

TOWARDS DETERMINING THE LEGAL STATUS OF CLIMATE REFUGEES: ANALYSIS OF HUMAN RIGHTS PROTECTION STANDARDS AND STAKEHOLDER MAPPING

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ABSTRACT

It is estimated that by the end of this century the number of ‘climate refugees’ will reach 200 million. But despite this alarming number, the legal status of those who flee from environmental disruptions remains largely undefined. The 1951 Refugee Convention does not include environmental changes as grounds for protection, therefore it is not applicable. There is no other international or regional instrument dedicated solely to protecting the rights of environmental migrants.

This thesis deals with two main aspects of ‘climate refugee’ protection. Firstly, it identifies the complementary protection instruments and assesses their significance in solving the problem of ‘climate refugees’. Secondly, it presents an overview of strategies and positions of various actors engaged in the debate on defining the legal status of ‘climate refugees’: the national governments of both sending and receiving states, the world of academia, civil society and international organisations. It maps the commonalities and differences in their approaches and strives to establish what the international community does in order to resolve the problem ‘climate refugees’.

And finally, the thesis arrives at a conclusion that ‘climate refugees’ are a neglected group with very bleak prospects and few options. The complementary protection instruments are inadequate and often exclusive in applicability. Migration in general is a sensitive topic and it is unlikely that the richer countries of the West will open their doors to even more migrants. In addition, the stakeholders involved in the debate lack a unified voice on what should be done. So far, despite the growing urgency, the international community has not delivered a tangible solution or even a concrete proposal on how to better protect the human rights of ‘climate refugees’.

KEY WORDS: CLIMATE REFUGEES/ENVIRONMENTAL MIGRATION/CLIMATE CHANGE/  
REFUGEE CONVENTION/HUMAN RIGHTS OF REFUGEES

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