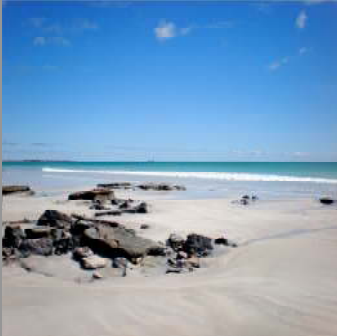




Climate Change Refugees: Displacement, Survival, Responsibility



The terms defined

The term person displaced by climate change is probably the most accurate term to describe people in this situation.

¹ David Keane, 'The Environmental Causes and Consequences of Migration: A Search for the Meaning of 'Environmental Refugees' (2004) 16 Georgetown International Environmental Law Review 209.

² Jane McAdam, Climate Change and Displacement: Multidisciplinary Perspectives (2010) HART Publishing, 200.

³ Climate Change, Human Rights and Forced Human Displacement: Case Studies as indicators of Durable Solutions http://www.displacementsolutions.org/files/documents/Climate_Change_Displacement_Meeting_Paper.pdf at 15 November 2010.

⁴ Jane McAdam, Climate Change and Displacement: Multidisciplinary Perspectives (2010) HART Publishing, 1.

What is a Climate Refugee

There is no universal definition of the term climate change refugee. One definition that has been proposed by Keane is

"People who have to leave their habitats, immediately or in the near future, because of sudden or gradual alternations in their natural environment related to at least one of three impacts of climate change: sea-level rise, extreme weather events and drought and water scarcity".¹

A range of terms are used to describe those people who have to move as a result of change in environmental conditions arising from climate change. Terms used to describe these people include: climate change refugee, environmental refugee, person displaced by climate change, environmentally displaced persons and environmental migrants. The term person displaced by climate change is probably the most accurate term to describe people in this situation.

There are also two types of climate refugees: internal climate refugees and external climate refugees. Internal climate refugees are people who are displaced within their existing country. For example people living close to coastal areas retreating further inland. An external climate refugee is a person moving beyond state borders into a different country. For example, people from a Pacific Island country moving to Australia.

The three major environmental consequences of climate change that particularly predispose people to displacement are: i) loss of ecosystem services through environmental degradation, desertification and flooding, ii) loss of land due to sea-level rise, shoreline erosion and coastal flooding; and iii) increased severity and frequency of climate-related natural disasters.²

International Legal Protection for Climate Refugees

Three areas of international law are relevant: Refugee Law, Climate Change Law and Human Rights Law. Climate change refugees are not currently recognised or protected by any of these international legal regimes.

The Refugee Convention definition of 'Refugee' does not include climate refugees. The current definition focuses on persecution based on race, religion, nationality, political opinion or membership of a particular social group. As such climate refugees cannot make a claim for asylum under the Refugee Convention.

The United Nations Framework Convention on Climate Change and the Kyoto Protocol do not deal with the issues of climate refugees. These instruments

Project Survival Pacific is an initiative of the Australian Youth Climate Coalition
For more information see our website at <http://youthprojectsurvival.org>



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focus on controlling greenhouse gas emissions. Furthermore these instruments are primarily concerned with state relations and not focused on state liabilities and duties towards individuals and communities.

Human Rights law only obliges states to ensure that minimum standards of treatment are met for all individuals within their territory. Human Rights obligations therefore only extend to internal climate refugees. Human Rights law does not create obligations or make states liable for human rights violations arising as a result of greenhouse gas emissions.

There are a number of proposals which outline different ways to address the current inadequacy of international law in this area. Current proposals include: expanding the definition of Refugee within Refugee Convention, create a separate protocol to the UNFCCC, create a standalone convention or create a UN special body to deal with climate refugees. A Protocol to the UNFCCC is the proposal that has the highest probability of adoption by the global community. Parties to the UNFCCC are united in their common goal of combating anthropogenic climate change and the UNFCCC platform is one of the most politically charged negotiating forum in terms of mobilizing finance, capacity, technology and assistance in this area.

Pacific Displacement

Predication estimate the between 200 million and one billion people may face the loss of home, land and livelihood in the 21st Century.³ One fifth of the world's population lives in coastal areas affected by rising sea levels and natural disasters, and there is a risk that some small island states such as the Maldives, Tuvalu and Kiribati could eventually be submerged altogether.⁴ A number of countries in the Pacific have already lost land due to rising sea levels, surge tides and salinisation of fresh water supplies. These countries include Carteret, Morelock, Tasman (and other) atolls of Papua New Guinea as well as Tuvalu, Kiribati and Vanuatu.