management, or a combination of several of these? It is hoped that colleagues from the disaster field will take with them an appreciation of the relationship between their fields and ours, when for one reason or another people leave the disaster zone in search of protection elsewhere.

The symposium will be in the form of a one-day meeting (lunch-lunch) beginning with a keynote speech by one of the world's most renowned refugee law scholars, Professor Jane McAdam (University of New South Wales), who has specialised in climate-related forced migration and in complementary protection. The keynote is followed by a session on the theme of "*What should lawyers know about climate change and disasters?*" where scholars in disaster management and climate change give their perspectives. The second session concerns the question of "*How should refugee lawyers conceptualise disasters?*" and includes legal and political science scholars who have aimed to put the issue of forced migration due to climate change and natural disasters into a legal context in a broad sense. The third and last session, "*How does refugee law apply in disasters?*", deals with the concrete issue of how the existing framework of international protection can be applied to this category of displaced individuals.