

COP27

The intersections of climate change, forced displacement, and human rights

No Climate Justice Without Human Rights



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Between November 6th and 18th, Egypt will host COP27, the 27th conference of the parties to the United Nations Framework Convention on Climate Change, in Sharm ElSheikh. The conference will bring together leaders of governments of countries that are signatories to the United Nations Framework Convention on Climate Change, politicians, experts, civil society organizations, international organizations, journalists and activists to discuss the goal of keeping temperature rises within 1.5 degrees Celsius, to avoid the worst consequences of the climate crisis. In addition to the conference, the Egyptian government launched the "National Climate Change Strategy in Egypt 2050" in order to reduce emissions, deal with potential climate changes and survive climate disasters.¹

Despite the fact that the African continent produces the least amount of carbon emissions of any global region, it is the continent that is most affected by climate change. After centuries of colonial plunder of the Global South, Africa is facing climate catastrophes for which it is not entirely responsible. The continent pays the price of harmful emissions caused by large industrial countries such as the US, the UK, and China. This is, as the U.N. special rapporteur on extreme poverty, Philip Alston, said, "The rich [countries] are going to use their wealth to try and seek safety, and literally leave the poor to burn".²

There is no doubt that climate crises such as water scarcity, rising temperatures, desertification, food shortages and rising sea levels will displace millions of people in the coming years. In 2017, the European Commission conducted the most comprehensive analysis of heatwave risks and found that tropical and subtropical Africa will be severely affected, "The Gulf of Guinea, the Horn of Africa, the Arabian Peninsula, Angola and the Democratic Republic of the Congo are expected to experience heat waves of 60 to 120 days every two years. There will be heat waves longer than 180 days, once every 30 years, over parts of central Africa and the Arabian Peninsula." In East Africa and Yemen, the consequences of climate crises have already caused humanitarian catastrophes: years of drought and wars caused by resource scarcity and food insecurity lead to thousands of deaths, malnourished children and starvation, and millions of internally and externally displaced persons.³

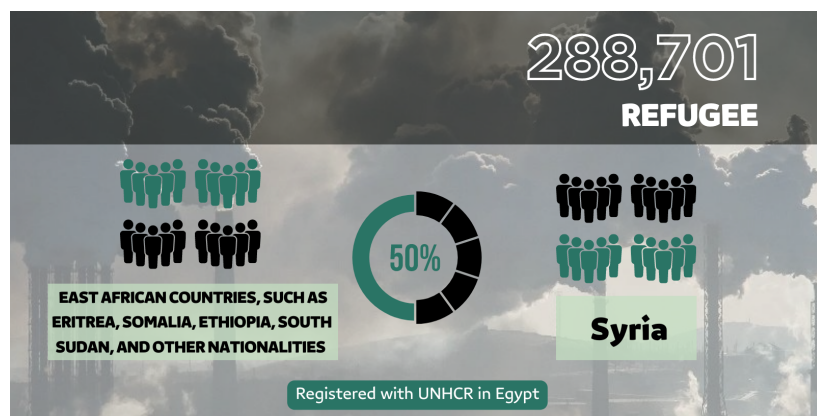
Displaced people from Yemen and East African countries are moving across borders, and some are already arriving in Egypt, such as the displacement of Somalis due to the effects of climate change in past times and the displacement of more Sudanese towards Egypt due to the Nile floods in recent years. This year alone, as of 5 September, Nile floods killed more than 100 people, affected more than 278,500 people across Sudan, and displaced many Sudanese internally and externally.⁴

¹ [With \\$324 billion... Details of Egypt's climate change strategy 2050](#), 20 May 2022, Sky News Arabia

² "Climate Apartheid", 29 Augusts 2022, Democracy Now / Africa: The least responsible, but most vulnerable to climate change, 28 May 2018, DownToEarth

³ [Global Climate Risk Index 2021](#), 25 January 2021, Germanwatch

⁴ [ACAPS Briefing Note - Sudan: Floods](#), 09 September 2022

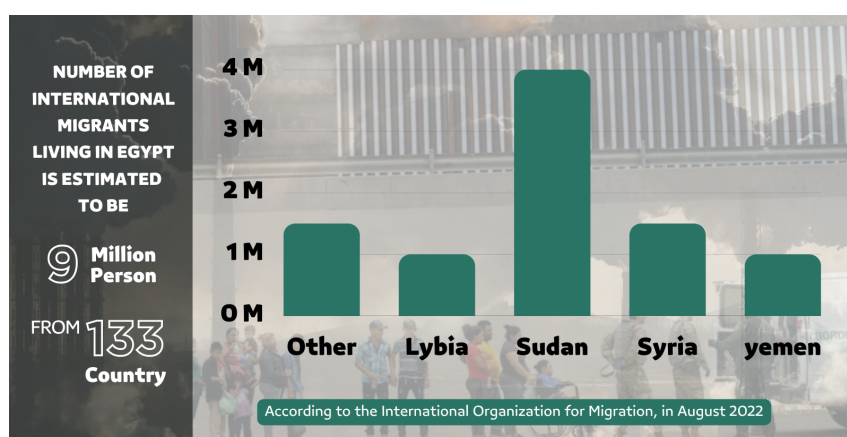


As of August 31, 2022, UNHCR data in Egypt indicate that there are 288,701 refugees registered. Half of these refugees are from Syria, and the other half are from East African countries, such as Eritrea, Somalia, Ethiopia, South Sudan, and other nationalities. Egypt's strategic geographical location makes it an important point (as a receiving or transit country) for people on the move in humanitarian crisis situations in the Middle East and North Africa region. It

has been an important destination for climate refugees in the past, now and in the future.⁵

According to the International Organization for Migration, in August 2022, the number of international migrants living in Egypt was estimated at 9 million. This group consists of immigrants from 133 countries, among them the largest groups are Sudanese (4 million), Syrians (1.5 million), Yemenis (one million) and Libyans (one million). These four

nationalities make up 80% of the international migrants currently residing in the country.⁶



Policies and Actions ... Real solutions must be worked on now

Each year, natural disasters force nearly 21.5 million people to be displaced, both internally and externally, according to the United Nations High Commissioner for Refugees. Scientists predict that migration will increase as the planet warms. This year, the United Nations' Intergovernmental Panel on Climate Change reported that over the next 30 years, 143 million people are likely to be displaced from their homes due to rising sea levels, droughts, rising temperatures and other climate catastrophes.

Egypt is no exception, as rains and floods in March 2020 caused about 2,926 people to leave their homes, who were sheltered in 19 evacuation centers in Cairo, Giza, Beni Suef and Fayoum. The Ministry of Social Solidarity estimated the number of people affected by the floods in the country at about 20 thousand people (4000 families). Climate-related floods

⁵ [Monthly Statistical Report](#) as of 31 August 2022, UNHCR Egypt

⁶ [IOM Egypt estimates the current number of international migrants living in Egypt to 9 million people originating from 133 countries](#), 7 Augusts 2022

in the Nile Delta and the subsequent decline in agricultural production as well as reduced employment opportunities in the agricultural sector, and a sea level rise of 0.5 metres could lead 2 to 4 million Egyptians into displacement by 2050, especially from the coastal region to other regions.⁷

Currently, neither international law nor the domestic policies of most receiving countries protect those who are forced into displacement due to climate change, a change affecting their livelihood or safety, and are not entitled to protection under the 1951 Refugee Convention and its 1967 Protocol. Many policy makers and country governments argue that it is too early to consider this, but rapid climate change, data and living experiences suggest otherwise.⁸

Migrants from countries such as Egypt and the rest of North Africa are also often seen as economically driven, despite the fact that external migration in recent years has been linked to climatic changes such as desertification and agricultural land erosion. For people in these countries, a decision to emigrate may seem better than a series of bad choices, even if it involves taking dangerous boat trips across the Mediterranean and trying to cross fortified European borders.⁹

Over the past months, the Egyptian authorities have been marketing themselves as an administrative leader in supporting the developing world's adaptation to new climate changes, but its policies and action speak differently. “I deeply believe that COP27 is an opportunity to showcase unity against an existential threat that we can only overcome through concerted action and effective implementation”, Egyptian President Abdel Fattah al-Sisi says in the opening message of the COP27 website.

Expectations cannot be raised too high, as Egypt does not appear to have any response plan or readiness to receive potential “climate refugees” who may be displaced within Egypt, across the border from neighboring countries, or from Egypt to other countries. So far, Egypt does not have domestic legislation that guarantees the implementation of international obligations towards refugees, asylum seekers and migrants. In addition to the inability to meet basic needs, Egypt has a track record of human rights violations against people on the move with the absence of protection conditions and guarantees of justice. These and more are making climate justice elusive.

The rights of displaced people inside or across its borders in recent years

While Egypt has received millions of international migrants, and hundreds of thousands of asylum seekers in recent years, the absence of national legislation that regulates the lives of refugees and migrants, and subjecting their lives to security and administrative decisions

⁷ [Egypt: Flash Floods Emergency Plan of Action \(EPoA\) Final Report DREF n° MDREG015](#), 23 January 2021, IFRC / [Egypt Climate Change Profile](#), July 2018, Dutch Ministry of Foreign Affairs.

⁸ [How Can We Protect “Climate Refugees”?](#), 13 October 2022, Rice University's Baker Institute for Public Policy

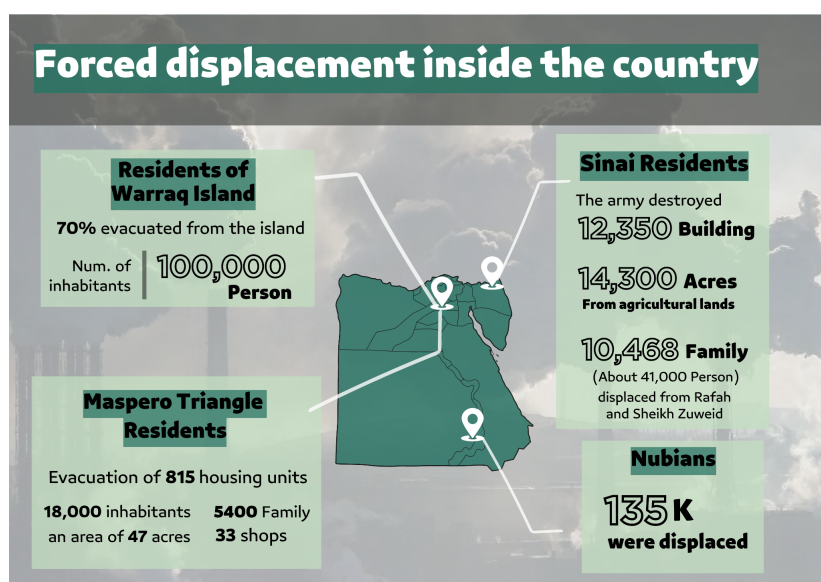
⁹ [Climate Change and Migration in the Middle East and North Africa](#), Sep 29, 2022, Arab Center Washington DC

that constantly change with the change of political will - it is impossible. It provides even a small amount of stability.

Moreover, the Egyptian authorities do not sufficiently abide by the international conventions and treaties signed by them regarding human rights, especially the rights of the forcibly displaced, as they force refugees to work without pay and subject them to torture and other cruel, inhuman or degrading treatment or punishment. In light of the failure to provide protection or means to achieve justice for the groups most vulnerable to violations of women, unaccompanied migrant children and victims of human trafficking.

The Egyptian security forces have been arresting thousands of people annually at its borders in mysterious practices, most of which involve arbitrary detention of men, women and children in poor detention facilities, some of them unofficial, and in inhumane detention conditions and without health or psychological care. Detained asylum-seekers are denied access to the UNHCR, or to submit asylum requests. On top of that, the Egyptian authorities forcibly deport asylum-seekers to countries where they fear they will be exposed to the risk of death, torture, disappearance, and forced labour.¹⁰

In addition, the state does not provide protection for its citizens from displacement due to conflicts or possible climate change, but rather forcibly displaces them without warning and without options or real compensation, such as what happened in the displacement of Nubians, Sinai residents, Maspero Triangle's residents, and residents of the historical houseboats in Cairo, as well as what it happens with the residents of Al-Warraq Island. For example: "Between late 2013 and July 2020, the army destroyed at least 12,350 buildings, mostly homes, most recently in the al-Arish area. The army has also razed, ruined, and closed off approximately 6,000 hectares of farmland, mostly since mid-2016." according to a report published by Human Rights Watch and the Sinai Foundation for Human Rights in March 2021.¹¹



On Al-Warraq Island, the people of the island have been engaged in continuous battles with the state for years. The state and its security forces are forcibly evicting them and forcing them to vacate their homes and lands, in order to turn the island into a huge investment project, despite the fact that many of them possess papers proving ownership of those lands and homes. Egypt justifies the forced displacement of its citizens with arguments such as

¹⁰ [Facts Report: Arbitrary Detention and Forcible Deportation of Eritrean Asylum Seekers from Egypt](#), 8 August, 2022, Refugees Platform in Egypt (RPE) / [EGYPT 2021 HUMAN RIGHTS REPORT](#), United States Department of State • Bureau of Democracy, Human Rights and Labor

¹¹ [Egypt: Massive Sinai Demolitions Likely War Crimes](#), 17 March 2021, Human Rights Watch

“eliminating slums”, “combating terrorism” and “preventing smuggling”. Numerous reports found that house demolitions and displacement of people in the Sinai could have been avoided, and that population displacements in areas of high investment value were illegal. The Egyptian authorities continue to practice all forms of forced displacement against citizens, in violation of local and international laws.¹²

Article 63 of the 2014 Egyptian Constitution stipulates “the prohibition of arbitrary displacement of citizens in all its forms and manifestations,” and violating this is considered a “crime with no statute of limitations”. International law also defines Humanitarian forced displacement as “the forced and unlawful eviction of a group of individuals and populations from the land on which they reside”.

Climate change cannot be separated from justice and human rights, especially the rights of the most vulnerable

Working to reduce harmful emissions to the environment in the world is required, but it must be done in a context that understands and takes into account human rights issues. The United Nations Human Rights Council has recognized that climate change has a significant impact on the full enjoyment of human rights. The council said the impact of climate change “poses an immediate and far-reaching threat to people and societies around the world”. The threat of climate change may also be used as a justification for violating civil and political rights such as freedom of expression and association, or adopting more restrictive policies against the most vulnerable groups, in particular, groups such as refugees, migrants and asylum seekers, against whom all such violations are already taking place in Egypt.¹³

Effective participation in COP 27 in light of the Egyptian authorities’ suppression of freedoms

For many years, human rights defenders, individuals and groups, have faced unprecedented and continuous systematic repression and security restrictions on their work, through a system of new legislation criminalizing human rights and research work, coupled with security threats, intimidation, arbitrary arrest, enforced disappearance, torture and judicial harassment, unfair trials, arbitrary travel bans by official and unofficial decisions, and physical attacks in public places. Also, the Egyptian authorities have frozen the assets of leading human rights organizations, closed hundreds of charities, confiscated their property, imposed laws that undermine freedom of association, banned foreign funding of independent NGOs with a penalty that could lead to life imprisonment, and prosecuted and arrested workers in NGOs, and restricting the freedom of information circulation, with blocking more than 500 websites, including more than 100 news websites.¹⁴

¹² [Cairo evicts Nile island residents for development project](#), 27 Augusts 2022, Al-Monitor

¹³ [Climate change, justice and human rights](#), 3 Augusts 2020, Amnesty International / [Climate change impacts enjoyment of human rights](#), 17 February 2015, The Office of the High Commissioner for Human Rights

¹⁴ [Egypt Crackdown on Civil Society](#), Human Rights Watch File

In addition, defenders of the rights of refugees and migrants face double the violations and restrictions, as they cannot register their activities and gatherings within the official framework set by the Egyptian authorities. They are faced with threats, arrests and forced deportations, and they are constantly intimidated by the security services to not speak out about the problems facing their communities or communicate with local and international human rights organizations, and security instructions are issued to leaders of refugee communities to silence the voices of their communities and prevent people from demonstrating to express their anger. Also, the amendments to Law 82 of 2016 on combating irregular migration, issued in April of this year, criminalize those who provide services or assistance to irregular migrants.¹⁵

Therefore: the practices of the Egyptian authorities pose a very difficult challenge to civil society organizations, and local communities that wish to participate in COP 27, for fear of reprisals. Effective participation in the conference is already restricted; The Egyptian authorities deliberately “selected” the Egyptian NGOs allowed to register to participate in the conference, excluding most of the organizations that criticize the government, through a secret registration process and according to undisclosed selection criteria.¹⁶

At the same time, the registration for the Green Zone designated for demonstrations during the COP 27 conference is restricted by complex entry restrictions and does not guarantee the full right of participants to express their demands, as it is not available to all Egyptians, in addition to strict security measures and restrictions in Sharm El-Sheikh, the host city of the conference. In Sharm El-Sheikh, denial of the right to freedom of movement for most Egyptian citizens and placing surveillance cameras everywhere and recording devices in taxis, with the exponentially high cost of residency within the city during the conference period, which residents, local activists, or groups working with refugees and asylum seekers cannot afford.

Along with this, the extensive arrest campaigns documented by Egyptian human rights organizations during the past weeks included arrests in the streets in Cairo and some governorates, and the appearance of some forcibly disappeared persons pending cases before the Supreme State Security Prosecution against the backdrop of calling for demonstrations during the climate conference period.¹⁷

Even worse, the safety of activists coming from outside Egypt to attend the conference are also at risk. On October 31, 2022, Egyptian security forces arrested Indian environmental activist Ajit Rajagopal and his friend, human rights lawyer Makarios Lahzi, on a street in El-Obour City, east of Cairo. He was on a 260-kilometer walk to promote environmental issues from Cairo to Suez, to reach the venue of the climate conference in Sharm El-Sheikh, the authorities detained him for more than 24 hours on charges of not obtaining a security permit to raise a protest sign. According to what Rajagopal told the media, “Egyptian security

¹⁵ [Harsher Penalties and \(Undocumented\) Migration: Legal Crossroads and Everyday Problems](#), 19 March, 2022, Refugees Platform in Egypt (RPE)

¹⁶ [COP27 and the Human Rights Crisis in Egypt](#), 28 Sept 2022, Cairo Institute for Human Rights Studie

¹⁷ [Egypt: Human Rights Organizations Condemn the Expanded Campaigns of Repression and Arrests Against the Back of Calls to Demonstrate in Conjunction with the Climate Summit “COP27”](#), 2 November 2022, The Egyptian Initiative for Personal Rights

refrained from providing food and drink to Ajit for 27 hours and the police officer videotaped him admitting that he was walking in the streets of Cairo holding a banner without a permit," before he was released.¹⁸

All this is happening at a time when the Egyptian government has imposed strict measures to prevent gatherings and demonstrations since 2013 with a legal cover. The use of the law on organizing demonstrations and gatherings with the aim of suppressing freedom of opinion and expression. This law allows security forces to use excessive force to break up peaceful protests and to imprison participants on loose accusations without evidence. It has led to thousands of arrests in recent years. The authorities also used it to suppress the attempts of refugees, asylum seekers and migrants to organize any events to express their opinions, such as what happened with Eritrean refugees in July 2019 and Sudanese refugees in October 2020.¹⁹

Is lobbying for "loss and damage" financing a sufficient solution?

The countries of the Global South, which have suffered huge economic losses due to climate disasters, demand compensation from countries responsible for economic activities harmful to the environment and helped to steadily accelerate climate change across the globe. The debate on "loss and damage" is now at the top of the COP27 agenda.

At COP 27 we need to work together to show leadership and move forward on addressing this very important issue, particularly when it comes to finding a creative way to find financing for countries that are in extreme need to address the immediate losses and damages that wipe out a significant part of their annual GDP," says Wael Abul-Magd, Egypt's special representative of the summit, to Reuters.²⁰

The fact that the nations responsible for the greatest climate damage to our planet should pay the most is fair, but it must be stressed that rich countries must stop their practices that deepen the climate crisis, and it must be emphasized that financing losses is not sufficient or acceptable to escape accountability for crimes that pollute the environment.

Financing losses and damages cannot be separated from the important question: What is the extent to which funding is ensured well to address the effects and damages of climate change?, in the case of Egypt, and many countries suffer from massive human rights crises along with climate change effects, especially in the absence of monitoring, accountability for corrupt practices and human rights violations, and that Egyptian civil society is excluded from active participation or can act independently without fear of being targeted and persecuted.

¹⁸ [Egyptian regime criticized as climate activist arrested in run-up to Cop27](#), 2 Nov 2022, The Guardian

¹⁹ [Egypt: New protest law gives security forces free rein](#), November 25, 2013, Amnesty International / [Egyptian police have detained at least 40 Eritrean refugees during peaceful demonstration](#), July 21, 2019, Assenna / [Egypt: Protests by Sudanese migrants and refugees over brutal killing of a child met with violence and arrests](#), November 4, 2020, Amnesty International

²⁰ [Egypt working to prioritize 'loss and damage' at COP27](#), September 28, 2022, Reuters

Recommendations

There is a lot that needs to be worked on in order to reach real climate justice and work on climate change must be started in a deeper way from a human rights perspective and ensuring the rights of all individuals, whether at the local, regional or international levels. Therefore, the Refugees Platform in Egypt (RPE) recommends that

Governments of countries, international organizations, groups and activists participating in COP27 should:

- Work to recognize climate refugees and their rights and start working on policies, within international agreements and national legislation, to ensure that states are bound by their rights.
- Raising the voices of those who were denied and prevented from participating, inside and outside the COP27 conference, and talking about the human rights crisis in Egypt and the importance of addressing it.
- Press the Egyptian authorities to respect their human rights obligations, to immediately stop the systematic repression against citizens, migrants, and civil society organizations, and to respect the right of freedom of expression.
- Request the release of all prisoners of conscience and human rights defenders arbitrarily detained in Egypt.
- Work on the existence of periodic review and independent monitoring of all previous funding agreements and subsequent agreements with governments that commit human rights violations, including Egypt, to ensure that human rights are not violated through these agreements.

The Egyptian government must:

- Adhere to international and regional treaties and conventions related to human rights and the rights of people on the move, and work to amend national laws to include recognition of international and regional obligations imposed on Egypt.
- End forced deportations of refugees and asylum seekers, immediately release asylum seekers detained for irregular migration, facilitate their access to asylum procedures, and stop arbitrary arrests of asylum seekers.
- Allow refugees and asylum seekers to move freely within the country without being targeted or persecuted, and work on legislation that allows obtaining travel documents for refugees within the Egyptian asylum system.
- Immediately stop the forced displacement and dispossession of the population, investigate previous forced evictions, and compensate those affected in a fair and equitable manner.
- Stop criminalizing the work of defenders of the rights of people on the move and end persecution and intimidation against them.
- Lift the illegal blocking of blocked websites in Egypt, and stop imprisoning people in cases of publication and expression.
- Immediately and unconditionally release political prisoners and prisoners of conscience from writers, researchers, activists, lawyers and human rights defenders detained for their peaceful activism lift arbitrary travel bans, close all cases against human rights defenders and drop all charges against them.

- Unfreezing the assets of civil society organizations, ensuring their work without harassment or security prosecution, and putting an end to intimidation and harassment of civil society workers.
- Ensuring the freedom of expression and the right to demonstrate for citizens and non-citizens during and after the conference, without restrictions or reprisals.
- The release of people who were arrested during the past weeks in connection with calls to demonstrate and the dropping of charges against them.