**Unprotected and Forgotten: The Legal Void Surrounding Climate Refugees in International Frameworks.**

**Gabriela Georgieva**

IE University, Madrid, Spain

Bachelor in Law

E-mail: ggeorgieva.ieu2022@student.ie.edu

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**Abstract**

At the intersection of climate change and human rights, the new concept of ‘climate refugees’ has been widely discussed, but little has been done by the Global North to address the issue. Both migration and climate justice are highly polarised issues that, when fused, force a legal stalemate in wait of political consensus. The rise of nationalist movements in the Global North as well as its disinclination to take responsibility for its actions further stall progress. The Global North is in need of stronger legal frameworks that acknowledge the reality of migration due to short- and long-onset ecological disasters. Simultaneously, Global North countries need to set aside their political differences to either restructure currently narrow migration policies which don’t make room for ecologically displaced migrants or create new legislation tailored to the issue. Although new soft law has emerged in response to migration in general, such as the Global Compact for Safe, Orderly, and Regular Migration (GCM), climate refugees remain unprotected. This paper discusses the reasons current migration legislation and international human rights frameworks – particularly, within the Council of Europe and United Nations – are inadequate to address ecological displacement. It highlights the barriers that hinder legal innovation in this area, and solutions that could be implemented in the near future.

Keywords: Climate Refugees, Migration Law, Human Rights, International Law

**I. Introduction**

Migration is not unfamiliar to legislators. Its international regulation began in the 1950s with the creation of foundational legal frameworks such as the Refugee Convention, the Convention Relating to the Status of Stateless Persons, and the Convention on the Reduction of Statelessness. Although the rights of migrants and refugees have been further expounded in new declarations, “climate refugees” – migrants forced to leave their homes and country of origin due to the danger of sudden- and slow-onset climate disasters – are still inadequately protected.[[1]](#footnote-0) Although this term was first coined in 1985 by the United Nations Environment Programme (UNEP), climate refugees are also known as “forgotten victims.”[[2]](#footnote-1)

At the international level, the United Nations (UN) is central to promoting collaboration on the common problems experienced by all countries. In its 2016 *New York Declaration for Refugees and Migrants* (NYDRM), it recognized the increased role of climate change and climate-induced natural disasters in migration. The preamble of this declaration notes that, in 2015, migrants exceeded 244 million people, of which 65 million have been forcibly displaced: 21 million as refugees, 3 million as asylum seekers, and 40 million as internally displaced persons.[[3]](#footnote-2) In 2018, the World Bank similarly found that 142 million climate migrants will be generated only from Latin America, sub-Saharan Africa, and Southeast Asia by 2050.[[4]](#footnote-3) Looking at these statistics, one can recognize the emergency of the migrant situation. Although climate change is now considered one of the factors of migration, there are few instances in which it is the only cause. However, as climate change becomes more prominent in the developed regions of the world which attract more attention from global leaders, it will likely be recognized as a main driver of migration. Already it is evident that climate change alone can create dangerous and uninhabitable environments that cannot sustain dignified human life.

The best example lies in the atolls dotting the Pacific and Indian Oceans. Whole islands are being submerged under rising sea levels. Ocean water has contaminated underground reserves of drinking water, spreading disease throughout many of the island nations, such as Tuvalu and Kiribati. Frequent floods and heat waves eradicate crops, making it near impossible for the population to sustain their livelihoods and feed themselves. As the territory of these developing nation states disappears, their governments are forming agreements with neighbouring countries – often also developing nations – to take in their citizens in an attempt to combat statelessness.[[5]](#footnote-4) Although their governments have taken mitigation and adaptation measures to maintain livable conditions for their people as long as possible, their valiant efforts are not enough.

Although the UN has recognised the need to facilitate orderly, safe, regular and responsible migration as part of its 2030 Agenda for Sustainable Development, the international community is reluctant to accept this responsibility, as it may burden their sovereignty.[[6]](#footnote-5) This reluctance is evidenced by the lack of any legally-binding international agreement on climate refugees.

As international human rights law currently stands, climate refugees do not fit in as a subgroup within the term “refugees.” However, they should not simply be classified as “migrants.” Although they conform within the broad category, labelling climate refugees as migrants does not allow for their specific protection under international law. Nation states also have more discretion with regard to the treatment of migrants. This paper explores the inadequacies of the current international framework and argues that climate refugees should be given distinct international rights.

**II. The Current Framework: Why “Climate Refugees” Are Not “Refugees”**

The Refugee Convention of 1951 (RC), created in response to the wave of refugees following the Second World War, is the basis of today’s international migration law. Although the Convention’s protection originally applied only to refugees emigrating from their countries of origin due to events prior to 1 January 1951, this dateline was removed by an additional protocol in 1967. The RC is the first international agreement to give specific protection to those with refugee status until they can voluntarily return to their countries of origin or achieve naturalisation in their destination country.[[7]](#footnote-6) Article 1 sets the scope of such protection and is also the reason why climate refugees cannot access these Convention rights. Refugee status is only afforded to those who lack the protection of their State of origin due to persecution on the basis of race, religion, nationality, and membership of a particular social or political group.[[8]](#footnote-7)

“Persecution” as a term is not defined within the RC, but case law of its signatories has established that the term is the legal standard for persons claiming refugee status. It entails an injurious or oppressive action committed by the government of the country of origin against the alien. At the time of application, the alien need not have experienced persecution, but they must communicate a well-founded fear that prosecution is imminent if they return to their country of origin. This fear cannot be subjective, but must be based on an objectively dangerous situation. Several cases adjudicated by the signatories of the RC contemplate how far the persecution requirement may be extended.

In the 1987 *Immigration and Naturalisation Services (INS) v. Cardoza-Fonseca* case, the United States Supreme Court noted that refugees protected under the RC needed only to show that persecution was “more likely than not” rather than “clearly probable” if they were refouled to their country of origin.[[9]](#footnote-8) Basing its reasoning off this definition, the Supreme Court agreed that the Nicaraguan citizen at hand should be granted refugee status, as she would likely be imprisoned and questioned as a political enemy if she returned to Nicaragua. However, it also noted that, pursuant to its previous decision in *INS v. Stevic*, the Attorney General has the discretion to allow the refugee into the country, except where the alien’s life is at risk.[[10]](#footnote-9) This refusal is not the same as refoulement; rather, the refugee can be sent to a third country that, according to *Matter of Salim*, must not objectively pose a possible threat to the refugee’s life.[[11]](#footnote-10) For instance, when the *Cardoza-Fonseca* judgment was made, the Supreme Court noted that the Nicaraguan citizen could not be refouled to her home country, but surely she could be deported back to any hospitable transit country.

Similarly, in *R v. Secretary of State for the Home Department, ex parte Sivakumaran*, the Canadian Federal Court held that “well-founded fear” of persecution under the RC is discovered through the application of the “reasonable chance” test.[[12]](#footnote-11) In this case, six Tamil nationals claimed refugee status in the UK, citing civil disorder in Sri Lanka that particularly affected areas with a high Tamil population. However, they were denied by the Secretary of State. The Court of Appeal overturned this decision, noting that the assessment of “well-founded fear” has two prongs: first, that the applicant experiences “actual fear” from a subjective point of view and second, that the fear is understandable from the objective perspective of a reasonably courageous person. However, when the case was appealed a second time, it was finally adjudicated that well-founded fear in the sense of the Convention cannot be assimilated to the fear of instant personal danger arising out of an immediately present predicament. Essentially, “well-founded fear” should not be subjectively assessed; rather, the question is whether, based on the facts and circumstances in their country of origin, the Secretary of State can find a real and substantial risk to the applicants.[[13]](#footnote-12)

Two key aspects presented in these cases are important to consider how a potential application of the RC would affect climate refugees. Firstly, both judgments confirm that national migration authorities have a degree of discretion when deciding on the objective danger of a situation in an applicant’s country of origin. Considered together, the cases show that an applicant must face (a) specific, imminent danger; and (b) the government of the country of origin must not be taking active steps toward deescalating the dangerous situation, or conversely, must be actively promoting the dangerous situation. Secondly, the UK Court noted that an applicant faces a real or substantial risk in their country of origin based on the circumstances there that create an immediate threat. This is a difficult criterion to meet for climate refugees as the danger posed by climate change escalates with time. People outside of the country are unlikely to identify a concrete danger to the livelihoods of nationals, as there is technically time to adapt to the situation.

Because it is difficult for climate refugees to be subsumed under the RC, some scholars have considered that they may instead qualify for protection under the concept of “complementary protection,” a framework created by Articles 6 and 7 of the International Covenant on Civil and Political Rights (ICCPR).[[14]](#footnote-13) These Articles respectively recognize the right to life and the right against cruel, inhumane, or degrading treatment and legally-bind States to a duty of non-refoulement where there are substantial grounds for believing that there is a real risk of irreparable harm. However, under this framework, climate refugees would need to establish an actual or imminent risk of a specific and sufficiently severe harm that affects them individually, a requirement which in practice aligns with individuals displaced by sudden-onset climate-induced natural disasters only. One of the only cases that deals with climate refugees under the RC – *Ioane Teitiota v. The Chief Executive of the Ministry of Business, Innovation and Employment* – illustrates this point, and provides a comparator for the usefulness of the ICCPR versus the RC. However, one can see that the Applicant’s case is treated similarly under both frameworks, begging the question whether the IPRCC actually provides an alternative.[[15]](#footnote-14)

In the *Ioane Teitiota* case, the Applicant had initially submitted an appeal against New Zealand’s immigration authorities’ deportation decision after they found that the Kiribati national and his family were overstaying their visas in the country. In front of domestic courts, he argued that the implementation of the decision would violate his right to life under the ICCPR as well as his right to asylum and non-refoulement under the RC, citing primarily the effects of climate change on the island nation.[[16]](#footnote-15) Kiribati, as a low-lying atoll, experiences the negative impacts of sea level rise – the overpopulated territory is liable to soil erosion, consistent flooding, and water contamination. The Applicant assimilated these factors into the definition of persecution under the RC as they created an “untenable and violent environment” for him and his family.

Firstly, because of high unemployment on the island due to overcrowding, his family subsisted primarily on his ability to farm and fish, both activities strained by the effects of climate change. Secondly, he noted that he feared that his children would die from either being caught in the many floods on the island or from water-borne illness, as he had heard many stories of this ill-fate back home. However, all domestic courts rejected his application, noting that while environmental degradation might create a pathway to the RC in some cases, the Applicant had failed to pave such a pathway.[[17]](#footnote-16) The domestic courts noted that no real risk to the individual lives of the Applicant and his family existed as the effects of climate change were a common problem faced by all citizens of Kiribati and, regardless of overcrowding, his family still had the option of moving internally to a small plot of family land on another of the atolls belonging to the country. Although well-founded fear could be considered under the definition of persecution, the Applicant had not provided specific evidence that he could not provide food or potable water for his family. Additionally, the Applicant could not point to a specific action or omission by the Kiribati government that placed his life in imminent risk. Rather, Kiribati is actively taking steps to mitigate and adapt its citizens to climate change. Therefore, the risk “remained firmly in the realm of conjecture or surmise.”[[18]](#footnote-17)

The Applicant appealed to the United Nations Human Rights Committee, but it upheld New Zealand’s decision. It recognised that environmental degradation was among the most pressing threats to the ability of present and future generations to enjoy the right to life, which includes the right of all individuals to enjoy a life of dignity free from any acts or omissions of the government that would cause their unnatural or premature death. However, a general situation of violence is only of sufficient intensity where there is a real risk of irreparable harm that would immediately affect the Applicant upon refoulement.[[19]](#footnote-18) Immediacy could not be identified in this case, as a timeframe of 10 to 15 years could be identified in which the Kiribati government could take affirmative measures to protect its population.[[20]](#footnote-19) Refouling the Applicant and his family was not against their rights. However, as the dissenting opinion of Judge Duncan Laki Muhamuza rightly criticised, the Committee’s decision was counterintuitive to the protection of life, as its decision allows destination countries to wait until climate change-related deaths are very frequent for the threshold of risk to be met under the persecution definition. He assimilates the decision of the majority to the metaphor of forcing a drowning person back into a sinking vessel, with the justification that other voyagers are on board.[[21]](#footnote-20)

Unlike slow-onset climate change, the dangers posed by sudden-onset climate-induced natural disasters are more easily identifiable to external persons. However, they may evade accountability by maintaining that (a) the country of origin is responsible for safeguarding its citizens’ interests by moving them internally; and that (b) the effects of natural disasters, while devastating, are reversible and temporary. Such arguments fail to recognise that a productive and dignified life can not be led when natural disasters are so frequent that these individuals are subject to a constant cycle of rebuilding and uncertainty for the future. Although this may not be the case yet, scientists have shown that such weather events will increase in the future. It is the law’s duty to be proactive and provide adequate protection when it is most needed. As law is difficult to adapt quickly, early drafting processes are critical for addressing inevitable future scenarios and promoting global adoption of these new legal frameworks.

**III. The Power of Labels: How ‘Migrant’ Erases Responsibility for Climate Refugees**

The Convention Relating to the Status of Stateless Persons (CRSSP) and the Convention on the Reduction of Statelessness (CRS) were signed by UN member states in 1954 and 1961, respectively. They were created as supporting treaties for voluntary and involuntary migration. The CRSSP is the first international agreement to define a “stateless person” – anyone “who is not considered as a national by any State under operation of its law.”[[22]](#footnote-21) Though this agreement establishes that its signatories will not treat stateless persons any less favourably than nationals, allowing them to access basic state services, such as housing and education, stateless persons are nevertheless at a disadvantage. Basic state services, while helpful, represent a small part of what they need. They will have trouble accessing private services – such as insurance and phone plans – which many now view as a right and not a privilege.

To minimise the necessity of applying the CRSSP, the CRS provides practical solutions for preventing statelessness upon birth or withdrawal of nationality later in life due to the loss, renunciation, or deprivation of nationality.[[23]](#footnote-22), [[24]](#footnote-23) The scopes of the CRSSP and CRS cover climate refugees as well, but their effectiveness is questionable. The former only has 99 parties, and the latter only 81. Countries like the US, with resources to best address statelessness, and low-lying atolls, who are immediately in danger of losing their territory and statehood, are notably missing.[[25]](#footnote-24), [[26]](#footnote-25), [[27]](#footnote-26) For this reason, similar protection as that afforded by the RC is crucial for climate refugees, as it requires States to facilitate their naturalisation and assimilation in the country of destination, even where they have illegally entered the territory, allowing them to access all modern necessities.[[28]](#footnote-27)

Since climate refugees cannot obtain refugee status under the RC, they would be considered simply as voluntary migrants. Although two frameworks of rights acknowledge the international personality of migrants – the NYDRM and the Global Compact for Safe, Orderly and Regular Migration (GCM) – neither of these documents are legally-binding. The GCM, adopted in 2018, has a unique perspective on migrant rights. It asserts that they are entitled to the same universal human rights and fundamental freedoms as refugees. However, only the latter can enjoy specific international protection.[[29]](#footnote-28) At the same time as it guarantees that basic rights will be protected, it centres State sovereignty, and the nation's right to determine its own national migratory guidelines.[[30]](#footnote-29) An obvious conflict between the rights of the individual and the State is present. Arguably, a similar balancing act is performed in the RC, but the RC sets aside sovereign rights when it prohibits the refoulement of refugees and mandates the State to aid the refugee in the naturalisation and assimilation process. The GCM has no similar provisions. Instead, it opens by requiring States to address the root cause of migration by strengthening government reactions in the migrants’ country of origin through data collection, rapid information sharing, and training.[[31]](#footnote-30) Although these mitigation efforts do largely prevent many from becoming climate refugees, opening a declaration on the treatment of migrants with these objectives shows a general international reluctance against the admission of migrants onto their territories.

Secondly, the GCM has a large focus on labour and the integration of migrants into the economy of the destination country in five of its twenty-three objectives. Centring on sovereignty and State interest, the GCM allows nations to approach obligations towards migrants in an individualised manner, meaning that migrants will be subject to different treatment depending on their employability. The presence of economic interest in the GCM forces migrants to become instrumental to State interests before they can gain full human rights protection.[[32]](#footnote-31) Allowing each State to individually determine the criteria for migrant entry gives them leeway to reinforce racist and classist systems that sustain discriminatory migratory practices within the administration of the State.[[33]](#footnote-32)

The GCM demonstrates the relatively recent phenomenon of climate nationalism and climate securitization, which respectively refer to many conservative politicians’ attempts to frame climate change as a threat to national interests and security that demands an urgent national response. The response these politicians hope to trigger does not aim to mobilise their electorates to create a more sustainable and greener economy with lower greenhouse gas emissions. Rather, they hope to maintain business-as-usual practices while forcing the population’s attention to the national borders. For instance, before the UN climate talks in Scotland, the then Prime Minister of the UK, Boris Johnson, explained that his wish to overcome the climate crisis was tied to his fear of uncontrolled climate migration that would presumably result in the downfall of the UK. Populist right wing parties have also championed the idea that climate change and environmental degradation in developing countries is primarily a problem of the Global South. Marie Le Pen’s comments on climate migrants exclaim that only those rooted in their home are ecologists, while those who migrate do not care about the environment and have no homeland.[[34]](#footnote-33) Such narratives distance the Global North from any responsibility for the climate crisis and place the burden of adaptation and mitigation on developing countries of the Global South whose people and resources have been historically exploited for Western benefit.

**IV. Acknowledging Shared Responsibility for Climate Change**

The GCM and NYDRM, while acknowledging the “shared responsibility” of States with regard to the climate crisis and the duty of developed nations to support mitigation and adaptation measures in the Global South, cannot create real change. They are based on the idea of discursive responsibility, which does not attribute responsibility to any one actor and therefore shies away from designing an enforceable regulatory framework.[[35]](#footnote-34) Discursive responsibility arises from the problem of many hands or the idea that many events and actors have contributed in some way to one large problem. However, this dilemma can be solved with the connectedness principle, which assigns responsibility to actors with any link to the problem, either historical, geographically, or simply because they are part of the community in which the injustice occurred.[[36]](#footnote-35) Using this principle, one can then rank the responsibility of the actors based on the strength of the link between their actions or omissions with the problem. For example, climate analysis has confirmed that developed nations are the greatest per capita emitters of greenhouse gas emissions, even though the production of most goods consumed in those countries takes place in the Global South, where the negative externalities are felt in the form of polluted air and water, labour exploitation, and climate-induced natural disaster. One may also create a link between the prevalent unemployment and the lack of infrastructure in developing nations with their inability to handle flooding, as the former may exacerbate the latter. Yet, the fact remains that the actions of the Global North have created the initial problems that now have a domino effect in the Global South. Therefore, although the national governments of these developing countries have the strongest responsibility of maintaining the wellbeing of their citizens, the Global North has the most direct link, not only to climate change, but to the disadvantages the former face in performing their duties towards their citizens.

Though this connection has yet to be realised internationally in legally-binding treaties, progress has been made at the national and regional levels. In 2021, the German Federal Court decided the *Göppel et. al* case, a joinder of four individual complaints arguing that Germany must improve national climate protection efforts through the adoption of more ambitious targets than those set in the German Climate Protection Act, which obliges the country to reduce its greenhouse gas emissions by 55% of the 1990 levels of these gases by 2030. The applicants maintained that current reductions in the country resulted from shifting carbon-intensive industries out of the country to developing nations. Therefore, Germany was not actually contributing to the net reduction of greenhouse gas emissions promised in the Paris Agreement.

Although the Court did not find that weak climate policies went against human rights *per se*, it confirmed that Germany’s constitutional obligation to protect its citizens from climate change based on the rights to life, health, and minimum subsistence not only applied territorially, but also globally. The verdict embraced the precautionary principle, whereby not only present human rights violations, but also cumulative, uncertain, and long-term violations are relevant in deciding whether a State’s obligations with respect to fundamental rights are adequately met. The Federal Court further elaborated that human rights violations can occur even when multiple people are affected, contrary to the Committee's decision in *Ioane*.[[37]](#footnote-36) This reasoning reinforces the conception of climate change as a global issue. Individualised national policies are not enough to address the climate crisis, because non-collaborative frameworks result in problem-shifting. This problem-shifting exacerbates human rights violations even where they are neither imminent nor individual.

If the German Federal Court’s reasoning were extended to climate refugees, then it unravels two assumptions expounded by the frameworks discussed above: First, that the sovereignty of states should be prioritised in migration issues, even where they are induced by climate change, as held by the GCM, and second, that one can only classify as a refugee if they will likely face imminent and individualised harm if refouled to their country of origin, as maintained by the RC. Although this decision does not directly affect the legitimacy of these two frameworks, it does indirectly push the European Union (EU) to take a stronger position on climate change and its externalities due to its extensive legal competences with respect to the protection of human rights and the environment in its Member States.[[38]](#footnote-37)

The ruling also seemed to have affected the reasoning of the European Court of Human Rights, an organ of the Council of Europe, an organisation larger than the EU. In the 2024 *Klima Seniorinnen* decision, the Court took a revolutionary step forward when it declared that Switzerland had violated its positive obligations under Article 8 of the Convention by failing to adopt a satisfactory regulatory framework that addresses the effects of climate change on its population, with specific reference to the older female population of the country.[[39]](#footnote-38) The application of the case was submitted to the Court by the association, Klima Seniorinnen Schweiz, along with four of its members over the age of 70 who claimed that the heatwaves they suffered during the Swiss summers due to climate change had impaired their ability to engage in regular daily activities without worrying that the extreme temperatures would exacerbate their pre-existing medical conditions or create new health issues.[[40]](#footnote-39)

The Court’s first point concerns the victim status of these individuals under Article 34 of the Convention, which is split into a bifold consideration. The association, whose main purpose is to advocate for the reduction of greenhouse gas emissions in Switzerland on behalf of its members, the general public, and future generations, could be considered a victim.[[41]](#footnote-40) However, natural persons may not complain to the Court about a provision of national law simply because they consider it to contravene the Convention, if they are not also directly affected by it.[[42]](#footnote-41) Therefore, for individuals to claim victim status in environmental cases in the context of harm or risk of harm resulting from the alleged failures of the State to combat climate change, the applicant must show that they are subject to high-intensity exposure to the adverse effects of climate change and that there is a pressing social need to ensure the applicant’s individual protection.[[43]](#footnote-42) Although the Court recognised that the applicants, beside the association, belonged to a group of people that were particularly susceptible to climate change, victim status requires for a certain severity to be met in each individual case.[[44]](#footnote-43) As the evidence in this regard was not convincing, the four individual applicants were not awarded victim status.

The Court seems to have taken a step back from the progressive views of the German Federal Court regarding who can complain about human rights violations related to climate change. However, it upheld the Federal Court’s reasoning that climate change is a global issue. As a result, it rejected the Swiss government’s argument that its actions or inaction are merely a “drop in the ocean.” The Court also dismissed Switzerland’s claim that it cannot be held liable for its weak climate policies given the relative inaction internationally. The Court asserted that violations under Article 8 did not require it to be shown that “but for” the failing or omission of the authorities, the harm would not have occurred, but rather that the national authorities failed to take reasonable measures which could have had a real prospect of altering the outcome or mitigating the harm.[[45]](#footnote-44) In this regard, the Court noted that Switzerland had missed its statutorial commitment to reduce greenhouse gas emissions by 20% compared to 1990, as asserted in the national CO2 Act. [[46]](#footnote-45) Additional intermediate targets were set by the national Climate Act, but many years were still left unregulated.[[47]](#footnote-46) This legislative lacunae point could not be justified with Switzerland’s commitment to adopt measures “in good time,” given the pressing urgency of climate change.[[48]](#footnote-47) Therefore, the Court determined Switzerland was in violation of its positive obligations under Article 8.

These two cases portray the Western judicial system’s budding willingness to recognize States’ shared responsibility towards the international effects of climate change. Although they disagree on their definition of a victim, the fact that the ECHR admitted an applicant association on the grounds that it aimed to fulfill its responsibility as advocate for its members shows that there is hope that the definition will soon be extended further.

However, hope is no longer enough to protect the interests of climate refugees. It is past time that this disadvantaged group of migrants receive the international protection they deserve. Though some scholars have envisioned an expansion of the definition of refugee under the RC, the other frameworks discussed as well as both national and international litigation has shown that there is little political will for climate refugees to be included in the RC.[[49]](#footnote-48) Using the momentum of the last two cases discussed, it may be possible for a new legally binding international convention to be negotiated, but this solution will undoubtedly take years to implement. Fortunately, regional frameworks that aim to tackle climate change — such as the Cartagena Declaration, free movement agreements within the Caribbean Community, and the Organisation’s of African Unity’s Regional Climate Strategy – may act as a strong starting point. Bilateral and regional agreements are generally quicker and more efficient and create change as they are tailored to regional needs.[[50]](#footnote-49) However, the issue remains that existing regional agreements oblige only developing nations to take responsibility for climate-induced displacement. With a limited amount of resources, relying on regional agreements is not sustainable as developing States who have contributed the least to climate change bear the sole burden of addressing its effects.

A legally-binding international agreement must strengthen these regional frameworks by providing additional protection for climate refugees by acknowledging the responsibility the Global North has towards climate refugees arriving from the Global South. Such an agreement should have the similar protections for climate refugees, while setting measurable targets for adaptation and mitigation at the root of the climate migration crisis. Declarations like the GCM are crucial stepping stones for new protection, and do not define the end of the Global North’s liability. A new, legally-binding framework would not only ensure justice for those displaced by climate change but also establish a precedent for global solidarity in addressing one of today’s most urgent problems.

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