# Climate Change, Forced Migration, and International Law

Jane Mcadam



# **Climate Change Forced Migration And International Law**

**Jamie Draper** 

#### **Climate Change Forced Migration And International Law:**

Climate Change, Forced Migration, and International Law Jane McAdam, 2012-02-23 Displacement caused by climate change is an area of growing concern With current rises in sea levels and changes to the global climate it is an issue of fundamental importance to the future of many parts of the world This book critically examines whether States have obligations to protect people displaced by climate change under international refugee law international human rights law and the international law on statelessness Drawing on field work undertaken in Bangladesh India and the Pacific island States of Kiribati and Tuvalu it evaluates whether the phenomenon of climate change induced displacement is an empirically sound category for academic inquiry It does so by examining the reasons why people move or choose not to move the extent to which climate change as opposed to underlying socio economic factors provides a trigger for such movement and whether traditional international responses such as the conclusion of new treaties and the creation of new institutions are appropriate solutions in this context In this way the book queries whether flight from habitat destruction should be viewed as another facet of traditional international protection or as a new challenge requiring more creative legal and policy responses law and the international law on statelessness Drawing on International Law and the Protection of "Climate Refugees" Giovanni Sciaccaluga, 2020-08-05 This book studies the topic of forced climate migrants commonly referred to as climate refugees through the lens of international law and identifies the reasons why these migrants should be granted international protection Through an analysis focused on climate change and human rights international law it points out the legal principles and rules upon which an international obligation to protect persons forced to migrate due to climate change is emerging Sciaccaluga advocates for a state obligation to protect climate migrants when their origin countries have become extremely environmentally fragile due to climate change to the point of becoming unable to guarantee the exercise of inalienable human rights in their territories Turning to the future this book then investigates the current elements on which a forced climate migrants law could be built ultimately arguing for the duty to provide some form of assistance to forced climate migrants in a third state within the international legal system The Emerging Global Consensus on Climate Change and Human Mobility Mostafa M Naser, 2020-11-05 This book examines whether a global consensus is emerging on climate change and human mobility and presents evidence of a slow moving but dynamic step by step process of international policy development on climate related mobility Naser reviews the range of solutions offered to address climate related mobility problems such as extending the 1951 UN Refugee Convention adopting an additional protocol to the UNFCCC or creating a new international treaty to support those facing climate related migration and displacement problems He examines the accumulating stock of international policies and initiatives relevant to climate related mobility using a framework of six policy areas human rights refugees climate change disaster risk reduction migration and sustainable development He uses this framework to define and summarise the main UN actions and milestones on climate related

mobility Despite the difficult context affecting the global community of worsening climate change impacts and human rights under threat Naser asserts that the foundations of global consensus on climate related mobility have been built particularly in the last decade This book will be of great relevance to students scholars and policy makers with an interest in the increasing interface between climate change and human mobility policy issues Climate Refugees in South Asia Stellina Jolly, Nafees Ahmad, 2018-12-28 This book addresses the forms of legal protection extended to people displaced due to the consequences of climate change and who have either become refugees by crossing international borders or are climatically displaced persons CDPs in their own homelands It explores the legal response of the South Asian Jurisdictions to these refugee like situations and also to what extent these people are protected under current international law The book critically examines and assesses whether States have obligations to protect people displaced by climate change under international refugee law IRL and international climate change law ICCL It discusses the issue of climate migration in South Asia analyzes the legal and judicial response initiated by South Asian nations and also investigates the role of SAARC in relation to climate change and climate refugees Drawing on the International Legal Standards and States Practices in South Asia regarding climate refugees the book shows how IRL ICCL and IHRL international human rights law have been used to address and identify the gaps in the global legal protection framework concerning the contours of the normative debate on climate refugees climate change displacement migration forced migration susceptibility to climate change typology of climate change induced displacement role of the SAARC and its municipal legal systems approaches to climate change human mobility and developing a hybrid regional law or advocating a legal alternative of equal measure in a region characterized by diversity and multiculturalism The book offers valuable takeaways for students researchers consultants practitioners and policymakers alike The Routledge Handbook of the Ethics of Immigration Sahar Akhtar, 2025-03-24 Immigration poses some of the major moral economic and political challenges of the twenty first century Questions of the state s responsibilities toward immigrants open borders security coping with the displacement of people caused by climate change and natural disasters and deciding who has a right to remain are but some of the significant issues currently faced by governments policymakers and humanitarian organizations The Routledge Handbook of the Ethics of Immigration is an outstanding reference source to this vitally important topic Comprising twenty five chapters by an international team of philosophers economists political scientists and legal theorists the handbook is organized into seven clear parts Open Borders or Right to Control Theoretical Arguments Open Borders or Right to Control Practical Approaches Culture Language and Institutions Immigration and Discrimination Entry Exit and Exploitation Climate Refugees and Protection Immigration Enforcement In these sections a range of important issues are explored such as immigration and cultural diversity the economic aspects of immigration discrimination exploitation definitions of refugee status territory citizenship trafficking and gender As such The Routledge Handbook of the Ethics of Immigration will be of great interest to those studying philosophy politics economics and related

subjects such as law sociology and social policy **Environmental Change, Forced Displacement and International Law** Isabel M. Borges, 2018-12-07 This book explores the increasing concern over the extent to which those suffering from forced cross border displacement as a result of environmental change are protected under international human rights law Formally they are not entitled to admission or stay in a third state country a situation that has been identified as an international legal protection gap The book seeks to provide answers to two basic questions whether and to what extent existing international law protects cross border environmental displacement and whether and how existing formalized regional complementary protection standards can interpretively solidify and conceptualize protection for cross border environmental displacement The discussion outlines that the protection of the human person is not only an expost facto obligation of states but must be increasingly seen as an ex ante one The analysis further suggests that the European Union regionally orientated protection regime can help states to consolidate an evolving protection paradigm of proactive and reactive measures being erected at the international level It can also narrow the identified legal protection gaps In so doing it helps states to reconceptualise protection as a holistic and dynamic enterprise This book will be of great interest to academics in law political science and human rights policy makers and civil society organisations both at national and **Climate Displacement** Jamie Draper, 2023-11-07 Climate change is reshaping patterns of international level displacement around the world Extreme weather events destroy homes environmental degradation threatens the viability of livelihoods sea level rise and coastal erosion force communities to relocate and risks to food and resource security magnify the sources of political instability Climate displacement the displacement of people driven at least in part by the impacts of climate change is a pressing moral challenge that is incumbent upon us to address This book develops a political theory of climate displacement Most work on climate displacement has tended to take an idealized climate refugee as its focus But focusing on the figure of the climate refugee obscures the complexity and heterogeneity of climate displacement Instead this book takes the empirical dynamics of climate displacement as its starting point It examines the moral and political problems raised by the interaction of climate change and displacement in five domains community relocation territorial sovereignty labour migration refugee movement and internal displacement In each context climate displacement raises distinct questions which this book explores on their own terms At the same time this book treats climate displacement as a unified phenomenon by examining the overarching questions of responsibility and fairness that it raises The result is an empirically grounded political theory that both maps the conceptual terrain of climate displacement and charts a course for meeting the moral challenge that it raises **Climate Change and Forced Migration** Jasmine Neve, 2015 The Oxford Handbook of Refugee and Forced Migration Studies Elena Fiddian-Qasmiyeh, Gil Loescher, Katy Long, Nando Sigona, 2014-06-12 Refugee and Forced Migration Studies has grown from being a concern of a relatively small number of scholars and policy researchers in the 1980s to a global field of interest with thousands of students worldwide studying displacement either from

traditional disciplinary perspectives or as a core component of newer programmes across the Humanities and Social and Political Sciences Today the field encompasses both rigorous academic research which may or may not ultimately inform policy and practice as well as action research focused on advocating in favour of refugees needs and rights This authoritative Handbook critically evaluates the birth and development of Refugee and Forced Migration Studies and analyses the key contemporary and future challenges faced by academics and practitioners working with and for forcibly displaced populations around the world The 52 state of the art chapters written by leading academics practitioners and policymakers working in universities research centres think tanks NGOs and international organizations provide a comprehensive and cutting edge overview of the key intellectual political social and institutional challenges arising from mass displacement in the world today The chapters vividly illustrate the vibrant and engaging debates that characterize this rapidly expanding field of research and practice

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# **Table of Contents Climate Change Forced Migration And International Law**

- 1. Understanding the eBook Climate Change Forced Migration And International Law
  - The Rise of Digital Reading Climate Change Forced Migration And International Law
  - Advantages of eBooks Over Traditional Books
- 2. Identifying Climate Change Forced Migration And International Law
  - Exploring Different Genres
  - Considering Fiction vs. Non-Fiction
  - Determining Your Reading Goals
- 3. Choosing the Right eBook Platform
  - Popular eBook Platforms
  - Features to Look for in an Climate Change Forced Migration And International Law
  - User-Friendly Interface
- 4. Exploring eBook Recommendations from Climate Change Forced Migration And International Law
  - Personalized Recommendations
  - Climate Change Forced Migration And International Law User Reviews and Ratings
  - Climate Change Forced Migration And International Law and Bestseller Lists
- 5. Accessing Climate Change Forced Migration And International Law Free and Paid eBooks
  - Climate Change Forced Migration And International Law Public Domain eBooks
  - Climate Change Forced Migration And International Law eBook Subscription Services

- Climate Change Forced Migration And International Law Budget-Friendly Options
- 6. Navigating Climate Change Forced Migration And International Law eBook Formats
  - o ePub, PDF, MOBI, and More
  - Climate Change Forced Migration And International Law Compatibility with Devices
  - Climate Change Forced Migration And International Law Enhanced eBook Features
- 7. Enhancing Your Reading Experience
  - Adjustable Fonts and Text Sizes of Climate Change Forced Migration And International Law
  - Highlighting and Note-Taking Climate Change Forced Migration And International Law
  - Interactive Elements Climate Change Forced Migration And International Law
- 8. Staying Engaged with Climate Change Forced Migration And International Law
  - Joining Online Reading Communities
  - Participating in Virtual Book Clubs
  - Following Authors and Publishers Climate Change Forced Migration And International Law
- 9. Balancing eBooks and Physical Books Climate Change Forced Migration And International Law
  - Benefits of a Digital Library
  - o Creating a Diverse Reading Collection Climate Change Forced Migration And International Law
- 10. Overcoming Reading Challenges
  - $\circ\,$  Dealing with Digital Eye Strain
  - Minimizing Distractions
  - Managing Screen Time
- 11. Cultivating a Reading Routine Climate Change Forced Migration And International Law
  - Setting Reading Goals Climate Change Forced Migration And International Law
  - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Climate Change Forced Migration And International Law
  - Fact-Checking eBook Content of Climate Change Forced Migration And International Law
  - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
  - Utilizing eBooks for Skill Development
  - Exploring Educational eBooks
- 14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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