



# POLICY ANALYSIS ON MIGRATION, ENVIRONMENT AND CLIMATE CHANGE

## KYRGYZSTAN

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# POLICY ANALYSIS ON MIGRATION, ENVIRONMENT AND CLIMATE CHANGE

## **KYRGYZSTAN**

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Kyrgyzstan is one of the most climate-vulnerable countries in the Central Asian region. The high dependence on glacial meltwater for agriculture and energy, the importance of natural resources for rural livelihoods, and the energy requirements for pumping water exposes people throughout the country to hazards to health, education, nutrition, protection and livelihood opportunities, all of which are exacerbated by climate change. © IOM 2021/Victor LACKEN

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The views and interpretations in this report are those of the authors and should not be attributed to IOM and the IOM Development Fund.



Kyrgyzstan's mountainous terrain has led to the formation of a strongly branched river network. Five thousand rivers are found within the territory of the republic in eight hydrological basins – Syr-Darya, Amu-Darya, Chuy, Talas, Ili (Karkyra) and Tarim, and the closed lakes of Issyk-Kul and Chatyr-Kul. Rivers originate from mountain ranges dividing these various basins, from where they flow into submontane and plain areas. © IOM 2021/Victor LACKEN

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# ACRONYMS AND ABBREVIATIONS

<b>CBO</b>	community-based organization
<b>CSO</b>	civil society organization
<b>DRR</b>	disaster risk reduction
<b>GDRAA</b>	Guide on Disaster Risk Analysis and Assessment
<b>GO-Science</b>	Government Office for Science of the United Kingdom
<b>GosStroy</b>	State Agency for Architecture, Construction and Communal Housing Infrastructure
<b>IFRC</b>	International Federation of Red Cross and Red Crescent Societies
<b>INDC(s)</b>	Intended Nationally Determined Contribution(s)
<b>IOM</b>	International Organization for Migration
<b>IPCC</b>	Intergovernmental Panel on Climate Change
<b>KGS</b>	Kyrgyzstani som
<b>LSG</b>	local self-government body
<b>MAPS</b>	Mainstreaming, Acceleration and Policy Support
<b>MECC</b>	migration, environment and climate change
<b>NAP</b>	National Adaptation Plan
<b>NSSD</b>	National Strategy for Sustainable Development
<b>SDGs</b>	Sustainable Development Goals
<b>SMS KR</b>	State Migration Service of the Kyrgyz Republic
<b>TFD</b>	Task Force on Displacement
<b>UNDP</b>	United Nations Development Programme
<b>UNFCCC</b>	United Nations Framework Convention on Climate Change
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>USD</b>	United States dollar
<b>WIM</b>	Warsaw International Mechanism for Loss and Damage Associated with Climate Change Impacts
<b>WUA</b>	water users' association



# EXECUTIVE SUMMARY

The global importance of the migration, environment and climate change (MECC) nexus has been recognized in the 2015 Paris Agreement on Climate Change, the Global Compact for Safe, Orderly and Regular Migration, the United Nations Plan on Disaster Risk Reduction for Resilience, the Sendai Framework for Disaster Risk Reduction 2015–2030 (hereafter “the Sendai Framework”), Human Rights Council Resolution A/HRC/RES/35/20 (“Human rights and climate change”), Decision 22/COP.14 of the United Nations Convention to Combat Desertification (UNCCD) Conference of the Parties, the Nansen Initiative’s Agenda for the Protection of Cross-border Displaced Persons in the Context of Disasters and Climate Change, and the New Urban Agenda. These global policy frameworks provide a comprehensive set of principles for addressing the MECC nexus. In Kyrgyzstan, the challenges and opportunities associated with migration in the context of climate change and environmental degradation need to be taken into account in national policies, laws and strategies associated with the aforementioned global policy frameworks. This will, in turn, support the achievement of the 2030 Sustainable Development Goals (SDGs).

This study aims to increase understanding of how and to what extent migration in the context of climate change and environmental degradation has been mainstreamed in national policies, laws and strategies in Kyrgyzstan. The methodology for the mapping exercise consists of two major steps. First, it identifies relevant policies, laws and strategies in Kyrgyzstan related to climate change, environment, disaster risk reduction (DRR), sustainable development, agriculture, rural development, urban development, gender, migration and remittances. Second, it analyses these documents for content about the MECC nexus. The study links Kyrgyzstan’s policy landscape with global approaches to the MECC nexus – for example, the Twenty-first Session of the Conference of the Parties under the United Nations Framework Convention on Climate Change (UNFCCC), held in November 2015, which mandated the creation of the Task Force on Displacement (TFD) as part of the work programme of the Executive Committee of the Warsaw International Mechanism for Loss and Damage Associated with Climate Change Impacts. The study also analyses the extent to which Kyrgyzstan’s existing policies, laws and strategies are aligned with the recommendations of the TFD. Where relevant, overlaps with the Sendai Framework and the Global Compact for Migration are highlighted. It should be noted that the policies, laws and strategies identified in

this mapping exercise are unlikely to be exhaustive. In the review, priority is given to the latest versions of publicly available documents.

Out of the 42 policies, laws and strategies studied, only nine make a direct mention of the MECC nexus – including four on disaster risk reduction and three on migration. The mapping exercise finds evacuation and planned relocation to be the most common forms of migration mentioned in the documents studied, even as the impacts of climate change and environmental degradation shape various others (e.g. disaster displacement, labour migration and pastoralism). Another finding is that there are differences in how migration challenges and opportunities are mainstreamed in sectoral policies. At any rate, the review shows that in most of the documents, the MECC nexus is envisaged through the lens of security and humanitarian action.

The mainstreaming of the MECC nexus remains limited in the development and climate change domains, with labour migration and adaptation perspectives largely missing in policy, legal and strategy documents. For example, the Concept of Migration Policy (Government of Kyrgyzstan, 2021b) does not recognize that migration (particularly temporary, circular and seasonal labour migration), especially if well managed, can help the families staying behind to manage risks posed by climate shocks and stressors and environmental degradation. There are knowledge gaps due to the lack of evidence regarding the interlinkages of migration, environment and climate change in the context of Kyrgyzstan (for instance, there is a lack of data on disaster displacement). The study also finds that the MECC nexus is largely missing in the reporting to global policy frameworks such as the SDGs, the UNFCCC, the Sendai Framework and the Global Compact for Migration.

At the same time, the study finds several existing measures across policy domains that are relevant to averting, minimizing and addressing displacement in the context of the adverse effects of climate change and to leveraging migration-related opportunities to support climate change adaptation. Stakeholders, including the Government, can take measures to further mainstream the MECC nexus in the various policies, laws and strategies identified in the report.

The study identifies two main challenges in the policy mainstreaming of the MECC nexus. The first is the lack of a common understanding and conception of the nexus itself. The other one is that the various relevant actors in Kyrgyzstan that the study looked at are limited in their capacities and in their coordination to address issues pertaining to the nexus. These actors include ministries, State agencies, local government institutions, civil society organizations (CSOs), community-based organizations (CBOs), migrants, sending and destination communities.

The report puts forth the following set of recommendations or “Call to Action” that aim to address some of the gaps identified in the report:

1. Recognizing the importance of integrated approaches in the formulation of national and subnational legislation, policies and strategies
  - 1.1. Adopting a whole-of-government approach
  - 1.2. Improving technical and managerial capacities at various levels
2. Mapping, understanding and managing migration related to the adverse impacts of climate change
  - 2.1. Improving the use of data and increasing data expertise
  - 2.2. Adopting a transdisciplinary approach
  - 2.3. Introducing longitudinal and panel data approaches
  - 2.4. Capacity development for national experts
3. Averting, minimizing and addressing displacement related to the adverse impacts of climate change
  - 3.1. Strengthening preparedness at the national, regional and local levels
  - 3.2. Developing innovative approaches
4. Integrating migration challenges and opportunities in national planning and communications
  - 4.1. Mainstreaming of the MECC nexus in national planning processes
  - 4.2. Fostering policy coherence between policy domains
5. Protection of internally displaced persons (IDPs), including those displaced as a result of the adverse effects of climate change
  - 5.1. Developing a technical supplement to clarify the application of protection for persons displaced as a result of the adverse effects of climate change
  - 5.2. Assisting people displaced across borders in the context of disasters, as appropriate.
6. Facilitating orderly, safe, regular and responsible migration
  - 6.1. Enabling the channelling of remittances to climate action
  - 6.2. Developing the capacity of migrants to participate in and benefit from the circular economy
  - 6.3. Supporting just transition for workers in vulnerable sectors and regions



Landslides occur mainly in south-western Kyrgyzstan, where 3,500 out of existing 5,000 landslide zones are located, with over 30–40 landslides taking place per square kilometre in certain areas. © IOM 2021/Victor LACKEN



# THE CONTEXT



Phenomena such as desertification, land degradation, changes in precipitation patterns and reduction of water resources are currently impacting people's decision to migrate, either temporarily or permanently, even if not forcibly so. Indeed, recent research has convincingly demonstrated that, in contrast to sudden phenomena, the effects of slow-onset disasters are often neglected or discounted. © IOM 2021/Victor LACKEN

# 1. THE CONTEXT

The global importance of the migration, environment and climate change (MECC) nexus has been recognized by several policy frameworks, such as the 2015 Paris Agreement on Climate Change, the Global Compact for Safe, Orderly and Regular Migration, the United Nations Plan on Disaster Risk Reduction for Resilience, the Sendai Framework for Disaster Risk Reduction 2015–2030 (hereafter “the Sendai Framework”), Human Rights Council Resolution A/HRC/RES/35/20 (“Human rights and climate change”), Decision 22/COP.14 of the United Nations Convention to Combat Desertification (UNCCD) Conference of the Parties, the Nansen Initiative’s Agenda for the Protection of Cross-border Displaced Persons in the Context of Disasters and Climate Change (“the Nansen Initiative Protection Agenda”), and the New Urban Agenda.<sup>1</sup> These frameworks provide a comprehensive set of principles for action on the MECC nexus and are mutually reinforcing. The challenges and opportunities associated with migration in the context of climate change and environmental degradation need to be taken into account in national policies, laws and strategies associated with the aforementioned global policy frameworks. This will, in turn, support the achievement of the 2030 Sustainable Development Goals (SDGs).

Kyrgyzstan is often referred to as being among Central Asian countries most vulnerable to climate change. Towards the end of the century (2091–2100), the country’s average temperature is projected to rise by 2.6–4.8°C relative to a 1961–1990 baseline (UNDP, 2016:151), while summer precipitation is expected to decrease (Hijioka et al., 2014). The country is prone to natural hazards such as avalanches, droughts, flooding (including glacial lake outburst flooding), landslides, mudslides and rockfalls (UNDP, 2018). It is estimated that an increase in temperature by 1°C will lead to an increase in the average annual number of climatic hazards by 214 events in Kyrgyzstan (Government of Kyrgyzstan, 2013c). According to the Ministry of Emergency Situations, the total damage caused by hydro-meteorological disasters from 2007 to 2015 in the Batken Province alone was worth KGS 1,537,935,400 (USD 22,288,919) (Government of Kyrgyzstan, 2020). In the absence of adaptation measures under the A2 scenario<sup>2</sup> of the Intergovernmental Panel on Climate Change (IPCC), annual losses due to climate change are projected to be around USD 1.2 billion by 2100 (Government of Kyrgyzstan, 2013c).

<sup>1</sup> The website of the New Urban Agenda is available at <https://habitat3.org/the-new-urban-agenda>.

<sup>2</sup> “The A2 scenario family is based on a high-population-growth scenario of 15 billion by 2100 that assumes a significant decline in fertility for most regions and stabilization at above-replacement levels. In the A2 family, both high population growth and less rapid increases in agricultural productivity result in a continuous rapid growth in those emissions related to land use. . . . In the A2 family, both high population growth and less rapid increases in agricultural productivity result in a continuous rapid growth in those emissions related to land use.” (IPCC, 2000).

The impacts of climate change will adversely affect Kyrgyzstan through underlying drivers of vulnerability. A landlocked country, Kyrgyzstan has less than 20 per cent of its total land area (198,951 sq km) suitable for comfortable living (Government of Kyrgyzstan, 2016a), which is due to the mostly mountainous terrain.<sup>3</sup> Mountain areas are fragile ecosystems fast being degraded by both natural and anthropogenic drivers, with vast ecological, aesthetic and socioeconomic significance, not only for the people living there, but also those living beyond – especially in downstream areas that benefit from the ecosystem services provided by the mountains. Due to its dependence on agriculture, hydroelectricity, mining, forestry and tourism, Kyrgyzstan's economic growth is highly vulnerable to climate change (Government of Kyrgyzstan, 2020). In 2016, there were approximately 1.5 million people (i.e. a quarter of the total population) living below the poverty line – 74 per cent of them in rural areas (National Statistics Committee, 2018a) – with the poor suffering disproportionately from the impacts of climate change and natural hazards (ibid.).

Various forms of migration – disaster displacement, evacuation, pastoralism, labour migration (both internal and external (international)) and planned relocation – can be shaped, in part, by climate impacts and environmental degradation. For example, people can be displaced owing to the loss of their places of residence due to extreme weather events. In 2017, for example, disasters triggered 3,300 new internal displacements in Kyrgyzstan (Internal Displacement Monitoring Centre, 2018). With climate change-induced erratic temperatures adversely impacting winter and summer grazing pastures – specifically, pasture productivity and fodder crop growth – pastoralists in southern Kyrgyzstan find their traditional mobility routes, and therefore their livelihoods, disrupted (Government of Kyrgyzstan, 2020). Some forms of migration enable people to mitigate the adverse impacts of climatic shocks and stressors on their livelihoods (Oakes et al., 2020). Short-distance, circular migration for work, for example, is used as a form of income diversification in the context of land degradation and desertification, (Tacoli, 2009).

Internal migrants account for 14 per cent of the Kyrgyz population (United Nations Population Fund, 2017:39), while over 1.5 million Kyrgyz nationals live abroad (Jeenbaeva, 2015). Kyrgyzstan receives around USD 2 billion in remittances annually, constituting about a third of the national GDP (World Bank, 2019). Remittances act as a vital safety net for recipients, helping immediate family members of migrants to remain in the sending communities (Isabaeva, 2011). Without remittances, the poverty level, for example, in Batken Province could rise from 37 per cent to 53.6 per cent (Ministry of Finance of Kyrgyzstan, 2017, in: Government of Kyrgyzstan, 2020:4).

<sup>3</sup> Mountains account for 22 per cent of the world's land surface area (Wester et al., 2019, p. 2).

In other countries, migration for work has been shown to have considerable positive impacts on climate change adaptation at the household level (Oakes et al., 2020). However, those with the fewest resources are also the least able to move away from the adverse impacts of environmental shocks and stressors while simultaneously being the most vulnerable to them (GO-Science, 2011). Part II of the Groundswell report projects the volume of internal climate migration in Kyrgyzstan by 2050 to reach around 0.22 million in a pessimistic reference scenario, 0.18 million in the more inclusive development scenario and 0.14 million in the more climate-friendly scenario (Clement et al., 2021). Thus, there is a need to provide opportunities to access regular migration pathways or consider planned relocation as a last-resort strategy for the “trapped” population. With regard to the latter, in 2020 the Government of Kyrgyzstan established the experimental village, “Ak-Tilek”, in Ak-Tala District of Naryn Oblast,<sup>4</sup> which accommodates 300 households and a total of 1,500 residents, including former residents of two villages, Ak-Chiy and Zhany-Tilek, which frequently experience earthquakes and mudflows. Kyrgyzstan’s Ministry of Emergency Situations and the State Agency for Architecture, Construction and Communal Housing Infrastructure (hereafter, “GosStroy”), under the Ministers’ Cabinet, were the government institutions responsible for the experimental village project, implementation of which is expected to take three years (Sputnik, 2020).

The twenty-first session of the Conference of the Parties of the United Nations Framework Convention on Climate Change (UNFCCC), in November 2015, mandated the creation of a Task Force on Displacement (TFD) as part of the work programme of the Executive Committee of the Warsaw International Mechanism for Loss and Damage Associated with Climate Change Impacts. The TFD acts as the main global platform for policymaking towards the integration of migration issues in the climate change agenda and has made the following recommendation to the Parties to the UNFCCC:

- (a) Consider the formulation of national and subnational legislation, policies and strategies, as appropriate, that recognize the importance of integrated approaches to avert, minimize and address displacement related to the adverse impacts of climate change and issues around human mobility;
- (b) Enhance research, data collection, risk analysis and sharing of information to better map, understand and manage human mobility related to the adverse impacts of climate change;
- (c) Strengthen preparedness to avert, minimize and address displacement related to the adverse impacts of climate change;

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<sup>4</sup> An *oblast* is a government administrative unit in Kyrgyzstan; the term is usually translated to English as “province”.

- (d) Integrate human mobility challenges and opportunities into national planning processes and consider communicating efforts undertaken;
- (e) Consider assisting internally displaced persons (IDPs), including those displaced as a result of the adverse effects of climate change, and strengthen efforts to find durable solutions;
- (f) Facilitate orderly, safe, regular and responsible migration and mobility of people, as appropriate and in accordance with national laws and policies and by enhancing opportunities for regular migration pathways, including through labour mobility in the context of climate change.

(UNFCCC, 2018)

As a party to the UNFCCC, Kyrgyzstan commits to aligning its legislation, policies, and strategies with the recommendations made by the TFD. The Ministry of Natural Resources, Ecology and Technical Oversight of Kyrgyzstan is the dedicated focal point to the UNFCCC process (Government of Kyrgyzstan, 2020).

The Sendai Framework recommends coordinating with migrants in disaster risk management at the local level (para. 27(h)) and recognizes that the knowledge, skills and capacities of migrants can be useful in designing and implementing disaster risk reduction (para. 36(a)(vi)). The Ministry of Emergency Situations is the focal point of the Sendai process in the country. The Global Compact for Migration, in its Objective 2, recognizes “natural disasters, the adverse effects of climate change, and environmental degradation” as the adverse drivers that compel people to leave their country of origin. At the same time, Objective 5 acknowledges that enhancing availability and flexibility of pathways for regular migration (e.g. humanitarian visas, private sponsorships, access to education and temporary work permits) could help address the needs of migrants in a situation of vulnerability. Within the Government of Kyrgyzstan, formerly the State Migration Service of Kyrgyz Republic (SMS KR) (under the Ministry of Foreign Affairs) and currently, after the government reforms of 2020–2021, the Ministry of Labour, Social Provision and Migration, is responsible for policymaking on internal migration, while the Department of External Migration of the Ministry of Foreign Affairs is responsible for international migration. The State Migration Service was the main counterpart to the United Nations Network on Migration and coordinated activities in Kyrgyzstan relating to the Global Compact for Migration. Since the reforms, these functions were split between several ministries.

There is limited information on how and to what extent migration in the context of climate change and environmental degradation has been mainstreamed into national policies, laws and strategies in Kyrgyzstan. There is a lack of understanding of the MECC nexus in the country. In addition, there is limited capacity and coordination to address the topic among national actors in Kyrgyzstan (e.g. ministries, State agencies, local government institutions, CSOs, CBOs, migrants, diaspora members, and sending and destination communities). These are major barriers to mainstreaming the MECC nexus within government institutions, such as the Ministry for Natural Resources, Ecology and Technical Oversight, the Ministry of Labour, Social Provision and Migration, the Department of External Migration of the Ministry of Foreign Affairs, the Ministry of Economy and Commerce, the Ministry of Emergency Situations, and the State Agency for Architecture, Construction and Communal Housing Infrastructure (under the Ministers' Cabinet).

This study aims to map to what extent migration in the context of climate change and environmental degradation has been mainstreamed into existing policies, legislation and strategies related to climate change, environment, disaster risk reduction, sustainable development, agriculture, rural development, urban development, gender, migration (e.g. internal and international) and remittances in Kyrgyzstan. The study also analyses the extent to which existing policies, legislation and strategies in Kyrgyzstan are aligned with the recommendations of the TFD.

This report has the following structure: [Chapter 2](#) presents the methodology. [Chapter 3](#) maps the policies, legislation and strategies associated with the environment, climate change and disaster risk reduction (3.1), sustainable development and poverty reduction (3.2), migration (3.3) and gender (3.4), relating them to various relevant global policy processes. This allows for the subsequent analysis of the extent to which Kyrgyzstan has already internalized the TFD recommendations to the Parties ([Chapter 4](#)). [Chapter 5](#) wraps up the report with its conclusions. This exercise hopes to support Kyrgyzstan's efforts to better address migration challenges and opportunities in the context of the adverse impacts of climate change.



Particular patterns of migration (seasonal or otherwise) based on geography and climate are adopted as livelihood strategies (for instance, by nomadic pastoral peoples). When planned and voluntary, migration becomes an adaptation strategy in the face of a changing environment and climate. © IOM 2021/Victor LACKEN

# 2

METHODOLOGY FOR  
THE POLICY ANALYSIS  
FOR THE MIGRATION,  
ENVIRONMENT AND  
CLIMATE CHANGE NEXUS  
IN KYRGYZSTAN





Human mobility and migration patterns have always been influenced by the environment and climate, which, on a historical scale, have probably been the most important drivers of human migration. Indeed, people have always been on the move to find places where living conditions are more propitious, or to escape natural disasters and climatic hardships. © IOM 2021/Victor LACKEN

## 2. METHODOLOGY FOR THE POLICY ANALYSIS FOR THE MIGRATION, ENVIRONMENT AND CLIMATE CHANGE NEXUS IN KYRGYZSTAN<sup>5</sup>

The report uses the generic term *migration* to encompass different types of movements in the context of climate change and environmental degradation: disaster displacement, evacuation, pastoralism, labour migration and planned relocation. It covers internal and international migration, as well as permanent, temporary, circular and seasonal forms of migration. This is aligned with the language adopted in official documents of the UNFCCC, as well as with the language of the five-year rolling workplan of the Executive Committee of the Warsaw International Mechanism for Loss and Damage of the UNFCCC.

This report adopts the definitions of the terms *avert*, *minimize* and *address*, as used in UNFCCC (2018):

- (a) To **avert** is understood as pertaining to measures to reduce or avoid the risk of forced migration. These measures may include disaster risk reduction, climate change adaptation, resilience-building and community stabilization.
- (b) To **minimize** is understood as pertaining to measures to facilitate safe, orderly and regular migration, as part of adaptation strategies in the context of climate change. These measures may include ensuring migration pathways via free movement protocols, labour schemes, leveraging remittances or transhumance agreements; or, as a last resort, planning relocations of people living in high-risk areas.
- (c) To **address** is understood as pertaining to measures to prepare for and respond to displacement when it happens, including assistance and protection for those displaced due to disasters induced by climatic shocks and stressors, and seeking lasting solutions. These measures may include contingency planning, humanitarian relief aid, granting, expediting or waiving visas, non-return policies and reintegration strategies.

<sup>5</sup> This report adopts the methodology developed in: Lisa Marina, "Policy analysis on migration, environment and climate change", working paper (Dushanbe, IOM, forthcoming).

The methodology for this exercise followed two major steps:

- (a) Identifying relevant policies, legislation and strategies;
- (b) Analysing these documents for content on the MECC nexus.

## 2.1. IDENTIFYING RELEVANT DOCUMENTS LEGISLATION, POLICIES AND STRATEGIES

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Key stakeholders were contacted to ensure that there would be no duplication of existing mapping with special attention to the MECC nexus. It was assumed that relevant documents would be found across various policy domains. Relevant policies, legislation and strategies on environment, climate change, disaster risk reduction, sustainable development, agriculture, rural development, urban development, gender, migration, remittances, diaspora, planned relocation and other documents were then identified and copies of them collected. In accordance with the approach taken in the workplan of the TFD, the mapping included publicly accessible documents in Kyrgyz, Russian and English. (A full list of documents is available in the [Bibliography](#) section of this report.)

## 2.2. ANALYSING THE DOCUMENTS FOR MECC NEXUS-RELATED CONTENT

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The following numbers of documents are reviewed and analysed in the mapping exercise: 12 on the environment, 3 on climate change and 8 on disaster risk reduction and preparedness; 8 on sustainable development; 7 on migration and 4 on gender. The mapping involves identifying whether a document refers to the MECC nexus. The inclusion was assessed to ascertain if the narrative mentions environmental or climate change impacts as a driver of migration or explores the role of migration consequences (e.g. financial and social remittances) in the context of climate change adaptation or resilience-building. Also, the framing of migration or migrant (e.g. as a victim, has agency or a security threat) and in what context was assessed. The mapping involved identifying the specific migration actors who had been acknowledged by the document (e.g. migrants, families staying behind, diaspora, pastoralist, IDPs, sending communities and destination communities).

In documents that do not mention the MECC nexus, the following approaches were adopted: In migration-related documents, a check was made for mentions of environmental and climate change. With regard to documents in other topical domains, it was assessed if migration was mentioned in the context of climate change adaptation or resilience-building – this included the various ways of framing migration in this context, the different types of migration that figure in such context, and the relevant migration actors involved. In both sets of documents, existing mechanisms, measures or practices that could be relevant to addressing migration-related challenges and opportunities in the context of adverse impacts of climate change, were identified. For example, enabling policies to leverage remittances for development could also be relevant for climate change adaptation. The mapping also involved identifying overlaps or a lack of coherence between domains.

The analytical exercise assessed the extent to which existing national policies, legislation and strategies are aligned with the six recommendations of the TFD to the Parties. Where relevant, overlaps with the Sendai Framework and the Global Compact for Migration have been highlighted. Actionable recommendations were then formulated based on this analysis.

### **2.3. LIMITATIONS OF THE MAPPING EXERCISE**

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It should be noted that the policies, legislation, and strategies gathered through this mapping exercise are unlikely to be exhaustive. Priority was given to reviewing the latest versions of policy documents – such prioritization was necessary due to limitations on time and resources available. At any rate, older versions of some documents that are specific to a government sector, or to an administrative and territorial division or regions, were also identified. The mapping, however, was limited to publicly accessible documents for obvious reasons.



Climatic shocks have caused significant stress in agriculture over the past 20 years. The years 2000–2001 and 2007–2008 were the driest in the past 30 years in Central Asia and led to negative socioeconomic consequences such as crop loss, food vulnerability among poor households, and increased prices of agricultural produce. © IOM 2021/Victor LACKEN

3

POLICY SITUATION:  
THE MIGRATION,  
ENVIRONMENT AND  
CLIMATE CHANGE NEXUS  
IN POLICIES, LAWS AND  
STRATEGIES





Kyrgyzstan is a mountainous country and its geography poses challenges for farming. Early frosts, long winters, spring floods, droughts, soil salinization and the high risk of natural hazards are common stressors for the country's agricultural sector. © IOM 2021/Victor LACKEN

### 3. POLICY SITUATION: THE MIGRATION, ENVIRONMENT AND CLIMATE CHANGE NEXUS IN POLICIES, LAWS AND STRATEGIES

This chapter maps governing policies, laws and strategies on the multifaceted aspects of the MECC nexus and explores existing connections. The sections of this chapter are grouped around key policy domains. [Section 3.1](#) looks at the references to migration in the national environmental, climate change and DRR domains – for example, how climate policy instruments address migration. [Section 3.2](#) explores if and to what extent national sustainable development policies and poverty reduction strategies consider the linkages between the migration, environment and climate change. [Section 3.3](#) reviews migration frameworks and explores where and how climate change and environmental issues are taken into consideration. Lastly, [section 3.4](#) presents the guiding gender and social legislative frameworks for a better understanding of the role of women and marginalized members of society in the context of the MECC nexus.

In summary, of the 42 documents studied, only 9 make a direct mention of the MECC nexus, namely:

- (a) The Law on Water (Government of Kyrgyzstan, 1994);
- (b) The Concept of All-Inclusive (Complex) Protection of the Population and Territories of the Kyrgyz Republic from Emergency Situations for 2018–2030 (Government of Kyrgyzstan, 2018a);
- (c) Sequence of Evacuation and Relocation of the Population and Evacuation of the Material and Cultural Valuables to Secure Regions (Government of Kyrgyzstan, 2019a);
- (d) The Law of Civil Protection (Government of Kyrgyzstan, 2018d);
- (e) The Guide on Disaster Risk Analysis and Assessment (GDRAA) (Government of Kyrgyzstan, 2018c);
- (f) The Concept of National Security (Government of Kyrgyzstan, 2012a);
- (g) Concept of Migration Policy 2020–2030 (Government of Kyrgyzstan, 2021b);
- (h) Law on Internal Migration (Government of Kyrgyzstan, 2016b);

- (i) Regulation on Recognizing A Citizen as a Forced Migrant (Government of Kyrgyzstan, 2015b);
- (j) Regulation on the Order of Intersectoral Cooperation on Prevention, Stopping, and Response to Gender Violence in Emergency Situations (Government of Kyrgyzstan, 2018f).

The review shows that evacuation and planned relocation are the most common dimensions of migration that are addressed in the context of climate change and environmental degradation. The review also shows that in most of these documents the nexus has been envisaged through the lens of security and humanitarian action. Labour migration and adaptation perspectives are largely missing in the law, policy and strategies. In addition, there are gaps related to policy coherence and synergies.

### 3.1. ENVIRONMENTAL DEGRADATION, CLIMATE CHANGE AND DISASTER RISK REDUCTION FRAMEWORKS

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#### 3.1.1. Legal frameworks on the environment and the protection of natural resources

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##### The Constitution and the Criminal Code

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In the Constitution of 2021 of the Kyrgyz Republic (Government of Kyrgyzstan, 2021a), the mention of ecocide was not retained. In the 2010 Constitution, the concept of ecocide was introduced as “the right to exemption from criminal liability for the limitation of the commission of a crime may be established by law. It is not allowed to apply the statute of limitations to crimes of genocide and ecocide” (Government of Kyrgyzstan, 2010: art. 26, sec. 7).

The Criminal Code of 2017 (Government of Kyrgyzstan, 2017) defined ecocide as “a mass destruction of the flora and fauna, poisoning of the atmosphere and water resources”, as well as “actions that are capable of inflicting ecological catastrophe”, to be punished with a prison sentence of the “VIth category” (i.e. 12–20 years) (ibid.: art. 388). The current Criminal Code, from 2021, still has the definition of ecocide under Section XI: Crimes Against International Order (Government of Kyrgyzstan, 2021c: chap. 50, art. 409). The prison sentence for ecocide, according to the 2021 Criminal Code may range from 12 to 15 years of incarceration (Government of Kyrgyzstan, 2021c). In Chapter 38: Crimes Against Ecological Security and Natural Environment of the new Criminal Code, there are 12 articles enumerating crimes that constitute breaking the rules in a spectrum of ecological regulation that would amount to ecological crime and punishment (ibid.: arts. 298–310).

There is no mention of migration and/or climate change in the Constitution or any amendments to the Constitutional Law on the State of Emergency, nor is there such mention in either the 2017 or 2021 version of the Criminal Code.

The nodal institution or agency (i.e. the one responsible for the sector) relevant to the Constitution is the Constitutional Court of the Kyrgyz Republic. As regards the Criminal Procedural Code, the nodal government institution is the Ministry of Internal Affairs.

## The Land Code of 1999

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In Kyrgyzstan, land is categorized based on its use. The “low-productivity land” category refers to agricultural land with an unstructured layer of soil that has a low Bonitet score (i.e. the degree to which the land is fertile or suitable for food production) and, thus, low capacity or productivity – thereby requiring high costs for melioration, except for pastures. There is a category of “specially valuable land”, which is irrigated or drained land used intensively for agriculture (e.g. arable land, land used as perennial fruit plantations, vineyards, fallow lands, cultivated pastures, hayfields and pastures of radical improvement); land occupied by protected forests and green plantations equated to them; land in suburban and green zones; and experimental fields (polygons) used by scientific research and educational institutions (Government of Kyrgyzstan, 1999a: art. 1).

“Land relations” in Kyrgyzstan are primarily regulated by the Constitution, the Civic Code, and the Land Code. Land relations are the basis for the policy on the use and protection of soil, forests, water resources, plants and animals, and air (Government of Kyrgyzstan, 1999a: art. 2). The Land Code, which was issued in 1999, has been amended 56 times. These annual amendments to the Land Code reflect the intensity of land use processes and policymaking. The Land Code can be characterized as flexible legislation supporting private property rights but, at the same time, endangering food security, environmental capacity and resilience, which is compounded further by emerging climate change challenges. The new version of the Land Code was initiated by the Government of Kyrgyzstan and delegated to the Ministry of Justice for intersectoral coordination. The draft Land Code was not offered for public scrutiny, as its formulations would have been highly contested by various groups. The key counterargument is linked to private property rights not being prioritized in the new version of the Land Code. A working group at the Ministry of Agriculture is in charge of re-working the draft code. The new Land Code is a document that regulates the land relationships from the perspective of the emergence, use and seizure of land rights and their registration. It is also directed at the creation of land market relationships alongside the conditions of State, municipal and private property rights and its rational use and protection in Kyrgyzstan (24.KG, 2020). Many of the amendments to the Land

Code have direct consequences on the conditions of natural sites, landscapes, soil, water and biodiversity.

There is no mention of the MECC nexus in the Land Code. However, the interlinkages between the cascading effects of land degradation, biodiversity loss, natural hazards, climate change and other stressors can have adverse impacts on the lives and livelihoods of people. This, in turn, can influence their decision to migrate or stay.

The nodal government institution(s) in relation to the Land Code are GosStroy, the Ministry of Agriculture, the Ministry of Natural Resources, Ecology and Technical Oversight, and the Ministry of Digital Development.

### Law on Agricultural Land Management

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The Law on Agricultural Land Management (Government of Kyrgyzstan, 2001a) posits that the agricultural land is a land category provided for agricultural pursuits and used for seed-growing, animal husbandry, experimental economy and agricultural cooperative work for producing agricultural goods (such as vegetables), protective forestry economy, gardening, *dacha* (i.e. small landholdings) and conducting scientific research. The lands of the State Land Fund, including agricultural land (except for pastures), are the property of the State. Land share is the land plot with an agricultural purpose that is given to a citizen of Kyrgyzstan free of charge as a result of the agrarian land reforms. The property rights for this land is confirmed by a land certificate. The property rights to the land plots for agricultural purposes in Kyrgyzstan can belong to the State, the citizens of Kyrgyzstan, cooperatives and legal entities of Kyrgyzstan that work in the cultivation and refinement of agricultural products (ibid.). The law amendment from 2006 posits that the property rights for agricultural land can be solely given to the citizens of Kyrgyzstan that reside in the rural areas not less than two years (ibid.; Government of Kyrgyzstan, 2006).

There is no mention of the MECC nexus in the Law on Agricultural Land Management. At the same time, access to land and land rights can shape the vulnerability of people to climatic shocks (e.g. flooding, storms and landslides) and stressors (e.g. drought and glacial loss). This, in turn, can contribute to a variety of migration outcomes.

The nodal government institution in relation to this law is the Ministry of Agriculture.

## The Water Code

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The Water Code (Government of Kyrgyzstan, 2005 and 2019e) regulates water use, protection of water sources and development of the water resources for guaranteed, sufficient and secure water supply to the population of Kyrgyzstan, while ensuring environmental protection and rational development of the water fund (i.e. the available, measurable water resource). The National Water Council and Water Basin Council is the main entity regulating water resources at the national level. These councils have representatives from the line ministries, agencies and services alongside the territorial water basin administrations, and the organization for water use technical maintenance, servicing the irrigation and drainage systems and water economy infrastructure. In Article 6, under the principles of water resources management, the need to account for global climate change is mentioned. The Water Code stipulates the development of the National Water Strategy (Government of Kyrgyzstan, 2019e: art. 18), with several drafts made, none of which has been adopted or even available in the public domain. The Water Code also posits that the State Water Administration organizes the development of programmes and workplans for water basin development, use and protection along with the implementation and monitoring of the decisions. The water basin plans are developed by the Water Basin Council and approved by the National Water Council. The most recent amendments to the Water Code (Government of Kyrgyzstan, 2019e) have demonstrated the neglect of the glaciers and water reserves of Kyrgyzstan due to corporate mining and foreign investments.

According to the Water Code (Government of Kyrgyzstan, 2005 and 2019e), the local state administration bodies approve the location, size and regime of sanitary protection zones, participate in the work of the Water Basin Council, coordinate issues on the approval and implementation of rules related to water protection zones, adopt normative acts on the regulation of activities and implementation of work in areas prone to floods and mudflows.

There is no mention of migrants or migration in the Water Code. There are important elements of environmental action, disasters risk reduction and climate change adaptation measures. For example, water basin plans include important functions such as assessing the risk of water shortages, droughts, floods, pollutions and dam breaks; defining the territories with a high risk of pollutions; defining territories with high risks of floods and landslides and identifying types of activities that are banned in such territories. These are relevant to addressing the MECC nexus.

The nodal government institution(s) in relation to the Water Code are the Ministry of Agriculture and the Ministry of Natural Resources, Ecology and Technical Oversight.

## Law on Unions (Associations) of Water Users and Unions of Associations of Water Users

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The Law on Unions (Associations) of Water Users and Unions of Associations of Water Users (Government of Kyrgyzstan, 2013a) defines the legal status and the organizational foundations of the establishment and activities of the unions (associations) of water users as non-commercial organizations with public interests in use and maintenance of the irrigation systems in the rural areas. Since June 2002, the Department of the Water Economy of the Ministry of Agriculture has been in charge of regulating the activities of water users' associations (WUAs). The main objectives of the WUAs include environmental protection through such activities as rehabilitation and improvement of irrigation systems within their service zones, prevention of water pollution, improving soil quality, training of the WUAs members on progressive means of irrigation and provision of new methods and technologies. The WUAs also monitor the rights and legal interests of the land plot owners and users as water users.

Since these functions are linked to climate change adaptation, these are relevant to avert, minimize and address displacement related to adverse impacts of climate change, as well as enabling migrants and their families to contribute to and benefit from climate change adaptation.

The nodal government institution in relation to this law is the Ministry of Agriculture.

## Law on Water

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The Law on Water (Government of Kyrgyzstan, 1994) stipulates the workings of The State Water Fund. Its sole purpose is the preservation and renewal of the water resources, fulfilling the needs in drinking, household, industrial, agricultural, energy, transport, recreational and other needs of water; provision of the activities of the nature reserves, forest reserves and sanctuaries, and other flora and fauna environments. The water and water economy sites (i.e. the natural sites where water resources are accounted for and monitored) that are located on the territories of the pastures and transhumance are prioritized for the needs of the cattle breeding after fulfilling the drinking and household water requirements of the local population (ibid.).

Water management alongside pasture management is important to address the adverse impacts of climate change on pastoralists.

The nodal government institution(s) in relation to the Water Code are the Ministry of Agriculture and the Ministry of Natural Resources, Ecology and Technical Oversight.

## Law on Drinking Water

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The Law on Drinking Water (Government of Kyrgyzstan, 1999b) posits the State's responsibilities in providing the population with drinking water that meets hygiene requirements, including in times of emergencies, such as high levels of pollution of specific water sources, damage to water supply and water purification systems, and water purification in the aftermath of accidents, catastrophes and disasters induced by natural hazards. The DRR plans consider water supply during emergencies and include testing of drinking water during emergencies and their consequences; providing safe drinking water; informing communities of the emergency and on how to access safe water for drinking and household use; creating backup water purification plants for those with high pollution cases, searching for alternative water supply sources, and organizing delivery of drinking water to the most vulnerable and or remote communities. The local governments and local state administrations are called to include in their budgets the provisions for the necessary means for preparing reserves of materials and equipment for ensuring water supply to the population in an emergency.

The law does not make references to the MECC nexus. However, it is relevant to water security, including that in the context of disaster risk reduction and minimizing the loss and damage and other adverse effects of climate change and environmental disasters.

The nodal government institution(s) in relation to the Water Code are the Ministry of Agriculture, and the Ministry of Natural Resources, Ecology and Technical Oversight.

## The Concept of Ecological Security

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The Concept of Ecological Security (Government of Kyrgyzstan, 2007) provides a security-focused foundation for Kyrgyzstan's policymaking and action on curbing global ecological threats. This includes contributing to the unified international efforts on addressing the adverse impacts of climate change, conserving biodiversity, combating desertification and land degradation, and conserving the glaciers. These are considered vital for the ecological security of Kyrgyzstan (ibid.).

Although there is no mention of migration in the document, the above measures are relevant to averting, minimizing and addressing displacement related to the adverse impacts of climate change and addressing issues around migration.

The nodal government institution in relation to this law is the Ministry of Natural Resources, Ecology and Technical Oversight.

## Law on Environmental Protection

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The Law on Environmental Protection (Government of Kyrgyzstan, 1999c) posits that nature and its components are “national property” and are also the main factors in the country’s sustainable development. The law stipulates the necessity of regenerating natural resources through organizational, technical, economic and other means, including those that had been lost as a result of the anthropogenic impacts or as a result of disasters. It lists a variety of harms, impurities, stocks and emissions that are inflicted upon the environment, which, in turn, create a real threat to the health and life of human beings, flora and fauna. It also defines green zones as a type of protected land that have the function of preventing harmful anthropogenic impacts on the environment. The law also permits emergency zoning according to the state of the territories in the cities, administrative and territorial regions, where the process of ecosystem collapse and water, soil and biodiversity degradation are closely linked to a sharp rise in human disease and mortality:

The zones of ecological disasters are defined as those where there are indications of total collapse of the natural ecosystems along with high incidence of human diseases and mortality. Such zones of catastrophic ecological disaster are defined as zones where the emergency occurred as a result of economic or other activities, destructive natural hazards, and accidents that bring about negative changes in the environment, which, in turn, threaten human health, the status of the natural ecosystems, genetic foundations of the plants and animals. Economic and other activities and use of natural resources are limited in the zones of ecological emergency, but are completely banned in the zones of ecological disasters.

(Ibid.)

In such zones, measures for restoring and replenishing the natural resources, healing the environment and providing social protection to local communities are undertaken in accordance with the law.

The law does not explicitly mention the MECC nexus. However, the links of well-being and livelihoods with the ecosystem services, regeneration of natural resources and access to social protection are key to addressing migration in the context of climate change.

The nodal government institution in relation to this law is the Ministry of Natural Resources, Ecology and Technical Oversight.

## Resolution No. 131

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Resolution No. 131 on the Priorities for the Conservation of the Biodiversity of the Kyrgyz Republic until 2024 and the Action Plan for the Implementation of the Priorities for the Conservation of the Biological Diversity of the Kyrgyz Republic for 2014–2020 (Government of Kyrgyzstan, 2014) posits that the forests of Kyrgyzstan, due to their uniqueness and ecological significance, are of immense importance in the global processes of regulating the state of the environment and preventing the adverse impacts of climate change. Growing on the slopes of the mountains, they help prevent mudflows, landslides and avalanches, and regulate the flow of water in rivers, making them more uniform throughout the year. Forests increase the resilience of ecosystems, act as carbon sinks, contribute to climate change mitigation and adaptation and help combat desertification. Decreased productivity and biodiversity of ecosystems deprives them of their ability to adapt to adverse impacts of climate change and combat desertification, which can lead to serious economic damage.

The resolution does not explicitly mention the MECC nexus. However, conservation of biodiversity contributes to climate action and resilience-building, which, in turn, could avert, minimize and address displacement related to adverse impacts of climate change and help address issues around migration.

The nodal government institution in relation to this resolution and action plan is the Ministry of Natural Resources, Ecology and Technical Oversight.

### “Nature Knows No Boundaries”

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At its Seventy-fifth Session on 16 April 2021, the United Nations General Assembly unanimously adopted a new resolution, initiated by Kyrgyzstan, entitled, “Nature Knows No Boundaries: Transboundary cooperation is a key factor in the conservation, restoration and sustainable use of biodiversity” (United Nations, 2021). The main goal of the resolution is to strengthen transboundary cooperation on the conservation of biological diversity through joint actions to provide future generations with a clean, safe and stable environment, with the rational use of natural resources based on the principles of sustainable development and the implementation of the 2030 Agenda for Sustainable Development (hereafter “the 2030 Agenda”).

Resident Representative of the Government of Kyrgyzstan noted that Kyrgyzstan fully supports the 2030 Agenda and most of the key international initiatives on environment, and that the adoption of the resolution proposed by Kyrgyzstan will recognize the importance of the environmental challenges facing the world community and the need to develop international cooperation in order to find

joint solutions for the protection, restoration and use of biodiversity for sustainable development. The resolution initiated by Kyrgyzstan is one of the few specialized United Nations documents covering the issues of transboundary interaction between the United Nations Member States on issues pertaining to nature. The adoption of the resolution on a unanimous basis and becoming one of the co-sponsors of the new resolution of 60 States is a recognition of the relevance of Kyrgyzstan's initiative and confirmation of the international community's support of the country in promoting the issues related to combating climate change, preserving biodiversity and achieving sustainable development. The resolution is in line with the earlier initiatives of Kyrgyzstan (2021d) in the field of the environment, such as the conservation of the snow leopard, sustainable development of mountain regions, the creation of the Group of Friends of Mountain Countries at the United Nations in New York, and other areas.

The resolution does not explicitly mention the MECC nexus.

The nodal government institution(s) in relation to this resolution are the Ministry of Foreign Affairs and the Ministry of Natural Resources, Ecology and Technical Oversight.

### 3.1.2. Climate change policies within the framework of the UNFCCC processes

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#### Intended Nationally Determined Contributions

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Kyrgyzstan's Intended Nationally Determined Contributions (INDCs) (Government of Kyrgyzstan, 2015a) has a brief section on climate change adaptation. The INDC document reports that annual losses due to climate change impacts is estimated to be USD 1.2 billion for a 5°C warming scenario (ibid.:2). It also reports that the country will begin a process of regularly updating national priorities and sectoral adaptation programmes and action plans based on assessments of earlier adaptation plan outcomes, and that a monitoring system will be established to provide the evidence base for the updating. These provisions are envisioned as part of the planned National Adaptation Plan (NAP). The Land Code, Water Code and Forest Code have been amended and supplemented to ensure the implementation of effective adaptation measures. In addition, local adaptation initiatives are being actively developed and enjoy support from the Government and international organizations.

The 2015 INDCs do not explicitly mention the MECC nexus.

The nodal government institution in relation to this law is the Ministry of Natural Resources, Ecology and Technical Oversight.

## National communications to the United Nations Framework Convention on Climate Change

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Kyrgyzstan had prepared three national communications, which were submitted to the UNFCCC in 2003, 2008, and 2016. These documents are considered an integral part of the climate change assessment and response processes. The First National Communication raised public awareness, established legal frameworks and sought to develop human and intellectual potential to address environmental problems (Government of Kyrgyzstan, 2003). The Second National Communication demonstrated the sustainability of development priorities and the relevance of climate change for the country (Government of Kyrgyzstan, 2009c). The Third National Communication provided an overview of national circumstances, an inventory of anthropogenic emissions by sources and removal by sinks of greenhouse gases, vulnerability assessments and adaptation measures, an analysis of mitigation efforts and a summary of future climate projections (Government of Kyrgyzstan, 2016a). The Third National Communication has prioritized economic sectors, which will require to adapt to observed and expected changes. In addition, national strategies and action plans have been developed and approved for emergencies, forest and biodiversity, agriculture and water management, human health, and energy. These strategies and plans will be updated as part of the planned NAP process (Government of Kyrgyzstan, 2020).

The MECC nexus is not mentioned in the national communications to the UNFCCC. Migration was not addressed in the Third National Communication to the UNFCCC report due to insufficient information and elaboration of migration scenario (Government of Kyrgyzstan, 2016a:138). This was due to lack of research on migration and climate change nexus, unaccounted labour migration to the countries of the Eurasian Economic Community (Government of Kyrgyzstan, 2016a:37) and low capacity on issues of climate change at the State Migration Service (which was the government body in charge of related issues at the time).

The nodal government institution in relation to these national communications to the UNFCCC is the Ministry of Natural Resources, Ecology and Technical Oversight.

## National Adaptation Plan

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The National Adaptation Plan (NAP) aims to enhance country-led planning and preparedness for climate change adaptation in the medium and long term. The objectives of the NAPs are to reduce vulnerability to the impacts of climate change and to facilitate the integration of adaptation into all levels of development planning. In 2010, the UNFCCC Cancun Adaptation Framework recognized migration as a form of adaptation that should be included in a country's long-term adaptation planning where appropriate (McLeman, 2016).

Line ministries and agencies in Kyrgyzstan had previously developed four preliminary adaptation programmes with medium-term time horizons congruent to the four priority directions: (a) agriculture and irrigation water; (b) emergency situations; (c) forests and biodiversity; and (d) health. These sectoral adaptation programmes provided a baseline with respect to sectoral vulnerabilities and included a range of adaptation activities (Government of Kyrgyzstan, 2013c). All of these documents lapsed in 2017, except the one on agriculture and irrigation water, which will be in effect until 2020.

The Readiness and Preparatory Support Proposal entitled, "Advancing the Development of a National Adaptation Plan Process for Medium and Long-term Adaptation Planning and Implementation in the Kyrgyz Republic" (Government of Kyrgyzstan, 2020) suggests that a NAP will be developed. In April 2020, the Ministry of Economy, which was the National Designated Authority, submitted the proposal to the Green Climate Fund (GCF). The project objective is to strengthen institutions and enhance vertical and horizontal coordination for climate change adaptation planning, facilitate mainstreaming of climate risks at sectoral and subnational levels, and identify a programme of priority climate change adaptation investments. It is foreseen that the NAP will catalyse investments to enhance adaptive capacity in Kyrgyzstan. The proposed NAP project (ibid.) will facilitate new versions of these sectoral documents.

The nodal government institution in relation to this law is the Ministry of Natural Resources, Ecology and Technical Oversight.

### 3.1.3. Disaster risk reduction, preparedness and response

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#### The Concept of All-Inclusive (Complex) Protection of the Population and Territories from Emergency Situations

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The Concept of All-Inclusive (Complex) Protection of the Population and Territories of the Kyrgyz Republic from Emergency Situations for 2018–2030 was developed with the aims of having a unified policy that is directed at the State system of civil protection, provision of a significant risk reduction approach and reduction of losses and harm from natural hazards. The Concept defines the priority directions of the State system of Civil Protection and State authorities, regional administration and municipalities (local self-government bodies (LSGs)). The vulnerability of the population and the infrastructure to natural hazards is high. Among the major determinants of vulnerability are the disregard of safety rules and norms by the population and economic entities, inefficient land use planning, infrastructure falling apart due to wear and tear, and land degradation that exacerbates the risks posed by the sudden onset events. The impacts of sudden- and slow-onset events can be averted, minimized or addressed through the improved coordination between sectoral decision makers and institutions at different levels, as well as through preparedness (Government of Kyrgyzstan, 2018a: chap. 1).

The MECC nexus is recognized by the Concept. For example, it recognizes that reducing the identified vulnerabilities can help in better management of the IDPs. The concept also suggests that the risks can be averted, minimized and addressed through improved coordination between decision makers and institutions, which is aligned with a whole-of-government approach, as suggested by the TFD.

The nodal government institution in relation to this law is the Ministry of Emergency Situations.

#### Sequence of Evacuation and Relocation of the Population, and Evacuation of Material and Cultural Valuables to Secure Regions

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The Sequence of Evacuation and Relocation of the Population, and Evacuation of the Material and Cultural Valuables to Secure Regions (Government of Kyrgyzstan, 2019a) mentions several challenges associated with planned relocation.

One of the most relevant aspects to the MECC nexus is the chapter on the “Evacuation of Populations”. It identifies the population groups that are eligible for relocation:

a) population that lives in the localities that are in the risk zones for emergencies; b) population that may as a result of emerging hazard experience a risk to their lives or health while the restoration of the normal living conditions is impossible or the timelines of living conditions restoration is lengthy (measured in years). The document lays out guidance for temporary evacuation and planned relocation and evacuation of the material and cultural valuables to safe areas. Among the key guiding principles of the sequence of evacuation and relocation are three: (a) the organizing of the oversight statistics (i.e. monitoring and evaluation data), (b) the organizing of movements (i.e. the logistics of relocation), and (c) control of accommodating the temporarily relocated population and the evacuated material and cultural valuables in the safe areas (keeping record of or tracking people).

(Government of Kyrgyzstan, 2019a)

The attachment to ancestral land prevents people from leaving permanently. For many of the relocated persons, returning to their original places of residence is culturally and religiously preferable, as they would be attached to their ancestral land and would often have an entire life support system linked to pasture, mountains and/or forests associated with their families, clans and ancestors. The lack of free or unattributed land/reources elsewhere in the country makes temporary accommodation for the relocated population a transition phase until a long-term solution can be arranged (i.e. often the relocated person’s family members and/or relatives).

The nodal government institution in relation to this law is the Ministry of Emergency Situations.

## The Law on Environmental Protection

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In the Law on Environmental Protection (Government of Kyrgyzstan, 1999c) the zoning of ecological emergencies and disasters is described. **Zones of an Ecological Emergency Situation** are a part of a city or region where signs of the destruction of ecological systems, environmental pollution, and depletion of water, land, plant and animal resources have been identified, and where a sharp increase in the incidence of diseases and mortality is many times higher than the average due to the aforementioned changes. **Zones of an Ecological Emergency and Ecological Disaster** are the areas of the territory of Kyrgyzstan, where, as a result of economic and other activities, accidents, hazards and persistent negative changes in the environment, threaten the health of the population, the state of natural ecological

systems, genetic funds (i.e. natural reserves deposits) of plants and animals. Also, areas of the territory of Kyrgyzstan where profound irreversible changes in the environment have taken place and the resulting significant deterioration in public health, disruptions of natural balances, destruction of natural ecological systems, and degradation of flora and fauna occur can be declared as the **Zones of Catastrophic Ecological Disaster**. Decisions to declare these zones are made by the President of Kyrgyzstan. In Zones of an Ecological Emergency Situation, certain types of activities and nature management may be prohibited or limited. In Zones of Ecological Emergency and Emergency Disaster, activities that negatively affect the environment are terminated. The work of economic facilities, except for those related to public services, is suspended and the management of the nature sites and access to them (i.e. nature management) is limited. In such zones, operational measures are taken to restore natural resources, improve the environment and provide social protection to the population in the manner prescribed by the legislation of Kyrgyzstan. The financing of measures for the rehabilitation of the Zones of Ecological Emergency and Ecological Disaster is sourced from the direct polluters as well as at the expense of targeted funds of the national and local budgets.

This zoning can help to avert, minimize and address displacement related to adverse impacts of climate change and address issues around migration.

The nodal government institutions in relation to this law are the Ministry of Natural Resources, Ecology and Technical Oversight, and the Ministry of Emergency Situations.

## The Law on Civil Protection

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The Law on Civil Protection (Government of Kyrgyzstan, 2018d) defines the different levels of hazards and risks with the aim of signalling (i.e. various alert levels) and communicating the level of threat to the population's life, health, livelihoods and property, measures on reducing the hazard risks, measures on relocating and evacuating population from hazardous zones, the monitoring and maintaining a level of preparedness that would provide adequate level of civil protection. (ibid.: art. 2, chap. 1). The law posits that the protection of citizens is an integral part of the system of national measures to prepare for the emergencies in peacetime and wartime.

This nationwide system of civil protection is relevant to address the MECC nexus, as it involves the management bodies, forces and means of State bodies, LSGs, public associations and volunteer organizations in Kyrgyzstan that have the functions of protecting the population and the territory of Kyrgyzstan in emergencies in peace and wartime. The State Civil Protection System includes the National Platform of

Kyrgyzstan for Disaster Risk Reduction. It is a national mechanism for coordination and strategic leadership in the field of disaster risk reduction. This involves the rescue and other emergency activities aimed at rescuing and helping people, localizing and suppressing foci of damaging effects, preventing the occurrence of secondary damaging factors, protecting and saving material and cultural valuables and training of the population in Civil Protection.

The law refers to the relocation and evacuation of the population from hazardous zones that are relevant to averting, minimizing and addressing risks displacement related to adverse impacts of climate change and addressing issues around migration.

### **Resolution on the Approval of Priority Areas for Adaptation to Climate Change until 2017**

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The Resolution of the Government on Approval of Priority Areas for Adaptation to Climate Change in the Kyrgyz Republic until 2017 (Government of Kyrgyzstan, 2013c) posits that the ability to monitor and forecast climate change impacts significantly influences the well-being of citizens. For example, early warning and communication of sudden change in temperature or precipitation could help farmers to counter potential risks. Due to climate change, the severity and frequency of natural hazards will change. Low-income populations are more at risk from the impacts of natural hazards. In the resolution's Chapter 2.4 (Priority area: emergencies), the proposed tasks and measures for reducing the risks of emergencies are the following: (a) improving monitoring and forecasting system for hazardous weather phenomena; (b) improving early warning system to prevent human casualties and minimize economic damage; (c) improving building codes to ensure resilient infrastructure; (d) developing insurance to address weather and climatic risks; and (e) developing preventative measures to prepare the public, medical and social institutions for emergencies (ibid.: chap. 2.4)

The tasks and measures mentioned in the resolution (e.g. early warning, building codes and insurance) are relevant to averting, minimizing and addressing risks displacement related to adverse impacts of climate change and addressing issues around migration.

The nodal government institution in relation to this law is the Ministry of Emergency Situations of Kyrgyzstan.

## National Emergency Response Plan

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The Emergency Response Plan of the Kyrgyz Republic (Government of Kyrgyzstan, 2018b: chaps. 1 and 2) posits that the response plan is one of the fundamental documents in ensuring the comprehensive security of the population and territory from natural hazards. It contributes to the coordination between ministries, State committees, administrative departments, State administrations, LSGs, communities, organizations, enterprises and international and non-governmental organizations accredited in Kyrgyzstan. The Emergency Response Plan summarizes the key procedures for responding to emergencies, with a clear distinction between disasters requiring a local response from national disasters based on the adopted Classification of Emergencies.

The Emergency Response Plan does not make any references to the MECC nexus. However, the plan is relevant to averting, minimizing and addressing risks displacement related to adverse impacts of climate change and issues around migration.

The nodal government institution in relation to this law is the Ministry of Emergency Situations.

## Constitutional Law on the State of Emergency

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The Constitutional Law on the State of Emergency defines the state of emergency as “a temporary measure introduced throughout the territory of Kyrgyzstan or in some of its localities, applied solely in the interests of ensuring the safety of its citizens and protecting the constitutional order and representing a special legal regime for the activities of State bodies, LSGs, organizations, regardless of the form of ownership” (Government of Kyrgyzstan, 1998). This law allows certain restrictions on the rights and freedoms of citizens, foreign citizens and stateless persons. It allows certain restrictions on the rights of legal entities and imposes additional responsibilities on them. A state of emergency can be imposed in a crisis situation due to biological (e.g. epidemics, epizootics and epiphytotics) or social (e.g. armed rebellion, inter-ethnic conflicts, riots, armed seizure and blocking of roads of national importance and strategic facilities, including their damage) disasters, which pose an immediate threat to the constitutional order, the vital interests of the individual, society, the normal work regime of State bodies and local self-government bodies.

During a state of emergency, the General Staff of the Armed Forces of Kyrgyzstan is the main institution for operational management and coordination of the national actors such as the formations and units of the Armed Forces of Kyrgyzstan, institutions of internal affairs, national security, civil protection, other State bodies of Kyrgyzstan and local self-government bodies. Under conditions of a state of emergency, the State authorities and administrations of Kyrgyzstan may temporarily evict citizens from areas dangerous for living, with the obligatory provision of other permanent or temporary living quarters to them or introduce a special regime of entry and exit of citizens (Government of Kyrgyzstan, 1998). This is relevant to averting, minimizing and addressing risks displacement related to adverse impacts of climate change and issues around migration.

The nodal government institution in relation to this law is the Ministry of Emergency Situations.

### **Guide on Disaster Risk Analysis and Assessment at the Local Level**

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The Guide on Disaster Risk Analysis and Assessment (GDRAA) at the Local Level in the Kyrgyz Republic provides a methodology to the local government bodies and communities to analyse disaster risks at the local level. The main objectives of GDRAA are reduction of existing risks from threats/ hazards, adaptation to changing risks (e.g. climate change) and preventing further increases in disaster risks (Government of Kyrgyzstan, 2018c). The GDRAA aims to identify the hazards, which may arise in a village or district, as completely as possible. The assessment is based on the principles of multi-stakeholder participation.

The Guide suggests considering information on the socioeconomic situation of the population, including gender and age composition, the number of children, disabled people, pensioners, their percentage of the able-bodied population, ethnic composition, professional composition, education level, poverty level and migration level at the stage where vulnerability is being characterized (ibid.).

The nodal government institution in relation to this law is the Ministry of Emergency Situations.

## 3.2. SUSTAINABLE DEVELOPMENT STRATEGY FRAMEWORK

### 3.2.1. National-level strategizing for sustainable development

#### National Strategy for Sustainable Development

In November 2018, the President of Kyrgyzstan approved the National Strategy for Sustainable Development (NSSD) of the Kyrgyz Republic for the period 2018–2040 (Government of Kyrgyzstan, 2018e). NSSD 2018–2040 recognizes the need to transition to more sustainable development pathways through the advancement of green economy principles as a national priority in various policy frameworks. The NSSD calls for the development of climate change adaptation strategies to reduce vulnerability and improve resilience. The NSSD will be implemented through five-year development programmes. The first phase, covering the period 2018–2022, is referred to as the “Unity, Trust, Creation” programme, and was approved by the parliament (Jogorku Kenesh) on 20 April 2018.

In NSSD 2018–2040, there is a section on “environment, climate change adaptation and disaster risk reduction”. Some sections of NSSD 2018–2040, including the “development of strategic branches of economy crosscutting priority” and “cross-cutting directions of development: ecological aspects of development” (ibid.) provide a clear mandate to establish a NAP process, aligning climate change adaptation with the country’s efforts to achieve the SDGs. NSSD 2018–2040 recognized that economic activities that ensures poverty reduction and social progress, but does not exceed the limits of environmental sustainability, requires more effective planning and management of the country’s transition to “green” development and implementation of measures on adaptation to climate change. Also, a gradual restoration of natural ecosystems to a level that ensures the sustainability of the environment and at which there is a real opportunity for future generations of people to exist, to meet their vital needs and interests is envisaged. This includes preserving and restoring the natural environment, landscapes, ecosystems and biological diversity and expanding the area of green spaces. Enforcement of the mandatory environmental impact assessment and environmental expertise of planned economic and other development projects is favoured (ibid.).

Migration also finds a mention in NSSD 2018–2040. Mainly from the perspective of labour market regulation (including pensions and other social security measures), professional training and re-training of the young people and job creation within Kyrgyzstan for motivating the young people to remain in the country. Integration to the Eurasian Economic Union is a priority in terms of setting the standards for the labour force competitiveness and the training processes to provide migration options for the those who wish to study and work abroad. Support to the Kyrgyz

diaspora abroad through strengthening Kyrgyz language, cultural, and social ties between the migrants and their Kyrgyz identity, as well as providing better systems and options (i.e. Meken card – an ID for the migrants to be able to use in Kyrgyzstan) for them to invest in projects in Kyrgyzstan through either remittances or savings have been considered (ibid.).

While there is a mention of climate change in NSSD 2018–2040 and of migration, the two topics remain siloed. The MECC nexus has not been considered in the NSSD.

The nodal government institution in relation to this strategy is the President's Administration of Kyrgyzstan.

### Concept of National Security

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In the Concept of National Security of the Kyrgyz Republic (Government of Kyrgyzstan, 2012a) a detailed account of the aggravation of water and energy problems in the Central Asian region, population growth, nature degradation and rising frequency and intensity of natural hazard in Kyrgyzstan is provided. The issues of competition among the States of the Central Asian region for water is highlighted in the context of climate change and shrinking water resources. The Concept posits that demographic pressure raises issues of labour surplus and potential social and economic conflict.

The Concept of National Security posits that the overexploitation of limited natural resources, primarily water, combined with population growth, an increase in general demand, exacerbated by climate change impacts, leads to a decrease in the productivity of agriculture and adversely affects the economy as a whole. This, in turn, contributes to migration and conflict situations in society, which ultimately weakens the State. The MECC nexus has been framed through the national security lens.

The nodal government institution in relation to this strategy is the President's Administration of Kyrgyzstan.

## 3.2.2. Local government and sustainable development

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### Law on Local Self-Government

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In accordance with the Constitution, the Law on Local Self-Government (Government of Kyrgyzstan, 2011) provides the basis to resolve issues of local importance and aims at creating conditions for meeting the daily needs of residents of a particular territory (ibid.: art. 110). The local self government bodies carry out the role of an implementor of the interests of the State in relation to the population. In the absence of relevant State bodies in the settlements, they are endowed with separate State powers with the transfer of material, financial and other means necessary for local governance. State powers can be transferred to local self-governments on the basis of a law or an agreement. According to the delegated powers, local self-government bodies are accountable to the State bodies (ibid.: art. 113).

Among the 23 issues/functions of local importance under the jurisdiction of local self-government (municipal) bodies, the following are in the field of environmental management: First, solid waste management, including the organization of collection, removal and disposal of household waste. Second, the collective use of pasture lands (Government of Kyrgyzstan, 2009a: sec. 3.3.2) through the Association of Pasture Users (APU), which is a public organization that represents the interests of pasture users in an administrative-territorial unit. Zhayit Committee (ZC) is the executive body of the APU. The local community creates its own association of pasture users, representing the interests of livestock owners and other users of pastures in a given territorial unit in relation to the use and improvement of pastures (Government of Kyrgyzstan, 2009a). Third, the collective use of water. It is the municipalities (local councils and city/village administrations) that are delegated the management of water use.

These functions can characterize the vulnerability of a community, social group or household, which in turn, could shape migration-related challenges and opportunities. For example, the management of pastures could play an important role in characterizing the vulnerability of pastoralists and transhumans, especially in the context of changes in temperature and precipitation that can adversely affect pasture productivity, water availability and health of the herd.

The nodal government institution in relation to this law is the Ministry of Agriculture.

### 3.2.3. Urban development and sustainable development

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#### Resolution on the State concept of small cities and urban settlements

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In the Resolution of the Government on the State Concept of Small Cities and Urban Settlements in the Kyrgyz Republic (Government of Kyrgyzstan, 2001b), internal migration is mentioned in the context of rural and urban poverty and movement of the population in search of income. Also, the State Concept states that unregulated growth of large cities in a mountain context is a threat to the sustainable development of the country. Developing measures to address existing problems associated with internal migration, including ‘balanced’ relocation of the population, has been suggested as a necessity (ibid.). The State Concept also considers creating income and employment opportunities as “a decisive factor in mitigating migration processes from small towns to large cities” (ibid.: sec. 2.1).

The nodal government institution in relation to this State Concept is GosStroy.

### 3.2.4. Sustainable agriculture

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#### The Law on Agricultural Development

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The Law on Agricultural Development (Government of Kyrgyzstan, 2009b) posits that the agrifood sector is a set of economic activities of legal entities and individual citizens associated with the production (cultivation) and processing of agricultural products (i.e. crops, animal husbandry, fur farming, poultry farming and beekeeping), fisheries, and agroforestry, including organizations providing agricultural (agrifood), scientific and technical services. The State agricultural (agrifood) programme of Kyrgyzstan set the main directions of the development of agriculture, water management, agroforestry and fish farming and regulated the agri-food market of Kyrgyzstan. The programme determines financial, material and technical resources, and the mechanism for implementing the State agrifood policy of Kyrgyzstan for three-year periods (ibid.). The law does not mention the MECC nexus. The main directions of State support to the agricultural sector is a list of 19 items, among them the most pertinent to the MECC nexus could be the following: development of a system of insurance of risks in the production, processing, storage, transportation and sale of agricultural (agrifood) products, development of a system of services for the supply of irrigation water, construction of water facilities, carrying out measures for the development of new and reclamation improvement of the used irrigated lands, taking measures to preserve, restore and reproduce the fertility of agricultural lands, as well as measures to prevent the development of soil degradation processes, development of pastures and pasture infrastructure facilities, production of agricultural (agrifood) products in order to ensure food security of the State, financing research programmes

for the development of seed production and selection of agricultural plants and animals, breeding, improvement of production technologies, processing, storage and rational use of food products (ibid.).

The nodal government institution in relation to this law is the Ministry of Agriculture.

### **The Law on Organic Agricultural Production**

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In the Law on Organic Agricultural Production (Government of Kyrgyzstan, 2019c: art. 6), the environmental and climate change mitigation requirements for the preservation of the ecological balance in organic agricultural production cycle are stipulated, yet there is no mention of climate change adaptation. This includes preservation and sustainable use of the fertile soils, minimal use of non-renewable natural resources and protection of the plants with biotechnological and biological means and animal husbandry aligned with bio-organic principles. The preservation of the biodiversity of the water and soil ecosystems and building up of the buffer zones for the protection from waterborne and airborne pollution have also been mentioned.

There is no mention of migration in this law. Although preservation of ecological balance in organic agricultural production is relevant to the nexus.

The nodal government institution in relation to this law is the Ministry of Agriculture.

### **3.2.5. Statistics, data and knowledge management**

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#### **Mainstreaming, Acceleration and Policy Support**

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Kyrgyzstan's reporting on the achievements of the Mainstreaming, Acceleration and Policy Support (MAPS) – that is, compliance of the Government of Kyrgyzstan's efforts with the Millennium Development Goals (MDGs) is ongoing. The policy was agreed upon in October 2015 and has become a common approach to the support to the implementation of the 2030 Agenda at the country level. The MAPS approach captures the core components of MDG upstream support to the SDGs through mainstreaming work for public awareness-raising, analytical work for policymakers and policy support from the United Nations to the Member States. In addition to these three core elements, the MAPS common approach recognizes the importance and the need to support partnership development, accountability and data efforts, as key ingredients to the success of its policy engagement on the SDGs at the country level.

The nodal government institution(s) in relation to this cooperation are the Ministry of Economy and the National Statistics Committee.

## The Law on Official Statistics

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The Law on Official Statistics was introduced in July 2019 (Government of Kyrgyzstan, 2019d). It posits a unified approach for data collection and storing in Kyrgyzstan. It is an opportunity to have data comparable across sectors, regions, timelines, and initiatives. With time, the availability of longitudinal data that is extremely important for forecasts and modelling, including on climate change and weather/ emergency conditions, will be strengthened.

This government initiative is aligned with MAPS and the 2030 Agenda and will streamline many processes alongside its implementation.

The nodal government institution in relation to this law is the National Statistics Committee.

### 3.3. MIGRATION POLICIES, LEGISLATION AND STRATEGIES

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#### 3.3.1. International and internal migration

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##### Concept of Migration Policy

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The Concept of Migration Policy of the Kyrgyz Republic 2020–2030 (Government of Kyrgyzstan, 2021b) recognizes the interlinkages between environmental degradation and the effects of climate change on migration:

Environmental degradation and the effects of climate change are forcing environmental migration. Lack of clean water and land, crop failures and natural disasters are noted among the most common factors triggering migration processes. This leads to a decrease in the number of livestock breeders and farmers and the devastation of territories in remote areas and border areas.

(Ibid.: sec. 1.6)

Due to the increasing trend of citizens leaving their homes for environmental reasons such as land degradation and water scarcity, it has been suggested that the development of profitable agriculture is hindered. Besides, nearly 23,000 citizens of Kyrgyzstan (Government of Kyrgyzstan, 2021b) had to relocate (some were displaced) due to various types of disasters induced by natural hazards. The Concept suggests that the government agencies must be prepared for possible massive displacement as a result of natural and environmental hazards.

In this context, this solutions-oriented Concept proposes that “better conditions must be developed for providing opportunities to the citizens, compatriots,

immigrants and stateless persons to improve their educational, labour, professional and cultural potential and opportunities in the Kyrgyz Republic” (ibid.). The Concept states the following:

- (a) minimizing the adverse impacts associated with environmental degradation, emergencies, climate change, degradation of natural resources that force people to leave their places of residence;
- (b) development of an integrated approach of protecting the population based on predicting threats and risks, improving methods of forecasting, preventing and eliminating the consequences of emergencies;
- (c) creation of space for the realization of the cultural needs of the population, especially young people;
- (d) formation of a system of views and interests through the system of preschool, school, special and higher education, aimed at realizing the capabilities of children, youth and the entire population in their own country,
- (e) formation of public opinion and change in behavioural aspects in terms of a positive and tolerant attitude towards migrants.

(Ibid.)

Also, there is a subsection 3.2 titled “Using the migration potential of the population, compatriots, immigrants and stateless persons for the development of Kyrgyzstan” (ibid.: sec. 3.2). Though it does not make references to the environment and climate change, it refers to measures that could be relevant to addressing the MECC nexus:

- 1) Improvement of the financial literacy of migrant workers and their families;
- 2) Creation of conditions for migrants, compatriots and their associations that allow them to plan their return and utilize the skills acquired in the process of migration;
- 3) Inclusion in the pension system of citizens who are in labour migration abroad, as well as citizens engaged in labour activities in Kyrgyzstan;
- 4) Launch the rehabilitation and reintegration programmes of migrants with adverse migration experience, with a special focus on women;
- 5) Creation of favourable conditions that facilitate and allow migrants, compatriots and their associations to invest and make a voluntary contribution to the development of Kyrgyzstan;
- 6) Leverage the potential of migrants, compatriots and their associations for the development of social, cultural, educational projects;
- 7) Provide conditions for decent work and legal employment of foreign citizens and stateless persons who came to work in Kyrgyzstan through the system of contractual relations, the patent system and other forms;
- 8) Provide information to citizens of the country and compatriots, foreign citizens, stateless persons about employment opportunities in Kyrgyzstan.

(Ibid.)

The nodal government institution in relation to this law is the Department of External Migration under the Ministry of Foreign Affairs.

## Law on Internal Migration

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The Law on Internal Migration includes a definition of ecological migrant<sup>6</sup> – as the forced migrant that left the permanent residence and moved to another location within Kyrgyzstan as a result of sharp deterioration of the environmental situation or ecological catastrophe (Government of Kyrgyzstan, 2016b: chap. 1, art. 1). It is notable, that the ecological migrant is envisaged as a “forced migrant” (Government of Kyrgyzstan, 2016b). The definition does not distinguish between migrants who moved because of necessity from those migrants with an agency and opportunities to move away. Also, in the interests of State security and protection of public order and protection of public health, the Government of Kyrgyzstan can impose restrictions on freedom of movement, choice of residence and place of stay under certain circumstances. One of this pertains to the zones of ecological disaster and risk of natural hazards (Government of Kyrgyzstan, 2002). Kyrgyzstan ensures the protection of the rights of forced migrants. The State assumes responsibility for the implementation of a set of necessary measures and the legal protection of forced migrants. Within the framework of this Law, forced migrants include: (a) ecological migrants; (b) migrants from the sites of disasters induced by natural hazards, major accidents or catastrophes; (c) migrants from areas of armed conflicts and riots (ibid.).

There is a section dedicated to ecological migration within the Law of Internal migration. It defines the situations of emergencies as well as the governance procedures of zoning, rehabilitation, and task delegation to various levels of governing authorities (ibid.). In the event of a disaster induced by environmental hazard or a sharp deterioration of the environment in a certain region of Kyrgyzstan, where the presence of people may pose a threat to their lives and health, the Government of Kyrgyzstan (i.e. the relevant institution in charge, which is the Ministry of Emergency Situations) will take a decision on the evacuating citizens to safe areas. The Ministry of Emergency Situations will decide the classification of territories as the ecological disaster zone according to the danger to the citizens who, when moving to other safe areas, can obtain the status of forced migrants in accordance with Article 38 of this Law. The Ministry of Emergency Situations in coordination with local self-government bodies, will provide accommodation to these ecological migrants. Before obtaining the status of a forced migrant, these migrants must receive all the necessary assistance and be provided with the basic necessities, including food and sanitary and medical services, as well as undergo a comprehensive medical examination. After the rehabilitation of the areas of

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<sup>6</sup> The terms “ecological” and “environmental” are used interchangeably; as they relate to migration, there is no distinction made in the Russian language. The adjective “environmental” in the English language is directly translated into Russian as *okruzhaiushaya sreda* (i.e. “the context that is surrounding something”, which more often than not has the connotation of “ecological”).

ecological disaster, the relevant government bodies, including local self-government bodies, will assist forced migrants to return to their places of their former residence. The Government of Kyrgyzstan has a special State programme for the treatment, rehabilitation and social protection of affected citizens. Compensation to ecological migrants is provided depending on the damage to their health as a result of a disaster induced by environmental hazard or a sharp deterioration of the environment and the degree of risk to the migrant in staying in a disaster zone (ibid.).

The law emphasizes that government response procedure in regards to forced migration is a matter of long-term planning and deliberation process that tends to consider minimizing displacements and its adverse consequences.

- (a) The decision on evacuation of citizens and relocation of their belongings is made by the Government of Kyrgyzstan. Before deciding on the evacuation of citizens, the Government is considering all possible alternative ways. In the absence of such, all measures are taken to minimize the adverse consequences of displacement.
- (b) Relevant government bodies carrying out such movements shall ensure that forced migrants are properly accommodated and that the movements are carried out in satisfactory conditions in terms of ensuring safety, health protection, food and hygiene. Families that have been separated should be reunited as soon as possible.

In 2015, in order to implement the Law on Internal Migration, the Government of Kyrgyzstan decided to issue a new Resolution No. 584 (ibid.) which, in effect, amended the earlier Resolution No. 229 of the Government of the Kyrgyz Republic on Approval of the Regulation on Recognition of a Citizen of the Kyrgyz Republic as a Forced Migrant (Government of Kyrgyzstan, 2004a). See the next subsection for details on this Regulation.

The nodal government institution(s) in relation to this law are the Ministry of Labour, Social Provision and Migration and the Ministry of Emergency Situations.

## Regulation on the Recognition of a Citizen as a Forced Migrant

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In the Regulation on Recognizing a Citizen as a Forced Migrant (Government of Kyrgyzstan, 2015b), forced migrants are defined as “citizens of Kyrgyzstan (hereinafter referred to as “citizens”) who are forced to leave their place of residence and move to another locality within Kyrgyzstan due to circumstances that pose a threat to their life, health and safety, such as armed conflict, mass riots, disaster induced by natural hazards, sharp environmental degradation and disasters caused by human activity”. Forced migrants include citizens who left the place of their residence due to a sharp deterioration in the environment or a disaster induced by an environmental hazard and were recognized as displaced on the basis of a Government decision in order to be provided accommodation in another locality within Kyrgyzstan. This includes migrants from places affected by disasters induced by natural hazards, major accidents or catastrophes and citizens who left their place of residence as a result of the introduction of a state of emergency in accordance with the Constitutional Law of Kyrgyzstan on the State of Emergency (ibid.).

A citizen, in order to be recognized as a forced migrant, must, within five working days, after leaving his or her place of former residence due to a disaster induced by an environmental hazard, sharp environmental degradation, major accidents, armed conflicts or mass riots, apply personally or through an authorized representative with a petition to the migration service authorities in the destination community (ibid.). The application must provide the reasons for leaving the place of former residence and reliable information about the person and family members. A citizen recognized as a forced migrant is issued a certificate, which is signed by the responsible representative of the government body in charge of migration issues and certified by the official seal (ibid.).

The decision to recognize a citizen as a forced migrant is the basis for providing them with guarantees established by the Law of Kyrgyzstan on Internal Migration. The forced migrant status is terminated in the following cases: (a) elimination of the consequences of a disaster induced by an environmental hazard, major accidents, armed conflicts, riots, or the lifting of a state of emergency; (b) the return of a citizen to their former place of residence or gratuitous provision in the area for their stay with another living quarters or land plot of the established area (ibid.).

The nodal government Institution in relation to this law are the Ministry of Labour, Social Provision and Migration and the Ministry of Emergency Situations.

### 3.3.2. Pastoralism and transhumance

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#### Law on Pastures

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In the Law on Pastures (Government of Kyrgyzstan, 2009a), pastures are defined as a type of agricultural land covered with grassy vegetation, used as grazing forage for livestock grazing and for other purposes reflected in land registration data. Pastures are the property of Kyrgyzstan's people with delegated management of the State. The State Commission for the Establishment of Pasture Boundaries is a temporary State commission established by the decision of the Government of Kyrgyzstan. The use of pastures is carried out in accordance with the community's pasture management and use plan and the annual pasture use plan (this plan is prepared by the members of the pasture user associations' or by the local village residents that have cattle and pasture tickets). Livestock grazing is carried out on the basis of pasture tickets. The use of pastures for other purposes is carried out on the basis of agreements.

The local community creates an association of pasture users, representing the interests of livestock owners and other users of pastures in a given territorial unit in relation to the use and improvement of pastures. The executive body of the APU is the Zhyit Committee. The Zhyit Committee consists of representatives of pasture users, deputies of the local Kenesh, a representative of the authorized body for the environment and forestry, heads of the executive body of local self-government (ibid.).

The law does not mention the MECC nexus. The precipitation variability and drying associated with rising temperatures adversely affect water availability. This, in turn, adversely affects the pasture productivity and water available to livestock. (Kerven et al., 2011). Hence, this law is relevant for addressing issues around migration in the context of climate change.

The nodal government institution in relation to this law is the Ministry of Agriculture.

### 3.3.3. Contributions of migrants and diasporas – remittances, knowledge and investments

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#### Law on the Foundations of the State Policy for the Support of Compatriots Abroad and accompanying legislation

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The objectives of the Law on the Foundations of the State Policy for the Support of Compatriots Abroad (Government of Kyrgyzstan, 2013b) are to provide State support and assistance to compatriots, in accordance with generally recognized

principles and norms of international law, international treaties of Kyrgyzstan, legislation of Kyrgyzstan, as well as taking into account the legislation of foreign States in the implementation and ensuring of human rights and freedoms.

There are three other policies, including:

- (a) Government Resolution on the Establishment of the Council for Relations with Compatriots Abroad under the Government of the Kyrgyz Republic (Government of Kyrgyzstan, 2015c);
- (b) Decree of the President of the Kyrgyz Republic on the Council for Relations with Compatriots Abroad under the President of the Kyrgyz Republic (Government of Kyrgyzstan, 2018g);
- (c) Regulations on the Council for Relations with Compatriots Abroad under the President of the Kyrgyz Republic (Government of Kyrgyzstan, 2018h).

The three policies are aimed at Kyrgyz migrants, who are referred to as “compatriots working abroad”. The presidential decree posits that the appropriate financial mechanisms and the necessary infrastructure must be developed to stimulate the attraction of investments from Kyrgyz compatriots in promising areas of production in order to adopt and implement the experience of other countries to create new industries and enterprises in the country. Although there is comprehensive list of standard rights to be ensured, including the right to return to Kyrgyzstan, these documents do not refer to topics related to environment and climate change.

In the Concept of Migration Policy, it was recognized that to date the country at the State Government level has not developed a system for attracting funds from migrants, compatriots and their associations for the development of Kyrgyzstan (Government of Kyrgyzstan, 2021b). The fact remains that the mobilization of remittances through community programmes, usually for local infrastructure projects, is carried out by the migrants themselves. The governments’ concept deems it necessary to develop and implement programmes for attracting migrants’ remittances for the development of small and medium-sized businesses, helping migrants turn their remittances into savings (Government of Kyrgyzstan, 2021b: sec. 1.3). However, the leveraging of remittances is not linked to climate change adaptation or resilience-building.

The nodal government institution in relation to this law is Department of External Migration under the Ministry of Foreign Affairs.

### 3.4. GUIDING NATIONAL GENDER FRAMEWORKS

Migration processes in Kyrgyzstan have been increasingly feminized. Since 2014, there have been more women migrants than men, both internally and internationally from Kyrgyzstan (National Statistics Committee, 2018b). In 2018, the number of women was twice as many as men (ibid.:33–34). One of the factors for this feminization has been the situation of women on the internal labour market. During the same period the share of economically active women fell (ibid.: 44), which was reflected in the share of poor women that grew until 2018, when it outweighed the share of poor men (ibid.: 147).

In the *Concept of Migration Policy 2020–2030* (Government of Kyrgyzstan, 2021b), the gender-related issues were mentioned. It was recognized that the issues of preventing conflicts, violence, religious radicalization and extremism in the content of migration are not given due attention. The violence against women and girls in labour migration, crimes committed by members of organized criminal groups against migrant workers, involvement in radical religious communities and extremist movements were deemed especially disturbing and unacceptable (ibid.). Although the Concept briefly touches upon the necessity for “including the gender approach in the process of data collection and methodology development”, it yet does not mention the possibility of the opportunities and challenges experienced by women staying behind and female migrants in shaping adaptation in their households or communities.

The nodal government institution in relation to this law is the Department of External Migration under the Ministry of Foreign Affairs and the Ministry of Internal Affairs.

The “Advancing the development of a National Adaptation Plan (NAP) process for medium- and long-term adaptation planning and implementation in the Kyrgyz Republic” (Government of Kyrgyzstan, 2020), while referring to the *National Strategy on Achieving Gender Equality until 2020* and the *National Action Plan on Gender Equality 2018–2020* (Government of Kyrgyzstan, 2012c), also indicates that gender inequalities are high in Kyrgyzstan, with major regional disparities. Women experience higher unemployment rates than men (9% vs 6.5%) and are overrepresented in lower income occupations. The Government of Kyrgyzstan has recognized this with the ratification of two policies (Government of Kyrgyzstan, 2012b and 2012c), which identify barriers to improving the situation for women and also provide targets for programmes and measures to help track progress on gender equality. Weak institutional mechanisms and lack of coordination during implementation of gender policies at national, territorial, and sectoral levels, as well as absence of gender parity at all levels of decision-making – are among the barriers

to implementing the strategy. The NAP identifies a number of goals, including recognition of the right of women to participate in decision-making; principles of gender equality becoming an integral part of all management decisions and national institutions mechanisms with improved competence and authority to implement the policy of equality; change in equality are incorporated into the statutory legal framework and gender sensitive public services meet the needs and requirements of different categories of men and women, and contribute to the support/development of human potential. The NAP proposal posit that successful implementation of the NAP will be dependent on the integration of climate change adaptation planning into all national planning policies and documents, as well as sectoral strategies, including gender equality (Government of Kyrgyzstan, 2020). The development of the NAP would be an opportunity to integrate gender-disaggregated disaster displacement risks and challenges and opportunities of women staying behind and female migrants.

The nodal government institution in relation to this law is the Ministry of Natural Resources, Ecology and Technical Oversight.

**The National Strategy of the Kyrgyz Republic on Achieving Gender Equality until 2020** (Government of Kyrgyzstan, 2012c) pointed out at the lack of coordination in the exchange and flow of information, not only in relation to statistical data, but in general on working with gender issues in various departments complicates finding solutions to such complex problems as migration, shadow sectors' (informal economy) employment, the relationship between education and the labour market, among others, where gender-disaggregated data is not being collected and thus gender issues cannot be adequately addressed.

In addition, as a result of the work of the functional education system, the structure of employment will change over the next decade, the level of external and internal labour migration will be optimized and stabilized, a significant part of the population will be employed in jobs associated with the promotion of new information and communication technologies. This, first of all, will expand the opportunities for women to combine work activity with family responsibilities (ibid.).

In the **Resolution of the Government of the Kyrgyz Republic on National Reports of the Kyrgyz Republic on the Implementation of the International United Nations Conventions in Human Rights Domain** (Government of Kyrgyzstan, 2012b) the gender dimension, along with the poverty, vulnerability, and migration aspects are detailed. In the **Fifth Periodic Report of to the Committee of the United Nations on the Eradication of All Forms of Discrimination towards Women** (Government of Kyrgyzstan, 2019f: art. 11), indicates the conditions being created for women in urban and rural regions in Kyrgyzstan to gain access to rights, freedom and social services' access modalities

that are no less than those provided/available to men in urban and in rural areas. It does not make references to the gender aspect of the MECC nexus.

**Article 9 of the Labour Code prohibits gender discrimination at work, while Chapter 24 of the Labour Code** (Government of Kyrgyzstan, 2004b) contains features of regulation of women's and other persons' work in regard to family responsibilities. Working women are provided with a number of guarantees and rights, including additional guarantees when hiring for pregnant women and women with children, guarantees upon termination of an employment contract, as well as when sent on business trips, involved in overtime work and work at night, on weekends and non-working holidays, among others.

While the gender perspective is important, this policy analysis demonstrates that, except for one regulation (see next paragraph), no gender-related legislation makes references to the MECC nexus

**Regulation on the Order of Intersectoral Cooperation on Prevention, Stopping and Response to Gender Violence in Emergency Situations** (Government of Kyrgyzstan, 2018f) was approved by the Interministerial Commission (IMC) on Emergency Situations and recommended for the use of local governments. It posits that, among others, there is the civil protection sector within this interministerial commission that is responsible for the intersectoral cooperation between the Central Government and local government bodies, as well as other organizations and citizens (i.e. the subjects of the intersectoral cooperation) on the prevention, stopping and response to gender violence during natural, technological, ecological, sociobiological and conflict emergencies. This way all planning and activities of disaster risk reduction are addressed from the gender-sensitive perspective and contribute to reducing gender-based violence during emergencies.

The nodal government institution in relation to the above regulation on prevention and response to gender violence is the Ministry of Emergency Situations and the interministerial commission. It has some elements relevant to address the MECC nexus.

The nodal government institutions in relation to all the above gender-related laws are the National Council on Women and Gender Equality, Ministry of Labour and Social Provision, and the Ministry of Health.



Labour migration acts as a strategy to minimize risks in conditions of high uncertainty around agricultural income, but does not automatically generate sustainable agriculture practices. © IOM 2021/Victor LACKEN

# 4

POLICY ANALYSIS:  
ALIGNMENT WITH THE  
RECOMMENDATIONS OF  
THE TASK FORCE  
ON DISPLACEMENT





Considering the challenges related to the impacts of both natural disasters and progressive environmental phenomena on migration dynamics in Kyrgyzstan, targeted interventions in a wide range of sectors are needed in order to: (a) mitigate the negative impacts of environment and climate factors on migration; (b) increase the adaptive capacity of individuals, households and communities to these factors; and (c) promote and facilitate well-managed, voluntary and planned migration as an adaptation strategy to the changing environment and climate. © IOM 2021/Victor LACKEN

## 4. POLICY ANALYSIS: ALIGNMENT WITH THE RECOMMENDATIONS OF THE TASK FORCE ON DISPLACEMENT

The UNFCCC TFD recommendations to the Parties (UNFCCC, 2018) provides an analytical framework to assess the extent to which the existing laws, policies and strategies in Kyrgyzstan, presented in Chapter 3, are aligned. This analysis will help to identify gaps and suggest ways forward for stakeholders to apply the recommendations of the UNFCCC in the Kyrgyz context more fully.

### 4.1. RECOGNIZING THE IMPORTANCE OF INTEGRATED APPROACHES IN THE FORMULATION OF NATIONAL AND SUBNATIONAL LEGISLATION, POLICIES AND STRATEGIES

*Consider the formulation of national and subnational legislation, policies and strategies, as appropriate, that recognize the importance of integrated approaches 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, and with interministerial and cross-sectoral inputs, with the participation of relevant stakeholders.*

(TFD Recommendation 33a)

The desired impact of this TFD recommendation is to integrate the MECC nexus into the policies and institutional frameworks at the national and subnational levels. In Kyrgyzstan, the integration of migration challenges and opportunities differs extensively in different policy frameworks (see [Chapter 3](#)). There are DRR concepts, laws, strategies and guidelines on that integrate this nexus. Although they mainly mention evacuation and planned relocation procedures specified in the laws governing the proceedings of the Ministry of Emergency Situations. For example, the Concept of All-Inclusive (Complex) Protection of the Population and Territories of the Kyrgyz Republic from Emergency Situations for 2018–2030 (Government of Kyrgyzstan, 2018a), the Sequence of Evacuation and Relocation of the Population and Evacuation of the Material and Cultural Valuables to Secure Regions (Government of Kyrgyzstan, 2019a) and the Law on Civil Protection (Government of Kyrgyzstan, 2018d) propose measures (e.g. the legal basis for the relocation and evacuation from hazardous zones) that are essential to avert, minimize and address displacement related to adverse impacts of climate change (see [section 3.1.3](#)). However, the term “displacement” is not used – that is, it

is not defined in the glossary published and used by the Ministry of Emergency Situations. Similarly, the Concept of Migration Policy of the Kyrgyz Republic 2020–2030 (Government of Kyrgyzstan, 2021b) recognizes the interlinkages between migration, environmental degradation and the effects of climate change. While it does suggest that the Government must be prepared for disaster displacement and proposes various measures to avert, minimize and address displacement related to natural and environmental hazards (see [section 3.3.1](#)), it says little about the positive potential of migration in long-term national adaptation policies, plans or strategies, which the Cancun Climate Change Adaptation Framework had recommended to the Parties.

The integration of the MECC nexus remain limited in the development domain. NSSD 2018–2040 (Government of Kyrgyzstan, 2018e) calls for developing climate change adaptation strategies and promoting the green economy principles. Also, it touches upon migration-related topics in terms of labour market regulations, skilling, re-skilling, job creation and supporting the Kyrgyz diaspora and compatriots abroad. Despite recognizing the cross-cutting nature of the ecological aspects of development, the NSSD does not make references to the MECC nexus (see [section 3.2.1](#)). The INDC document (Government of Kyrgyzstan, 2015a) and national communications to the UNFCCC (Government of Kyrgyzstan, 2016a) do not refer to the nexus (see [section 3.1.2](#)).

With regards to human rights obligations and other relevant international standards and legal considerations related to migration in the context of climate change and environmental degradation, there is no special category. However, those in need of assistance and protection are immediately categorized as forced migrants, evacuated, refugees or stateless. These groups are eligible for a range of support from the Government (see [sections 3.1.3](#) and [4.5](#)). The interministerial and cross-sectoral inputs, with the participation of relevant stakeholders, is facilitated through several existing platforms, conferences and reporting opportunities. There is limited understanding of the effectiveness of these mechanisms to address the nexus.

The Government of Kyrgyzstan recognizes that its new approach to sustainable development and climate change adaptation requires the involvement of relevant entities at the subnational level. However, technical and managerial capacity for climate change adaptation planning at the subnational levels is insufficient due to several factors:<sup>7</sup> Unclear vertical coordination between the regions and the

<sup>7</sup> This was studied by the Vulnerability Assessment and Mainstreaming initiated at the local government level that was recorded by the authors of the National Action Plan (Readiness and Preparatory Support Proposal: Advancing the development of a National Adaptation Plan process for medium- and long-term adaptation planning and implementation in Kyrgyzstan (drafted in 2020)).

Central Government on climate change issues, no established procedures or guidelines for stakeholder coordination, inability to incorporate climate change adaptation considerations in subnational (regional and lower) budgets and planning processes and limited awareness among government officials in the regional and local government bodies.



## Adopting a whole-of-government approach

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Ensure improved coordination among actors dealing with migration, climate change, SDGs and DRR policy areas, including defining roles and responsibilities. The Ministry of Labour, Social Provision and Migration in coordination with the Department of External Migration of the Ministry of Foreign Affairs, the Ministry of Emergency Situations, and the Ministry of Natural Resources, Ecology and Technical Oversight<sup>8</sup> could be tasked with promoting the UNFCCC TFD recommendations to the wider set of actors, including the interministerial working groups, to spearhead the agreement on the rules and mechanisms for integrating the MECC nexus across the Government's vertical and lateral administrative structures, donor relations and horizontal networks of civil society and private sector partners in Kyrgyzstan. For example, the Coordination Committee for Adaptation, Implementation and Monitoring of Sustainable Development Goals until 2030 in Kyrgyzstan, could be a forum to raise awareness and coordinate among relevant actors. This Committee is chaired by the Prime Minister of Kyrgyzstan and includes ministries and departments, parliament, the Supreme Court, the National Bank and the National Institute for Strategic Research.



## Improving technical and managerial capacities at different levels

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Improve technical and managerial capacities at the national, regional and local levels to address the MECC nexus. The capacity development can adopt a whole-of-government approach to include the government entities responsible for rural development, agriculture and fisheries, urban development, emergencies, environment, climate change and forestry, labour/ employment/ migration/ diaspora, social protection, finance/ economy/ remittances, gender, education and vocational training and statistics. The capacity development could involve participatory capacity assessment, training, facilitating the participation of officials

<sup>8</sup> Newly established first-tier government committee by Resolution No. 11 of the Ministers' Cabinet of the Kyrgyz Republic of 19 May 2021.

in relevant global, regional and national events, developing technical supplements to clarify the application and facilitating knowledge exchange with other countries. These capacity development measures will empower the officials in the relevant agencies to assess the national needs and priorities, and in turn, help to integrate the migrant challenges and opportunities into the normative planning.

## 4.2. MAPPING, UNDERSTANDING AND MANAGING MIGRATION RELATED TO THE ADVERSE IMPACTS OF CLIMATE CHANGE

*Enhance research, data collection, risk analysis and sharing of information, to better map, understand and manage human mobility related to the adverse impacts of climate change, in a manner that includes the participation of communities affected and at-risk of displacement related to the adverse impacts of climate change.*

(TFD Recommendation 33b)

There have been some studies on the MECC nexus in Kyrgyzstan. For example, Chandonnet et al. (2016) report that environment and climate-related factors influence migration decisions at the individual and household levels. The adverse effects of sudden onset hazards such as landslides and floods lead to the displacement of people. When livelihoods are affected by environmental shocks and stressors, individuals and households use international and internal labour migration to seek new income opportunities (ibid.). At the same time, while recurrent landslides put people's lives and livelihoods at risk, only a few choose to relocate to safe areas despite State assistance to do so. There is a widespread perception of limited livelihood opportunities in the areas intended for relocation (ibid.). Blondin (2021) explored the consequences for mountain communities when migration is hampered or restricted, remittances are decreasing and migrants are unable to leave or return. In this case due to the COVID-19 pandemic. A household's livelihoods, food security and capacity to respond to environmental hazards can be adversely affected due to a decline in remittances, access to products and services and a protracted absence of seasonal migrants (ibid.). The *Groundswell II* report has a chapter on Kyrgyzstan (Clement et al., 2020). The chapter sets out scenarios to help understand the scale, magnitude and spatial patterns of the likely movement of people within Kyrgyzstan until 2050 due to climate change impacts (ibid.).

The GDRAA provide the framework for assessment, data collection and sharing of information on migration-related to the adverse impacts of climate change at the local level (see [section 3.1.3](#)). When a NAP is developed (see [sections 3.1.2](#) and [4.4](#)), a sub-outcome on strengthening the knowledge base could serve to be an opportunity to integrate the MECC nexus in the vulnerability assessment, systematically record disaster-induced displacement related to sudden and

slow-onset events, improve research on impacts of slow-onset events on migration, enhance knowledge on the role of migration in supporting climate change adaptation.

There are several gaps pertaining to research, data collection, risk analysis and sharing of information on migration related to the adverse impacts of climate change in Kyrgyzstan. The research and data are geared towards definitions and analysis of the natural hazards, territories and lands at risk of natural hazards. Social and human aspects of disasters are reduced to the number of victims and number of “people, whose livelihoods are affected”, and “persons in need of the State’s protection”. There is no clarity on the numbers of displaced persons due to emergencies in the statistics published by the Ministry of Emergency Situations statistics. Instead, there are persons who are documented as “evacuated”, “moved” and “in need of government protection”.<sup>9</sup> The Ministry of Emergency Situations has been publishing *The Book on Monitoring of the Situations Dangerous for the National Security of the Kyrgyz Republic* for over 18 years.<sup>10</sup> It does not, however, provide data on disaster displacement.

Also, there is limited knowledge and data on migration in the context of slow-onset events, the role of remittances in supporting climate change adaptation in sending areas, impacts of environmental and climatic stressors on migrants in urban and peri-urban destinations or the consequences of planned relocation from environmentally fragile areas. Moreover, the case studies on the MECC nexus in Kyrgyzstan use diverse methodologies, which make it difficult to generalize the findings beyond the study areas. Furthermore, responsibilities for the data collection on these topics are divided among multiple sectoral government entities. The responsibilities of sectoral entities for the data collection on the MECC nexus remain undefined and the level of coordination between them remains unclear. The limited funding opportunities and limited capacities are other major barriers in researching and collecting data on this nexus.

<sup>9</sup> The following are among the laws and policies listed on the official website of the Ministry of Emergency Situations as those framing and governing emergency situations and needing amendment with regard to the MECC nexus (at least in terms of the inclusion of terminology, such as “human mobility” and “displacement”, and discussions of MECC dynamics):

- (a) Draft Resolution of the Government of the Kyrgyz Republic “on the Unified System of Integrated Monitoring and Forecasting of Emergencies in Kyrgyzstan” (2019);
- (b) Regulation on a Unified Information Management System in Emergency and Crisis Situations in Kyrgyzstan (2018);
- (c) Guidelines for Conducting Disaster Risk Analysis and Assessment at the Local Level in Kyrgyzstan (2018);
- (d) Draft Law of the Kyrgyz Republic “On resettlement of the population from the zones of hazardous natural processes” (2018);
- (e) Classification of Emergency Situations and Criteria for their Assessment in Kyrgyzstan (2018);
- (f) The Law of the Kyrgyz Republic on Civil Protection of 24 May 2018 (2018);
- (g) Rules and Criteria for Assigning Territories to Groups and Organizations to Categories of Civil Protection (2018).

<sup>10</sup> The most recent publication was in 2021 (eighteenth edition).



## CALL TO ACTION 2.1.

### Improving the use of data and increase expertise

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The SMS could establish a joint workstream with the National Statistics Committee<sup>11</sup> within the framework of the Eastern Europe and Central Asia training workshops to ensure: (a) available data and expertise are recognized and used, (b) relevant stakeholders are consulted to develop a national plan of action for research, data collection, risk analysis and sharing of information that is aligned with national needs and priorities, (c) relevant stakeholders are consulted on common terminologies, common research methodologies and tools, innovative approaches for data collection, good practices, and preparing joint training materials and (d) organize joint webinars to raise awareness among relevant policymakers and practitioners in Kyrgyzstan.



## CALL TO ACTION 2.2.

### Adopting a transdisciplinary approach

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When it comes to mapping migration related to the adverse impacts of climate change there is a need to adopt a transdisciplinary approach. There are many methodologies, technologies and tools, which have been developed by different disciplines but is essential to study the interlinkages between migration, environment and climate change. For example, mapping, understanding and managing disaster displacement would need to be aided by the integration of migration data, geospatial data, environmental data, poverty data and vulnerability data. It is necessary to break down silos between and within government entities, universities and research centres, international organizations and other relevant actors. One way to break these silos will be to prioritize financing for cross-sectoral and transdisciplinary project proposals. For example, a proposal that is co-developed by hydro-meteorological, hydrological, geological, geospatial, migration and gender specialists would expose these experts to the concepts, definitions and methodologies of different disciplines. Special attention could be provided to proposals that include practitioners, policymakers and community members during project design, implementation and monitoring. This transdisciplinary approach can help to prepare, implement and track INDCs, national communications and NAPs. The ongoing research on alignment of the national policy with 2030 Agenda perhaps can offer lessons for integrating the MECC nexus in the national planning and reporting on global policy frameworks such as the UNFCCC, the Sendai Framework, the SDGs and the Global Compact for Migration.

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<sup>11</sup> The National Statistics Committee of Kyrgyzstan is the main body responsible for statistical data collection (whether ad hoc or regular/routine (such as censuses)).



## Introducing longitudinal and panel data approaches

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The cross-sectional surveys are static. There is a need for longitudinal and panel data to assess the dynamic nature of the interlinkages between migration, environment and climate change in Kyrgyzstan. The longitudinal and panel approaches could help to address attribution and causation. Since 2015 the “Life in Kyrgyzstan” (LiK) biannual conference has been working on research-based, open access, multitopic, longitudinal survey of households and individuals in Kyrgyzstan. The data are gathered from 3,000 households and 8,000 individuals over time in all seven Kyrgyz regions (oblasts) and the two cities of Bishkek and Osh every two to three years.<sup>12</sup> The data are representative nationally and at the regional level (East, West, North and South).<sup>13</sup> The household panel data have been used to study climate resilience (Leibniz Institute for Agricultural Development in Transition Economies, 2020a), climate responses (Brück et al., 2011) and climate adaptation (Walker et al., 2020) in Kyrgyzstan. The LiK data set can become a springboard. For example, a special call for articles on mapping, understanding and managing migration related to adverse impacts of climate change could be a starting point. Inputs based on LiK data set would be relevant for national planning and reporting on global policy frameworks such as the UNFCCC, the Sendai Framework, the SDGs and the Global Compact for Migration.



## Capacity development for national experts

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Developing capacities of national experts to collect and analyse data, as well communicate the findings to policymakers, CSOs, CBOs, private sector and individuals. This can improve understanding of the MECC nexus among various actors. This, in turn, would help tailor policy, planning, programming and funding decisions. Partnerships with United Nations agencies and other international organizations could help to bridge knowledge and capacity gaps among national experts in government entities, universities, think tanks and CSOs. Such collaboration could also facilitate the inclusion of national experts into international knowledge networks.

<sup>12</sup> The latest round of data collection was from November 2019 to February 2020.

<sup>13</sup> Refer to <https://lifeinkyrgyzstan.org/about>.

### 4.3. AVERTING, MINIMIZING AND ADDRESSING DISPLACEMENT RELATED TO THE ADVERSE IMPACTS OF CLIMATE CHANGE

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*Strengthen preparedness, including early-warning systems, contingency-planning, evacuation planning, and resilience-building strategies and plans, and develop innovative approaches, such as forecast-based financing, to avert, minimize and address displacement related to the adverse impacts of climate change.*

(TFD Recommendation 33c)

Natural hazards pose a threat to sustainable development. There are concepts, laws, resolutions, response plans, guides to provide priority directions, strengthen preparedness, planning evacuation and guide resilience-building. For example, the Concept of All-Inclusive (Complex) Protection of the Population and Territories of the Kyrgyz Republic from Emergency Situations for 2018–2030 (Government of Kyrgyzstan, 2018a) and Emergency Response Plan of the Kyrgyz Republic (Government of Kyrgyzstan, 2018b) aim to improve institutional coordination between different government entities at different levels to manage adverse impacts of the sudden- and slow-onset events. The Law of the Kyrgyz Republic on the Environmental Protection (Government of Kyrgyzstan, 1999c) describes zoning in the context of ecological emergencies and disasters. For example, Zones of an Ecological Emergency Situation, Zones of an Ecological Emergency and Ecological Disaster and Zones of (Catastrophic) Ecological Disaster. The Government Resolution on Approval of Priority Areas for Adaptation to Climate Change in the Kyrgyz Republic until 2017 (Government of Kyrgyzstan, 2013c) recognizes the significance of measures such as early warning and communication, improving building codes and developing of insurance system for weather and climate risks. Also, there is guidance regarding evacuation. The Law on Civil protection (Government of Kyrgyzstan, 2018d) refers to the relocation and evacuation of the population from hazardous zones. There is a chapter on Evacuation of Populations in the Sequence of Evacuation and Relocation of the Population, and Evacuation of the Material and Cultural Valuables to Secure Regions (Government of Kyrgyzstan, 2019a). These existing measures contribute to averting, minimizing and addressing displacement related to the adverse impacts of climate change in Kyrgyzstan.

There are a variety of gaps, including the knowledge and policy gaps, as well as gaps related to institutional capacities, coordination and cross-cutting issues (e.g. gender and socially marginalized groups). For example, there is limited evidence of the risk of disaster-related displacement. The available data point is the geographic/regional/municipal indication related to the number of damaged houses, the number of flooded houses, the number of flooded gardens and household surroundings and infrastructure flooded. There is sporadic information on the number of families relocated. There is no data on disaster displacement. Let alone disaggregated data

in terms of age and gender profiles. The Government tends to strategize, plan and manage displacement with limited involvement of the local communities, civil society representatives, academic and community leaders in policymaking, planning and implementation. There is an ethos of exclusively governmental role when it comes to averting, minimizing and addressing displacement and this perpetuates the perception that people are helpless and redundant when it comes to climate change crises and related disasters. This exclusion of community members from the planning, implementation and monitoring is also likely to result in people not getting involved enough in environmental and climate action. The inclusion of civil society, communities and migrants in disaster management at the local level is also one of the recommendations of the Sendai Framework. Inter-agency coordination can be further strengthened. Government agencies tend to compete for the resources and funding in connection to emergencies, including climate-related emergencies. The implementation gaps build up towards unsustainable practices that need to be noted and addressed.



### Strengthening preparedness at national, oblast and local levels

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Each level has its nuances and frameworks that differ and therefore need to be better understood by government entities, academics, CSOs, CBOs and communities, as well as by those who are considered vulnerable within these communities (e.g. children, the elderly, women-headed households, socially marginalized groups and persons with disabilities). Preparedness needs to consider several aspects, including hazard zoning and area risk factors, infrastructure value and possible damage control, available capacities and the diversity within the community (from the most vulnerable to the most capable). The various levels of preparedness need to be recognized in contingency planning and relevant actors, including various members of the local communities, need to be included in the planning and monitoring mechanisms. Early-warning systems need to be supported by bridging the national to oblast to local levels of decision-making and implementation through evaluation-based evidence and capacity development. While the communication of early warning to the vulnerable needs to be prioritized, the comprehension of early warning by end-users and the influence of government entities, community leaders, neighbours, friends and family members in responding to early warning need to be better understood and consequent responses need to be evaluated. Where necessary, community-level advisory/ extension services could be made available, especially for the vulnerable (e.g. children, the elderly, women-headed households, socially marginalized groups and persons with disabilities). The planned climate change adaptation could acknowledge the traditional knowledge and reinforce the autonomous practices among mountain pastoralists, herders, herbalists, beekeepers, water distributors (murabs), foresters and rangers, among others.



## Developing innovative approaches

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Develop innovative approaches to enable climate change adaptation in communities that are at risk of disaster displacement. For example, forecast-based financing systems that link climate and meteorological data with an early-warning-based early action can play a supportive role in averting, minimizing and addressing displacement in the context of climate change. Developing innovative adaptation measures will need a coordinated effort between government entities, commercial banks, insurance companies, micro-lending institutions, CSOs, CBOs and universities/ research centres. Such adaptation measures need to also recognize the disproportionate disaster displacement risk among children, the elderly, women-headed households, socially marginalized groups and persons with disabilities, among others. Local government entities and community leaders have an important role in promoting innovative adaptation measures. The community members need to be a part of the monitoring mechanisms to ensure that adaptation measures are not exclusionary, create new risks or transfer the risk to other social groups.

### 4.4. INTEGRATING MIGRATION CHALLENGES AND OPPORTUNITIES INTO NATIONAL PLANNING AND COMMUNICATIONS

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*Integrate human mobility challenges and opportunities into national planning processes, including inter alia the process to formulate and implement national adaptation plans, as appropriate, by drawing upon available tools, guidance, and good practices; and consider communicating efforts undertaken through inter alia, National Communications, Adaptation Communications and Nationally Determined Contributions, as appropriate.*

(TFD Recommendation 33d)

This recommendation calls on Parties to integrate migration challenges and opportunities into national planning processes and reporting on global policy frameworks, such as the UNFCCC, the Sendai Framework, the SDGs and the Global Compact for Migration. The planning and communication mechanisms associated with these processes help to monitor and evaluate the progress of the alignment of the national policies with global policy frameworks. The National Communications to the UNFCCC (Government of Kyrgyzstan, 2016a) do not refer to the MECC nexus. Given the disaster displacement risk, the significance of remittances to the national economy as well as the well-being of remittance recipient households and the relevance of regular migration pathways and planned

relocation for “trapped populations” in environmentally fragile areas, the migration actors in Kyrgyzstan could be involved in the preparatory process of the next National Communication. The NAP aims to strengthen the national steering mechanism for long-term climate change adaptation planning (e.g. updating national strategies, raising awareness among stakeholders, participatory capacity assessment and strengthening knowledge management), develop climate change adaptation capacities to plan and implement adaptation actions and develop a NAP implementation strategy (e.g. developing adaptation plans for rural and urban municipalities, analysing gaps in sectoral policies, updating communication strategies, and developing an adaptation financing plan). Kyrgyzstan’s plan to develop a NAP (Government of Kyrgyzstan, 2020), provides a good opportunity to mainstream the MECC nexus.

The MECC nexus is well integrated into DRR policies in Kyrgyzstan. There are several concepts, laws, strategies and guidelines that refer to evacuation and planned relocation (see [section 3.1.3](#)). In terms of reporting for the Sendai Framework, the data on evacuations and planned relocation during disasters induced by natural hazards had been sporadic until 2019. The end of 2019 was marked by the Decree<sup>14</sup> on Introduction of Reporting Mechanisms for Achieving the Goals of the Sendai Framework Programme on Disaster Risk Reduction 2015–2030 in the Kyrgyz Republic No. 1391 from 30.12.2019 of the Ministry of Emergency Situations (Government of Kyrgyzstan, 2019b).

To achieve complete information on emergencies from primary sources (i.e. commissions on civil protection of districts (cities), a template of the Commission’s Act on Civil Protection at the District (city) level was developed (ibid.). Statistical Data Form No. 1 (Emergencies) had to be updated with the indicators in accordance with the Sendai Framework (ibid.). Twice per year (by 31 October and by 31 March), the Secretariat of the National Platform on Disaster Risk Reduction of Kyrgyzstan incorporates the data, which have been compiled from submitted Form No. 1 alongside data from the National Statistics Committee, into the online reports of the Monitoring of Implementation of the Sendai Framework programme for the reporting period. Goal 6 of the Sendai Framework is streamlined into Form No. 1 (Emergencies) as the sub-indicator 3.4 (Number of those who are relocated compared to the number of people still living in the emergency risk spots and thus are subject to relocation). Thus, the protection to the population through evacuation from the disaster risk areas forms out of the indicators on the share of the population that is vulnerable to disaster risks in the emergency risk areas. The terms evacuation and relocation

<sup>14</sup> Government of Kyrgyzstan, 2019b, Decree on Introduction of Reporting Mechanisms for Achieving the Goals of the Sendai Framework Programme on DRR 2015–2030 in the Kyrgyz Republic from 30.12.2019, No. 1391. Available at <http://ru.mes.kg/wp-content/uploads/2020/01/%E2%84%961391.pdf>.

are used interchangeably. Perhaps more clarity is needed to the use of these two distinct terms.

On 16 July 2020, the Government of Kyrgyzstan presented its first National Voluntary Review of the SDG Achievements at the High-Level Political Forum on Sustainable Development of the United Nations Economic and Social Council (ECOSOC). National plans are being implemented to ensure legal and judicial protection of human rights and freedoms, reduce inequality, poverty eradication, climate change mitigation, disaster risk reduction, invest in human development, build skills and knowledge for all sectors of society, create jobs and support healthy lifestyles, and promote gender equality (Government of Kyrgyzstan, 2019f). The National Statistics Committee, within the framework of the implementation of the 2030 Agenda and the National Voluntary Review of the SDGs, is the responsible body for building an effective monitoring and reporting system for the achievement of the SDGs. The National Statistics Committee has adopted the international Open SDG platform as a national SDG reporting platform, where data and metadata for 102 global and 57 national SDG indicators are currently placed (ibid.). There is no mention of the MECC nexus in this reporting process.

Under its Objective 2 on minimizing adverse drivers of migration, the Global Compact for Migration<sup>15</sup> recognized the challenges posed by “natural disasters, the adverse effects of climate change, and environmental degradation” in terms of international migration and Objective 5 suggests enhancing the availability and flexibility of pathways for regular migration. Kyrgyzstan established a national United Nations Network on Migration in 2020. This country network has a climate change and environment workstream/working group. Kyrgyzstan contributed to the United Nations Secretary-General first biennial report on the implementation of the Global Compact for Migration.<sup>16</sup> Beginning in 2022, the International Migration Review Forum (IMRF) will take place every four years to review the progress on the implementation of the Global Compact for Migration, including as it relates to the 2030 Agenda.<sup>17</sup> The MECC nexus can be considered in Kyrgyzstan’s reporting to the IMRF.

<sup>15</sup> See Annex 9 (New global policy commitments) of the Global Compact for Migration.

<sup>16</sup> United Nations, Report of the Secretary-General on the Global Compact for Safe, Orderly and Regular Migration, agenda item 15 (Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields) (A/76/642).

<sup>17</sup> Refer to <https://migrationnetwork.un.org/global-compact-migration-follow-and-review>.

There are knowledge and policy gaps and gaps in institutional capacities in addressing the MECC nexus and cross-cutting issues of gender and socially marginalized groups. The sectors already have limited technical and managerial capacities related to climate change. The level of understanding of sector-specific climate impacts and vulnerability is limited. There are only a few climate change focal points in the departments and ministries. There has been insufficient outreach at the sector level to inform various actors about potential sectoral impacts and to gather information from various actors about perceptions, priorities and needs related to climate change, including the interlinkages between migration and climate change. While the nodal agencies (e.g. agencies with responsibilities for the named sectors) for sectors have been mandated to develop new adaptation plans and programmes, the mechanisms for monitoring and collecting data for iteratively assessing vulnerabilities in the context of climate change do not exist. The sector agencies have little/no experience in systematically assessing vulnerabilities. This means that they are not able to identify and prioritize adaptation measures, are unable to develop climate change adaptation projects and evaluate adaptation measures. Also, the priority sector agencies are not able to identify entry points for mainstreaming climate change adaptation considerations into the regulatory frameworks. For example, they are not able to link climate change adaptation priorities with existing budget items. The climate change adaptation programming in Kyrgyzstan is dependent on external funding. Moreover, sectors have no guidance or training for climate-proofing investments, and so as a result, long-term sectoral investment plans do not consider climate change adaptation, which can lead to suboptimal or even maladaptive investments. These also pose a barrier to the integration of migration-related challenges (e.g. averting, minimizing and addressing disaster displacement risk) and opportunities (e.g. leveraging remittances for planned climate change adaptation) into national reporting and communications to global policy frameworks.



## Mainstreaming of the MECC nexus into national planning processes

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There is a need to systematically mainstream the nexus related challenges and opportunities into workplans, submissions to regional and global reviews and communications to global policy frameworks. For example, foster mainstreaming migration in the proposed NAP in line with the Cancun Climate Change Adaptation Framework (para. 14f), NDCs and national communications. During the NAP pilot project, a vulnerability assessment will identify priority options for adaptation. Guidelines (and the pilot itself) for the vulnerability assessment at the local government level will be developed by the Ministry of Natural Resources,

Ecology and Technical Oversight<sup>18</sup> (including methodological and procedural guidelines). The findings from the vulnerability assessments will be integrated into the regional development plans led by the Ministry of Economy and annual planning to implement the Concept on Complex Disaster Risk Reduction Protection by the Ministry of Emergency Situations. This is a good opportunity to mainstream migration-related considerations into the proposed guideline. Also, the reporting to global policy frameworks (e.g. the UNFCCC, the Sendai Framework, the SDGs and the Global Compact for Migration) could help identify national needs and priorities (e.g. what needs to be done and opportunities for cooperation) as well as gaps (which could help to identify emerging issues).



## Fostering policy coherence between different policy domains

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Ensure that all national policies, laws, plans, strategies, and guidelines related to migration in the context of climate change and environmental degradation are coherent across themes and levels of governance. This would require monitoring and evaluation mechanisms for implementation progress towards adopted policy agendas. It would also require strengthening interministerial coordination to ensure complementarity of approaches at the national level, especially between the government entities responsible for rural development; agriculture and fisheries; urban development; emergency situations; the environment, climate change and forestry; labour, employment, migration and the diaspora; social protection; finance, economy and remittances; gender; education and vocational training; and the collection and publication of statistics. The coordination mechanism needs to recognize and involve local government entities who play a key role in collecting data and information, assessing vulnerabilities, and implementing projects. The strengthening of coordination also needs to consider financial requirements.

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<sup>18</sup> Formerly the “State Agency for Environmental Protection and Forestry of Kyrgyzstan” (SAEPF).

## 4.5. PROTECTION OF INTERNALLY DISPLACED PERSONS, INCLUDING THOSE DISPLACED AS A RESULT OF THE ADVERSE EFFECTS OF CLIMATE CHANGE

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*Consider assisting internally displaced persons, including those displaced as a result of the adverse effects of climate change, and strengthen efforts to find durable solutions, taking into account the Guiding Principles on Internal Displacement, as appropriate.*

(TFD Recommendation 33e)

This recommendation's aims to ensure protection of the people who are displaced due to environmental and climate change impacts within the borders of Kyrgyzstan and strengthen efforts to find durable solutions. The Government plays a major role in assisting internally displaced persons, including those displaced as a result of the disasters induced by natural hazards. The Law of Internal Migration (Government of Kyrgyzstan, 2002) and Regulation on Recognizing a Citizen as a Forced Migrant (Government of Kyrgyzstan, 2015b) provide the legal basis to protect the rights and dignity of those internally displaced, including those displaced as a result of natural hazards, including climatic shocks and stressors. State support for persons displaced by a disaster could include shelter, food, health care, education, livelihoods, compensation, tax deductions, favourable loans, special permits for enterprise development and other business activities.

For example, access and control of water resources were among the drivers of the recent armed border intervention from Tajikistan on Kyrgyzstan's "Golovnoy" watergate. It resulted in 58,000 displaced persons in the Batken oblast. The Kyrgyz President's Decree<sup>19</sup> "On Priority Measures for Reconstruction and Development of the border villages of the Batken oblast" (5 May 2021) includes providing temporary living quarters with the further provision of new housing to the victims and one-time material support to the persons who are reconstructing their houses/living quarters. It also includes the provision of first-aid products, food, water and energy and the submission of a bill to the parliament (Jogorku Kenesh) of Kyrgyzstan on the exemption from taxes and insurance premiums, writing off tax arrears on interest and financial sanctions for economic entities operating in the affected settlements, and deferrals for tax arrears and taxes and social contributions of affected economic entities for up to 6 months. The Decree recommended the State bodies provide the necessary certificates for the social benefits (pensions, benefits, cash compensation) free of charge. The Ministry of Health and Social Development was recommended to provide social benefits

<sup>19</sup> Available at [www.president.kg/ru/sobytiya/19302\\_podpisan\\_ukaz\\_o\\_pervoocherednih\\_merah\\_po\\_vosstanovleniyu\\_i\\_razvitiyu\\_prigranichnih\\_sel\\_batkenskoy\\_oblasti](http://www.president.kg/ru/sobytiya/19302_podpisan_ukaz_o_pervoocherednih_merah_po_vosstanovleniyu_i_razvitiyu_prigranichnih_sel_batkenskoy_oblasti).

(e.g. benefits, pensions and compensation) to the affected citizens; vaccinate affected citizens against COVID-19 as a priority; exempt affected citizens from co-payment for initial and repeated hospitalization in inpatient health-care organizations within one year; organize the rehabilitation of children, injured citizens by sending them to children's camps and boarding houses; provide counselling and psychological assistance to affected citizens; jointly with local authorities, organize public paid work with the involvement of unemployed citizens for the restoration and construction of facilities.<sup>20</sup>



### Developing a technical supplement to clarify the application of protection for persons displaced as a result of the adverse effects of climate change

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This technical supplement would support Kyrgyzstan to mainstream averting, minimizing and addressing displacement as a result of the adverse effects of climate change in the NAPs, NDCs and NCs. The existing measures of registering displaced persons and their rehabilitation and social protection could be strengthened through an assessment of their effectiveness. The assessment will help the policymakers to prepare for displacement as a result of the adverse effects of climate change. This process could help to identify good practices, gaps or areas that require improvement.



### Assisting people displaced across borders in the context of disasters, as appropriate

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The Nansen Initiative Protection Agenda has a cross-sectoral toolbox that was developed to address the specific issue of protection for people displaced across borders in the context of disasters.<sup>21</sup> This toolbox draws on migration, protection, humanitarian, development, disaster risk reduction and climate action, among others, for an integrated approach. A guidance note could be developed to clarify the relevance and application of protection under international, regional and national instruments, customize the toolbox as per the context in Kyrgyzstan, strengthen the tools and assess the effectiveness of these tools.

<sup>20</sup> Available at [www.president.kg/ru/sobytiya/19302\\_podpisan\\_ukaz\\_o\\_pervoocherednih\\_merah\\_po\\_vosstanovleniyu\\_i\\_razvitiyu\\_prigranichnih\\_sel\\_batkenskoy\\_oblasti](http://www.president.kg/ru/sobytiya/19302_podpisan_ukaz_o_pervoocherednih_merah_po_vosstanovleniyu_i_razvitiyu_prigranichnih_sel_batkenskoy_oblasti).

<sup>21</sup> Available at <https://disasterdisplacement.org/portfolio-item/nipa-vol1>.

## 4.6. FACILITATING ORDERLY, SAFE, REGULAR AND RESPONSIBLE MIGRATION

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*Facilitate orderly, safe, regular and responsible migration and mobility of people, as appropriate and in accordance with national laws and policies by considering the needs of migrants and displaced persons, communities of origin, transit and destination, and by enhancing opportunities for regular migration pathways, including through labour mobility, in consistent with international labour standards, in the context of climate change.*

(TFD Recommendation 33f)

Migration in the context of adverse impacts of climate change in Kyrgyzstan continues to be perceived through the security lens, and as a result only as a problem. In the Concept of Migration Policy of the Kyrgyz Republic 2020–2030, environmental migration is perceived as a reason for the decline in the number of farmers and livestock herders in remote and border areas (Government of Kyrgyzstan, 2021b: sec. 1.6). The Concept identifies solutions that focus on minimizing the impacts of climate shocks and stressors and environmental degradation that force people to migrate (ibid.). It does not recognize that migration, especially the voluntary forms (e.g. temporary, circular and seasonal labour migration; international and internal labour migration), could help the families staying behind to manage risks posed by climate shocks and stressors and environmental degradation. The Concept perceives migrants in the context of climate change and environmental degradation as victims. This framing is disconnected from the aim to leverage ‘the migration potential of the population, compatriots, immigrants and stateless persons for the development of the Kyrgyz Republic’ in the same document (Government of Kyrgyzstan, 2021b: sec. 3.2). The latter identifies several measures to enable migrant workers and their families, returning migrants, diaspora and compatriots abroad as well as foreign citizens and stateless persons to contribute to and benefit from the development of Kyrgyzstan (ibid.). This lack of policy coherence could be the result of the predominant framing of environmental migration as forced migration (refer to the Law on Internal Migration of the Kyrgyz Republic). The national actors are yet to recognize the interlinkages between the migration–development nexus and migration–climate change adaptation nexus and find ways to strengthen the synergies.

Well managed migration can offer a safe pathway to protect and enable migrants and their families to contribute to and benefit from climate change adaptation. The policy actors need to recognize that strengthening migration management in the context of climate change could enable migrants and their families to maximize migration-related opportunities (e.g. multilocal income opportunities, social networks and skills) and address the challenges (e.g. difficult living and/or working conditions and constraints in accessing social protection). This recommendation encompasses internal and international migrants, places of origin, transit and destination, urban and rural centres, migrants and their family members. In this context, the different opportunities and challenges experienced by women (e.g. female migrants and women staying behind), youth, socially marginalized groups, indigenous persons and persons with disabilities need to be recognized.



### Enabling channelling of remittances into climate action

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Create enabling conditions for migrants and their families, including families staying behind or remittance recipients, to channel remittances into clean energy, sustainable building and renovation, sustainable mobility, circular economy and sustainable agriculture. The enablers could include awareness-raising, capacity development, policy coherence and support, innovative financing products and advisory services. For example, establish an extension or advisory service to support female remittance recipients in rural areas to make informed decisions on energy-efficient and renewable energy solutions, green construction designs or climate-resilient agricultural practices in alignment with the sectoral adaptation plans.



### Developing capacities of migrants to participate in and benefit from the circular economy

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Facilitate skilling and enterprise development associated with clean energy, sustainable building and renovation, sustainable mobility, circular economy and sustainable agriculture among migrants, their families and returning migrants. The economic transition to achieve the greenhouse gas emissions reduction will create new income opportunities. The migrant entrepreneurs and workers need to be supported to participate in this transition. This support can take the form of laws and policies, financing, access to technology, skilling and nurturing start-ups.



## Just transition for workers in vulnerable sectors and regions

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Support workers, including migrant workers, in vulnerable sectors and/or regions by providing reskilling opportunities and adequate social protection measures following the principles of *just transition*. The economic restructuring during the planned transition to a green economy in Kyrgyzstan will result in changes in labour demand, especially in the fossil fuel sector and resource-intensive industries. The cascading effects will be experienced across the supply chains. It would be necessary to ensure that migrants and their families are *not left behind*.



5

# CONCLUSION





The topography of Kyrgyzstan is characterized by the complexity of its geologic structure and terrain, as well as its high seismicity. A specific feature of Kyrgyzstan is its fairly harsh natural conditions and the high vulnerability of its mountain ecosystems, which determine conditions of living in the foothills, plains and valleys, where human settlements are located. Hazardous natural processes and phenomena manifest themselves throughout the territory of the republic. © IOM 2021/Victor LACKEN

## 5. CONCLUSION

The study has developed 15 recommendations on the MECC nexus for national actors in Kyrgyzstan, based on the mapping and analysis of policy-related documents from different sectors. In Chapter 3, the study mapped laws, policies and strategies to identify if these recognized the interlinkages between the migration, environment and climate change. It found that only 9 of the 42 documents refer to this nexus. The mainstreaming is comparatively better in the DRR (four documents mention the nexus) and migration domains (three documents contain references to the nexus). However, Chapter 4 showed that the nexus is mostly envisaged through the security and humanitarian lens. There was limited mainstreaming of the MECC nexus in the sustainable development, environment and climate change domains. The study was able to identify the lack of adaptation perspective as a gap. At the same time, the study found several existing measures across policy domains that would be relevant to averting, minimizing and addressing displacement as a result of the adverse effects of climate change and leveraging migration-related opportunities to support climate change adaptation.

Stakeholders, including the Government, could take measures to mainstream the MECC nexus into various laws, strategies and frameworks identified in the report. In Chapter 4, the study also formulated a set of recommendations to address the gaps identified in the report. Given the cross-sectoral nature of the topic, coordination among government entities needs to be further strengthened to facilitate the mainstreaming of the MECC nexus in national laws, policies and strategies. To do this, improvements in technical and managerial capacities at different government levels would be beneficial. Also, establishing a joint workstream by SMS KR and the National Statistics Committee could help to promote a transdisciplinary approach in mapping, understanding and managing the MECC nexus. This would also require the generation of longitudinal and panel data. Strengthening preparedness at the regional, national and local levels, and developing innovative approaches would enhance climate change adaptation at the community level, which, in turn, would help to avert, minimize and address displacement. In addition, it would be necessary to consider migration challenges and opportunities in national planning processes associated with global policy frameworks such as the UNFCCC, the Sendai Framework, the SDGs and the Global Compact for Migration. The development of technical supplements would help to clarify the application of protection for persons displaced as a result of the adverse effects of climate change. Well-managed migration can help to support climate change adaptation but would require enabling conditions for channelling remittances into climate action, developing capacities of migrants to participate in and benefit from the circular economy and promoting a “just transition” for workers in vulnerable sectors and regions.



# GLOSSARY

## 1. KEY ENVIRONMENT AND CLIMATE CHANGE TERMINOLOGY

<b>Climate change</b>	<p>A change in the state of the climate that can be identified (e.g. by using statistical tests) through changes in the mean and/or the variability of its properties, and which persists for an extended period, typically decades or longer. Climate change may be due to natural internal processes or external forces, such as modulations of the solar cycle, volcanic eruptions and persistent anthropogenic changes in the composition of the atmosphere or land use. Note that the United Nations Framework Convention on Climate Change (UNFCCC), in its Article 1, defines climate change as: “a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods”. The UNFCCC thus makes a distinction between climate change attributable to human activities altering the atmospheric composition and climate variability attributable to natural causes.</p> <p>(IPCC, 2021)</p>
<b>Disaster</b>	<p>A “serious disruption of the functioning of a community or a society at any scale due to hazardous events interacting with conditions of exposure, vulnerability and capacity, leading to one or more of the following: human, material, economic and environmental losses and impacts”.</p> <p>(IPCC, 2021).</p>
<b>Environmental change</b>	<p>“[C]hanges in the physical and biogeochemical environment, over a large scale, either caused naturally or influenced by human activities” (GO-Science, 2011:50) (including industrial accidents), through either fast- or slow-onset events. As ecosystem services and exposure to hazards are important drivers of migration, “global environmental change will affect the risk calculations involved in moving and people’s decisions to stay or move from their settlements” (ibid.). Environmental change thus affects the environmental drivers of migration (ibid.) and includes both environmental degradation and climate change.</p>

<b>Environmental degradation</b>	<p>“The reduction of the capacity of the environment to meet social and ecological objectives and needs. [...] Degradation of the environment can alter the frequency and intensity of natural hazards and increase the vulnerability of communities. The types of human-induced degradation are varied and include land misuse, soil erosion and loss, desertification, wildland fires, loss of biodiversity, deforestation, mangrove destruction, land, water and air pollution, climate change, sea level rise and ozone depletion”.</p> <p>(United Nations Office for Disaster Risk Reduction, 2009)</p>
<b>Exposure</b>	<p>“The presence of people, livelihoods, species or ecosystems, environmental functions, services and resources, infrastructure, or economic, social or cultural assets in places and settings that could be adversely affected.</p> <p>(IPCC, 2021)</p>
<b>Natural hazards</b>	<p>Naturally occurring physical phenomena caused either by rapid- or slow-onset events that can be geophysical (earthquakes, landslides, tsunamis and volcanic activity), hydrological (avalanches and floods), climatological (extreme temperatures, drought and wildfires), meteorological (cyclones and storms/wave surges) or biological (disease epidemics and insect/animal plagues).</p> <p>(IFRC, 2021)</p>
<b>Technological or man-made hazards</b>	<p>Events caused by humans and occur in or close to human settlements and include complex emergencies/conflicts, famine, displaced populations, industrial and transport accidents, environmental degradation, and pollution.</p> <p>(IFRC, 2021)</p>
<b>Sudden-onset events</b>	<p>These include hydro-meteorological hazards such as flooding, windstorms or mudslides, and geophysical hazards such as earthquakes, tsunamis and volcano eruptions.</p> <p>(Platform on Disaster Displacement, 2021)</p>
<b>Slow-onset processes</b>	<p>These include increasing temperatures, desertification, loss of biodiversity, land and forest degradation, glacial retreat and related impacts, ocean acidification, sea level rise, and land salinization.</p> <p>(UNFCCC, 2010 and 2021)</p>

## 2. KEY MIGRATION-RELATED TERMINOLOGY

<b>Environmental migrant</b>	<p>A person or group(s) of persons who, predominantly for reasons of sudden or progressive changes in the environment that adversely affect their lives or living conditions, are forced to leave their places of habitual residence, or choose to do so, either temporarily or permanently, and who move within or outside their country of origin or habitual residence. There is no international agreement on a term to be used to describe persons or groups of persons that move for environment related reasons. This definition of environmental migrant is not meant to create any new legal categories. It is a working definition aimed at describing all the various situations in which people move in the context of environmental factors.</p> <p>(IOM, 2007, 2012 and 2014)</p>
<b>Climate migration</b>	<p>The movement of a person or groups of persons who, predominantly for reasons of sudden or progressive change in the environment due to climate change, are obliged to leave their habitual place of residence, or choose to do so, either temporarily or permanently, within a State or across an international border. This is a working definition of IOM with an analytic and advocacy purpose which does not have any specific legal value. Climate migration is a subcategory of environmental migration; it defines a singular type of environmental migration, where the change in the environment is due to climate change impacts. Migration in this context can be associated with greater vulnerability of affected people, particularly if it is forced. Yet, migration can also be a form of adaptation to environmental stressors, helping to build resilience of affected individuals and communities.</p> <p>(Brookings Institute, Walsh School and UNHCR, 2015)</p>
<b>Displacement</b>	<p>The movement of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters.</p> <p>(UNHCR, 1998)</p> <p><i>Note:</i> Unlike the Guiding Principles on Internal Displacement, the above definition is meant to cover both internal and cross-border displacement.</p>

<b>Disaster displacement</b>	<p>The movement of persons who have been forced or obliged to leave their homes or places of habitual residence as a result of a disaster or in order to avoid the impact of an immediate and foreseeable natural hazard. Disaster displacement may take the form of spontaneous flight, an evacuation ordered or enforced by authorities or an involuntary planned relocation process. Such displacement can occur within a country (internal displacement), or across international borders (cross-border disaster displacement).</p> <p>(Nansen Initiative, 2015)</p>
<b>Forced migration</b>	<p>A migratory movement which, although the drivers can be diverse, involves force, compulsion, or coercion.</p> <p><i>Note:</i> While not an international legal concept, this term has been used to describe the movements of refugees, displaced persons (including those displaced by disasters or development projects), and, in some instances, victims of trafficking. At the international level, the use of this term is debated because of the widespread recognition that a continuum of agency exists rather than a voluntary/forced dichotomy and that it might undermine the existing legal international protection regime.</p> <p>(IOM, 2019a)</p>
<b>Internally displaced persons (IDPs)</b>	<p>Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.</p> <p>(United Nations Economic and Social Council (ECOSOC), 1998)</p>
<b>Planned relocation</b>	<p>Planned relocation in the context of disasters or environmental degradation, including when due to the effects of climate change, is a planned process in which persons or groups of persons move or are assisted to move away from their homes or place of temporary residence, are settled in a new location, and provided with the conditions for rebuilding their lives.</p> <p>(Brookings Institute, Walsh School and UNHCR, 2015)</p>
<b>Human mobility</b>	<p>A generic term covering all the different forms of movements of persons. <i>Note:</i> The term human mobility reflects a wider range of movements of persons than the term “migration”. The term is usually understood as also encompassing tourists that are generally considered as not engaging in migration. For example, the international organizations member of the Advisory Group on Climate Change and Human Mobility are using the term human mobility to refer to the broad range of types of movements that can take place in the context of climate change.</p> <p>(UNFCCC, 2015)</p>

<p><b>International migrant</b></p>	<p>Any person who is outside a State of which he or she is a citizen or national, or, in the case of a stateless person, his or her State of birth or habitual residence. The term includes migrants who intend to move permanently or temporarily, and those who move in a regular or documented manner as well as migrants in irregular situations.</p> <p>(OHCHR, 1998 and 2014)</p> <p>For statistical purposes, the United Nations Department of Economic and Social Affairs (DESA) defines an “international migrant” as “any person who changes his or her country of usual residence”</p> <p>(DESA, 1998: para. 32)</p>
<p><b>Trapped population</b></p>	<p>A populations that does not migrate, yet is situated in an area under threat, at risk of becoming “trapped” or having to stay behind, where they will be more vulnerable to environmental shocks and impoverishment.</p> <p>(GO-Science, 2011:25)</p> <p>The notion of trapped populations applies in particular to poorer households who may not have the resources to move and whose livelihoods are affected.</p> <p>(IOM, 2014:17)</p>



The more than 60 per cent of Kyrgyzstan's population residing in rural areas are directly dependent on natural resources for livelihood. © IOM 2021/Victor LACKEN

# ANNEX

## Mapping of Stakeholders and Policies: MECC Policy Integration in Kyrgyzstan

Stakeholders	Migration elements	Environment elements	Climate change elements
Ministry of Labour, Social Provision and Migration	Concept of Migration Policy of the Kyrgyz Republic 2020–2030 (Government of Kyrgyzstan, 2021b)		
	Law on Internal Migration (Government of Kyrgyzstan, 2002)		
	–		Law on the Foundations of the State Policy for the Support of Compatriots Abroad (Government of Kyrgyzstan, 2013b)
President's Administration – State Committee for National Security	Concept of National Security of the Kyrgyz Republic (Government of Kyrgyzstan, 2012a)		
Ministry of Economy and Commerce	–		National Strategy for Sustainable Development of the Kyrgyz Republic (Government of Kyrgyzstan, 2018e)
	–		National Adaptation Plan (NAP) Process for Medium- and Long-term Adaptation Planning and Implementation in the Kyrgyz Republic (Government of Kyrgyzstan, 2020)
Ministry of Natural Resources, Ecology and Technical Oversight	–	Law on Environmental Protection of the Kyrgyz Republic (Government of Kyrgyzstan, 1999c)	
	–	National Communications to the UNFCCC (Government of Kyrgyzstan, 2016a)	
	–	Intended Nationally Determined Contributions (Government of Kyrgyzstan, 2015a)	
Ministry of Agriculture	–		Law on Agricultural Development of the Kyrgyz Republic (Government of Kyrgyzstan, 2009a)
	–	Law on Organic Agricultural Production of the Kyrgyz Republic (Government of Kyrgyzstan, 2019c)	
	–	Law on Pastures of the Kyrgyz Republic (Government of Kyrgyzstan, 2009a)	

Stakeholders	Migration elements	Environment elements	Climate change elements
<b>Ministry of Emergency Situations</b>	Law on Civil Protection (Government of Kyrgyzstan, 2018d)		
	The Concept of All-Inclusive (Complex) Protection of the Population and Territories of the Kyrgyz Republic from Emergency Situations for 2018–2030 (Government of Kyrgyzstan, 2018a)		
	Sequence of Evacuation and Relocation of the Population and Evacuation of the Material and Cultural Valuables to Secure Regions (Government of Kyrgyzstan, 2019a)		
	The Guide on Disaster Risk Analysis and Assessment (Government of Kyrgyzstan, 2018c)		
	Regulation on Recognizing A Citizen as a Forced Migrant (Government of Kyrgyzstan, 2015b)		
<b>National Statistics Committee of the Kyrgyz Republic</b>	–		
<b>State Agency for Architecture, Construction and Communal Housing Infrastructure, under the Ministers' Cabinet (GosStroy)</b>	–		Summary report on forecasting sustainable urbanization: Supporting sustainable infrastructure planning in the cities (United Nations Economic and Social Commission for Asia and the Pacific and United Nations Economic Commission for Europe, 2020)
	State Concept of Small Cities and Urban Settlements in the Kyrgyz Republic (Government of Kyrgyzstan, 2001b)	–	State Concept of Small Cities and Urban Settlements in the Kyrgyz Republic (Government of Kyrgyzstan, 2001b)
<b>National Council on Women and Gender Equality</b>	The Government Resolution of the Kyrgyz Republic on National Reports of the Kyrgyz Republic on the Implementation of the International United Nations Conventions in the Human Rights Domain (Government of Kyrgyzstan, 2012b)	–	
	The National Strategy of the Kyrgyz Republic On Achieving Gender Equality until 2020 (Government of Kyrgyzstan, 2012c)	–	
	Regulation on the Order of Intersectoral Cooperation on Prevention, Stopping, and Response to Gender Violence in Emergency Situations in the Kyrgyz Republic (Government of Kyrgyzstan, 2018f)		

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