

Climate-Induced Migration and Refugees in Understanding Sustainable Development in the Indo-Pacific

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Abstract

Climate Change is one of the many accepted realities of the 21st century and the most dynamic and evolving one. The link between climate change and human mobility is complex as it is aligned with different social, environmental, economic, cultural and political factors. The adverse impacts of climate change—such as sea-level rise, floods, drought and storms—are displacing millions of people, hindering sustainable development. These displacements create multifaceted impacts on people and their livelihoods by changing their way of living, causing stress, uncertainty and, in the worst cases, loss of lives and property. There is insufficient global data to make a perfect assessment, but one of the estimations records it to be approximately 255 million people. In 2019 alone, 23.4 million people (IOM) from 140 countries were displaced, and the Pacific was one of the worst hit. As the Indo-Pacific region gains increasing importance, a greater number of nations will be engaged in the area, making the study of climate-induced migration increasingly important. SDG 13 speaks of Climate Action, and Climate Refugees are very much part of this discourse. The research would make a modest attempt to list climate-induced vulnerabilities in the Indo-Pacific with major hotspots. What are the coping mechanisms adopted by these states, what type of support is available with international agencies and how states in the Indo-Pacific region can utilize the available mechanisms to mitigate challenges emanating from climate-induced migration leading to sustainable development are some of the crucial questions the paper would attempt to answer.

Keywords: Climate Refugees, Sustainable Development Goals, Climate Action, Refugee Law

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Our planet is changing due to rising temperatures, extreme weather events and melting ice caps. The effects of climate change are becoming increasingly evident through displacing people, forcing them to leave their homes for survival. Climate refugees are individuals who are forced to flee their homes and communities due to the adverse impacts of climate change. These impacts can manifest in various ways, from devastating floods to prolonged droughts from rising sea levels to food shortages. For example, hurricane Headers was a category for the hurricane that ravaged parts of Central America in Guatemala, Honduras and El Salvador. People lost their homes, their livelihoods and even access to drinking water. They had no choice but to cross borders into neighbouring countries and beyond. Kiribati is an island country in the central Pacific Ocean and it may become the first country to be submerged by rising sea levels caused by climate change. Over one billion people are at risk of becoming climate refugees, that is approximately 10% of the world's population. In the coming years climate change could force hundreds of millions of people to leave their homes. The poorest regions of the world would be the most affected. Many of these climate migrants will cross borders and continents but it is anticipated the majority will move much shorter distances and stay within their own countries' families who have lost their homes or are sleeping on the roadside. Dina Ionesco, the Head of the Migration, Environment and Climate Change (MECC) Division at the UN Migration Agency (IOM), says that “in 2018 alone, 17.2 million new displacements associated with disasters in 148 countries and territories were recorded (IDMC) and drought displaced 764,000 people in Somalia, Afghanistan and several other countries” (Ionesco). Without assuring sustainable development for all, making SDG inclusive of those affected by climate change, there is no possibility of realising the fulfilment of refugees.

The concept of sustainable development is perhaps one of the most used terminologies in the 21st century, though the debate began in the 20th century. There is an amount of refinement, amalgamation and inclusion of several components that have led to the present-day understanding of sustainable development. The idea of Sustainable Development Goals (SDG) has become universal and at least

has given a route map for nations to achieve. Though the states are pushing the goals from their side to achieve, it has not fetched the expected results. One such important goal in the SDG has been Climate Action. So far, climate action has been spoken about from the perspective of what is happening to (and what would happen to) nation-states rather than what would happen to individuals who will be refugees, displaced and stateless due to climate-related issues. The UN 2030 Agenda has been at the forefront of reviewing the migration process and includes all aspects of migration. These aspects have been taken into consideration due to hard-hitting facts mentioned above and many more, including countries like Bangladesh, which projects nearly 200,000 people homeless due to flooding. “Leave no one behind” has been the guiding principle and slogan of the 2030 agenda of SDG. Perhaps, the only way this can be realised is to make the SGD inclusive by including the marginalised poor and migrants and all forms of refugees.

Debating Climate Refugees

Twentieth-century geopolitics had a significant influence on the thoughts of refugees and displaced people after the Second World War. The states were made to think of people who were made homeless and stateless due to the destruction caused by the war beyond human imagination. One can also pitch the idea of such a thought as Eurocentric. This can be said for the simple reason that Europe has never seen others' problems as its problem but its problem as everyone's problem. Perhaps this made the United Nations (UN) think of it largely from the rights perspective, as Europe always pushed the idea of individual rights. 1948 is also extremely significant as the UN proclaimed the Universal Declaration of Human Rights. The significance is in the legal document that was produced, which accepted that “everyone has the right to seek and to enjoy in other countries asylum from persecution”, stated in the United Nations General Assembly, 1948, Article 14.

Regarding the status of the refugees, the 1951 convention became significant as the world witnessed a massive influx of refugees from one region to the other. There was a significant forced migration

due to the outcomes of the world war. There was ongoing war in the Korean peninsula. There was massive pressure on the United Nations to formulate a universally accepted definition for the refugees. The convention defined Refugees as “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.” (UNHCR). The definition given has been universally accepted even today. However, a few modifications have come from time to time. With this, the Refugee Convention at least established an accepted international refugee regime where most of the countries were convinced and became party to it. Several of them opted to be out as they found it to be a burden, including that of India. India felt it was not possible to take care of refugees who came from elsewhere as the country was dealing with the repercussions of partition.

Due to the securitized part of the definition, the current topic under discussion on climate refugees has found massive resistance and negligence. One cannot call the definition as narrow as it has served its purpose throughout times of crisis to a large extent, though some scholars may differ on this note. However, one can continue to argue for the case of environmental changes, natural disasters and natural calamities as some of the oldest problems of humanity which have led to massive changes in civilizations. There could have been a possible space for the expansion of the definition beyond wars and persecution. This can be called a limitation, but the need of the hour immediately after the world war was the resettlement of displaced people. Legal documents should always be living documents, allowing for changes and newer developments to be accommodated. The term environmental refugees did not find traction for a long time as people found it to be vague and considered it temporary. Many scholars even felt it was very much within the capacity of individual states to handle it efficiently. The severity was not felt much across major parts of the developed world; hence, there was no discussion. Some scholars, including Lester Brown, El-Hinnawi and Jacobson, published works, and at least a discussion began on a less-spoken topic. The

work of Hinnawi found much acceptance among scholarly and policy-making circles as it provided a formal definition for the concept of environmental refugees. Hinnawi further added several typologies relating to environmentally motivated migrants. Though there was much resistance to such typology, for most scholars, Hinnawi is a starting point in understanding environmental refugees. Scholars like Jacobson, working on the African Sahel region, enhanced the definition by bringing data into academic circles.

Jacobson opines:

The rising number of environmental refugees is the best available measure of changes in the earth's physical conditions. The degradation of agricultural land is currently displacing more people than any other form of environmental deterioration. The gradual poisoning of land and water by toxic wastes and the effects of natural disasters made worse by human activities are also adding to the ranks of environmental refugees. But in the next century, rising seas as a result of global warming could become the major threat to habitability.(Jacobson)

Few scholars tried to fill in the gap left by Hinnawi and others in addressing the speed at which the climate refugees concept took turns. Frank Biermann and Ingrid Boas expanded and produced a definition stating:

“people who have to leave their habitats, immediately or in the near future, because of sudden or gradual alterations 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.” (Biermann and Boas 291-300)

Climate hazards lead to droughts and deforestation, pushing people out of their country and being called environmental refugees. This is also a scenario where the right to repatriation is not possible,

and refoulement is unthinkable as the situation is entirely different from that of a refugee prescribed so far by the law. Environmental disruptions, much ever we relate it to happening naturally, invariably revolve around human intervention/abuse/experiment against nature. To say it plainly, it is human-made. It ends up being human versus human, leading to a person becoming an environmental refugee. There are also temporary displacements due to monsoons/earthquakes etc. classic example of this has been the case of Bangladesh, where enclaves submerge in the monsoon and appear in the summer. Bangladesh, being a lower riparian state, has very little choice to mitigate. There are also other cases to mention, including the sea level rise in countries like Maldives. Maldives would be a classic example of pushing millions into becoming prospective environmental refugees.

Climate Refugees – A Reality yet in Denial

There were also efforts made to use the term ‘Environmentally Displaced Persons (EDPs)’ as the cause of pushing the Environmental Refugees to get caught in the legal battle was unacceptable. More than the emotional appeal through the usage of the term environmental refugees, there was a necessity to address the cause of the affected population. It is at this time that the United Nations High Commissioner for Refugees (UNHCR) released data which indicated that not less than 21.5 million people were affected between the years 2008-16 due to climate-related issues. With more and more data flowing and pollution levels rising, the indication was clear that the numbers would further go up and push nation-states to the brink. It is been more than three decades, and there have been intense discussions regarding rising sea levels. The number of people affected by the above phenomenon is also rising rapidly. There have been an estimated 260 million in a vulnerable position due to the rise in sea levels. There is an estimated situation that more than 17% of Bangladesh (WEF) may be underwater by 2050, according to one of the reports leading to more than 20 million people displaced. Another study (WEF) shows that there would be not less than 1.2 billion people all

over the world be displaced due to climate change. Scholars occasionally face challenges when advocating for the concept of Climate Refugees because of the associated responsibilities that come with the term “refugee.” One of the major problems being discussed regarding Environmental refugees is that “normal” refugees, according to the definition established, would return to their homeland/country. Whereas in the case of Climate Refugees, this might not be a possibility. If the very understanding of refugee status is to anticipate the return of normalcy in the country where there has been fear of persecution and the refugees have the right to return. In the case of Climate Refugees, it seems to be going the other way. Some scholars even feel that it dilutes the present idea of a refugee if Climate Refugees are included as a category. This might work as one of the issues for the host community. The usage of the term environmental migrants instead of Refugees, even by UNHCR, has only further delayed the cause of the climate refugees.

The work towards creating a legal framework to enable climate refugees has been a setback for a long time. Everything is not as gloomy as it has been spoken about. There was some hope when John Kerry, former US Secretary of State, used the term Climate Refugees in one of his speeches. One may feel surprised by the importance attached to an utterance by the United States (US). The US acknowledging the phenomena is still considered very important as many countries across the world still see that as a validation. In addition, the US still has a greater influence on narratives and agenda-setting. Following the US, if many world leaders utter the word Climate refugees, it may sanctify the term and may lead to a conducive scenario for the millions of people calling themselves Climate Refugees. Unfortunately, the scenario turned the other way around once the Republicans assumed power in the US and pulled out of the Paris Agreement made through COP 21. This setback in the debate on Climate Refugees is felt even now. The US has not shown keenness since then to speak on the Climate Refugees. There was hope when Biden signed Executive Order (CLS) on 9 February 2021 to resettle refugees and plan for understanding the impact of climate change on migration. The effort was to see how US foreign assistance could mitigate the impacts of climate change resulting in

direct or indirect migration by collaboratively working with other countries, NGOs and International Organisations. The news reports in October 2022 reported disappointment by several observers and scholars on Climate Migration as the report by Biden to Congress on refugee admission had minimal mention regarding climate change (Watson)

The global consensus required for mobilising nation-states regarding Climate Refugees requires concerted efforts. No leadership is provided by any of the major powers regarding discussing Climate Refugees. The greatest polluters have not made any commitments towards climate refugees. It is strange and surprising that all of these states are constantly invoking SDGs at every possible level, least realising that without consensus-building and a solution to the Climate Refugee problem, there would not be any success concerning the SDGs. There seems to be some denial for the sake of escaping responsibilities by nation-states towards Climate Refugees. This uncertainty has done greater injustice to the affected people.

Limitations of available legal protection for Climate Refugees

As discussed above, with the remaining issue of climate change affecting a larger section of the population, there seems to be a legal issue in terms of dealing with the word refugee. The people affected do not fulfil the legal requirement of the term as propounded in the 1951 Refugee Convention. The protection extended to the people recognised under the convention has not been a possibility for these people. The main criteria and requirement being fear of persecution arising out of political situation is the first stumbling block. The natural causes are still not considered as a possible criteria. Unlike the political persecution, in the case of climate related migration, states are the stakeholders and would not want to lose their population, and want to adapt certain methods and criteria to mitigate the problem. In the political persecution, the state is not involved and it is the process of moving away from one state to the other under a certain type of protection to escape the persecution. There are scholars warning about the delay in arriving at positive conclusions regarding

the settlement of Climate Refugees as they are exposed to extreme weather events/conditions, which include sea-level rise and droughts, which would perhaps be a greater crisis for humanity by 2050. The report titled Citizen's Guide to Climate Refugees also resonates with the same and cautions against the eventualities to come (FOTE). The one other convention that made an effort to address displaced persons beyond the 1951 convention was the African Accord of 1969. The Organisation of African Unity (OAU) Convention tried to expand the scope of protection given under the 1951 convention by expanding the scope of refugees.

The term "refugee" shall also apply to every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality.(UNHCR)

The effort made by OAU was seen more as a problem of Africa, and it was not given so much importance. Unfortunately, the definition could not include protection for climate refugees. The next effort was through the Cartagena Declaration of 1984. The necessity was to address the massive inflow of refugees in the Central American area. By acknowledging the 1951 Convention, 1967 Protocol and subsequent OAU Convention of 1969, the Cartagena Declaration of 1984 at least used a statement which could at least accommodate displaced persons beyond the fear of persecution in the form of 'other circumstances which have seriously disturbed public order'. Though scholars may argue that the statement still has to be read from the perspective of the overall security scenario, at least there is an open window to argue and accommodate climate refugees. The greater limitation of the Cartagena Declaration of 1984 is that it is not binding like the other conventions discussed previously. They are just aspirational guidelines to incorporate in domestic law and use as a best practice by other stakeholders involved. The Declaration expanded the scope as below.

To reiterate that in view of the experience gained from the massive flows of refugees in the Central American area, it is necessary to consider enlarging the concept of a refugee, bearing in mind, as far as appropriate and in the light of the situation prevailing in the region, the precedent of the OAU Convention (article 1, paragraph 2) and the doctrine employed in the reports of the Inter-American Commission on Human Rights. Hence, the definition or concept of a refugee to be recommended for use in the region is one which, in addition to containing the elements of the 1951 Convention and the 1967 Protocol, includes among refugees persons who have fled their country because their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order (UNHCR)

Repeatedly, states have been making efforts to arrive at a consensus and find solutions for climate-induced migration. For example, as early as 2010, the COP 16 of UNFCCC agreed to the Cancun Adaptation framework. The framework called for measures to enhance cooperation, coordination, and understanding of climate-induced migration and displacement (UNFCCC). From IPCC 2014, Fifth Assessment Report of the Intergovernmental Panel on Climate Change, to the recent AR6 Synthesis Report: Climate Change 2023, all have discussed measures to adapt to climate change.

When there are no legally binding documents, and nothing pressurises states across the world to look at the climate refugee status as binding, there are possibilities that states will react according to their convenience. But, this situation will not help the cause of climate refugees. Without an international treaty accepted by all stakeholders subsequently promulgated, signed, and ratified, there is no guarantee for climate refugees that they would be accepted and accommodated elsewhere than their territories. History is full of instances where states have flouted non-binding agreements. This situation further pushes us to think about the commitment of states and their intention towards such

large communities worldwide that are already affected and millions more waiting in the hope of shelter and care.

Threats other than the Sea level Rise-Geopolitics?

People worldwide, not extensively familiar with discussions on climate refugees, commonly perceive that the challenges faced by climate refugees are primarily or solely a result of rising sea levels. This is also perhaps due to popular media coverage of states like Maldives or Bangladesh. Unfortunately, even the discourse on climate change on many occasions also leads to the same debate. This is attributed to the broader geopolitical considerations that states engage in when either acknowledging or disregarding situations related to climate change. Several scholars have tried establishing that one of the most impelling reasons for entire communities to migrate is climate change (Williams)

The droughts are also an outcome of climate change, due to which a large section of the population from the Horn of Africa has seen an increase in migration (IOM). Some opine that these are some of the worst droughts caused by climate change, not just in the Horn of Africa but also in East Africa, where the population is prone to land degradation, flash floods, and desertification. Not much has been done in the case of the Africans. In 2022 alone, more than one million people were displaced due to droughts in Somalia. The outcome of this sort of climate change pushing them to become refugees has a food crisis angle as well. The repercussions of droughts have resulted in a significant shortage of food and malnutrition, compelling millions to consume the bare minimum and migrate to nearby areas, with the hope of eventually returning to their homeland. On many occasions, this hope has been permanently extinguished as many places have become inhabitable (Docherty and Giannini), and there is no question of return.

The geopolitics of nation-states enters the scenario when several states resist the mobility of people and fear migrants arriving due to climate-related issues. The distinction between regular migration and climate-induced is not clear when governments don't take proactive measures to relocate their

populations affected by climate change scenarios. If there are geopolitical issues between the country of origin of the climate victim and the host country the migrants aspire to go to, then the life of the climate refugees becomes miserable. Secondly, there are situations where the condition of climate refugees is exacerbated by geopolitical rivalries between states, especially when the state with geographical advantages exploits the circumstances. The destabilising effect of such a scenario is witnessed between India and China. The geographical advantage China has due to its status as an upper riparian state is visible. Several scholars argue that the climate refugee scenario can be used by non-state actors as an excuse to push extremist elements to different territories where they want to operate. This cannot be ruled out as such preparations from the states are need of the hour. The world has witnessed terrorism in all its manifestations and has decided to consider it as one of the most pressing issues for states to consider. The nation-states still have a choice to either hype the security-related issues arising out of climate refugees or take a humanitarian position to scrutinise the incoming population through available measures and not avoid it with a peripheral excuse.

The Sea Level Rise Issue and Climate Refugees

Climate change has impacted many factors for several decades but was noticed more earnestly in the last two decades, including the melting of glaciers and ice caps leading to sea level rise. The outcomes of such occurrences are not limited to threatening the populace and places around the sea but also several river deltas due to the subsidence of land adjacent to water bodies. This is largely observed in Bangladesh along the Ganges-Brahmaputra delta. Some of the estimated subsidence during the last 100 years in coastal areas in some of the major cities in the Global South includes ~4.4 m in eastern Tokyo, ~2.6 m in Shanghai, and ~1.6 m in Bangkok (Syvitski et al.) The loss of ice in the Greenland and Antarctica is also alarming at the rate at which they occur. There is an estimation of sea level rise by 1.4 feet even with very low emissions by 2100 (IPCC). In contrast, there would be a rise of 2.8 feet by the same period if there is high emission. If the sea level rise is caused by rapid

urbanisation and industrialisation, the same phenomena will hamper urbanisation and industrialisation by some of the major powers. This would directly have a proportionate effect on the economic condition of the concerned states, leading to greater issues of food security, human security, and territorial security. Several states are planning to relocate several financial hubs and cities to the heartlands and then from the coastal region. Indonesia announced plans to move its capital from Jakarta to east Kalimantan partly due to climate change.

Extreme weather conditions aggravated through ill-conceived policies against sustainable development will further push people to prepare for indiscriminate migration. The most affected would be the smaller island states in the Indo-Pacific which have been earnestly appealing to the rest of the world to look at their situation. They have no place to go, and they are not geopolitically significant enough to make noise at international forums regarding the existential threat arising out of climate change. Kiribati and Tuvalu have at least come as part of discussions in some forums in recent times. Thanks to social media pushing some mainstream media to cover such extreme situations. Though the learned population about climate change has been battling with international agencies and states worldwide, the people in Kiribati would not want to call themselves Climate refugees. In an interview with *The Guardian*, the then-President of Kiribati, Anote Tong, who was President for more than 12 years, mentioned:

I have never encouraged the status of our people being refugees ... We have to acknowledge the reality that with the rising sea, the land area available for our populations will be considerably reduced, and we cannot accommodate all of them, so some of them have to go somewhere, but not as refugees (Randall)

This argument from Tong has valid reasons. One, the very word Climate Refugee is still not legally valid in international law as stakeholders have not reached a consensus on the terminology. This would create a precarious situation for the people affected. Secondly, the word refugees not so positive connotations so far in different parts of the world. The condition of refugees in recent times

from Syria to the Philippines has not been great. The problem of host communities and the indifference of receiving countries make the population affected feel more of a burden. This would aggravate the already pathetic condition they have endured. Thirdly, the fear of no return to their homeland, unlike the fear of persecution, which largely guarantees the right to return, might not be a possibility in the case of climate refugees. This is due to the pace at which climate change affects the world. Lastly, the fear of being stateless forever has also been a major factor in the resistance exhibited to be called Climate Refugees. The stateless condition is the loss of home forever, and the population of these affected islands would want some mitigation and adaptation to avoid such a situation. This would not render them home and stateless simultaneously. States like Maldives are looking for options available in the region itself. So far, there seems to be no great success. The sea level rise not only destroys the livelihoods but also deprives the population of certain basic necessities. The case of Bangladesh has found traction due to the involvement of European states like the Netherlands in helping them build resilience against sea level rise and climate-related issues. Bangladesh is also a major victim of seasonal migration, which, over a period of time, may become a permanent one. The economic and social hardship of the population facing such a situation in Bangladesh concerns humanity. There are extreme conditions witnessed due to climate-related issues pushing people to become climate refugees in the Horn of Africa and Bangladesh. If Bangladesh suffers from extreme floods, the Horn of Africa suffers from extreme drought. The staggering number of people suffering from such extreme conditions in Bangladesh is leading to illegal cross-border movement to India at times estimated to be one million yearly. (Bose and Lunstrum)

Sea level rise is not just a climate change-related issue, nor does it stop there. In a politically charged world debating the rule of law and international law, sea level rise creates greater tensions on issues of territory and sovereignty. As the sea level rise begins to shrink the sovereign space, it will lead to jurisdiction issues for each state in the sea. The idea of the territorial sea, Exclusive Economic Zone, and other activities the state may take up in the sea will be disrupted. This would further complicate

the situation of the climate refugees, and their questions will become more political than humanitarian. If states begin having conflicts over their territory and access to the sea, many of them will be stateless. The submerged region becomes a contentious issue for neighbouring states regarding control over the sea.

Is there a possibility for Sustainable Development Leading to Climate Action to help Climate Refugees?

Indo-Pacific is the world's largest carbon polluter. This region requires global leadership and thinking beyond politics. Right now, about 145 million people live less than 3 feet above sea level in countries like Bangladesh, China, and the Philippines, and scientists predict the world's oceans could rise 5 to 6 feet by the year 2100. By the end of this century, worst-case projections have parts of Boston and Manhattan underwater. There is a necessity to share information about climate refugees, their stories, and the urgency of the situation is to provide essential humanitarian assistance, including housing, food, healthcare, and education. It is also necessary to pressure governments, international organisations, and companies to address climate change. Climate change knows no boundaries as it affects us all, but it impacts some more than others. By taking these steps together, we can create a world where refugees find safety, security, and hope.

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