The Impact of Climate Change on Migration and the Challenges for International Law

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Introduction

0.1 Climate-induced migrations

Although less visible than wars, environmental changes have been a significant factor in increased migration over the last few years. While migration policies primarily focus on the separation of “justified” from “unjustified” refugees and the return of the latter to the allegedly secure country, continued degradation of the environment and its impact on the movement of the world population remain largely overshadowed.¹

2014 saw the displacement of more than 19.3 million people due to natural disasters, of which 92% were floods and storms. One person was displaced every second, with an annual average of 26.4 million people since 2008.²

Weather hazards are escalating and occurring on a larger scale which, in consequence, is envisaged to increase displacement in the coming decades.³ According to NASA, there is clear evidence that climate change is affecting the environment. Glaciers are starting to disappear, ice sheets are breaking at a much faster pace, and the seasons throughout the year have not been consistent. In consequence, sea-levels will rise and summers will become even hotter.⁴ Furthermore, the International Organization for Migration (IOM) expects rapid and slow onset events to intensify in cause of climate change. Thus, storms and droughts, as well as sea-level rise will proliferate.⁵ It might not be noticeable from the start, but such a drastic event will weigh on the decision of numerous individuals to migrate, especially the ones living in developing countries. Nevertheless, climate-induced migrations are considerably unprotected under the law, where neither the

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³ Ibid., p.19
⁴ The National Aeronautics and Space Administration, Global Climate Change Effects. The Consequences of climate change, April 2017, https://climate.nasa.gov/effects/
⁵ International Organization for Migration, IOM Outlook on Migration, Environment and Climate Change, Geneva, 2014, p. 5
international refugee legislation nor others recognize their status. It is hard to make predictions about environmental migration due to the fact that it is such a complex topic. Furthermore, we have to keep in mind that migration might not only be due to environmental reasons.

There are different forms of migration according to the IOM – “forced, voluntary, circular, temporary, seasonal, permanent and return movements”.

Environmental migration is, nevertheless, a developing topic which still needs a great deal of work in regards to the terminology. Currently, there is no agreed connotation for “environmental migrations”, but the IOM has come up with its own definition:

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

Climate change either worsens or accelerates already existing problems (biodiversity, food and water shortages, relative and absolute poverty, health, conflict, mass migration) and creates whole new ones (sea-water rise, more frequent and extreme weather events, seasonal unpredictability).

The Paris Agreement, which entered into force in 2017, has been the latest agreement that has tried to emphasize the need of taking serious actions on the issue of global warming. The main goal is to keep the temperature rise below two degrees Celsius above pre-industrial levels. The perfect scenario would be to get the temperature to decrease to a total of 1.5 degrees Celsius.

In order to achieve such goals, there will be a need for new technologies, as well as financial support. This type of goal cannot be attained on its own; countries need to start putting into practice the necessary measures needed in

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order for our planet to achieve a global temperature of 1.5 degrees Celsius and for the issue of climate change to diminish. Furthermore, if such changes start to occur, we could start seeing a decline towards the issue of climate migrations, in such a way that climate change would not become one of the major threats for migrants to move.

Throughout this paper, we will examine different varieties of climate migrations, as well as the magnitude and complexity of the issue. Moreover, we will analyze three case studies, each reflecting to a type of migration caused by environmental hazards. Lastly, we will investigate why climate-induced migrations have no legal status till this day, and what sort of policies should be put forward in order to achieve an international agreement for climate migrations.

0.2 Methodology

In order to illustrate the effects that climate change poses on the decisions of people to migrate, we have decided to incorporate a literature review and analysis. It is based on an interpretative method of understanding why and how people migrate due to environmental reasons. Throughout our research, we have selected a vast amount of documents that specified on climate-induced migrations. A key report that we will refer to will be the 1951 Geneva Convention, relating to the status of refugees, in which we will analyze their definition and come to a conclusion that it does not regard climate refugees as refugees. Furthermore, we will consider the function of the UNHCR and IOM, when discussing the legal status of climate-induced migrations. Each of our case studies will specifically focus on a form of climate migration. This is why we have chosen Mexico, India, and the Republic of Kiribati as our main studies. We will analyze the ways in which they are coping with the problem of global warming and how it has impacted a great majority of people to migrate in consequence of environmental hazards. Moreover, we will mention the policies and legislations that have been introduced to decrease the problem of climate change, which would further decrease the migration problem. New policies will be introduced regarding the status of refugees in an international scenario.
1. Different Forms of Climate Migrations

1.1 Climate Change and Displacement: A Brief History

The climate on Earth has been changing. Until the beginning of the Industrial Revolution, the climate changed as a result of natural circumstances. Today, however, we use the term climate change when we talk about climate change that has been occurring since the beginning of the 20th century, resulting from human activities. Since 1990, the world has experienced twelve hottest years that have been taken into account.

Many would assume that individuals moving due to environmental hazards, are a new phenomenon, yet in reality, they are one of the oldest types of migrations. It has been stated that our ancestors come from East Asia. Furthermore, when, 160,000 years ago, Homo Sapiens emerged on this planet, we started seeing a movement of people migrating from Africa to Australia.

It is important to point out that there are indicators illustrating that the climate in Africa has been fluctuating around 100,000 years between droughts and floods before it became relatively stable, some 70,000 years ago. This might be one of the explanations of environmental instability, which caused communities to become more intensive and mobile with overseas migration.

Early migration researchers seemed to have a lot in mind when, almost indispensably, the natural environment was considered an important determinant of human movement. It all began with F. Ratzel, who according to Durkheim laid the foundations of the general theory of migration. The most prominent and most famous founder of migration studies by E.G. Ravenstein, was convinced in the importance of natural environment. As far as Ravenstein’s “migration laws”, he did not forget to mention the “unattractive climate” that produces migration flows, along with other important migration factors (economic

motives, oppressive laws, high taxes, etc.). Probably the most prominent representative of environmental determinism in geography, E. Huntington, strongly emphasized the impact of the physical environment on human migration.

Piguet distinctly noticed a limited extent of literature that incorporated an analytical view of the environment as a cause of migration. This type of disregard can be seen through a numerous amount of articles by authors such as J.W. Gregory, Donald R. Taft, or Julius Isaac. Essentially, there have been publications on international migration, but none specified the environmental aspect. Piguet states four main reasons to why environmental factors started to abate. Firstly, if technology starts to become an essential part of our lives, we will start to disregard the importance that nature has to our existence. Likewise, many intellectuals adopt a socio-economic approach towards environmental migration due to the roots of the “environmental-based” explanations. The economy as well plays an important role when considering the core aspects of migration. Finally, there is a strong notion that “the states are refugees” when regarding migration theories, instead of considering the individuals themselves that are dealing with environmental hazards.

In consequence, “environmental migrants” start to re-appear as one of the main issues triggered by climate change. During the 80’s and early 90’s, a number of scientists began to question the amount of people that may be moving in consequence of climate change. A few even began to predict the number of refuges that will be expected to rise in the upcoming years. For example, Norman Myers claimed that by the end of the 21st century, 150 million environmental refugees are expected.

In 1990, the first Intergovernmental Committee of the United Nations (UN) on climate change stated, “the gravest effects of climate change may be those on human

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12 Ibid., p.335
14 Ibid.,4
15 Ibid.
16 Ibid.
17 Ibid.
18 Ibid.
migrations as millions will be displaced”. Moreover, the Program of Action of the International Conference on Population and Development declared:

*Governments are encouraged to consider requests for migration from countries whose existence, according to available scientific evidence, is imminently threatened by global warming and climate change.*

A climate change agenda was enacted, which focused on a tactic of raising attentiveness to the potential impact that climate change can have on migration, as well on security. In this approach, “environmental migrants” were characterized as “forced to leave their country and as moving exclusively for climate change-related reasons”.

In just two decades, the topic of climate change has brought forth a great deal of attention in policy-making, and has become one of the key issues regarding the regional, national, and global aspects of security. It is not surprising then that the UN Security Council has already held its first discussion in 2007 on the effects of climate change. All of this has attracted a vaster amount of scientists on the question of climate change and their challenges, primarily environmental migrations. However, it cannot be argued that policy making, in the case of climate migration, is a primary goal if decision makers do not believe that climate migration will have an enormous effect to our world.

Today we are witnessing a greater extent of discussions on how we should treat the environment in order to decrease the outcomes of global warming, as it will influence the impact of migration in the long run.

### 1.1.2 Characteristics of climate-related migrations

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The number of individuals that will be required to migrate in consequence of environmental hazards will be around 200 million to 1 billion people by 2050.\textsuperscript{24} People move for various reasons which leads to different categories of human mobility. Understanding the characteristics of these movements and how they relate to climate hazards is crucial in order to develop an effective policy response.

The most common approach used for the issue relating climate-induced migrations and displacement is the risk-centric approach.\textsuperscript{25} Essentially, “understanding human mobility as a response to the risks associated with climate change and extreme weather”.\textsuperscript{26} Climate risk refers to acknowledging how likely it is for an environmental hazard to cause an enormous amount of damage.\textsuperscript{27} It can appear in two ways: (a) intensive or (b) extensive. Intensive climate risk refers to rapid onset event like storms and floods. Extensive climate risk refers to slow onset events, relating to sea-level rise and desertification.\textsuperscript{28} In consequence, climate change increases both kinds of risks.

The distinction between intensive and extensive risk is a useful device for determining the relationship between movement and climate risk. There are different types of movements categorized as\textsuperscript{29}:

(a) migration
(b) displacement
(c) planned relocation

Forced displacement and voluntary migration are often represented as two different categories, but in reality there is not a big difference between the two, especially when people are moving due to extensive risk.\textsuperscript{30} A large amount of climate-induced migrants

\begin{itemize}
\item \textsuperscript{24} Tacoli, Cecilia, “Crisis or adaptation? Migration and climate change in a context of high mobility”, \textit{Environment and Urbanization}, Vol.21, No.2, 2009
\item \textsuperscript{25} Wilkinson, E., Kirbyshire A., Mayhew L., Batra P., Milan A., “Climate-induced migration and displacement: closing the policy gap”, \textit{Overseas Development Institute}, 2016
\item \textsuperscript{26} Ibid.
\item \textsuperscript{27} Ibid.
\item \textsuperscript{28} Ibid.
\item \textsuperscript{29} Ibid.
\item \textsuperscript{30} Ibid.
\end{itemize}
move to cities, since many individuals that are affected come from rural areas. Significantly, such climate shocks will usually influence a whole community to migrate, not just an individual. Such mass migrations are generally referred to as “climate change refugees”.

Displacement associated with intensive risk is usually unpredictable and short-term. In consequence, people decide to move because they have no other choice. This leads to people misplacing their homes, which can lead to poverty. The extent of disaster-induced displacement is significant: between 2008 and 2015, an average of 25.4 million people per year were internally displaced by disaster events. A large majority, 85%, of these new displacements were linked to extreme weather events – especially flooding and storms. Accordingly, between 2008 and 2015, only 9% of disaster displacements were associated with small or medium scale events.

On the other hand, migration with extensive risk can be seasonal, long term or lifelong. Currently, there are no consistent estimates of past and current migration flows in response to extensive risks, but many cases have been recognized. There are two types of risk extensive migrants: (a) forced; (b) voluntary.

Forced migrants are those who abandon their homes due to environmental disasters since they have no other choice. This can be seen in the case of sea-level rise. On the other hand, voluntary migrants decide to move for a various amount of reasons. One reason is due to continuous environmental hazards and the other is to find better living conditions abroad. However, it is not simple to determine exactly at which extent a movement is forced or voluntary.

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31 Ibid.
33 Ibid.
35 Ibid.
36 Ibid.
The recent evidence between environmental hazards and migration suggests that there will be an increase in the number of people moving to cities and across borders in the next decades.\textsuperscript{37}

According to IPCC\textsuperscript{38}, climate change is the result of a series of consistent geophysical, climatic and meteorological factors which are due to natural as well as, increasingly, human influences.\textsuperscript{39} Human influences are reflected in the further increase of atmospheric greenhouse gas concentrations, rise of average global temperature, reduction of ice and snow cover, rise of the global sea-level and change of pattern and precipitation frequency.\textsuperscript{40} All these changes are different in rate, power of occurrence, duration and degree of impact on ecosystems and the environment, and thus on human societies.\textsuperscript{41} Although natural disasters occurred in the past, some seem to be more frequent today, and the IPCC trends, as well as other organizations, believe that there will be a further increase of such events in the future. They often occur rapidly and suddenly, which is why the vulnerable population is generally faced with inadequate preparation to such situations.\textsuperscript{42}

There are three important environmental factors that influence people’s choice in migrating:\textsuperscript{43} (1) increase in the amount and strength of tropical cyclones, heavy rains, and floods; (2) droughts and desertification; and (3) sea-level rise (SLR).\textsuperscript{44}

\textit{1.1.3 Rapid onset climate events}

Rapid onset events refer to tropical cyclones, storms and floods, which influences people to move on a short term basis. This type of decision is correlated between a lack of

\textsuperscript{38} Intergovernmental Panel on Climate Change
\textsuperscript{40} \textit{Ibid}.
\textsuperscript{41} \textit{Ibid}, p.339.
\textsuperscript{42} \textit{Ibid}.
\textsuperscript{44} \textit{Ibid}.
resources and poverty.\textsuperscript{45} Moreover, many come back and decide to rebuild their homes in the area that has been affected.

The IDMC\textsuperscript{46} migration data has indicated a variety of displacements which occurred throughout the years. An average of 21.5 million people per year were forced to leave their homes, between 2008 and 2015, due to slow onset events.\textsuperscript{47}

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{image.png}
\caption{Total New Disaster Displacement Related to Rapid-Onset Weather Hazard Events, 2008-2015}
\end{figure}

\textit{Source: IDMC Briefing Paper (2016)}

As the graph illustrates, an enormous amount of displaced persons stayed in their country. The cause for other people to leave was gradual.

In contrary, sometimes extreme events act as pull rather than push factors.\textsuperscript{48} We can take the case of the Indian Ocean Tsunami in 2004, where family members came to the area that was damaged in order to find out whether their family had been affected by

\begin{itemize}
\item\textsuperscript{45} \textit{Ibid.}
\item\textsuperscript{46} The Internal Displacement Monitoring Center
\end{itemize}
the natural disaster. In addition, it led to job opportunities, as well as economic opportunities.\textsuperscript{49} Allegedly, such environmental disasters usually end up having an opposite effect. Several studies show that the high incidence of disasters (including floods, storms, hurricanes, droughts and frosts) encourages people to move away from their city or country.\textsuperscript{50} Overall, the potential of tropical cyclones, floods, and heavy rains encourages the long term migration of the area to stagnate.\textsuperscript{51} If the society is highly dependent on the environment for living and the social factors enhance the impact of the disaster (as was typical with Hurricane Katrina) significant migration will inevitably take place.

1.1.4 Slow onset climate events

Slow onset events are identified to include:

\textit{Sea level rise, increasing temperatures, ocean acidification, glacial retreat and related impacts, land and forest degradation, loss of biodiversity and desertification.}\textsuperscript{52}

Approximately 75 to 250 million inhabitants, in 2020, will be affected by a surge of water shortages in Africa and Asia.\textsuperscript{53} In the case of Asia, the report declared:

\textit{Freshwater availability in Central, South, East and South-East Asia, particularly in large river basins, is projected to decrease due to climate change which, along with population growth and increasing demand arising from higher standards of living, could adversely affect more than a billion people by the 2050s.}\textsuperscript{54}

\textsuperscript{51} Ibid.
\textsuperscript{52} Framework Convention on Climate Change, \textit{United Nations}, November 2012 - Decision 1/CP.16, paragraph 25
\textsuperscript{54} Ibid.
Deforestation and desertification are primarily caused by humans, but in some cases by nature itself. The result of human activity is usually related with development projects and burial of forests to obtain new agricultural soil and/or the exploitation of forest resources, primarily wood.\textsuperscript{55} Such action leads to further emphasis of the effects of global warming and people will likely have no other choice than to move from rural to urban areas, especially those that live in South Asia and South America.\textsuperscript{56} Desertification does not only refer to “the process by which fertile land becomes desert” but also to the various forms of soil fertility reduction as well as land ecosystem disasters.

According to the UN Convention to Combat Desertification, drylands occupy around 41% of the Earth’s surface on which more than two billion people live.\textsuperscript{57} A huge amount of people are forced to leave their homes due to land degradations, which leaves the most vulnerable communities in a devastating position regarding the social and economic factors.\textsuperscript{58} Around 90\% of people in developing countries live in dryland populations, where they depend on the agricultural sector in order to maintain themselves. As stated by the former United Nations Secretary-General, Ban Ki-moon:

\begin{quote}
\textit{The impact of desertification is intensifying due to climate change, which is reducing the availability of freshwater, fertile soil, and forest and vegetation. As the degraded land loses value, investments in agriculture and rural development decline even more.}\textsuperscript{59}
\end{quote}

The need of more land for the use of agricultural leads to 80\% of deforestation demands. Furthermore, once this land is in full control for the use of agricultural demands, the people that used to live there will have no other choice than to migrate.\textsuperscript{60} While many

\textsuperscript{55} Mesić M., Župarić-Iljić D., “Promjene u okolišu I ljudske migracije”, Vol.3, 2014, p.334
\textsuperscript{56} Ibid.
\textsuperscript{58} Ibid.
\textsuperscript{59} United Nations Department of Economic and Social Affairs, \textit{Opening of the International Conference on Combating Desertification}, 2008
\textsuperscript{60} Ibid.
people will move within their own region or to nearby cities, “up to 135 million people are at risk of distressed migration as a result of land degradation in the next 30 years”.

The Millennium Assessment Reports state that desertification is caused by:

_A combination of factors that changeover time and vary by location. These include indirect factors such as population pressure, socioeconomic and policy factors, and international trade as well as direct factors such as land use patterns and practices and climate-related processes._

Connections between drought, desertification and migration are complex. Many cases regarding these climate events took place mostly in Africa, South America, the Middle East, and Central and Southern Asia. In the case of South America, Leighton affirmed that, “the periodic drought and desertification plaguing northeast Brazil contributed to factors causing 3.4 million people to emigrate between 1960 and 1980”.

Moreover, many researchers are uncertain of the connection between drought and emigration because of the infinite amount of reasons migration could occur. According to Kniveton:

_Drought seems to cause an increase in the number of people who engage in short-term rural to rural types migration. On the other hand, it does not affect, or even decrease international, long-distance moves._

One can conclude that there is a link between rain deficits and migration, but it depends on other factors as well.

### 1.1.5 Sea-level rise

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66 Kniveton et al., “Climate Change and Migration”, 34.
In comparison to the previous two environmental factors, SLR and migration are not such complex issues. SLR is a long-term, continuous process which makes it a threat to inhabitants of small island states, especially to those with low elevation above sea level, as well as to those that live near the sea or tidal rivers.\textsuperscript{67} According to McGranahan, there is an estimated amount of more than 600 million people (10\% of the world’s population) that live in coastal zones with an elevation of up to 10 meters (about 2\% of the world’s land area).\textsuperscript{68} It has been reported that 360 million people live in urban areas (13\% of the world’s urban population) and around 247 million live in low-income countries.\textsuperscript{69} In fact, coastal systems are usually more populated than any other zones defined by the Millennium Ecosystems Assessment. This is a further reason to monitor such areas, since they are in danger of sea-level rise. Prior studies have shown that throughout history, populations have favored to live 100 kilometers away from the coast.\textsuperscript{70}

Asia has been most affected by flood disasters, with an estimate of around one-third of the 1,562 flood disasters in which half of the 120,000 people were killed and where 98\% of the 2 million people were affected by flood disasters between 1994 and 2004.\textsuperscript{71}

Climate change will increase the risk of flooding and is going to cause more damages in coastal areas. There are two main factors that cause sea level rise in regards to climate change: (a) increase in water from melting ice sheets and glaciers; (b) enlargement of sea water as it gets warmer.\textsuperscript{72}

\textsuperscript{67} Tacoli, Cecilia, “Crisis or adaptation? Migration and climate change in a context of high mobility”, \textit{Environment and Urbanization}, Vol.21, No.2, 2009
\textsuperscript{69} \textit{Ibid.}
\textsuperscript{70} \textit{Ibid.}
\textsuperscript{71} \textit{Ibid.}
\textsuperscript{72} The National Aeronautics and Space Administration, \textit{Global Climate Change Effects. Sea Level}, April 2017, available at: https://climate.nasa.gov/vital-signs/sea-level/
The graph above shows the change in sea level since 1993 observed through satellites. Throughout the years, the level of the sea has been rising and has been increasing till this day. In 2016, the sea level has been one of the highest, estimated at around 85mm. We are witnessing a slight decrease now since some measures have been undertaken in order to reduce the sea-level from rising.

*Source: Coastal tide gauge records.*
Moreover, Graph B displays the transformation of the sea level from 1870 to 2000. It follows the same type of patterns as the graph above, in the sense that there is a growth in the sea level.

According to the Special Report on Emissions Scenarios of the IPCC, the estimates of the global sea level rise varies from 22 centimeters to 34 centimeters, between 1990 and 2080. We must keep in mind that if the ice sheets in Greenland keep melting or if there will be more damages caused to the ice in Antarctica, these numbers would increase even further. 73

Various factors will have to be taken into account to determine whether sea level rise is a main consequence to migration. To name a few, the capacity of specific communities and governments have responded through a range of options, such as increased infrastructure protection, the modification of land use, construction technologies and managed evacuation from highly vulnerable areas. 74 Nevertheless, ironically, some of the areas which are continuously at the highest risk are also major migrant destinations. This is because they offer better economic opportunities, and a range of industry and services. Therefore, what is vital and needed are important measures of industrialization and urbanization for the communities living in high risk areas. 75 Subsequently, this would simultaneously reduce regional inequalities, which are one of the primary reasons of migration.

1.2 Different types of migrations

There are three variables to take into account when considering migrations and why they are so diverse. Firstly, whether migration is short- or long-termed, which requires research into the reasons why people migrate due to environmental issue. For example, slow onset phenomena are likely to lead to long term migration, whereas tropical cyclones

74 Ibid.
75 Ibid.
are mostly going to lead to temporary displacement. On the other hand, droughts lead more towards seasonal migration. Secondly, we need to take into consideration whether it is an internal or international type of migration. Finally, the degree of intervention by governments in the movement of people contributes to the challenge of distinguishing between forced and voluntary movement.

1.2.1 Urbanization

One of the largest types of migration to consider is urbanization. Population growth is a big factor influencing a range of environmental problems, as well as high consumption. All these factors end up becoming a consequence to climate change, in the sense that cities or urbanization in general are commonly blamed for greenhouse gas (GHG) emissions, and hence for climate change.

Low- and middle-income countries are the ones that experience the largest growth in the world’s population, which is why we need to be careful about how the growth of GHG emissions influence development. According to the United Nations, 54.5% of inhabitants lived in urban settlements in 2016. The numbers are expected to increase by 2030 to around 60%, and one in every three people will live in urban areas with at least half a million inhabitants.

The latest statistics have shown that the world’s cities are growing both in size and numbers of population. In the next few years, it is evident that cities will keep on growing to a number of 41 global megacities by the year 2030. Furthermore, the number of people living in cities will increase throughout the years as well. With that being said, the number

78 Ibid.
80 Ibid.
of cities with 500,000 inhabitants or more is projected to increase by 80% in Africa and by 30% in Asia between 2016 and 2030.\textsuperscript{81}

\begin{figure}
\centering
\includegraphics[width=\textwidth]{population_distribution.png}
\caption{Population distribution by size class of settlement and region, 2016 and 2030}
\end{figure}


Urbanization can be seen as a “problem” but simultaneously as a “solution”. If we consider it a problem, this refers to climate change and GHG emissions. It has been stated by Satterthwaite that, “the more urbanized a nation, the higher the GHG emissions per person”\textsuperscript{82} If we view it as a solution, urbanization limits the amount of high standard living because of the negative effects it brings through GHG emissions.\textsuperscript{83} We have to keep in mind that urbanization is not the driver of climate change, it is just the means of investment patterns that have boosted production in industry and services.\textsuperscript{84} So, as urbanization increases so does a proportion of GDP, which furthermore increases the proportions of the workforce operating therein.

\begin{thebibliography}{99}
\bibitem{81} \textit{Ibid.}
\bibitem{83} \textit{Ibid.}
\bibitem{84} \textit{Ibid.}
\end{thebibliography}
Referring to the figure above, of the 1,692 cities with at least 300,000 inhabitants in 2014, 944 cities were at high risk of exposure from some type of natural disaster.\textsuperscript{85} Moreover, around 15% of cities, most of which are located along coastlines, were at an event higher risk of being unprotected from even more than one type of natural disaster.

1.2.2 International Migrations

Environmental shocks also affect international movements causing people to move, both within and beyond the borders of their state. The OECD\textsuperscript{86} has recorded around 400 natural disasters annually across the world between 2001 and 2011.\textsuperscript{87} These disasters affected around 268 million people and had fatal effects on more than 100,000 people.


\textsuperscript{86} OECD – The Organization for Economic Co-operation and Development

annually. Norman Myers predicted that displacements on account of climate change will increase over the years – 25 million in 1995, 50 million by 2010, 200 million when global warming takes over. Researchers have come to a realization that “human displacement due to climate change will largely depend on policies and the ability to adapt” \(^{88}\). Furthermore, with time, natural disasters will keep on contributing to displacements on an even larger scale.

There are numerous factors that affect the decision of how far people can travel and whether the migration itself is internal or international. A few factors are:

(a) age structure of the affected population
(b) distance from other neighboring country borders and how accessible they are
(c) amount of resources migrants can mobilize
(d) amount of networks that can be made overseas\(^{99}\)

The most recent data revealed that there has been an increase in the amount of international migrants over the last fifteen years. Precisely, from 173 million in 2000, to 244 million in 2015.\(^{90}\) Most migrants come from middle-income countries, and the number of migrants from those countries keeps on increasing. Of the 244 million international migrants, the most are seen in Asia, 104 million (43% of the population).\(^{91}\) The second largest continent with international migrants is Europe with 62 million (25% of the population).\(^{92}\)

The graph below demonstrates the number of international migrants by income group of country from 2000 to 2015. As stated above, the highest number of migrants come from middle-income countries.

\(^{88}\) Ibid.  
\(^{89}\) Ibid.  
\(^{91}\) Ibid.  
\(^{92}\) Ibid.
The most significant migration in 2015 took place in India. 16 million people were living outside of the country where they were born.\textsuperscript{94} It has also been stated that the number of migrants from Asia keeps growing extremely fast in comparison to any other continent.\textsuperscript{95}

The 2030 Agenda for Sustainable Development recognized international migration as an important element for the development of countries of origin and therefore has emphasized on the need of international cooperation to ensure the safety and consistency of migrants in order for their human rights to not be breached.\textsuperscript{96}

\textsuperscript{93} Note: The allocation of countries and extent by income level is based on 2014 gross national income (GNI) per capita, in U.S. dollars, determined by the World Bank.


\textsuperscript{95} Ibid.

\textsuperscript{96} Ibid.
1.2.3 Climate Refugees

Refugee status was recognized by the 1951 Geneva Convention Relating to the Status of Refugees, which declared its own definition of a refugee:

A person leaving his/her country of residence for well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion.97

As we can see, environmental reasons are not mentioned in this definition, and it is mostly due to legal complications relating to climate refugees.

Climate refugees are referred more towards people who are affected directly by climate change, which could be, i.e. from sea-level rise. This rises the problem of whether these migrants could count as refugees. The term “climate refugee” has no legal standing under international law, and there is no reasoned agreement on how to address this problem.98

Rising sea levels are one of the most significant factors leading to an intensification of climate refugees, from small island states to even highly developed cities. It has been predicted that there will be a 30-50cm sea-level rise by 2050, causing some island states, in the worst case scenario, to possibly disappear, which would lead to many natives to move.99 The total number of people at risk in island states is estimated to be around 31 million, while internationally it is approximated around 162 million.100

One of the major problems that climate refugees face is that they are not recognized in other states. This leads to identity and cultural heritage loss. They have nowhere else to

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go once their homes are destroyed by climate disasters, yet where they migrate they don’t get the rights to work or do any of the things a local citizen in that state can do. This is why a step towards drafting a legal instrument to recognize the climate refugees is needed.

Not only will we see climate refugees increase in small island states, but even in developing countries like the United States. The most recent news relating to climate change of June 2017 is the decision of the American President, Donald Trump, to step down from the Paris Agreement. Not only does the U.S. face problems with climate change, but now things will get even worse. Scientists suggest that there could be a huge increase in emissions of up to 3 billion tons of additional carbon dioxide in the air a year. When these numbers add up, this could trigger more extreme weather damages as well as higher sea level rises.

The United States, as powerful as it is, can expect massive problems relating to climate change and sea-level rise. By the end of the century, the sea level in the U.S. could rise up to 182 centimeters, and by 2100 as many as 13 million Americans living in coastal areas could face flooding. The cities that could end up being most affected are mostly located on the East Coast – Miami (2.5 million people end up displaced), New Orleans (500,11 displaced), and New York City region (50,804).

Mathew Haur, a demographer at the University of Georgia, spoke on the issue of sea-level rise stating that:

*We typically think about sea-level rise as a coastal issue, but if people are forced to move because their houses become inundated, the migration could affect many landlocked communities as well.*

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103 Ibid.

Haur continues by predicting where people will most likely migrate to in the U.S. “Atlanta, Phoenix, Dallas, Orlando, and Austin are all major cities located near coastal areas. Naturally, they would become top destinations”.\textsuperscript{105} SLR is projected to modify the U.S. population distribution and could put pressure on some landlocked areas ill equipped for these migrants.

SLR needs to be taken into consideration in every way, from small island states to developed states, and governments need to start looking for solutions of what to do with climate refugees in need to move to another city or country. We should start considering the inlands and not just the coast line as the major factor.

\textsuperscript{105} \textit{Ibid.}
2. Three scenarios of climate-induced migrations

Throughout this chapter we will discuss three case studies – Mexico, India, and the Republic of Kiribati – all which relate to a specific paradigm of climate-induced migrations. The reason behind selecting these three specific cases is because all three suffer significantly some sort of environmental hazard, which in the long run causes the inhabitants to leave their homes. Climate refugees, in the case of sea-level rise, will most likely have a greater impact for migration in the long run.

Foremost, we will analyze urbanization in Mexico and how much it has increased prosperity and reduced poverty. There has also been an increase in economic growth. Throughout this case study we will study selected data to show how fast urbanization has been taking place, as well as the consequence it has with climate change and migrations. The second scenario focuses on the international level of climate migrations in India. India is the third largest greenhouse gas emitter in the world. It has been faced with many weather related problems that forced many people to leave the country. From sudden onset events like floods, cyclones and storm surges to slow onset events such as changes in the rainfall patterns, sea-level rise and loss of land could have major impacts on India’s economy. Such magnitudes could lead to damaging outcomes on the country’s agriculture, forcing many people to leave for better economic opportunities. Lastly, we will look at the case of the Republic of Kiribati and how sea-level rises are crucially damaging this small island state. Kiribati might become one of the first cases of climate refugees due to the extreme danger of an increase in sea level to an island that itself is only three meters above sea level.
2.1 Mexico and Urbanization

Urbanization in Mexico has been increasing throughout the years and has also showed a leap in economic growth. In 2010, around 77% of Mexico’s population lived in metropolitan regions, and 87% of its gross value added (GVA) was formed in cities where the population was above 100,000.\textsuperscript{106} The Mexico City Metropolitan Area (MCMA) has a population of more than 20 million, making it the most urbanized area in the country. Nevertheless, big cities with 1 and 10 million inhabitants are now home to 26% of the country’s urban population. Another 20% of inhabitants live in medium-size cities, 17% live in small cities, and only 12% live in small towns with under 100,000 people.\textsuperscript{107}

In the past, the growth of Mexican cities mostly focused on low-income housing, enabling people to afford housing in the urban areas but lacked reasonable jobs, services and urban facilities. The accidental urban expansion in Mexico caused a vast amount of uneven inequalities when regarding services and urban amenities. It constrained urban potential from improving the lives of all urban residents.\textsuperscript{108} Most cities in Mexico do have basic services, but there are still problems with the quality of services.

As the graph below indicates, Mexico keeps growing in population but at least it does, and is expected to maintain a 1.25% populating growth rate throughout the years. Maintaining a steady population growth will benefit the country from a sustainable point of view and will decrease the effects of climate change.

\textsuperscript{107} Ibid.
\textsuperscript{108} Ibid.
Mexico: Total Population from 2010 to 2020 (in millions):

Furthermore, we need to keep in mind that the growth in Mexican cities also brings negative environmental factors, largely stemming from an increase in urban cities and overcrowding those cities. A major bottleneck has been limiting access to public transportation, especially to low-income residents.

Mexico City is an extremely complex city that needs to be analyzed when regarding how the urbanization of the city impacts climate change. The MCMA has more than four million cars, a very complex energy and water supply system, and transport infrastructure that can be very vulnerable to the effects of climate change. The city itself is already under great stress due to population growth and density, in addition to growing environmental problems. As the city keeps growing both in size and quantity, Mexico City has to bear in mind the environmental problems it will face through such rapid urbanization growth. There will be a greater demand for maintaining the already existing

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109 Ibid.
110 Ibid.
infrastructures, but also a demand for new infrastructure. By 2020 there will be more than 22 million inhabitants in the city and 57% will live in Estado de México.\textsuperscript{112}

One of the most critical issues for such a big city is the circulation of water. There will be a greater demand for water as the city raises its urbanization level, but this, with climate change being in the picture, will also cause a decrease in the access of water.\textsuperscript{113} On the other hand, population growth is closely correlated to solid waste – 12,000 tons of excess a day. It is hard to transport these remains to landfills due to problems of transportation. In consequence, landfills generate greenhouse gas emissions and pollute water.\textsuperscript{114} To address all these negative influences, Mexico City has taken initiative, back in 2012, on a climate action program (MCCAP) which is part of a 15-year plan. The Green Plan has seven pillars\textsuperscript{115}:

1) land conservation  
2) public spaces  
3) air pollution  
4) waste management and recycling  
5) water sanitation  
6) transportation  
7) mobility

Overall, even though Mexico City has been urbanizing drastically throughout the years, the city itself is subject to physical and socioeconomic threats through global warming. This is why Mexico City decided to go with the MCCAP, in order to try to reduce such hazards. Urbanization brings forth both positive and negative aspects to the country. Mexico City has provided to be a sustainable city but mostly for low-income housing –

\textsuperscript{112} Ibid.  
\textsuperscript{113} Ibid.  
\textsuperscript{114} Ibid.  
\textsuperscript{115} World Bank, \textit{Mexico City Case Study},  
\url{http://siteresources.worldbank.org/INTURBANDEVELOPMENT/Resources/336387-1306291319853/CS_Mexico_City.pdf}
44% of housing is overcrowded with more than 6 people per house.\footnote{116}{“Case Study: Mexico City”, Contemporary Urbanisation, accessed May 16, 2017, available at: \url{http://curbanisation.weebly.com/case-study-mexico-city}}

With such a high increase in urbanization, Mexico City has to rely heavily on improving and maintaining those seven pillars, but primarily on maintaining its water supply and sanitation, waste management, and air pollution.\footnote{117}{Ibid.} These three pillars are crucial in keeping the urbanization intact from weather hazards. Air pollution, for instance, is a serious issue in Mexico City. Air pollution increases as the population keeps on growing, causing an increase in GHGs. Between 2014 and 2020, Mexico City’s goal is to reduce emissions up to 30%.\footnote{118}{Watts J., “Cities must take lead role in tackling climate change, says Mexico City mayor”. The Guardian, accessed May 15, 2017, available at: \url{https://www.theguardian.com/cities/2015/nov/12/cities-must-take-lead-role-in-tackling-climate-change-says-mexico-city-mayor}} Another aim is to cut carbon emissions by 14% from public transport, by 9% from waste management, and by 6.4% from electricity in homes and fuel consumption.\footnote{119}{Ibid.}

To conclude, apart from commendable benefits of urbanization for a city, its shortcomings need to be taken into account. A fast-growing state like Mexico requires awareness of the hazards it may face in the near future with extreme weather, heat, and droughts. A high growing population leads to more GHG emissions through transportation, factories and wastes. Cities like Mexico City have perceived such dangers and have devoted oneself to challenging climate change.

2.2 \textit{India and International Migrations}

India is the world’s third biggest greenhouse gas emitter and has consequently decided to cut down on its emissions by 33%-35% by 2030 by intensifying the use of alternative fuels, like solar or wind powers, in order to get 40% of electricity in homes to
use non-fossil fuels as the alternative source by 2030.\textsuperscript{120}

Source: Climate Action Tracker (2017)

Since India faces such big problems with GHGs, one of its main policies is to reduce large-scale emissions witnessed in the graph above. By doing so, the problem of international migrations will attenuate as well because people will not need to leave the country for environmental reasons.

India faces a great deal of negative environmental hazards, which could upsurge the influence of people’s decision to move. Sudden onset events such as floods, cyclones and storm surges could displace millions of people in the upcoming years.\textsuperscript{121} Furthermore, slow onset events such as changes in rainfall patterns, sea-level rise and loss of land could


have major impacts on India’s economy, which could aggravate the country’s agriculture, instigating massive economic migrations.

India is a country that has been noticeably increasing its demand for energy. Major sources of power for India have been coal, gas and Diesel which caused a rise in GNGs. Furthermore, India is known to have nearly the same amount of vehicles on the road as the number of households. To be more precise, in 2016-2017, a total of 220 million cars were registered in the country. Again, such a consequence leads to an increase in the use of fossil fuels and thus a growth in GHG emissions. Another factor that India faces is extreme heat, accelerated by climate change. According to the World Bank’s predictions, “under 4°C warming, the west coast and southern India are projected to shift to new, high-temperature climatic regimes with significant impacts on agriculture”. India relies on the agricultural sector, as 52% of the population that are farmers or work in that sector completely depend on it. All effects of climate change are crucial for food production. A changing rainfall factor has consequences on the agricultural sector as well. As the country gets warmer, India’s monsoon rainfall will become increasingly unpredictable. There will be a rise in dry years as well as in wet years, which both undermine the agricultural sector. Everything in the end intertwines, clearly proving that environmental hazards affect India’s economy as well as people’s decision to move. The effects of droughts and groundwater also highly influence crop production and the agricultural sector. Since the 1970s, some areas of South Asia are becoming more desert-

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126 Most anticipated weather in South Asia that deals with a reversal of winds.
like due to a rising number of droughts. A vast amount of India’s crops were largely affected by major droughts in 1987 and 2002-2003, which led to less crop production. It is predicted that by 2040 crop yields will fall drastically because of severe heat.

Vast quantities of environmental hazards in India have caused some people to migrate from the country in order to find a better, more sustainable life elsewhere. In the northeast region of India lays the Indian state of Assam, which has been influenced drastically by weather hazards, leading to many migrations. People from this region either have moved on a short-term basis, commonly going from rural-to-urban locations, or on a long-term basis. International migration is becoming more common in areas where families have historical, cultural and familial roots across borders. According to the Asian Development Bank reports, “there are substantial flows between the countries of the region, in particular from Bangladesh to India and especially to the far eastern Indian states of West Bengal and Assam”. Furthermore, the bank’s report states, “this is the largest single international migration flow, with more people involved than estimated for top-ranked Mexico-United States migration flows”.

Moreover, droughts have been one of the leading causes of migration in India. It has been estimated that 300,000 people migrate from Bolangir every year. A large part of the coastal region in India is also endangered by rising sea-level. It is estimated that 7.4 million people will be displaced in India due to sea-level rise.

We can notably conclude that in order for India’s international migration to decrease, climate change actions must seriously be taken into consideration. The future of

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128 Ibid.
130 Ibid.
132 Ibid.
134 Ibid.
India depends on the reduction of climate related hazards. With the recent event of President Trump exiting the Paris Agreement, India has taken an even bigger step forward to take the lead on climate actions.\(^\text{135}\)

2.3 Republic of Kiribati, Tarawa and Sea-level Rise

Sea-level rise is most commonly detected as a problem for small island states (SIS). Many of these SIS’s are not big in size, but in quantity. Moreover, they have limited natural resources, lack a proficient economy, and are prone to weather hazards.\(^\text{136}\) Sea-level rise as a consequence of melting ice instigated by climate change can be expected with high probability. It is predicted that, “about 70\% of the global coastlines are projected to experience a relative sea level change within 20\% of the global mean sea level change”.\(^\text{137}\)

The Republic of Kiribati is located in the central Pacific. It is composed of 21 populated islands that are located only three meters above sea level.\(^\text{138}\) The country ranges 5000 kilometers horizontally and 2000 kilometers vertically. Approximately 100,000 people live in Kiribati, most in the West, which includes the city of Tarawa.\(^\text{139}\) The country’s economy relies mostly on external earnings, like earnings attained from fishing and profits from the stabilization Revenue Equalization Reserve Fund.\(^\text{140}\)

Kiribati’s population has more than tripled in the past 80 years. Population growth keeps soaring at an average of 1.8\% annually, and is predicted to increase by 30\% by

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\(^\text{139}\) Ibid.

\(^\text{140}\) Ibid.
Another demographic challenge the country faces is internal migrations. The increase of migration to South Tarawa has worsened housing and sanitary conditions. Furthermore, there is a high degree of vulnerability among individuals or communities since there is a lack of access to resources or infrastructures in the country. Primary impacts of sea-level rise are:

*The inundation of low lands, exacerbation of coastal flooding and erosion, intrusion of salt water into rivers and underground aquifers, changes in sediment deposition patter and a decrease in the amount of light reaching the sea floor.*

The Republic of Kiribati keeps shrinking due to large tides and rising sea levels that are diminishing the area of the island. Islanders will soon have nowhere to go. It will cause many inhabitants to move towards Tarawa, as it will be one of the only options left for them to keep living on the island. The inhabitants of Kiribati are hoping that the next international climate negotiations at the COP23, chaired by Fiji will focus on the issue.

According to the latest climate models, oceans are predicted to proliferate towards a height of nearly two meters by 2100. Much of the island is only three meters above sea level. If the world’s oceans do rise to that height by 2100, the concern will be whether the island will still be existent by then. The inhabitants of the nation feel threatened, and the state has told the United Nations that the likelihoods of rising seas and increasing

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141 Ibid.
145 Ibid.
amounts of storms “threaten the very existence and livelihoods of large segments of the population”. According to a World Bank study, half of the 6,500-person village of Bikenibey could be washed away by 2050 due to rising sea-levels and storms.

If steps are not taken to reduce the effects of climate change, there will be no future for Kiribati. According to the article by the New York Times:

*Causeways would be washed away, crippling the economy; degraded coral reefs, damaged by warming water, would allow stronger waves to slam the coast, increasing erosion, and would disrupt the food supply, which depends heavily on fish supported by the reefs. Higher temperatures and rainfall changes would increase the prevalence of diseases like dengue fever and ciguatera poisoning.*

There are three possible emission scenarios which predict the rise of the sea level of Kiribati. By 2030, under a high emission scenario, the rise in the sea level is estimated at around 5 to 14 centimeters. With time, the sea level will just keep rising constantly, leading to a possible rise of 20 to 58 centimeters high by 2090. On the other hand, if we took into consideration a low emission scenario, there would still be an increase of sea-level, but to a lower extent. By 2030 the sea is forecasted to rise by 4 to 13 centimeters, while by 2090 by 16 to 45 centimeters. The medium emissions scenario predicts that in 2030 there will be 5 to 14 centimeters of sea-level rise while in 2090 the rise in sea level will reach 20 to 58 centimeters.

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Projected sea-level change in Kiribati

The graph above displays the plausible sea-level change in Kiribati. According to the graph, the blue lines, represented as “tide gauges”, and the light blue lines trace the variation of sea-level rise throughout the years. The “reconstructed” approximations of sea level near Kiribati, since 1950, are shown in purple. The future predictions of the medium emissions mentioned previously are shown by the shaded green region from 1990 until 2100. Lastly, the dashed lines are a projected representation of unevenness in sea level.

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153 Ibid.
154 Ibid.
155 Ibid.
156 Ibid.
The Republic of Kiribati is trying to get the attention of the world regarding climate change. One of the former presidents of the state, Anote Tong, stated, “the issue of climate change is real, serious, and we’d like to do something about it if they’re going to take their time about it”.

The country genuinely depends on climate change movements as they are the only hope for the island to “stay alive”. There are still a lot of inhabitants who are not ready to leave their homeland and cultural heritage behind and plunge into a completely uncertain new life elsewhere.

3. Legal Aspects of Climate-Induced Migrations

3.1 No clear definition

Despite the fact that climate change keeps on accelerating, legal issues of climate migrations remain. There is no global arrangement or defense agenda for the increasing issue of climate migrations. The existing international refugee, environmental and human rights law does not account for climate-induced migrations, therefore legal gaps occur regarding this problem.\(^\text{158}\) The major problem is that there is no clear definition for a “climate change migrant” because of numerous disagreements on whether such migrants should be considered as a specific category of migrants, and how exactly this category should be defined.\(^\text{159}\)

Some scholars have different views on implementation of climate migrants. For example, McAdam claims that there needs to be a clear distinction between migrants displaced as a result of climatic hazards and those that are moving for economic or environmental purposes.\(^\text{160}\) On the other hand, Betts suggests a “category of survival migrants” meaning those, “who move outside their country of origin due to an existential threat to which they have no access to a domestic remedy”.\(^\text{161}\) Lastly, other scholars believe that climate-induced migrations should be considered under the general definition of environmental migrants. Another reason why a clear definition has not been offered is because countries have not tackled how climate-induced migrations should be categorized, and if they should be categorized at all in the first place.\(^\text{162}\)

There are many elements that need to be considered when defining climate-induced migrations, like the liaison between environmental change and social and economic

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\(^{159}\) Ibid.

\(^{160}\) Ibid.

\(^{161}\) Ibid.

\(^{162}\) Ibid.
issues. Climate change will mostly hurt those who are most vulnerable – the poor, reliant on resources for their livelihoods, and those who are not sufficiently protected by the state. It is also common that those who lack the ability to migrate are the ones that are in most desperate need for help.

Furthermore, different types of environmental hazards add on another layer of complexity to the lack of a clear definition. It is necessary to stress, climate change can happen either through rapid or slow onset climate events alike. These two types of climate events impact mobility in diverse ways. Rapid onset events tend to cause displacement in cause of environmental disasters, while slow onset events generate movement in pursuit of a better life as well as better security. These differences raise the question whether rapid and slow onset events should be considered separately for protection purposes. Additionally, human mobility itself is a problem in categorizing climate-induced migrations. Existing legal regimes and policies focus on forced and voluntary movements of migrants to distinguish whether assistance or protection is necessary.

3.1.2 Climate refugees are not “refugees”

According to the 1951 Refugee Convention, a refugee is:

Someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.

This definition inclines towards a migrant that is not persecuted due to any of the reasons mentioned above cannot be considered as refugee. This is referred to the case of climate

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163 Ibid.
164 Ibid.
165 Ibid.
166 Ibid.
167 Ibid.
refugees, who according to the Refugee Convention, do not fit into the category of refugees. Only those migrants fleeing persecution and also escaping from climate change effects, and who cross international borders, qualify as refugees and receive the protection they need.\textsuperscript{169} This creates a two-sided scenario: migrants are either accepted as refugees who receive protection, or they are not, therefore must find other ways of getting the help needed.\textsuperscript{170} By having this distinction between the two, climate-induced migrants are removed from the picture of getting the protection they need.

Many scholars argue that climate refugees rely solely on their country of birth, contrary to migrants that leave their homes due to persecution. Such a declaration leads intellectuals to conclude that climate refugees cannot, in any form, be compared to traditional refugees.\textsuperscript{171} Additionally, the UNFCCC focuses directly on climate change impacts and adaptions,\textsuperscript{172} but has no implementations on the issue of climate refugees. The UNFCCC treaty only handles relations between countries, ignoring each states duties towards the actual individual or groups.\textsuperscript{173} The treaty lacks a definite policy towards climate migrations.

Internally displaced climate change migrants are another factor that needs to be taken into account. There is a question whether they will be effectively protected by current legal frameworks. Most climate change migrants are not planning to go abroad. Accordingly, the Guiding Principles on Internal Displacement serves as protection for such

\textsuperscript{170} Ibid.
migrants, even though they are not legally binding.\textsuperscript{174} According to the Guiding Principles, “internally displaced persons” (IDPs) are:

\begin{quote}
Persons or groups of persons forced or obliged to flee… to avoid the effects of armed conflicts, situations of generalized violence, violations of human rights or natural or human made disasters, and who have not crossed an internationally recognized state-border.\textsuperscript{175}
\end{quote}

Using this definition to refer to disasters fits into the scope of climate-induced migrations. Many scholars have expressed their preference of relying to such principles as a source for climate-induced migrations.

Climate change will keep increasing migration, whereas the lack of the legal framework for these issues will enhance the future migration problems. Numerous actors at play, including individuals, communities, home and host states, making environmental migration more complicated. Dochery et.al, state their own views on this issue:

\begin{quote}
A holistic approach to the climate change refugee problem should consider the needs and positions of parties and encompass a variety of relevant disciplines, including law, science, economics, technological innovation, development, and poverty alleviation.\textsuperscript{176}
\end{quote}

3.1.3 Issues in human rights protection

Human rights of individuals are more prominent to those who migrate within their country of origin, compared to those who migrate internationally. Reasons as to why this occurs, can be traced to governments adopting certain basic standards to protect the

\begin{footnotesize}
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internally displaced. Human Rights Law has a more specific focus on migration that is not international.\textsuperscript{177}

Climate change is estimated to have a huge impact on an array of human rights, from the right to life, health, housing, food, water and living. Such failures to protect these human rights will negatively influence climate-induced migrants.\textsuperscript{178} Without human rights, migrants are not fully protected. However, steps towards strong actions to protect human rights for migrants will not be put forward unless there is clear approval from the international community to enforce human rights for migrants.

Referring back to the “Refugee Convention”, human rights are clearly mentioned in a non-discriminatory way: “The principle that human beings shall enjoy fundamental rights and freedoms without discrimination”.\textsuperscript{179} The same should refer to climate refugees, as they need human rights protection, maybe even more than the traditional refugees. The new legal instrument should include civil, political, economic, social, cultural and, the most crucial for refugees, the right to movement.\textsuperscript{180} Climate refugees should receive fair treatment, and access to such rights on an international level as well.

3.2 Restraints in setting a framework

There have been numerous proposals in setting the legal issue related to climate-induced migrations and yet they have not been achieved successfully. The international


community has yet to fill the gaps in the protection of climate change migrants. The main reason for such restraints by the international community are\textsuperscript{181}:

(a) no political will
(b) current security issues of climate-induced migrations
(c) lack of support from institutions
(d) intricacy of climate change
(e) incompetence of the public sphere to systematize efficiently around climate-induced migrations.

3.2.1 No political will

States have a habit of being reserved when it comes to negotiations that deal with effects of climate change and displacement. Numerous states do not want to take on the burden of welcoming new migrants, as it clashes with their status quo.\textsuperscript{182} In the end, providing protection to an international refugee is a political decision. The fact that there are so many people currently displaced, and many more to come, puts states in a position of becoming responsible towards them, which they do not want to do.\textsuperscript{183} This places an even bigger liability on them. States help migrants when it benefits them, or when it is a major issue that cannot be avoided. Without political power, the hope of change for migrants is very slim. As Nishimura affirms, “migrants are not constituencies of concern for states – regardless of whether they have or will cross international borders”.\textsuperscript{184} Unless we see a shift where states start to consider climate migrants as an important issue, no changes will be made regarding such migration issues. With a clear legal framework, states would be more engaged in providing the need and protection for migrants.

\textsuperscript{182} Ibid.
\textsuperscript{183} Ibid.
\textsuperscript{184} Ibid.
3.2.2 Current security issues of climate-induced migrations

Climate migration is a serious security threat to the world, as more and more people are forced to leave their homes due to global warming. According to a newspaper article, if security threats are not controlled, the Global Compact on Safe, Orderly and Regular Migration will not be able to tackle the issue of displacement. From a military point of view, military leaders believe that security measures should be acquired as soon as possible, or else the situation will get worse. Maj Gen Munir Muniruzzaman, Chairman of the Global Military Advisory Council on climate change, believes that, “climate change is the greatest security threat of the 21st century.” Furthermore, a member of the U.S. Department of State’s Foreign Affairs Policy Board, Brig Gen Stephen Cheney, alleged:

*Climate change could lead to a humanitarian crisis of epic proportions. We’re already seeing migration of large numbers of people around the world because of food scarcity, water insecurity and extreme weather, and this is set to become the new normal.*

Migrants are blamed for many security threats, while not regarding the external drivers that could also be responsible for such a threat. International actors need to keep in mind the barriers that security poses on rights based on migrant protection.

3.2.3 Lack of institutional support

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187 Ibid.

Institutions look after themselves and stick to their own values and actors, from which they originate. This type of outlook does not benefit international regimes.\textsuperscript{189} Institutional regimes count only for the Refugee Convention or IDP protections. If a new international agreement is to be imposed, a new institution would have to bestow itself for the issue of climate migrations.\textsuperscript{190} In this case, the best option would be for an institution already focusing on migration and refugee protection to take the lead. In this case, it would be either the UNHCR or the IOM.\textsuperscript{191}

The problem, with already existing institutions dealing with climate migrations is the political and financial impediments to long-lasting solutions.\textsuperscript{192} Questions arise whether the institution itself would be able to address the dilemma of climate migrations. There is no strong efficiency in this case. Additionally, giving the UNHCR the full responsibility on the problem of climate migrations would require the institution to increase its resources, which could lead to a risk of weakening the protection of refugees.\textsuperscript{193}

Furthermore, traditional refugee protection has so far occurred ad hoc on political basis, lacking a clear international normative ground. For climate migrations, such an approach of uncertainty, could aggravate even further by institutional restrictions.\textsuperscript{194}

3.2.4 Intricacy of climate change

The difficulty of climate change itself causes a problem in accomplishing an international protection charter. We have to keep in mind that environmental hazards are often combined with other factors that lead to migration. There is a frequent connection between economic and social factors that increase a person’s decision to go abroad.\textsuperscript{195} Scholars have attempted to create theoretical models that forecast migration patterns.

\textsuperscript{189} Ibid.
\textsuperscript{190} Ibid.
\textsuperscript{191} Ibid.
\textsuperscript{192} Ibid
\textsuperscript{193} Ibid.
\textsuperscript{194} Ibid.
\textsuperscript{195} Ibid.
McLeman and Smit have created a model that predicts migration patterns from climate change.\textsuperscript{196} They focus on “economic power and status, push/pull factors, and social and cultural capital and networks”.\textsuperscript{197} According to their model, a migrant’s decision to move relates to how adaptive a person can be. The problem here lies with policymakers and scholars, who frequently focus on exposure and social vulnerability, ignoring the concept of adaptation.\textsuperscript{198}

Some scholars suggest that states involved with climate change impacts should pay for their responsibilities.\textsuperscript{199} This approach has no grounds. Many environmental hazards involve slow onset events as well as huge amounts of issues depend on environmental change. Finding just a single source of harm is challenging.\textsuperscript{200}

\textit{3.2.5 Incompetence of the public sphere to systematize efficiently around climate-induced migration}

A famous term used by Keck and Sikking, known as “transnational advocacy networks”, has been used in order to change the structure of international policy-making and practice regarding social changes.\textsuperscript{201} According to these authors, transnational advocacy network:

\begin{flushleft}
\textsuperscript{196} Ibid.  \\
\textsuperscript{197} McLeman R., Smit B., “Migration as an Adaptation to Climate Change”, \textit{Springer}, 2006., available at: \url{http://www.pacificdisaster.net/pdadmin/data/original/McLeman_Smit_2006_climatic_change.pdf}  \\
\textsuperscript{199} Ibid.  \\
\textsuperscript{200} Ibid.  \\
\end{flushleft}
Includes those actors working internationally on an issue, who are bound together by shared values, a common discourse, and dense exchanges of information and services.202

Such networks have been successful in changing a state’s attitude and discourse on an issue.

Nevertheless, transnational advocacy networks do not have the right means to solve the issue of climate-induced migrations. Climate change does not rely only on one state or individual. Instead, a major factor of climate change comes from greenhouse gas emissions which are caused by many different effects.203 It is hard to address any type of pressure on just a single state, since the core of climate migrations involves more than one factor. We need to keep in mind that climate change embroils a number of issues comprising of environmental harm, adaptation measures, energy, the rights of future generation and development.204

3.3. Future policy considerations

In order for climate-induced migrants to achieve their legal status and protection, a new framework should be considered. There are certain actions that need to be pushed forward for the protection of climate migrations. Governments should take action in obtaining a clear framework of climate migrations.

UNHCR has suggested that alternative methods of protection should be taken into consideration for persons who do not belong into the category of refugees, but who have no other choice than to leave their country due to atrocious reasons.205 Furthermore, the

202 Ibid.
204 Ibid.
question on IDPs suggests that states should provide additional protection for international migrants affected by environmental hazards, who are permanently leaving their home state. Additionally, the principles used in the IDP should be used as a “guideline” for governments when environmental hazards occur, so that the state can be prepared for any disaster and provide immediate protection.

The impacts of climate migrations are often based on more than one cause, consequently international cooperation and preparation will be needed in sectors such as: political, social, economic, as well as the level of vulnerability. Moreover, security risks should be speculated on a universal scale, looking at every nation as part of a threat to climate change. Every state ought to take a certain position in obtaining greater security. A balance between the two is essential.

Last but not least, climate change discourses should integrate the movement of people into environmental hazard adaptation strategies, in order to achieve full protection for climate migrants. Doing so gives an opportunity for migration to become part of a larger, adaptive strategy for climate change and opens up room for the political sector. This leads to more considerations and better planning of how to manage migration, and has the potential to be included in development planning.

206 Ibid.
207 Ibid.
209 Ibid.
4. Conclusion

In conclusion, the main points of our work focuses primarily on different types of climate-induced migrations, and dependence on legal issues. Climate migrations have proven to be a consequence of climate change, leaving many people displaced and in need to move either internally or abroad. Current environmental hazards of climate change increase these unfavorable trends. The Earth is getting warmer, flood and droughts grow in numbers. The sea level is predicted to rise as well, which will leave many people homeless.

We have clearly distinguished between slow onset climate events, rapid onset climate events and sea-level rise. These three main points are key to understanding why climate migrations occur. There are many different types of climate migrations which we have analyzed in our research. Urbanization, international migration, and climate refugees are the most common types of migration that occur due to environmental hazards. If we do not find solutions to the problem of climate change, these types of migrants will grow in numbers.

We have selected documents that are most suitable for our research, starting from the year when climate migrations were introduced in the UNFCCC negotiations, until the most recent document, known as the Paris Agreement, created to strengthen global responses to the threat of climate change.

When discussing different types of migrants, we have chosen three case studies – Mexico, India, and the Republic of Kiribati – with the aim of better understanding each type of migration and getting an idea of what future consequences of not taking any countermeasures might be.

Moreover, we have discussed the legal aspects of climate migrations and the problems it faces with drafting legal framework on international level. Two institutions, the UNHCR and the IOM, are the forces which work against such an achievement. In the case of the UNHCR, there is no combined agreement between states on making the
A crucial element is the problem itself, which is one of the reasons why collaboration is so hard to attain. We need to keep in mind that climate change itself is not the basic reason of why many decide to migrate. On the contrary, climate change can be seen as an accelerator of already existing problems. These movements usually stay within the boundaries of the person’s home state, but there are occasions where such a problem becomes external. This is where the issue of human rights and protection comes into place. Future policies regarding climate migrations need to take into account these aspects in order to provide protection and rights the migrant will need.

On the other hand, I would like to point out recent decision of the American President, Donald Trump, stepping down from the Paris Agreement. Such a judgement is a rebuke to any person that believed in the success the agreement would convey. The greatest achievement of the Paris Agreement is having united different nations in the battle against greenhouse gas emissions and climate change overall.

President Trump’s decision of exiting from the Paris Agreement imposes a question on the future outlook of the agreement and on the issue of climate change. Global warming is a fact we cannot ignore; therefore, resolute action is essential. Not only SIS, but also most of the American East Coast could be washed away in a few decades, resulting in large numbers of climate refugees within the USA.

Without resolute action and consent on the urgent need to design an effective global strategy to slow down and reverse these negative trends, we can only expect proliferation of environmental migration and rising economic, political and security issues as a result.
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5. Italian Summary

Il mio elaborato tratta principalmente dei diversi tipi di migrazioni causate dai cambiamenti climatici ed approfondisce la questione dello status legale degli individui da esso affetti. Le migrazioni climatiche sono state una conseguenza del cambiamento climatico, ed hanno lasciato molte persone dislocate, con evidenti difficoltà nello spostarsi sia internamente al Paese d’origine che all'estero. La gravità della situazione sta crescendo, causando l’incremento dei pericoli ambientali che accadono oggi nel mondo. La Terra si sta surriscaldando, la siccità sta interessando sempre più aree e le inondazioni aumentano. Si prevede che anche il livello del mare salirà, lasciando molte persone fuori dalle proprie abitazioni. L'Organizzazione Internazionale per la Migrazione prevede che gli eventi di rapida e lenta insorgenza si intensificheranno a causa dei cambiamenti climatici.

Molti penserebbero che gli individui che si spostano a causa di pericoli ambientali sono parte di un nuovo fenomeno, ma in realtà sono tra le tipologie di migrazione più antiche. In una breve fase del XX secolo, erano particolarmente attivi determinati fattori ambientali, causa di flussi di migrazione, che poi scomparvero. Tuttavia, come afferma Piguet, i fattori ambientali hanno cominciato a riapparire tra gli anni ‘80 e ‘90. Dal 1990 in poi, i cambiamenti climatici hanno rivestito un ruolo determinante nell'elaborazione delle politiche ambientali e sono diventati una delle questioni chiave in materia di sicurezza regionale, nazionale e globale. Pertanto, alcuni studiosi hanno cominciato ad interessarsi al fenomeno, arrivando a prevedere il numero di rifugiati che sarebbero costretti a spostarsi in conseguenza dei rischi ambientali, un dato compreso tra 200 milioni e un miliardo di persone entro il 2050.

L’approccio più comune utilizzato per la questione che riguarda le migrazioni e lo spostamento causati dal clima, è incentrato sul rischio. Il rischio climatico può apparire secondo due modalità opposte: intensivo o esteso. Il rischio intensivo del clima si riferisce ad un evento di rapida insorgenza, come tempeste e inondazioni. D’altro canto, il rischio climatico esteso si riferisce a eventi di insorgenza lenta, relativi all'aumento del livello del mare e alla desertificazione. La distinzione tra rischio intensivo ed esteso è uno strumento
utile per determinare il rapporto tra mobilità e rischio climatico. Inoltre, lo spostamento associato a un rischio intensivo è di solito inatteso e a breve termine, portando le persone coinvolte a fuggire senza poter scegliere. D'altra parte, la migrazione che segue un rischio esteso può essere stagionale, a lungo termine o permanente. I migranti associati a un rischio esteso sono forzati o volontari. Da un lato, gli immigrati forzati sono coloro che abbandonano le loro case a causa di calamità ambientali in quanto non hanno altra scelta. Ciò può essere visto nel caso di aumento del livello del mare. Dall'altro lato, gli immigrati volontari decidono di muoversi per una varietà di ragioni, come i continui pericoli ambientali che devono affrontare oppure la ricerca di migliori condizioni di vita all'estero. Le recenti evidenze tra i pericoli ambientali e la migrazione suggeriscono che nei prossimi decenni ci sarà un aumento del numero di persone che si sposteranno verso le città e le frontiere.

Secondo l'IPCC, il cambiamento climatico è il risultato di una serie di influenze naturali ed umane. Le influenze umane si riflettono nell'ulteriore aumento delle concentrazioni atmosferiche di gas a effetto serra, nella crescita della temperatura media globale, nella riduzione del livello del ghiaccio e della neve, nell'aumento del livello del mare su estensione globale e nella variazione di frequenza di patter e delle precipitazioni. L'IPCC ritiene che in futuro ci saranno ulteriori aumenti delle catastrofi ambientali. Spesso si verificano rapidamente ed improvvisamente, rendendo vulnerabili le popolazioni affette e portando ad una preparazione inadeguata a tali situazioni. Inoltre, una chiara distinzione va fatta tra eventi climatici di rapida insorgenza, eventi di lenta insorgenza ed eventi legati al livello del mare. Questi tre punti sono la chiave per capire perché si verificano migrazioni climatiche. Gli eventi climatici di rapida insorgenza si riferiscono a cicloni tropicali, tempeste ed alluvioni, che influenzano lo spostamento di persone a breve termine. Questo tipo di decisione è correlato alla mancanza di risorse e povertà. Quando si verifica un evento rapido, la maggior parte degli abitanti decide di tornare a ricostruire le proprie case nell'area interessata. I dati di migrazione IDCMM indicano che una media di 21,5 milioni di persone all'anno è stata costretta a lasciare le proprie case tra il 2008 e il 2015. Successivamente, si è fatta distinzione tra gli eventi di
lenta insorgenza identificati per includere l'aumento del livello del mare, la degradazione della terra e di zone forestali e la desertificazione. Molti eventi di lenta insorgenza sono causati dall'attività umana, come la deforestazione e la desertificazione. Tale azione porta ad un ulteriore rafforzamento degli effetti del riscaldamento globale e rischia di influire sui futuri sviluppi della migrazione involontaria rurale-urbana e sull'abbandono degli habitat tradizionali delle popolazioni indigene. Le siccità sono un ulteriore problema, in quanto occupano circa il 41% della superficie terrestre su cui vivono più di due miliardi di persone. Un grande numero di persone è costretto a lasciare le proprie case a causa dell’impoverimento del terreno, lasciando le comunità più vulnerabili, in una posizione devastante per quanto riguarda i fattori sociali ed economici. La maggior parte di questi casi riguarda alcune parti dell'Africa, del Sud America, del Medio Oriente e dell'Asia centrale e meridionale. Infine, l'aumento del livello del mare è un processo continuo e a lungo termine che rappresenta una minaccia per gli abitanti di piccole isole, in particolare quelle in bassa quota sul livello del mare. È stato osservato che circa 600 milioni di persone vivono nelle zone costiere. Il cambiamento climatico aumenta il rischio di inondazioni e causa maggiori danni nelle zone che si affacciano direttamente sul mare. È importante distinguere due fattori principali che causano l’aumento del livello del mare in relazione ai cambiamenti climatici: in primo luogo, un aumento dell'acqua causato dallo scioglimento di ghiaccio e ghiacciai e, in secondo luogo, un aumento del livello del mare dato dal surriscaldamento globale, che L'IPCC ha stimato intorno ai 22 centimetri a 34 centimetri tra il 1990 e il 2080.

Bisogna distinguere tra diversi tipi di migrazioni climatiche, tra cui l'urbanizzazione, la migrazione internazionale e i rifugiati climatici sono i tipi più comuni in relazione ai pericoli ambientali. Se non si trovano soluzioni al problema del cambiamento climatico, questi tipi di migranti continueranno a crescere. Ci sono tre variabili da tenere in considerazione. In primo luogo, se la migrazione sia di breve o lunga durata, questione che richiede una ricerca delle ragioni per cui le persone migrano a causa di un problema ambientale. Ad esempio, i fenomeni di insorgenza lenta possono portare ad una migrazione a lungo termine, mentre i cicloni tropicali sono in gran parte destinati a
spostare temporaneamente. D'altra parte, le siccità, che comportano perlopiù una migrazione stagionale. In secondo luogo, bisogna considerare se si tratta di una migrazione interna o internazionale. Infine, il grado di intervento dei governi nel movimento delle persone contribuisce alla sfida della distinzione tra movimento forzato e volontario.

L'urbanizzazione è uno dei più grandi tipi di migrazioni da considerare. La crescita della popolazione influenza i problemi ambientali ed aumenta il livello del consumo di risorse. Inoltre, i Paesi a basso e medio reddito determinano i fattori più rilevanti nella crescita della popolazione mondiale. Dobbiamo essere consapevoli di tale risvolto, poiché comporta un’ulteriore crescita delle emissioni di gas a effetto serra (GHG). Successivamente, si è preso in esame il caso delle migrazioni internazionali, constatando che i pericoli ambientali influenzano le persone a spostarsi sia all’interno che all’esterno dei confini del loro Paese. Nel corso degli anni, le migrazioni internazionali sono aumentate a causa di disastri naturali in tutto il mondo. La maggior parte dei migranti provengono da Paesi a reddito medio in cui il numero di migranti continua a crescere. La migrazione più significativa nel 2015 è avvenuta in India, dove 16 milioni di persone vivevano al di fuori del Paese nativo. Infine, i rifugiati climatici, che oggigiorno costituiscono uno dei tipi più complessi di migrazione a causa dello status legale degli individui affetti da tale fenomeno. Lo status di rifugiato è stato riconosciuto dalla Convenzione di Ginevra del 1951 relativa allo status dei rifugiati, ma i motivi ambientali non sono stati menzionati nella loro definizione. I rifugiati climatici si riferiscono maggiormente a coloro che sono direttamente colpiti dal cambiamento climatico.

Nel discutere i diversi tipi di migranti, abbiamo costruito tre tipi di studi - Messico, India e Repubblica di Kiribati - per una migliore comprensione di ogni tipo di migrazione e per avere un’idea più chiara di ciò che potrebbero essere le conseguenze future se non saranno intraprese ulteriori azioni. In primo luogo, abbiamo analizzato l'urbanizzazione in Messico, e come questa abbia migliorato le condizioni di vita e ridotto la povertà. L'urbanizzazione in Messico è in crescita negli ultimi anni, con più del 77% della popolazione che vive nelle regioni metropolitane. In passato, l'urbanizzazione in Messico si è concentrata su alloggi a basso reddito che hanno rallentato la qualità dei servizi. La
La crescita nelle città messicane porta anche fattori ambientali negativi, in gran parte derivanti da un aumento delle città urbane e sovraffollamento di quelle città. Di conseguenza, Città del Messico è una delle città più urbanizzate che si occupa degli impatti del cambiamento climatico. La città è sotto pressione, soprattutto a causa della crescita nella densità della popolazione, nonché per i cambiamenti climatici che minacciano le condizioni fisiche e socioeconомiche della stessa. Per questo motivo, sono state intraprese alcune iniziative per la creazione di un programma d'azione sul clima. Nel complesso, uno Stato in rapida crescita come il Messico deve acquisire consapevolezza dei pericoli che potrà affrontare in futuro, specificatamente in relazione alla forte crescita della popolazione, che comporta più emissioni di gas serra attraverso i mezzi di trasporto e la produzione di rifiuti.

In secondo luogo, abbiamo analizzato il caso dell'India e della migrazione internazionale. L'India è il terzo “emitter” di gas a effetto serra al mondo e, di conseguenza, sta tentando di ridurre le sue emissioni del 33% -35% entro il 2030, intensificando l'uso di combustibili non fossili. L'India affronta numerosi rischi ambientali che potrebbero influenzare la decisione della popolazione di spostarsi. Gli eventi improvvisi, come le inondazioni, i cicloni e le tempeste, potrebbero indurre milioni di persone a spostarsi nei prossimi anni. Inoltre, gli eventi di rallentamento, quali i cambiamenti nelle tipologie di precipitazioni, l'aumento del livello del mare e la perdita di terreni, potrebbero avere grandi ripercussioni sull'economia indiana, e potrebbero provocare danni all’agricoltura del Paese, costringendo molte persone a cercare migliori opportunità economiche all'estero. L'India si affida al settore agricolo, dal momento che il 52% della popolazione agricola o operante in quel settore dipende completamente da esso. In aggiunta, gli effetti delle siccità e della riduzione delle falde acquifere influenzano profondamente il settore agricolo e la produzione di beni primari. Enormi rischi ambientali in India hanno spinto alcune persone ad emigrare dal Paese per trovare una vita migliore e più sostenibile altrove. Inoltre, le siccità sono state una delle principali cause di migrazione in India. Affinché la migrazione internazionale dell'India diminuisca, le azioni di cambiamento climatico devono essere seriamente prese in considerazione. Il futuro dell'India dipende dalla riduzione dei rischi legati al clima.
Infine, la Repubblica di Kiribati e la questione dell'aumento del livello del mare rappresentano un caso importante, e lo stato attuale dell'isola potrebbe rappresentare uno dei determinanti principali di migrazione climatica. La Repubblica di Kiribati si trova nel Pacifico centrale, innalzata di soli tre metri dal livello del mare. Gli abitanti si spostano verso l'interno, al sud di Tarawa. Con il peggiorare delle condizioni climatiche, le terre emerse dell'isola continuano a restringersi a causa delle grandi maree e dell’aumento del livello delle acque, soprattutto in relazione alle previsioni che indicano un innalzamento del livello degli oceani di circa 2 metri entro il 2100. Ciò costituisce una grave minaccia per gli abitanti dell’isola. Se non verranno presi provvedimenti necessari a ridurre gli effetti del cambiamento climatico, Kiribati potrebbe essere sommersa. Il Paese dipende profondamente dal cambiamento climatico e l’attuazione di politiche per ridurre gli effetti che l’uomo ha su di esso è l'unica speranza che l’isola ha di "rimanere in vita". Molti abitanti non vogliono lasciare l'isola, perché ciò significherebbe abbandonare la propria cultura ed eredità, sacrificio che non sono disposti a fare.

Inoltre, sono stati approfonditi gli aspetti legali delle migrazioni climatiche e dei problemi che essa affronta con la redazione di un quadro giuridico a livello internazionale. Non esiste un accordo globale o un programma di difesa per il crescente numero di migrazioni climatiche. Le lacune giuridiche si creano a causa della mancata considerazione del problema delle migrazioni climatiche in materia di leggi ambientali e diritti umani, così come rispetto alla situazione degli attuali profughi internazionali. Il principale problema è che non esiste una definizione chiara per il termine "migrante del cambiamento climatico" a causa del disaccordo nell’identificare o meno una categoria specifica di migranti all’interno di questo fenomeno. I diversi tipi di pericoli ambientali aggiungono un altro livello di complessità alla mancanza di una chiara definizione. I due tipi di eventi climatici influenzano la mobilità in diversi modi, sollevando il dubbio secondo cui gli eventi di rapida e lenta insorgenza dovrebbero essere considerati separatamente.

Secondo la Convenzione sui rifugiati del 1951, i migranti sono accettati come rifugiati che ricevono protezione, oppure devono trovare altri mezzi per ottenere l’aiuto necessario. Avendo questa distinzione tra i due, i flussi migratori causati dai cambiamenti
climatici non vengono considerati nell’attuazione di politiche di tutela. Alcuni studiosi sostengono ciò affermando che i rifugiati climatici non sono minimamente paragonabili ai rifugiati tradizionali, in quanto le loro condizioni di sofferenza si basano esclusivamente sul contesto del loro Paese di origine.

Inoltre, si stima che il cambiamento climatico abbia un enorme impatto su una serie di diritti umani, che comprendono il diritto alla vita, alla salute, all'abitazione, e all’accesso a beni di prima necessità. La mancanza di tutela dei diritti sopraelencati influenzerà negativamente le migrazioni climatiche. Infatti, senza diritti umani i migranti non sono pienamente protetti. Tuttavia, non vi sarà un intervento più chiaro e trasparente a tal proposito senza l’approvazione della comunità internazionale per far rispettare i diritti umani dei migranti. Le principali ragioni per cui la comunità internazionale non si è mosso finora sono: l’assenza di volontà politica, le complicate questioni di sicurezza legate alle migrazioni climatiche, la mancanza di sostegno da parte delle istituzioni, l’intrinseco cambiamento climatico e l'incompetenza della sfera pubblica a riguardo.

Per consentire ai migranti causati dai cambiamenti climatici di ottenere il loro status giuridico e la loro tutela, occorre prendere in considerazione un nuovo aspetto, che si focalizza su alcune azioni da attuare, necessarie ai futuri sviluppi della tutela degli individui affetti dal fenomeno. Innanzitutto, i governi hanno la responsabilità di intervenire per ottenere un quadro chiaro rispetto alle migrazioni climatiche. Poiché gli impatti delle migrazioni climatiche si basano spesso su più di un fattore, sarà necessaria una cooperazione e una preparazione internazionale in ambito politico, sociale, economico, nonché per identificare il livello di vulnerabilità. Inoltre, i rischi per la sicurezza devono essere considerati su scala universale, guardando la responsabilità di ogni singolo Stato nel determinare il cambiamento climatico.

In conclusione, ai fini di ottenere una piena protezione dei migranti climatici, nuove strategie per l’adattamento ai rischi ambientali delle popolazioni a questi soggette dovrebbero essere attuate. Questo porterebbe ad una migliore pianificazione nella gestione dei flussi migratori ed includerebbe le vittime dei cambiamenti climatici nella pianificazione di future politiche di sviluppo.
Vorrei infine menzionare la recente decisione del Presidente Donald Trump di abbandonare l'accordo di Parigi, evento che rappresenta una grave sconfitta per i capi di stato, gli attivisti per il clima, i dirigenti aziendali e i membri del personale del Presidente stesso. Il più grande risultato dell'accordo di Parigi è stato quello di unire le Nazioni Unite nel combattere le emissioni di gas ad effetto serra e il relativo aumento delle temperature. La decisione del Presidente Trump di uscire dall'accordo di Parigi pone incertezze sulla buona riuscita dell'accordo e sui futuri sviluppi nella tutela dal cambiamento climatico. Il cambiamento climatico è reale e lo vediamo attraverso i rischi ambientali che causano la crescita dei flussi migratori. Se politiche per ridurre il cambiamento climatico non saranno implementate, la situazione potrebbe aggravarsi ulteriormente. Più a lungo aspettiamo che tali cambiamenti climatici avvengano, tanto più il numero dei migranti continuerà a crescere. L'accordo di Parigi è stato un passo in avanti nell'affrontare tali questioni, ma, senza il supporto degli Stati Uniti, gli obiettivi prefissati da questo risultano più difficili da raggiungere, portando il cambiamento climatico ad una triste “vittoria”.