

## ADDRESSING DISPLACEMENT DUE TO ENVIRONMENTAL DEGRADATION

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The environment is constantly changing and the United Nations Human Rights Council must work on ensuring that these changes are not infringing on basic human rights. Environmental degradation, “the deterioration of the environment through depletion of resources such as air, water and soil and the destruction of ecosystems and the extinction of wildlife,”<sup>1</sup> is an issue that must be addressed whether one believes it is due to anthropogenic or natural causes. If nothing is done to combat this issue, global biodiversity will be negatively affected as “Up to 40% of the planet’s land is degraded, directly affecting half of humanity, and threatening roughly half of GDP.”<sup>2</sup>

Environmental degradation is increasing the likelihood of people becoming environmental and climate refugees. Climate refugees are people who are forced to leave their home due to natural disasters. The World Bank warned that “climate change, an increasingly potent driver of migration, could force 216 million people across six world regions to move within their countries by 2050.”<sup>3</sup> As protecting civilians is imperative, the UNHRC must build upon reports such as A/HRC/38/21<sup>4</sup> that address human rights protections amongst refugees that have been displaced

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<sup>1</sup> United Nations Economic and Social Commission for Western Asia. (2012). <https://archive.unescwa.org/environmental-degradation#:~:text=Definition%20English%3A,to%20be%20deleterious%20or%20undesirable>

<sup>2</sup> Prevention Web. (2022). *Environmental Degradation*. [https://www.preventionweb.net/understanding-disaster-risk/risk-drivers/enviromental-degradation#:~:text=Up%20to%2040%25%20of%20the,GDP%20\(USD%2044%20trillion\).&text=Land%20degradation%20is%20both%20a,of%20rural%20poverty%20and%20vulnerability](https://www.preventionweb.net/understanding-disaster-risk/risk-drivers/enviromental-degradation#:~:text=Up%20to%2040%25%20of%20the,GDP%20(USD%2044%20trillion).&text=Land%20degradation%20is%20both%20a,of%20rural%20poverty%20and%20vulnerability)

<sup>3</sup> The World Bank. (2021). *Climate Change Could Force 216 Million People to Migrate Within Their Own Countries by 2050*. <https://www.worldbank.org/en/news/press-release/2021/09/13/climate-change-could-force-216-million-people-to-migrate-within-their-own-countries-by-2050>

<sup>4</sup> United Nations General Assembly. (23 April 2018). *Addressing human rights protection gaps in the context of migration and displacement of persons across international borders resulting from the adverse effects of climate change and supporting the adaptation and mitigation plans of developing countries to bridge the protection gaps*. A/HRC/38/21. <https://daccess-ods.un.org/tmp/6112714.40982819.html>

due to environmental degradation. It is vital that there is a global effort to ensure the safety for all of humanity and to decrease the number of people being displaced due to climate-related issues.

## **WHY IS THIS HAPPENING?**

Environmental degradation occurs both naturally and due to anthropogenic causes. Natural causes of environmental degradation are when the environment changes with no human interference. Some drivers of natural environmental degradation would include changes in weather patterns and rising sea levels. Although weather patterns and rising sea levels can be considered natural changes, anthropogenic behavior has expedited the rate at which they are changing. Activities such as burning fossil fuels, farming livestock, and deforestation are some of the top contributors to the earth's temperature increase with the main contributor being greenhouse gas emissions. While greenhouse gasses can occur naturally, "human activities are increasing the concentrations of some of them in the atmosphere."<sup>5</sup> Carbon dioxide is mainly produced by humans and is the main emission contributing to earth's increase in temperature. "By 2020, its concentration in the atmosphere had risen to 48% above its pre-industrial level (before 1750),"<sup>6</sup> acting almost as a blanket and making the earth warmer than it would be. Weather patterns changing can make certain areas become uninhabitable as they may be too hot or too cold to live in. This can affect the harvesting of crops needed for survival. "When people cannot grow crops on the land where they live, they have to move somewhere else in order to survive."<sup>7</sup>

One way to ensure weather patterns stay more consistent is to decrease fossil fuel emissions. Rising sea levels also contribute to environmental displacement by making habitats unlivable as coastal regions are pushed inland. This pushing of coastal regions inland does not only cause climate refugees to relocate towards areas that are not being flooded, but also affects the surrounding areas that relied on coastal regions' production of crops on the land that was

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<sup>5</sup> European Commission. *Causes of Climate Change*.

[https://climate.ec.europa.eu/climate-change/causes-climate-change\\_en#:~:text=Burning%20fossil%20fuels%2C%20cutting%20down,greenhouse%20effect%20and%20global%20warming](https://climate.ec.europa.eu/climate-change/causes-climate-change_en#:~:text=Burning%20fossil%20fuels%2C%20cutting%20down,greenhouse%20effect%20and%20global%20warming)

<sup>6</sup> European Commission. *Causes of Climate Change*.

[https://climate.ec.europa.eu/climate-change/causes-climate-change\\_en#:~:text=Burning%20fossil%20fuels%2C%20cutting%20down,greenhouse%20effect%20and%20global%20warming](https://climate.ec.europa.eu/climate-change/causes-climate-change_en#:~:text=Burning%20fossil%20fuels%2C%20cutting%20down,greenhouse%20effect%20and%20global%20warming)

<sup>7</sup> National Geographic. *Environmental Refugee*

<https://education.nationalgeographic.org/resource/environmental-refugee/#:~:text=While%20rising%20seas%20threaten%20coastal,1%2C390%20square%20miles>

flooded. This shows how sea level rise could directly lead to an increase in the number of environmental refugees. Sea level rise has been expedited due to human activity. "As greenhouse gasses trap more energy from the sun, the oceans are absorbing more heat, resulting in an increase in sea surface temperature and rising sea level."<sup>8</sup> Therefore, the greenhouse gasses causing the ocean to warm will continue to heat the oceans equal to the rise of sea levels. "The head of the United Nations has warned that rising sea levels caused by global warming could spur a mass migration of entire populations"<sup>9</sup>. If this issue is not addressed properly, the consequences will be much worse in the near future.

Pollution is another large factor that causes environmental migration. "Air and water currents carry pollution."<sup>10</sup> These pollutants released are toxic to humans, forcing people to leave their homes. Air pollution can "increase the risk of respiratory infections, heart disease and lung cancer. Both short and long term exposure to air pollutants have been associated with health impacts."<sup>11</sup> The most severe impacts affect people who are ill, children, the elderly and poor. Air pollution also negatively affects water and food supply as the particles in the air seep into the water and soil making it toxic. Fresh water supply is equally as important as being able to harvest crops as access to both food and water is a human right. Lack of fresh water can result in environmental displacement both in that region and in surrounding regions that relied on the water. Therefore, all of these negative health effects make air-polluted regions inhabitable to live, in turn causing climate refugees.

## ATTEMPTED SOLUTIONS BY UN BODIES

In order to reach the 2030 sustainable development goals, urgent action must be taken to combat climate change and all of its impacts, including environmental displacement. In its efforts

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<sup>8</sup> United States Environmental Protection Agency. (2023). *Climate Change Indicators: Oceans*. <https://www.epa.gov/climate-indicators/oceans#:~:text=Why%20does%20it%20matter%3F,temperatures%20and%20rising%20sea%20level>

<sup>9</sup> The Washington Post. (2023). *Rising Seas risk climate migration on 'biblical scale,' says U.N. chief*. <https://www.washingtonpost.com/climate-environment/2023/02/15/un-sea-levels-rising-climate-migration/>

<sup>10</sup> National Geographic. *Pollution*. <https://education.nationalgeographic.org/resource/pollution/#:~:text=Cars%20spew%20pollutants%20from%20their,into%20waterways%20and%20harm%20wildlife>

<sup>11</sup> World Health Organization. (15 November 2019). *Health consequences of air pollution on populations*. <https://www.who.int/news/item/15-11-2019-what-are-health-consequences-of-air-pollution-on-populations#:~:text=Exposure%20to%20high%20levels%20of,people%20who%20are%20already%20ill>

to address the causes and consequences of environmental displacement, the Office of the United Nations High Commissioner for Human Rights (OCHCR) has been “calling attention to the responsibilities of states and other relevant actors,”<sup>12</sup> along with asking states to protect civilians that are being forced into migration. In A/HRC/RES/48/13, the Human Rights Council called upon states to “adopt policies for the enjoyment of the right to a clean, healthy and sustainable environment.”<sup>13</sup>

In cases where the environment is already degraded, additional action must be implemented for climate refugees. The Convention Relating to the Status of Refugees, implemented in 1951, was one of the first to address the issue of refugees<sup>14</sup> and was shortly followed by the 1967 protocol that also aimed to help protect refugees. In resolution 38/21, the Human Rights Council recognized the difficulties of “decisions to move, even when the adverse effects of climate change are the predominant driver”<sup>15</sup> as people also need to take social, cultural, civil, and political rights into consideration. As recognized in A/HRC/RES/35/20, “climate change has a range of implications due to the environment being degraded,” including “the right to adequate food, the right to the enjoyment of highest attainable standard for physical and mental health, the right to adequate housing, the right to self-determination, the right to safe drinking water.”<sup>16</sup> Because of this, the UN has decided to promote ideals that will prevent future environmental degradation and help climate refugees.

Issues of poverty and economic inequality have been identified as being “exacerbated by climate change”<sup>17</sup> as climate change is amplifying negative circumstances, like poverty and

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<sup>12</sup> United Nations Human Rights. *Human rights, climate change and migration*

<https://www.ohchr.org/en/climate-change/human-rights-climate-change-and-migration>

<sup>13</sup> United Nations General Assembly. (18 October 2021). *The Human right to a clean, healthy and sustainable environment*. A/HRC/RES/48/13. Page 3.

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G21/289/50/PDF/G2128950.pdf?OpenElement>

<sup>14</sup> Lewis & Clark Law School. *Environmental, Natural Resources, & Energy Law*

<https://www.lclark.edu/live/blogs/200-no-refuge-for-climate-refugees-in-international#:~:text=Current%20Protections%20for%20International%20Climate%20Refugees&text=Aside%20from%20the%201951%20Convention,refugees%20in%20the%201951%20Convention>

<sup>15</sup> United Nations High Commissioner for Human Rights. (2018). *Addressing human rights protection gaps in the context of migration and displacement of persons across international borders resulting from the adverse effects of climate change and supporting the adaptation and mitigation plans of developing countries to bridge the protection gaps*. A/HRC/38/21. Page 4. <https://digitallibrary.un.org/record/1637329?ln=en>

<sup>16</sup> United Nations General Assembly. (7 July 2017). *Human rights and climate change*. A/HRC/RES/35/20. Page 2. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/184/52/PDF/G1718452.pdf?OpenElement>

<sup>17</sup> United Nations High Commissioner for Human Rights. (2018). *Addressing human rights protection gaps in the context of migration and displacement of persons across international borders resulting from the adverse effects of*

economic shocks<sup>18</sup> which inherently increases the possibility of conflict. The United Nations states believe “there is no group more vulnerable than those who have to flee their country due to conflict and are now feeling the effects of a hostile climate.”<sup>19</sup> Therefore, the detrimental risks of ignoring this issue of global warming far outweigh the benefits. Not only does the world face environmental issues, but also social, cultural, civil, political, and economic problems if ignored. As a result, states must “address the underlying causes that force people to move in response to climate change and environmental factors.”<sup>20</sup> In other words, states must commit to helping environmental refugees whether or not climate change is combatted.

Some of the social, cultural, civil, political, and economic consequences can be combatted with the help of the Human Rights Council. Although the Human Rights Council cannot solve climate change, it is capable of implementing solutions to help those affected by environmental degradation. This can be done by protecting migrants that are being put into vulnerable situations. One way to help protect climate refugees is to support states in developing pathways that ensure a humane migration process, as well as making “ambitious adaptation and mitigation measures that are inclusive and respectful of communities affected by climate change.”<sup>21</sup>

## **SLOW PROGRESS**

Despite the evidence of environmental degradation, climate change remains one of the most difficult issues to solve. Even when countries commit to making change, they often fail to actually take action. Changes must begin within each individual State in order to make a larger

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*climate change and supporting the adaptation and mitigation plans of developing countries to bridge the protection gaps.* A/HRC/38/21. Page 4. <https://digitallibrary.un.org/record/1637329?ln=en>

<sup>18</sup> United Nations High Commissioner for Human Rights. (2018). *Addressing human rights protection gaps in the context of migration and displacement of persons across international borders resulting from the adverse effects of climate change and supporting the adaptation and mitigation plans of developing countries to bridge the protection gaps.* A/HRC/38/21. Page 4. <https://digitallibrary.un.org/record/1637329?ln=en>

<sup>19</sup> United Nations Climate Change. (12 July 2022). *Conflict and Climate Change.* <https://unfccc.int/blog/conflict-and-climate>

<sup>20</sup> The Office of the United Nations High Commissioner for Human Rights. *OHCHR's Key Messages on Human Rights, Climate Change and Migration.* Page 1.

[https://www.ohchr.org/sites/default/files/Documents/Issues/ClimateChange/Key\\_Messages\\_HR\\_CC\\_Migration.pdf](https://www.ohchr.org/sites/default/files/Documents/Issues/ClimateChange/Key_Messages_HR_CC_Migration.pdf)

<sup>21</sup> United Nations Human Rights. *OHCHR and Climate Change.* <https://www.ohchr.org/en/climate-change#:~:text=Role%20of%20OHCHR,-The%20human%20rights&text=OHCHR%20aims%2C%20in%20line%20with,communities%20affected%20by%20climate%20change>.

impact globally. Holding states accountable for not following their commitments in order to ensure that climate change is being combatted can make a large impact globally.

Not all countries are being affected by greenhouse gas emissions, air pollution, and other climate issues to the same extent. In fact, “many of the world’s most climate-vulnerable countries have done little to cause climate change, yet they are experiencing extreme heat waves, floods and other climate-related disasters.”<sup>22</sup> In 2021, about 21.5 million people had been displaced due to climate-change related disasters<sup>23</sup> and as our atmosphere continues to get worse, this number will only increase. The countries with the highest number of climate refugees are Afghanistan, India, Pakistan, Ethiopia, and Sudan,<sup>24</sup> with only India appearing as a top 5 global polluter alongside China, the United States, Russia, and Japan.<sup>25</sup>

Deciding what to do with refugees is already a problem that has been occurring for generations. With this new fear of what to do with climate refugees, we must ensure climate refugees are being treated the same as any other type of refugee at the minimum. Several states have already developed systems to help migrants fleeing their home country due to natural disasters. However, “none currently offer protections to migrants displaced by non-disaster-related or slow-onset climate change.”<sup>26</sup> Because of this, the Human Rights Council and the international community in general must take into account the fate of people being displaced from their homes by environmental degradation.

Environmental degradation is not only exacerbating the plight of refugees, but is also affecting many other already existing problems such as economic crises and depletion of resources. Some of the main issues that have the possibility of being negatively affected are the economy and natural resources. Global warming “has the potential to weaken economic growth through damage to the capital stock and labor supply, and labor productivity will weaken as the

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<sup>22</sup> PBS News Hour. (2 November 2022). *Many of the world's poorest countries are the least polluting but the most climate-vulnerable*.

<https://www.pbs.org/newshour/science/many-of-worlds-poorest-countries-are-the-least-polluting-but-the-most-climate-vulnerable-heres-what-they-want-at-cop27>

<sup>23</sup> Concern worldwide US. (5 April 2022). *Climate Refugees*. <https://concernusa.org/news/climate-refugees-explained/>

<sup>24</sup> Concern worldwide US. (5 April 2022). *Climate Refugees*. <https://concernusa.org/news/climate-refugees-explained/>

<sup>25</sup> Investopedia. (11 April 2023). *The 5 Countries That Produce the Most Carbon Dioxide (CO2)*.

<https://www.investopedia.com/articles/investing/092915/5-countries-produce-most-carbon-dioxide-co2.asp>

<sup>26</sup> Council on Foreign Relations. (26 August 2022). *The Crisis of the Century: How the United States Can Protect Climate Migrants*.

<https://www.cfr.org/blog/crisis-century-how-united-states-can-protect-climate-migrants#:~:text=While%20several%20national%20governments%20have,of%20droughts%2C%20rising%20oceans%2C%20and>

world economy adjusts to higher temperatures.”<sup>27</sup> This will first be felt through inflation as there will be a growing cost of energy, insurance, and food. Food and other natural resources have the potential of becoming scarce. If global emissions are not reduced, not only will there be natural resource shortages causing availability only at high prices, but also war, as countries will have to fight over the remaining resources. Environmental degradation is important to take into consideration because it does not only affect the climate, but people and their livelihoods. Every effort must be made to help climate refugees and those displaced due to environmental degradation.

Violations of human rights that occur due to climate change must be accounted for as the UNHRC works to protect those forced to move due to climate-related disasters. The main purpose of this body is to deal with issues pertaining to human rights, and environmental degradation is directly infringing on global citizens’ basic human rights. In A/73/188<sup>28</sup> which is in accordance with the Human Rights Council’s resolution 37/8, human rights including a safe, healthy, and clean environment are ensured. Environmental displacement disregards this ideal as it deprives people of a safe, healthy and clean environment. The UNHRC cannot directly mitigate the impacts of climate change but it can take steps to protect those that climate change is affecting negatively.

When deciding what to do with climate refugees it must be made certain that they are being treated humanely and never discriminated against. The OHCHR emphasizes the importance of “addressing the human rights implications of climate change displacement including legal protection of people displaced across international borders” as “there are limited legal protections for people displaced across international borders as a consequence of being forcibly displaced by climate change.”<sup>29</sup> The United Nations has urged “all nations to develop national legislation to provide humanitarian visas for persons displaced across international borders due to climate

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<sup>27</sup> Schroders Talking Point. *The impact of climate change on the global economy*. Page 9.

<https://prod.schroders.com/globalassets/digital/insights/pdfs/the-impact-of-climate-change-on-the-global-economy.pdf>

<sup>28</sup> United Nations General Assembly. (19 July 2018). *Human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment*. A/73/188.

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/N18/231/04/PDF/N1823104.pdf?OpenElement>

<sup>29</sup> United Nations Human Rights Office of the High Commissioner. (28 November 2022) *Call for inputs: Report on addressing the human rights implications of climate change displacement including legal protection of people displaced across international borders*.

<https://www.ohchr.org/en/calls-for-input/2022/call-inputs-report-addressing-human-rights-implications-climate-change>

change."<sup>30</sup> As this is only a short term solution, a long term solution must be made to ensure the fate of humanity.

## **CONCLUSION**

Addressing displacement due to environmental degradation is vital as depriving citizens of basic humanitarian resources that climate change is infringing on does not align with the goals of the United Nations. Solutions that will reduce the number of climate change refugees must be implemented. Examples of this include resisting the amount of fossil fuels, pollution, and other negative environmental emissions released into the atmosphere.

This is an urgent matter as displacement due to environmental degradation is already occurring, displacing millions of innocent citizens. Weather patterns and the sea level are not going to change on their own and the UNHRC must find ways to protect citizens until climate change is combatted. Ensuring the safety of those displaced due to environmental degradation must remain a key issue until resolved.

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<sup>30</sup> United Nations. (27 June 2023). *Legal Protection essential for people displaced by climate change: UN expert.* <https://news.un.org/en/story/2023/06/1138147>



## **QUESTIONS TO CONSIDER**

1. Has your country been affected by environmental displacement?
2. Does your country host any environmental refugees?
3. If your country has hosted environmental refugees, how were they treated?
4. If climate refugees are considered a humanitarian issue, does it seem like there should be laws protecting innocent citizens?
5. How has environmental degradation affected your country?

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## MITIGATING THE IMPACT OF DISRUPTIONS TO EDUCATION

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Education is a fundamental foundation that creates a prosperous society and enhances collective progress. Disruption to education can be caused by factors such as domestic and international conflicts, public health crises, and natural disasters. These lead to severe and long-term consequences that impact the well-being of communities. Barriers to education lead future generations to a diminished pool of skills, a lack of personal growth, and limitations to social development. The political, economic, and social well-being of a country is intrinsically tied to the quality of education offered within a country. Furthermore, education is a necessary tool in mitigating existing division ultimately leading to a more peaceful and prosperous coexistence.

The United Nations has traditionally regarded education as a basic human right, beginning with Article 26 of the Universal Declaration of Human Rights, which states "Everyone has the right to education."<sup>1</sup> Article 26 serves as a crucial reminder that education and access to it is a fundamental right. The International Covenant on Economic, Social, and Cultural Rights reiterates the international community's commitment to education.<sup>2</sup> Article 13 recognizes the right to education for all with an emphasis on its role in personal development and international tolerance and calls for compulsory and free primary education, accessible high education, and the continuous development of the educational system. While the Covenant has 171 parties, the world has witnessed many instances of the right to education not being realized. Education currently

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<sup>1</sup> United Nations General Assembly. (December 10, 1948). *The Universal Declaration of Human Rights* (UDHR). (Article 26). <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

<sup>2</sup> United Nations General Assembly. (December 16, 1966). *International Covenant Economics, Social and Cultural Rights*.  
<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

faces mass global disruptions from factors such as political turmoil and the lasting impacts of the COVID-19 pandemic.

Mitigating and fully eliminating disruptions to education is one of the seventeen UN Sustainable Development Goals for the 2030 Agenda in achieving an end to poverty. Sustainable Development Goal 4, Ensuring Inclusive, Equitable, and Quality Education and the Promotion of Lifelong Learning Opportunities for All, attempts to address the restrictions for universal education.<sup>3</sup> Sustainable Development Goal 4 recognizes that education is a fundamental driver of social and economic advancement, underlining the essential role of governments in implementing policies that ensure equitable educational opportunities for all.

Despite the significant improvement made by the global community in the last decade, there are still many individuals who have limited access to education, and to address the deficit in education. Armed conflicts amplify the various disruptions to education. Schools and universities are often attacked during armed conflicts, leaving the students vulnerable. For instance, in Ukraine, the Russian intervention in February 2022 disrupted education for more than five million children.<sup>4</sup> Numerous educational sites and facilities have been damaged or completely destroyed due to the use of explosives in the Ukrainian war and many parents fear sending their children to school due to the conflict, further disrupting their education. Further examples of disruptions to education include Afghanistan where the Taliban control of the country since August 2021 has completely banned marginalized groups, women and girls, from earning an education past the sixth-grade level and completely banned women from many employment opportunities.<sup>5</sup> These instances represent disruptions to education that not only impede accessibility but also violate essential human rights.

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<sup>3</sup> United Nations Department of Economics and Social Affairs. (September 25, 2015). *Transforming our world: the 2030 Agenda for Sustainable Development*. <https://sdgs.un.org/2030agenda>

<sup>4</sup> UN News. (January 23, 2023) *Ukraine war disrupts education for more than five million children: UNICEF*. <https://news.un.org/en/story/2023/01/1132757>

<sup>5</sup> CNN. (March 24, 2022). *Taliban postpones return to school for Afghan girls above 6th grade*. <https://www.cnn.com/2022/03/23/asia/taliban-girls-school-delay-afghanistan-intl/index.html>

## INTERNATIONAL LAW

The adoption and ratification of the International Covenant on Economic, Social, and Cultural Rights (ICESCR)<sup>6</sup> and the International Covenant on Civil and Political Rights (ICCPR)<sup>7</sup> have made the safeguarding of human rights a legally binding commitment of states. The Optional Protocols of these Covenants allow individuals to file a complaint about obligations within the treaty that have been ignored or violated.<sup>8</sup> Similarly, A/RES/34/170 stands as one of the pioneering Resolutions to reaffirm the right to education by encouraging all states to consider adopting appropriate legislation to ensure the full implementation of the right to universal education.<sup>9</sup>

In A/HRC/RES/47/6, the Human Rights Council reaffirmed its commitment to the 2030 Agenda for Sustainable Development and, more particularly, to Goal 4, which focuses on inclusive and equitable quality education for all.<sup>10</sup> Resolution 47/6 expresses concern about persisting challenges, such as high illiteracy rates and the number of children not attending school and urges all states to expand educational opportunities without discrimination and create and expand targeted programs to address inequalities, especially those affecting women and girls. Additionally, it highlights the significance of investing in public education to the fullest extent possible.

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<sup>6</sup> United Nations General Assembly. (December 16, 1966). *International Covenant Economics, Social and Cultural Rights*.

<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

<sup>7</sup> United Nations General Assembly. (December 16, 1966). *International Covenant on Civil and Political Rights*. <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

<sup>8</sup> British Institute of International and Comparative Law. (January 27, 2020) *Protecting Education in Insecurity and Armed Conflict: An International Law Handbook (Second Edition)*.

<https://www.biicl.org/publications/protecting-education-in-insecurity-and-armed-conflict-an-international-law-handbook-second-edition>

<sup>9</sup> United Nations General Assembly. (February 5, 1980). *The right to education*. A/RES/34/170.

<https://digitallibrary.un.org/record/10640?ln=en>

<sup>10</sup> United Nations Human Rights Council. (July 26, 2021). *The right to education: resolution / adopted by the Human Rights Council on 12 July 2021*. A/HRC/RES/47/6

[https://www.google.com/url?q=https://digitallibrary.un.org/record/3937483?ln%3Den&sa=D&source=docs&ust=1691398164997075&usq=AOvVaw0b\\_\\_ugNv-AiVt62SrwFHNG](https://www.google.com/url?q=https://digitallibrary.un.org/record/3937483?ln%3Den&sa=D&source=docs&ust=1691398164997075&usq=AOvVaw0b__ugNv-AiVt62SrwFHNG)

In 2021, the Security Council adopted a resolution encouraging Member States to establish educational safe zones, free from conflict.<sup>11</sup> S/RES/2601 emphasizes the invaluable role of education as a safe space for individuals and society, especially during an armed conflict. As the protection and continuity of education in conflict zones must be a top priority for the entirety of the international community, the Security Council has called on States to establish a domestic legal framework to maintain and support international obligations and standards to prevent attacks on schools, children, and teachers.<sup>12</sup> To enhance protection, the Security Council urges the development of strategies and coordination mechanisms for information exchange on safeguarding schools and education. Collaboration is sought among UN Member States, the Office of the Secretary-General's Special Representative for Children and Armed Conflict, and UN peacekeeping and political missions. S/RES/2601 strongly condemns the military use of schools, recognizing that it renders educational facilities vulnerable to attack, endangering the safety and education of children and teachers. The resolution underscores the importance of supporting teachers, who play a vital role in ensuring children's safe access to education. Relevant UN entities, as well as international and regional bodies, are called upon to provide continued support in global efforts to protect and rebuild educational institutions.

In A/HRC/RES/51/2, the Human Rights Council focused on initiatives from the World Programme for Human Rights Education. This seeks to promote a common understanding of basic principles of human rights education and calls for monitoring and evaluation mechanisms to ensure the relevance of human rights education content for youth and women.<sup>13</sup> The Office of the High Commissioner is tasked with seeking input from various stakeholders for the fifth phase of the World Programme and supporting States' efforts to implement the 2030 Agenda. The issue will be considered further at the fifty-fourth session of the Human Rights Council.

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<sup>11</sup> UN News. (October 29, 2021). *Security Council adopts 'first of its kind' resolution on protecting classrooms from conflict*. <https://news.un.org/en/story/2021/10/1104482>

<sup>12</sup> United Nations Security Council. (October 29, 2021) *Resolution 2601 (2021) / adopted by the Security Council at its 8889th meeting, on 29 October 2021*. S/RES/2601 (2021) <https://digitallibrary.un.org/record/3946429?ln=en>

<sup>13</sup> UN OHCHR. *World Programme for Human Rights Education (2005-ongoing)*. <https://www.ohchr.org/en/resources/educators/human-rights-education-training/world-programme-human-rights-education>



## **COVID-19**

The COVID-19 pandemic has led to the most extensive disruption of education worldwide, affecting over 1.6 billion learners in more than 190 countries in recent years.<sup>14</sup> School closures impacted nearly all student populations, with the most vulnerable being youth in rural communities, women, refugees, persons with disabilities, and forcibly displaced individuals. The crisis worsened education disparities and threatened to erase decades of progress, particularly in supporting young women's access and retention in education. According to the August 2020 Policy Brief on Education during COVID-19, in order to address the consequences of the pandemic, governments and stakeholders are urged to take actions such as suppressing virus transmission, protecting education financing, building resilient education systems, and addressing the wider effects beyond education.<sup>15</sup>

Furthermore, the COVID-19 pandemic led to a complete transformation of traditional learning methods during the pandemic's peak. In an effort to reduce the spread of the virus, schools and universities transitioned to remote learning, temporarily pausing in-person learning. Remote learning demands access to technology, a stable internet connection, and an environment suitable to learning - all of which are prerequisites that students in low-income or rural areas may lack access to. This transition to remote learning has restricted students globally and created additional education gaps. The educational disparities caused by the COVID-19 pandemic are a stark reminder that future educational improvements must aim to be inclusive and accessible, regardless of a student's socioeconomic background.

## **UKRAINE**

The conflict in Ukraine, coupled with the disruptions caused by the COVID-19 pandemic, has resulted in significant challenges for children's education. Many schools and educational facilities have been damaged or destroyed, and safety concerns have led to reluctance in sending children to school. The situation is more imperative for Ukrainian refugee children, with a majority not enrolled

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<sup>14</sup> UN SDGs. (August 2020). *Policy Brief: Education during COVID-19 and beyond*. <https://unsdg.un.org/resources/policy-brief-education-during-covid-19-and-beyond>

<sup>15</sup> UN SDGs. (August 2020). *Policy Brief: Education during COVID-19 and beyond*. <https://unsdg.un.org/resources/policy-brief-education-during-covid-19-and-beyond>

in host country education systems.<sup>16</sup> UNICEF is working to get children back to learning through various means, including online and community-based alternatives.<sup>17</sup> However, attacks on infrastructure, such as electricity, have further hindered access to education. UNICEF urges for a halt on all attacks on education facilities and for additional support to ensure children have access to essential learning material.<sup>18</sup> Efforts to rebuild and rehabilitate schools, as well as integrate refugee children into national education systems, are essential for their continued education and development.

## AFGHANISTAN

The recent ruling by the Taliban in Afghanistan banning young women from attending universities and prohibiting girls from attending secondary school constitutes a clear violation of the right to education, a fundamental human right.<sup>19</sup> The Universal Declaration of Human Rights and the International Covenant on Economic, Social, and Cultural Rights (ICESCR) explicitly recognize the right to education as a fundamental human right. By denying women and girls access to education, the Taliban infringes upon their basic human rights, hinders their personal development, limits their opportunities, and adds to gender-based discrimination and inequality.

The United Nations Security Council, in Resolution 2681 (2023), unanimously condemned the Taliban's decision to ban Afghan women from working for the United Nations in Afghanistan.<sup>20</sup> The resolution emphasizes the importance of women and girls' full participation and their access to education and employment while calling on the Taliban to swiftly reverse its policies limiting women's rights. The Council stressed the need for unhindered humanitarian access, the use of

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<sup>16</sup> UNICEF. (July 10, 2023). *More than half of Ukrainian refugee children not enrolled in schools in Poland*. <https://www.unicef.org/eca/press-releases/more-half-ukrainian-refugee-children-not-enrolled-schools-poland-unicef-unhcr>

<sup>17</sup> UN News. (January 23, 2023) *Ukraine war disrupts education for more than five million children: UNICEF*. <https://news.un.org/en/story/2023/01/1132757>

<sup>18</sup> UN News. (January 23, 2023) *Ukraine war disrupts education for more than five million children: UNICEF*. <https://news.un.org/en/story/2023/01/1132757>

<sup>19</sup> CNN. (March 24, 2022). *Taliban postpones return to school for Afghan girls above 6th grade*. <https://www.cnn.com/2022/03/23/asia/taliban-girls-school-delay-afghanistan-intl/index.html>

<sup>20</sup> United Nations Security Council. (April 27, 2023). *Resolution 2681 (2023) / adopted by the Security Council at its 9314th meeting, on 27 April 2023. S/RES/2681 (2023)*. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N23/121/49/PDF/N2312149.pdf?OpenElement>

Afghanistan's Central Bank assets for the benefit of its people, and the continued presence of the United Nations in the country. International cooperation and dialogue are highlighted as crucial for a peaceful future, with countries urged to address economic challenges and protect the rights of Afghan women, ultimately seeking to mitigate disruptions to education and empower women and girls in Afghanistan.

## PALESTINE

In the West Bank, education for Palestinian children faces significant challenges due to interference and violence. In 2018, the UN documented 111 cases of interference affecting over 19,000 children.<sup>21</sup> Incidents of violence by settlers against Palestinians often go unaddressed by Israeli forces, creating an unsafe learning environment. Moreover, these settlements encroach on Palestinian land, expanding the areas under Israeli control and further limiting educational opportunities for Palestinian children. The international community's response to these issues is crucial to uphold the right to education and protect the well-being of thousands of Palestinian children affected by these circumstances.

On October 7, 2023, an armed conflict began between Palestinian militant groups led by Hamas and Israel, marked by a surprise offensive on Israel.<sup>22</sup> Israel responded with air strikes, a siege of Gaza, and evacuation orders for the northern part of Gaza, causing a critical humanitarian situation. The conflict has had a devastating impact on the education system in Gaza, as many schools, educational facilities, and infrastructure have been damaged or destroyed due to constant bombings. With children being among the most vulnerable, their access to education has been severely affected. Disruptions to education not only hinder the development of young minds but also pose long-term challenges to the region's stability and recovery. Efforts to mitigate these disruptions have faced challenges at the international level. A UN Security Council resolution calling for "humanitarian pauses" to allow the delivery of lifesaving aid to Gaza was vetoed by the United States, resulting in a missed opportunity to address the urgent educational needs of

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<sup>21</sup> UN News. (January 30, 2019). *Palestinian children's education deeply impacted by 'interference' around West Bank schools, UN warns.* <https://news.un.org/en/story/2019/01/1031682>

<sup>22</sup> UN News. (October 21, 2023). *'The world must do more for Gaza' 5 UN agencies warn.* <https://news.un.org/en/story/2023/10/1142652>

children in the region.<sup>23</sup> International cooperation is essential to ensure that children in Gaza have access to quality education despite the ongoing conflict, as education is a fundamental right and a key element for a stable and prosperous future.

## **CONCLUSION**

The COVID-19 pandemic and other conflicts have triggered unprecedented disruptions to education worldwide, affecting millions of children and youth. The right to education, as enshrined in the Universal Declaration of Human Rights and the International Covenant on Economic, Social, and Cultural Rights has been severely compromised, especially for vulnerable populations in poor countries, conflict zones, and areas with poor quality education. These disruptions have the potential to widen existing educational disparities and hinder the progress made in achieving inclusive quality education for all.

To mitigate the devastating consequences of these disruptions, governments and stakeholders must take urgent and comprehensive action. This includes implementing targeted programs to address inequalities in education, investing in public education to the maximum extent possible, and developing strategies to ensure the safety and accessibility of learning environments. Additionally, international cooperation and support are crucial to protect education financing and coordinate efforts for impact.

Reimagining education and accelerating changes in teaching and learning are necessary to not only address the learning crisis, but to also find innovative solutions to restore educational opportunities for all. This involves using technology and alternative learning methods to reach those who are disproportionately affected, including children in conflict zones and refugee settings. It also requires strengthening the resilience of education systems to respond to current and future challenges effectively.

Efforts to protect and promote education must be grounded in respect for human rights, ensuring that every child, regardless of their background or circumstances, has access to quality education. Addressing the disruptions to education is not only an essential step towards achieving

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<sup>23</sup> UN News. (October 18, 2023). Israel-Gaza crisis: US vetoes Security Council resolution. <https://news.un.org/en/story/2023/10/1142507>

the Sustainable Development Goals but also a fundamental commitment to safeguarding the future of an entire generation.

## **QUESTIONS TO CONSIDER**

1. What sort of disruptions to education has your country experienced?
2. How has your country responded to the disruptions to education, and what mechanisms or policies, if any, were put in place to address them?
3. What strategies can your country employ to protect schools and educational facilities from attacks or military use during times of war?
4. How did your government ensure that the most vulnerable and marginalized students have access to distance learning resources during the COVID-19 pandemic?
5. How does international law address the right to education during times of conflict and crisis? What additional policies could be adopted to emphasize the importance of ensuring continuous access to education?

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