

“Environmental Refugees”: Common patterns between climate change and Migration dynamics

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Abstract:

Climate change and migration represent a global challenge and attracts International Relations specialists. It is widely recognized that climate severe conditions are increasingly affecting migration dynamics globally. The refugee's status legal framework is historically entrenched in the second World War European context (1951). Since then, and especially in the last two decades, climate change effects (droughts, heat waves, floods) are recognized as key “push factors” of migration dynamics. The research aims at examining the conceptual framework and contexts of Migration, climate change and to tackle the common patterns and perspectives that emerge at the regional and international scale.

Keywords: Climate Change; Migration dynamics; environmental refugees; International Relations, soft laws.

1. INTRODUCTION

Human mobility has been a constant feature of history. In the recent decades, it gained significant salience as a major concern for developed countries' societies (especially Northern America and Europe) and a top priority of their respective domestic and foreign policies. Further, it has dominated a significant share of international relations' agenda (bilateral and regional agreements, the Global Compact on migration) with the notable contribution of the IOMⁱ, the UNCHRⁱⁱ as well as Non Governmental Organizations (NGO's).



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According to the World Bank’s *Groundswell Report*, 216 Million people are expected to move inside their respective countries because of climate extreme conditions by 2050ⁱⁱⁱ. Other studies have set out that the number of “environmental refugees” could reach 1,2 billion people by 2050^{iv}. Meanwhile, negative perceptions over the issue in many societies and its framing as a possible “threat” (economically and culturally) to host societies has fostered concerns over the correlation between climate change and the rise of the number of forcibly displaced persons. As such, many actors have voiced their call for updating the migration and asylum-seekers’ legal framework in order to integrate “Environmental Refugees” in a way to grant them international protection under the International Law.

However, the notion of “environmental migrants” raises many challenges with respect to its definition and status. Despite the fact that both these factors require global and coordinated responses, geopolitical and security considerations have led to deadlocked attempts to work out global solutions. Therefore, there is a growing tendency to develop soft laws rather than constraining legal frameworks in order to tackle these issues.

The correlation between climate change and migrations trends extends beyond the narrow causality link that presents climate change as a major driver of migration. In order to explore this complex relationship, the first part will be contextualizing the conceptual framework of migration, refugees and climate change as well as the emerging of the notion of “environmental refugees”. The second part of the research will tackle the common features between these dynamics and bring an overview of the existing initiatives and possible challenges.

2. A Conceptual framework:

The first aspect that needs to be addressed in our quest to examine the correlation between climate change and migration trends is determining the concepts of migration, refugees and climate change as well as their specific contexts.



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2.1 Migrants, Refugees and climate change definition:

International Migrants^v have gained salience as a major issue in contemporary international relations. Their number have steadily increased since World War II. In 2020, 281 million international migrants have been reported by the International Organization for Migration, representing 3,6% of World population^{vi}. During the same year, there were 26,4 Million Refugees. This number reaches 89,4 Million when internally displaced persons and Asylum Seekers are included^{vii}. While these figures might seem irrelevant at the global scale (when compared to World population for instance), migration flows are growingly gaining in salience especially in the so called first entry countries and the “illegal migrants crisis” peak observed the Mediterranean area since 2014.

The United Nations defines a migrant as “any person who has resided in a foreign country for more than one year, whatever the causes, voluntary or involuntary, of the movement, and whatever the means, regular or irregular, used to migrate”^{viii}.

However, “migrant” is a slippery concept in many respects. This can be partly explained by the fact that a large number of States have established different criteria to grant the status of migrant inside their territory. Further, second and third migration generations are, according to specific agendas, counted or discarded from statistics.

The growing interest over migration trends, policies and governance tend to consolidate the idea that this specific category represents a major concern in contemporary International Relations. As such, some specialists went on to consider migrants as agents, factors, a stake and a subject in International Relations^{ix}.

Even inside the European Union, it is striking to observe the existence of contradictory migration policies and episodic bilateral crisis over the issue. Since 2014, migration flows in the Mediterranean has grown into a



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major domestic and international agenda of European States and many regional and bilateral agreements were dealing with migrants’ readmission especially in the Euro-Mediterranean area.

With respect to the legal framework pertaining to migrants’ rights, it covers a number of conventions and often deals with the rights of specific and vulnerable categories (minor children, women). Further, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families has been adopted in 1990. However, it only entered into force in 2003. Further, most of the host countries of migrants didn’t ratify the convention (USA, Canada, Australia, Italy, France). This reluctance to grant proper right to migrants has led to the use of other general frameworks (Human rights declaration) or to soft laws such as the Global Compact for migration that will be examined in the second part of this paper.

On the other hand, Refugees are a specific category of migrants entailing specific protection obligations on the host State. According to the United Nations High Commissioner for Refugees (UNHCR), Refugees are “persons who are outside their country of origin for reasons of feared persecution, conflict, generalized violence, or other circumstances that have seriously disturbed public order and, as a result, require international protection”^x.

Meanwhile, the Geneva convention relating on the Status of Refugees defines a refugee as “who, as a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it”^{xi}.



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This legal framework that dates back to the Post-World War II and deals specifically with the European Context seems to be challenged by the geopolitical and economic changes since then. Further, it translated the “Blocs logic” that dominated the International context and the sensitivity that migrants represented for origin rather than host countries. However, migratory dynamics evolved in many directions since then, encouraged by very diverse and complex *push* and *pull* factors that might imply updating the conditions of granting international protection for new risks that weren’t patent in 1951.

This text was updated with a protocol and the UN Resolution 2198 in 1966. It implied enlarging the scope of the convention for new categories and provided for the eligibility of new people beyond the delays defined by the initial convention.

Despite the fact that forced migration has been initiated by colonialism (transatlantic slave trade), it has evolved in many directions and developed its own dynamic networks. Political and socio-economic driven migrants have moved from the East to the West. More recently, the major migratory spots are observed in a South-North direction, inside the African Continent itself (1 migrant out of 2 migrant inside the continent) and through the Mediterranean Sea and the American Continent (Mexico-USA). Overall, it is difficult to determine political migrants from socio-economic ones because of the interaction of different factors in the decision to migration.

More recently, the notion of “economic migrants” has dominated the debate in Western host countries. Most right-wing parties have called for the need to distinguish between real asylum seekers that need to be granted protection and economic migrants that should not be tolerated. This situation went hand in hand with drastic restrictive measures on regular migration and travel, mainly targeting poor African States. This is notably the case of European policies especially towards Middle East and North African region and even the United State of America’s wall on its southern borders with Mexico.



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It emerges from these considerations that one of the main distinction between a migrant and a refugee is the existence of a threat that constrain the refugee to leave and to seek refuge outside his country. This gives refugees a specific and distinct status, which explains the fact that most illegal migrants try to apply for refugee status because of the lack of legal alternatives to stay and work in host countries.

On the other hand, Climate change refers to “long-term shifts in temperatures and weather patterns. Such shifts can be natural, due to changes in the sun’s activity or large volcanic eruptions. According to scientists, there is sufficient evidence that climate change has been affected by human activity during the last two hundred years. Further, as the Earth’s surface is getting warmer, drastic effects are to be expected on the overall ecosystem (droughts, clean water scarcity rising sea levels, fires, flooding, melting polar ice, catastrophic storms and declining biodiversity)xii. Accordingly, human activity and even survival highly depends on the ability to reduce global warming and to adapt to a changing environment. Obviously, industrialized countries have a larger responsibility on the environmental deterioration. This has led to the “historical responsibility” and the “shared but differentiated responsibility” in the climate change debate since the Kyoto Protocol in 1997.

2.2 The growing concerns over climate driven migrants and refugees:

The concept of “environmental migrants” emerged in the 70’s and intervened at the same time as the international community had interest on climate issues. It was inside the newly established United Nations Environment Program (UNEP) that the issue has been raised and the first report on this topic emerged in 1985^{xiii}. Drafted by Essam El Hinnawi, the report defined as “Those who are forced to leave their place of residence temporarily or permanently because of an environmental disruption (of natural or human origin) which has jeopardized their existence or seriously



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affected their living conditions”^{xiv}. However, it is important to highlight that there is no consensual definition or an agreement on this concept.

In 2007, a first report of the International Panel on Climate Change (IPCC) established a direct link between migration trends and climate change. Since 2008, over 318 million people around the world have been forcibly displaced by floods, windstorms, earthquakes or droughts, of which 30.7millionin 2020 alone^{xv}. These figures are likely to increase as extreme weather conditions and disasters are set to gain in frequency and severity.

In many respects, the overwhelming negative perception on migration has led to some hesitation on recognizing new categories such as economic or environmental migrants. By contrast, many countries -most notably European Union members, the United States and Australia- prefer to focus on illegal migration and on restrictive entry (Visa) and stay policies on their territory.

As such, “Environmental Refugees” is an ill-defined or at least a non-consensual conception in many respects. Firstly, it is challenging to isolate the environmental factor from other socio-economic or political conditions^{xvi}. Secondly, this notion of raises the issue of constrained migration and the lack of any choice, or alternatives, which is, according to specific situations, difficult to assert. Finally, there seems to be an emphasis on international migrants (specially the Euro Mediterranean- American Context) while internally displaced people might represent a larger share of environmental induced people displacement. Further, the issue of pendular and temporary migration is a reality in many regions, especially in the aftermath of natural disasters.

All the forementioned elements have impeded the emerging of an agreed upon conception under which forcibly displaced persons in reason of climate change are granted any kind of protection^{xvii}.

3. Climate change and migration: Common challenges and perspectives

Men history, their survival means, way of life and economic activities are closely related to their environmental context. The relation between



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environmental factors and migration flows have significantly evolved, especially as human societies have sought to understand better and to cope with weather conditions. Natural disasters are historically the main events that have led to significant human mobility. The establishment of the United Nations Environment Program (UNEP), the United Nations Framework on Climate change (UNFCCC), the United Nations High Committee for Refugees (UNHCR) and the IOM have contributed in placing the human dimension under the spotlight in order to reduce greenhouse emissions and build up more sustainable and resilient communities.

3.1 Climate change and migration common perceptions:

The climate change-migration relation extends beyond the causal relationship that is often outlined (i.e presenting climate change as having multidimensional effects, including migration flows). A number of shared features and correlation can be drawn between migration flows and climate change.

In many respects, both climate change and migration are contemporary dynamics that are highly attractive to media, public opinion and policy makers. They have been extensively examined in contemporary International Relations literature because of their specific features and their interdisciplinary and therefore complex nature.

Among the key features of migration and climate change dynamics lies a complex relation to space and temporal factors. At the onset, these two phenomena cannot be understood without due consideration to historical and geographic factors. From the other hand, they both contribute to redefining boundaries and tend to elaborate their own spaces and temporalities. Hence, the space-time nexus is extremely relevant in explaining climate change as well as migration dynamics. Accordingly, both migration and climate change are considered as change agents in the contemporary world.



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As a result of the security prism that dominates the mainstream debate, migration and climate change often represent a source of anxiety, fear and, consequently, misconceptions.

Also, both migration dynamics and climate change topics require technical, field studies and multidisciplinary approaches that are quite complex to achieve. Further, their statistics and figures are often difficult to examine and to translate them into a fair and balanced manner. As a result, the prevailing framing sets out a bleak picture on climate change and migration trends. This mainstream picture contrasts with significant empirical findings that recognize the positive effects of migration in economic terms (growth, income, wellbeing)^{xviii}. On the other hand, despite the fact that climate change is presenting serious consequences, most States have been reluctant to adopt costly economic choices in order to meet up their international obligations to reduce greenhouse effects.

The weight of history is very important in climate change and migration. While for the case of climate change, the Kyoto protocol has adopted the principle of historical responsibility of developed countries (shared but differentiated responsibility)^{xix}, migration is also connected to historical events, domination and economic inequity.

As a consequence, both issues represent a dual plight for developing societies. From one hand they are the most affected by climate change's severe consequences, lack financial-logistical resources and have no other choice than to achieve their development goals in a challenging context (achieving sustainable development by lowering greenhouse gas, adopt expensive renewable energy sources, mitigation and adaptation measures that aim to anticipate the different impacts of climate change and to make these impacts less severe.). These new types of weakness tend to enhance the dependency between developing and developed countries' economies and to put additional strain on development policies.

In the same vein, many studies have evidenced that migration is set to rise because of climate change multilevel effects. This is notably the case of Small Insular States that face extreme climate change conditions and a risk



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of seeing their territory completely disappear. However, some studies have evidenced that the most vulnerable populations are the most likely not to leave^{xx}. Thus, climate change fosters already existing disparities between States and even inside States.

Further, climate change and migration tend to have their own transnational and cross-border logics that do not abide by the usual political boundaries. Migration cross-border dynamics have constantly favored new migratory reconfigurations. But regional anchoring remains a constant feature. As such, significant disparities exist between States and inside States (the internally displaced people) in terms of migration tendencies and some regions are more affected than others because of their geographical position (the Mediterranean Area, the African Horn).

Drawing from the above elements, it seems that the notion of “environmental refugees” lack consensual agreement despite the fact that it refers to an already existing reality. The complex nature of human mobility drivers tend to make the task of isolating environmental factors from the other political and socio-economic drivers quite challenging in modern times. Equally, the deterministic perception^{xxi} that considers migration as permanent and evitable should be moderated. Rather than considering migration flows as a consequence of climate change, it can also be considered as can also be pendular (non permanent), and a solution or an adaptation measure to avoid tragic situations and mitigate climate change consequences.

3.2 International responses and good practices:

The changing environment and migration nexus should be used to reflect on these issues beyond the security prism. This can be achieved by taking stock of existing good practices and initiatives and by trying to develop genuine regional projects. In both cases, collective action is required to weight-in on the ongoing governance over these issues.



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Small Insular States have provided an interesting example of determination in advocating their perceptions and priorities since the Copenhagen Conference, in 2009. One symbolic move that deserves mention is the Cabinet meeting held underwater by the Maldives Government^{xxii} as a way to raise international awareness on the risks facing insular States that are doomed to disappear. Since then, the Alliance of Small Island States -AOSIS- have played a major role in pushing for a global decision over climate change. This example should inspire many regions, especially in the Sahel region, and the Mediterranean area that represent a key migratory spot and are set to be one of the most affected regions by climate change.

The fact that the Mediterranean area already represents the deadliest area for migrants should also be seized to raise awareness on the restrictive measures of entry and stay, which have contributed to this bleak picture of the Mediterranean area overall.

It is worth recalling, in this regard, some notable initiatives concluded at the international and regional level. The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) was signed in 2009, and entered into force in 2012. It represents a unique legal instrument specifically dealing with internally displaced persons, in addition to the Guiding Principles on Internal Displacement (1998). The Kampala fifth article deals with the issue of natural disasters and climate change induced displaced people, which represents a good anticipation of the environment educed population flows.

Anticipating climate change and migration dynamics can also be achieved through political decisions. In this respect, Indonesia has decided in 2019 to shift its political capital from Djakarta to Borneo by 2024. Environmental conditions are the main motivation for this move. The Java Island on which the Capital Jakarta is situated is sinking into the waters in an extremely rapid pace (6 cm/year)^{xxiii}. This move will also contribute to relocate the 54% of total Indonesian population living on the island.



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Moreover the Nansen initiative adopted by Switzerland and Norway provides a program for the internationally displaced people because of climate change catastrophes. It was adopted by 109 States in 2015 in Geneva. It tries to override the tricky task of elaborating a new international convention on this specific issue by providing a set of practices that need to be integrated into the State’s own normative texts and policies^{xxiv}.

Further this initiative can be used both as a preventative measure, a durable solution at the national and even international level and can be adapted to meet up different perspectives^{xxv}.

This tendencies mirrors the difficulties from Nation States and the drastic and multidimensional reforms and changes that need to be set out in order to face these challenges. Further, the costs of these new technologies and restrictions should not be overstated when it comes to developing countries’ dependencies on fossil energies for instance.

Drawing from the above selection of initiatives, it is quite telling that “soft laws” rather than legally binding normative texts have been privileged on the environmental and migration issues.

For instance, a global compact on climate change has been launched in 2000. It aims at involving business and economic actors in the spirit of sustainable development. On the other hand, Despite the fact that a large share of migration management took the form of drastic entry and stay restrictions, some efforts in order to get a comprehensive framework on regular migration has been promoted since 2016. In the follow up of the New York Declaration for Refugees and migrants, two global compacts dealing with “refugees” and “safe orderly and regular migration” have been adopted in 2018. As such, the correlation between climate action and migration has been clearly stated, despite the lack of clear commitments on the matter^{xxvi}.

In our closer regional context, Southern and Eastern Mediterranean countries should take the lead and play a more assertive role on these issues. The fact that they are set to confront severe climate conditions while already



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representing one of the deadliest areas for migrants present an incentive to promote and work out local and regional initiatives in collaboration with the International partners and dedicated UN Agencies. 58.339 people disappeared in the Mediterranean waters since 2014^{xxvii}, while many studies have highlighted the positive effect of migration both on host and origin countries.

4- Conclusion

This article has sought to explore the conceptual framework and evolving contexts that dominates the debate over migration and climate change correlation. Accordingly, we have explored the different shared patterns that extend beyond the simplistic vision that presents climate change as a major incentive for future migrants. The weight of history and geography, the complex nature and sensitivity of these issues have privileged a security prism framing on both issues. Meanwhile, the issue of inequality in terms of mitigation and adaptation abilities impacts the sustainable development prospects in developing countries. On the other hand, the research suggests that the tendency to privilege “soft laws” on binding legal frameworks for both migration and climate change topics is a clear signal of the challenge of seeing an “environmental refugees” consensual status. Further, the existence of some notable proposals such as “Nansen initiative” and the determination of Small Island States to weight on the global debate on these issues should be seized by Southern an Eastern Mediterranean Countries in order to present alternative or complementary projects. Finally, as climate change effects are already experienced in various parts of the world, environmental driven migrants or refugees can be an adaptation means rather that a consequence and represent agents of change, considering that no partial solution to climate change global effects can curb the Earth’s surface temperature increase.

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