Climate change-induced displacement:
Freedom in crisis

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Introduction
The theme of the 2019 United Nations (UN) Climate Change Conference, COP25, was “Time for Action.” At COP24, it was “Changing Together.” Despite their well-intentioned themes, these conferences along with agreements have not prompted much-needed action. The promises of world leaders have been empty.

Ioane Teitiota of Kiribati recognized the time for action in his life much earlier when he decided to migrate to New Zealand due to sea-level rise in his home country. He sought to become the world’s first ‘climate refugee’; however, he was denied and deported because he was not subjected to persecution, which is required according to the 1951 UN Convention relating to the status of refugees. In January, 2020, the UN High Commissioner for Refugees (UNHCR) rejected his claim to return to New Zealand because he did not “objectively face” a risk at that moment despite acknowledging the possibility of Kiribati becoming uninhabitable in the next 10 to 15 years.

Should he not, at the least, have the right to be considered a refugee? If yes, where should he have the right to relocate? Should the question of his human rights be raised only when his country is underwater? Who should assume accountability for his predicament? Who should be responsible for his relocation and for aiding nations which are likely to have climates unfit for human life?

Since these are pertinent questions related to human rights, this is an issue of the freedom of those threatened by climate change-induced migration. It is a reality becoming more contemporary day by day. Ergo the existing concepts are outdated and require recalibration at the earliest.

Current scenario
A 2019 UN Environment Programme (UNEP) Report estimates the number of people displaced by climate change to reach 150 million by 2050. This is just one of many predictions that range between 25 million and 1 billion people. This shows that although we know that climate change will impact human lives, its extent is uncertain. Moreover, migration is a crucial matter because it is one of the three factors of population change along with birth, and death. The challenge lies in recognizing if an individual’s environment was a ‘push’ factor or instead, whether there were other ‘push’ and/or ‘pull’ factors that caused them to migrate. Also, it must be noted that here,
displacement is also internal rather than only across international borders, so the concept of a ‘refugee’ might not be comprehensive.

At COP21, Marine Franck of the Advisory Group on Climate Change and Human Mobility, said, “Climate-related displacement is not a future phenomenon ... it is already a global concern.”

However, the 2015 Paris Agreement, negotiated at the same conference, did not do enough for this issue. It referred to migrants in its Preamble and called for a task force to develop recommendations but nothing substantial materialized. The exigency of the crisis was missed as in 2014, 19 million people were displaced from their homes due to reasons associated with climate change. Although Sustainable Development Goal 13 is Climate Action, it does not refer to migration whatsoever. In 2018, the UNHCR finally addressed this concern with a Global Compact in the General Assembly by accepting that “climate, environmental degradation and natural disasters increasingly interact with the drivers of refugee movements.” It became the first major milestone in terms of migration policy addressing climate change. However, the UNHCR does not recognize the term “climate refugee” and instead prefers “persons displaced in the context of disasters and climate change”. The lack of precise terminology displays passivity and suggests that a solution is distant because the problem remains undefined. Not to say that the UN had not started work on this subject early; in 2012, with the Special Rapporteur’s report on the human rights in the context of climate-change-induced migration, it analysed the question and explored possible responses. Even before that, in 2005, it had forecasted the number of people displaced. In the 2020 UNHCR ruling, it acknowledged that human rights were at stake and ruled that countries had an obligation, albeit non-binding, to protect those threatened by climate change. It seems that the UN knows the problem well enough and there has been plenty of talk; only action is missing.

I think that the process of addressing climate change-related problems must begin with the questions of accountability and justice. The fact that the countries that have contributed least to climate change will bear the brunt cannot be ignored. The highest Carbon Dioxide emitters are not only feeling the least environmental impact, but many are even benefitting economically! This paradox allows them the luxury of inaction. Take, for instance, the above-mentioned Global Compact, which was signed by 164 countries but not by the US, Australia, and several European Union nations despite it being voluntary and non-binding.

Proposal

The solution for all concerns posed by climate change is obvious - to stop the emissions of greenhouse gases! However, it is not realistic to expect that because migration in distress is itself, arguably, a crisis sustained by the prevailing Capitalist model. My suggested approach to this issue would also seem outlandish because the ‘Who cares?’ attitude holds globally, yet it is necessary to take concrete steps now before time runs out.

I. Accept the threat to freedom

Acknowledging that this is a question of freedom is the first step. The international community must formally accept that fundamental human rights including those to food, water, and health are threatened when climate change forces migration. The right to life is of utmost consideration as has been noted by the UNHCR in January, 2020. Moreover, it is a crisis of the rights of children as, for example, over 761,000 children were displaced by storms between 2014 and 2018 in the Caribbean.

II. Define the freedom

Imagine visiting a doctor to get treated for a life-threatening illness. He recognizes your suffering but refuses to treat you. When you ask him why, he tells you not to worry because it will not kill you right away. One more thing- he says that the illness has no name.
Those who are at risk of displacement due to climate change are in a similar situation because their issue is nameless too. The initial requirement is an internationally accepted term that captures the scope of this problem. It must encompass its multiple dimensions and the various possibilities within them. The dimensions include the reasons behind migration, the time frames related to the pertinent climate issues faced, and the nature of migration: internal or cross-border. The existing terminology such as ‘refugee’ and/or ‘internally displaced person’ (IDP) could be expanded to include such individuals, or a new label could be created. Once there is a properly defined name for these people, their problem can be taken forward. It is important to note that this is not merely an issue of semantics— an accurate label would give visibility to the problem and its urgency.

III. Protect the freedom

a. Taking responsibility:
The issue of climate-induced displacement does not come under the purview of any specific institution presently. It is time that an intergovernmental body takes responsibility, likely a new organization within the UN. Its tasks would be to identify and track those affected, to measure the impact of steps taken, to provide them human assistance, to enforce compliance of the protection measures, to promote international cooperation and awareness, to evaluate and rank nations according to performance, and to advance research on solutions. Importantly, the institution should be chaired by member countries that are vulnerable to the effects of the crisis.

b. Legal protection:
The rights of these groups and individuals must be protected; however, the obligations cannot simply be indicative. They must be enforced by a legally-binding mechanism with the involvement of the International Court of Justice. Unlike the UNHCR and the Refugee Convention, the responsible institution and the treaty must have teeth so that complainants can reasonably expect to be heard and protected. Further, a ‘fast-track’ approach to justice should be taken to ensure that rulings take place within a specified number of months/years, thus reducing the uncertainty and wait for justice. The countries that do not abide by the regulations must be considered violators of human rights and appropriate deterrents should be in place.

c. Migration with dignity:
‘Migration with dignity’ was conceptualized by environmental activist and former president of Kiribati, Anote Tong, who said that “the last thing we wish to lose, after our land, is our dignity.”16 So, a possible approach would be aimed towards the empowerment of the vulnerable populations through education and skill development in order to enable them to relocate to other countries so that they don’t just survive, but lead quality lives and contribute to their communities.

The duty to act against climate change is collective. Nevertheless, I believe that such initiatives targeted at the vulnerable countries must be funded largely by those nations who have contributed most to the crisis. So, the latter type of nations can, for example, build the infrastructure and make available the resources required to augment human capital. Moreover, they can soften their immigration laws to allow easier access to education and employment opportunities.

d. A central fund:
Another possibility is of climate reparations. However, unlike in the Paris Agreement, the approach must be structured and strict, and not ambiguous and non-binding. One way would be a global fund to which the ‘climate change contributors’ would be responsible for providing a certain percentage of their GDP to as compensations, and the resources from which would be distributed among projects aimed towards migration like the ones mentioned in the previous point, or towards adaptation measures.
e. A new home:
Strategies must consider that more than 30% of the communities affected by climate change choose migration over adaptation. The figure is likely to increase because migration is more effective in the long term and more immediate. One approach in this direction would be to make the ‘safe’, developed countries responsible for providing land to vulnerable countries so that they can relocate their people and allow them to rebuild their lives.

f. Holding non-state actors accountable:
Attribution science can draw the links between extreme weather events related to climate change and human-related activities. Not only this, the progress made is such that the causal relationship can even be quantified. Just 100 companies have been behind over 71% of carbon emissions globally. Therefore, they cannot absolve themselves of their responsibility. Their contribution should be found and accordingly, they must be legally bound to compensate as well, possibly to the central fund. In this aspect, national laws will play a significant role.

g. A new perspective:
An approach is required that is not Neo-Malthusian; focus on ahistorical population statistics distracts from discerning and tackling the real drivers of this crisis. Additionally, technology-based solutions must be welcomed, with their adoption facilitated on a not-for-profit humanitarian basis.

Challenges
I believe that the proposed approach would be effective and unprecedented but I also realize that it would face widespread opposition. Countries are simply not doing enough against climate change in general, let alone the issue of displacement. In the words of climate thinker Amitav Ghosh, “if the world’s most powerful nations adopt the ‘politics of the armed lifeboat’, … then millions of people in Asia, Africa, and elsewhere will face doom.”

Therefore, the greatest roadblocks on the road to a solution are the twin challenges of deglobalization and protectionism. I believe that until global consensus is reached, change must be spearheaded by regional collectives, such as in the Pacific Islands region where nations have formed a united front against climate change. The African Union too has taken a noteworthy step with the Kampala Convention, a binding treaty that explicitly recognizes rights of climate change-induced IDPs. The International Solar Alliance, which grew from an equatorial-region focus at India-Africa Summit 2015 to a treaty-based intergovernmental organization, shows that regional initiatives can indeed expand.

A major question is how countries would sustain their existence when they become entirely uninhabitable. The proposed institution must delve into this through the prism of ethics, along with possible negative spillovers these solutions might have.

Conclusion
The proposal to address the issue of freedom of those displaced by climate change would require extraordinary international cooperation. Pragmatically, the responsibility of protection of human rights cannot be enforced upon nations, but must arise as a collective conscience through global mass movements. In the words of Greta Thunberg, we must “act as if our house is on fire. Because it is.”
References

8. Ibid.
19. Shen, Lucinda. “These 100 Companies Are Responsible for Most of the World’s Carbon


