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CLIMATE REFUGEES AS A NATURAL RESULT OF CLIMATE CHANGE

Summary. *This article is devoted to an overview of such a category of migrants as climate refugees. The author pays attention to the general characteristics of the impact of global climate change on migrants. Particular attention is paid to the disclosure of the term "climate refugee", the reasons for the emergence of this category of people, as well as the problems of counting climate refugees. The author also provides examples for solving these problems.*

Key words: *climate refugee, global climate change, migration policy.*

Today, looking at the situation in the world in connection with the pandemic, a logical question arises regarding the effective protection of the rights and interests of people forced to leave their homes, countries of their citizenship and request for protection from foreign states. Modern realities confirm that the situation in the world related to migrants is becoming more and more unpredictable, and the current migration crisis is leaving an imprint on the whole world, having a significant impact on global processes [1].

It is well known that the Convention relating to the Status of Refugees (Refugee Convention) [2]. was adopted on July 28, 1951 in Geneva. More than 70 years have passed since then, which have had a fundamental impact on the modern world. Throughout the history of mankind, we can observe that changes are taking place both politically, economically, socially and climatically. And these changes radically affect our lives and cause changes in both national and

international legislation. Despite the fact that over the past 50 years, scientific and technological progress has reached its apogee, and it would seem that modern technology makes it possible to calculate any disasters that have occurred in practice, we still remain unprepared for those natural disasters that can completely destroy our life.

The problem is that persons subject to the category of "refugee" in accordance with the Refugee Convention can apply for appropriate protection to a foreign state, but those persons who, due to natural disasters, climate change were forced to leave their homes, and sometimes even countries cannot, according to modern legal norms, expect the same protection. Therefore, *this article aims to explore new criteria for becoming de facto climate refugees and their incorporation into existing international legislation. And given the new circumstances facing asylum seekers, a number of problems looming over the international community require a detailed study by researchers.*

The natural processes taking place on our planet in recent decades force us to start talking about new problems and challenges that we face. Thus, one of the most tangible changes occurring today is climate change and all the problems that follow them. Global climate change is triggering massive changes across the planet, increasingly forcing people to flee natural disasters and move in search of water and food. And, if 50 years ago it was not so noticeable, now the existing climatic situation is acquiring a critical decoration, which forces us to direct our attention to the problem, which the UN calls the *direct danger of peace on Earth*. Thus, the UN Assistant Secretary General for Europe, Central Asia, North and South America Miroslav Jenca, addressing the members of the Security Council, said that global climate change poses an immediate threat to the development of dozens of countries and the well-being of entire regions [3]. In his speech, Jenca noted that "record temperatures, unprecedented sea level rise and frequent extreme weather events paint a picture of an extremely dangerous future for the

planet and its human population. An emergency climatic situation is a direct threat to peace on Earth" [3].

The fact is that the UN in 2020 for the first time in our history recognized the right of "climate refugees" to asylum as a result of the impact of climate processes on people's lives. Thus, the UN Human Rights Committee stated that countries cannot deport people whose lives in their homeland are threatened by climate change-related circumstances. Climate refugees should not be deprived of their right to asylum if their lives are in danger, the UN Human Rights Committee ruled, which first reviewed an asylum seeker's claim for climate reasons [4].

But today the problem is that the UN did not recognize the "climate refugees" themselves as refugees under the Refugee Convention. Thus, the recognition of the de facto existence of a new category of refugees is an extremely important and first step towards "legalizing" climate refugees. But in this situation, an absolutely logical question arises, who, then, are refugees and climate refugees according to the current international standards, what is the difference between them?

The research should start with a definition of the concept of a refugee. Today, the universal and basic international documents that enshrine the definition of the concept of "refugee" in international migration law are the Refugee Convention [2] and the Protocol to it [5]. Before the adoption of the Refugee Convention, ethnicity was the main criterion for defining a group of persons facing a threat of persecution as "refugees". In this regard, the Refugee Convention became a revolutionary document, because for the first time it provided for the use of an individual approach in granting refugee status. Subsequently, after the adoption of the Refugee Convention, the Protocol to it (1966) was also adopted. The Protocol on the Status of Refugees has detailed the concept of "refugee" on a temporary basis. The necessity of the adoption this document was due to the fact that the Refugee Convention there were two

restrictions on the definition of the concept of "refugee", which created significant obstacles to solving the problems of refugees, ensuring their rights and freedoms at the proper level:

- temporary (the right to be considered a refugee did not apply to persons who became such as a result of events that occurred after January 1, 1951);

- geographical (these events mean either events that occurred in Europe before January 1, 1951, or events that occurred in Europe or elsewhere before January 1, 1951).

Today, the above documents are the main ones that define the concept of "refugee" at the international level and consolidate the status and rights of refugees. Thus, according to Part 2 (A) of Article 1 of the Refugee Convention defines a refugee as a person "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" [2].

Consequently, based on the existing definition, it is possible to designate a group of persons who today fall under the category of "refugee". The phenomenon of refugees is determined, first of all, by a forced and undesirable change for a citizen of the place (country) of his residence. In accordance with paragraph A (2) of Art. 1 of the Refugee Convention, the main condition for qualifying as a refugee is a well-founded fear of persecution on the basis of race, religion, nationality, membership of a particular social group or political opinion. This condition occurs when the person has already crossed the international border, that is, must be outside the country of his origin. The fears of an individual (refugee) of becoming a victim of persecution must be fully justified. An

additional condition for recognizing a person as a refugee is that the person does not have the citizenship of the country of asylum. Refugee status applies to persons who can no longer enjoy the protection of the state of which they are citizens, because they have left it. Persons who have crossed international borders to escape persecution, but move to the country of which they are citizens, cannot be considered refugees, as they can exercise the right to protection in that country. Such persons will be considered "internally displaced persons". That is, in accordance with international law, a person can be considered a refugee if he does not have the ability or desire to benefit from the protection of his country of origin or return to this country due to fear of persecution.

The state is obliged to grant refugees the status enjoyed by other foreigners on its territory. It is forbidden to impose punishment for illegal entry into the territory of the country. Also, in accordance with international law, the expulsion of refugees to a country where their life and health is in danger is recognized as inadmissible. Also, in accordance with international law, the expulsion of refugees to a country where their life and health is in danger is recognized as inadmissible.

That is, after analyzing the legal status of a refugee in accordance with the Refugee Convention, it can be concluded that climatic changes as a basis for obtaining legal refugee status are absent, which means that the term "climate refugees" is absent in international law. However, this does not mean that they do not really exist. On the contrary, in practice already today hundreds of thousands of people are forced to leave their homes due to climate change. The International Organization for Migration (IOM) emphasizes that the necessity for a legal solution to the problem is growing along with global climate change. Moreover, UN officials in Davos called on the world to "prepare for the arrival of millions of displaced persons displaced from their homes due to climate change" [6]. And today the International Organization for Migration, according to the working definition, defines "*climate migration*" as "the movement of a person or group of

persons who, predominantly for reasons of sudden or progressive change in the environment due to climate change, are obliged to leave their habitual place of residence, or choose to do so, either temporarily or permanently, within a State or across an international border" [7].

It should be noted that migrations associated with changes in the natural environment have always existed. But, until climate change was discussed so widely on the world stage, the question of defining (defining) people fleeing destructive climate change was not so acute. Now the IOM continues to use the term "environmental migrant", but only for descriptive purposes - it does not have legal force. Due to the lack of the term "climate refugee" in international law, these people have been periodically referred to as environmental migrants or people who migrated due to climate change. This definition included not only climatic reasons for moving, but also other environmental factors that adversely affect people's lives: pollution, volcanic eruptions, erosion and other causes not associated with global warming.

It is also very important to note that the IOM considers "climate migration" precisely as a case of environmental migration. This term is used when it is necessary to emphasize that the movement of people is caused directly by climate change. And although this definition also has no legal status, it is used in the legally binding Cancun Agreements on Climate Change Adaptation (a document adopted in 2010 by the states parties to the United Nations Framework Convention on Climate Change) [8].

The current definition of the IOM is: "***environmental migrants*** are a person or groups of persons who predominantly for reasons of sudden or progressive changes in the environment that adversely affect their lives or living conditions, are forced to leave their places of habitual residence, or choose to do so, either temporarily or permanently, and who move within or outside their country of origin or habitual residence" [7]. This interpretation shows that ecological

migration can take many forms: be forced or voluntary, temporary or permanent, internal or international, individual or collective.

In general, the UN identifies 6 main reasons for the occurrence of environmental migrations. Among which can be distinguished:

- land degradation, desertification and drought;
- natural disasters and extreme weather events;
- sea level rise and floods;
- industrial accidents and environmental pollution by anthropogenic emissions;
- urbanization and construction of infrastructure (dams, highways, etc.);
- conflicts associated with the struggle for natural resources.

One of the main current problems associated with climate migrants is *the problem of the difficulty of counting such a number of persons*. On the one hand, this is due to the fact that it is rather difficult to separate climate refugees from environmental migrants. On the other hand, the problem is that even the calculation of environmental migrants today is only approximate.

Moreover, it is worthwhile to understand today that the number of climate refugees in the world is growing every year. Over the past two decades, more than 10 million people have been forced to migrate from Africa because the places where they lived have turned into deserts [9] According to the UN, in 2018, 17.2 million people from 148 countries became climate refugees [10]. The Environmental Justice Foundation (EJF) is even more pessimistic: according to its data, since 2008, 21.7 million people are forced to change their place of residence every year due to negative climate change. The Norwegian Refugee Council's Internal Displacement Monitoring Center (IDMC) gives even larger numbers and reports that from 2008 to 2018, 253.7 million people became climate refugees due to natural disasters [11].

But no matter how bad it is now, experts assure that it will be incomparably worse in the future. And the forecasts given below from completely different sources only confirm this.

Thus, according to the World Bank Organization, if warming is not properly contained, then by 2050 new climatic conditions will lead to forced internal migration of 143 million people in three regions of the planet: Africa, South Asia and Latin America [12].

The IOM predicts the total number of climate migrants will rise to 200 million by 2050, with other estimates varying between 25 million and 1 billion. This means that approximately one in 45 people on Earth will be forced to relocate due to climate change. At the same time, some communities are already completely moving to new lands due to the growing threats of natural disasters [13].

The report, prepared in 2017 for the UN by the IPCC, an intergovernmental panel of experts on climate change, contains even more threatening numbers: due to global warming, 280 million people could rush from their homes in search of a new country [14].

But the closest to the truth and scientifically grounded picture of the future, when entire countries are flooded by tsunamis and waves of refugees, is drawn by "The Guardian", an authoritative publication in environmental areas. According to experts, if the world continues to use coal, oil and gas, the following awaits us by 2050: the ice cap at the South Pole will practically disappear; forests in the Amazon, Congo and Papua New Guinea will be reduced to a minimum and covered with smoke from fires; in the Northern Hemisphere, from the subtropics to the middle latitudes, a belt of deserts will arise; Miami, Guangdong, Lincolnshire and Alexandria will go under water; natural disasters will follow one another; famine would break out, multiplied by population growth. As a result, up to 700 million people will become climate refugees by the middle of the century.

There are other independent estimates, but due to the difficulty of counting and confusion in definitions, it is difficult to accurately calculate the current and predict the future number of environmental or climate migrants - there is no way to collect such information. In addition, one should also take into account the fact that not all of these victims of the disaster can be strictly classified as environmental or climate migrants. Nevertheless, today we can see that the topic of climate change has become the main factor influencing global information, political, economic, and now military trends. Various statistics on the number of climate refugees help in understanding the magnitude of disaster-related resettlement, both current and future. This, in turn, will help to understand the current situation and take the first steps towards its solution.

One of the most important and at the same time difficult stages in counting the number of climate refugees is determining *the reasons* why people are forced to leave their homes. After all, identifying and further eliminating the causes of climate refugees is the way to eliminate an already global problem.

In general, the climatic reasons for migration can be divided into two groups:

- climatic processes (rise in ocean level, salinization of agricultural lands, shortage of water resources);
- climatic phenomena (floods, hurricanes, breakthroughs of glacial lakes, and others).

Climatic processes develop over a long time, have an increasing effect, and completely change the environment, often turning the land into areas uninhabitable. At the same time, climatic phenomena are predominantly catastrophic, and associated migrations can be temporary.

Usually, there are several types of territories that are most vulnerable to climate change [15]. It is also necessary to take into account the fact that the consequences of global climate change vary from region to region: socio-economically unstable states are more vulnerable and less able to cope with the

consequences of climate change. Countries where significant areas are occupied by such territories turn out to be the main "suppliers" of climate migrants. Overall, according to IOM, coastal and island lands, mountainous areas, drylands and cities are most affected by climate change [15].

Thus, the first areas for analysis in this article are coasts and islands. Constant sea level is a factor that has allowed humanity to live and develop in comfortable conditions. The main risks of these territories are associated with the rising sea level. Thus, since the middle of the 19th century, the sea level has been constantly rising and at a rapid pace. The ocean rose by about 17 centimeters only in the 20th century. Now the rate of annual growth in the last decade is 3.6 millimeters per year and is constantly increasing [16]. According to the latest data from the Intergovernmental Panel on Climate Change (IPCC), estimates of sea level rise range from 0.3 to 1.1 meters by the end of the century, with an annual increase of about 15 millimeters by 2100 [16]. All this leads to the risk of actual flooding of low coastal areas around the world. Nowadays, more than 200 million people live on the coasts at an altitude of less than 5 meters above sea level, and by the end of the XXI century the figure will grow to 400-500 million people [17]. The number of people who will be affected by a 1 meter rise in sea level is estimated at 13 million in Europe alone. The low coastal regions of the Netherlands, Belgium, Germany, Romania, Poland and Denmark are especially vulnerable. According to some forecasts, more than 400 cities and other settlements, including the residences of entire indigenous peoples, will be completely relocated in the United States alone by the end of the century [18]. In total, almost 40 percent of the US population lives in densely populated coastal areas [19].

An even larger number of people live in the potentially flooded area of the densely populated South and Southeast Asia. A 45-centimeter rise in ocean levels will result in 5.5 million people migrating to Bangladesh alone, and will flood 10 percent of that country's area [20]. The list of states that are likely to go under

water by the end of the century was made by the Climate Vulnerable Forum. Most of them are small island states that will be flooded due to rising ocean levels. Among them are dozens of islands in Oceania, the Maldives (the capital of the Maldives, Male, will be partially flooded by 2025), and some Indian islands. In 2018, three islands were already completely submerged [21]. And by the middle of this century, the Great Barrier Reef may also disappear. It stretches for 2,300 kilometers along Australia [22]. As the average sea temperature rises, the condition of the corals deteriorates and the water becomes more acidic. Therefore, corals are destroyed and they are eaten by marine predators [22]. Such climate changes can lead to a critical situation and cause massive migrations. In connection with the probable flooding, a problem may arise when the population can neither resettle inside their country, nor receive effective assistance from the state. And as a result, people are left with only migration to other states. For example, some island states are already planning and even implementing resettlement [13]. The Maldives opened a fund to buy land for 350 thousand residents of the country, the government of Kiribati bought land in Fiji for future mass migration, most of the residents of Kiliaiiau in Papua New Guinea have already moved. All this clearly tells us about a problem that no longer seems so illusory, but, on the contrary, is very serious and, most importantly, absolutely existing.

In addition to the risks of direct flooding, the rise in ocean level, together with the intensification of extreme climatic events, leads to an expansion of the arena for the action of natural disasters: floods, coastal abrasion, cyclones and typhoons, and other phenomena. The Climate and Migration Coalition estimates that by 2050, up to 1.4 billion people in India will be at risk of flooding and other negative impacts of climate change. The displacement of the water's edge, the frequency and height of storm surges leads to the risks of regular flooding of vast coastal areas, and salty sea water will pollute water supply systems, which will require large financial and time costs for infrastructure rehabilitation. Some of the

largest metropolitan areas, such as Dhaka in Bangladesh, Kolkata, Mumbai and Chennai in India, will find themselves in direct danger. A storm wave just 1.5 meters high will flood 22,000 square kilometers of Bangladesh, pollute thousands of drinking water wells and leave 17 million people without potable water [23].

Moreover, the rise in sea level leads to gradual salinization of groundwater and the risk of water scarcity [24]. Salinization is already threatening the food security of many countries. Already, California is sounding the alarm due to salinization of soils, on which some of the region's usual crops no longer survive [25]. The Mekong Delta, home to 17 million Vietnamese and one of the main agricultural regions of Southeast Asia, is experiencing extreme salinization [26]. Observations at numerous stations have shown that over two decades, salinity along the river branches has increased by 50 percent, and in some cases by almost 100 percent. The fertile agricultural land of the Ganges delta, the rice paddies that fed many Bangladeshis, are being replaced by export shrimp farms [20]. More than 250 square kilometers of salinization has been documented in the Marie Valley in the Northern Territory of Australia [20]. Traditional wetland communities are being replaced here by halophilic mangroves, and local residents who depend on fishing suffer severe losses.

In addition to direct threats of climatic processes and phenomena, global climate change leads to a decrease in biodiversity and subsequent economic losses, and in the future - to the loss of cultural characteristics of entire communities. Ocean acidification causes the degradation of coral reefs and islands, and together with the increase in the intensity of tropical cyclones, a change in the nature of water circulation in the oceans and overfishing, this leads to the impoverishment and even death of entire ecosystems [19]. Many fishing villages around the world are already facing marked declines in fish populations [27].

The next areas that are most vulnerable to climate change are *mountain areas*. The main risks in mountainous areas are associated with an increase in the

intensity of extreme weather events, a change in rainfall patterns and melting of glaciers. In almost all mountainous countries of the world, there is a decrease in the duration of the period during which there is snow cover, and a decrease in glacial systems [16]. Glaciers in both hemispheres are currently melting faster than at any time in the past 10,000 years [28]. In many regions of the world, it is snow and ice that provide people with water resources and allow them to engage in agriculture. According to the Food and Agriculture Organization of the United Nations (FAO), mountain systems provide 60 to 80 percent of the world's water resources [29]. It is estimated that 700 million people will face a water crisis by 2100 due to the melting of glaciers [30]. Soon Peru, Pakistan, India, Nepal, China and other countries may suffer from an acute shortage of water resources. In Pakistan alone, 202 million people are totally dependent on the glacier-fed Indus River [28]. In Peru, not only small mountain settlements are at risk of water shortages, but also the capital city of Lima. There is still no acute water shortage in the mountains of Central Asia, but the intense melting of glaciers will lead to serious changes in 20 years. Over the past 10 years, almost 30 percent of the mass of glaciers feeding Tajikistan has melted. Water-dependent agricultural populations in mountainous regions are increasingly leaving. Short-term and long-term labor migrations have already covered 10-12 percent of the total population of the country, and about 20-25 percent of the male population aged 18-40 years [29].

As in the rest of the world, *precipitation patterns* are changing in mountainous regions. Rainfall in the Himalayas has decreased by 52 percent over the past 10 years, while the risk of high intensity showers and droughts has increased [31]. This led to frequent crop failures and reduced the irrigation potential and productivity of crops by a quarter. 34 percent of the agricultural settlements in the Himalayan mountains had already been abandoned by 2015.

Many tourist areas, in particular low-mountain ski resorts, suffer colossal losses due to the degradation of the snow cover [32]. In the Italian Alps alone,

hundreds of small resorts are already abandoned [33]. The relationship between the degradation of the cryosphere and extreme natural events in the mountains is traced with high reliability. Thus, the stability of the slopes and the infrastructure located on them decreases, the number of periglacial lakes is growing, threatening with breakthroughs and subsequent flash floods and mudflows [16]. In the Hindu Kush region, floods alone account for a third of all-natural disasters and their frequency is increasing, and a billion people live at risk. The total number of people affected by natural disasters in the mountains almost doubles every decade [34]. All this prevents people from living peacefully and forces them to look for more acceptable places to live. As a result, there is a forced migration of the population.

In addition, *arid regions* are the regions that will also be most affected by climate change. One of the main reasons for the emergence of climate migrants is the actual change in the temperature regime. It is worth noting that climate changes in general are in themselves a very dangerous phenomenon for our planet. So, in 2020, a study was published in which an international group of scientists examined the impact of different scenarios of temperature and population growth on the ecological niche of our species. It turned out that by 2070, from 1 billion to 3 billion people may find themselves in uncharacteristic and almost unsuitable for life climatic conditions.

Arid regions are most threatened by slow environmental changes: gradual land degradation, desertification, increasing changes in precipitation patterns, and increasing frequency of droughts. While a hurricane can be evacuated and returned after it is over, in the event of a long-term drought, such a development is not possible. Changes in rainfall and drought due to climate change lead to water scarcity and hunger [29]. The area of desertification increased by more than 9 percent from the 1980s to the 2000s, endangering the safety of 500 million people [14]. According to the IOM, 10-20 percent of the world's drylands have already been degraded by now [27]. The proportion of land with permanent

drought will grow from 2 percent to 10 percent by 2050, and the proportion of land with extreme droughts will rise from 1 percent to 30 percent by the end of the 21st century [35].

With a global warming of 1.5 degrees Celsius, the IPCC estimates that more than 950 million people will be at risk of drought, land degradation and water scarcity. With a warming of 2 degrees Celsius, almost a billion people will live directly in the arid regions of the planet. About half of them are vulnerable people in South and Central Asia, West and East Africa [14].

It is difficult to argue that the population is unevenly dispersed across the planet. Dry regions currently cover just over 46 percent of the world's land area. Over the past 6,000 years, most of the inhabitants have been concentrated in a narrow climatic zone, where the average annual temperature is 11-15 degrees Celsius. These regions are the most favorable for life and agriculture. However, in 50 years, the average annual temperature here could rise to 20 degrees Celsius. Today similar conditions are observed in North Africa, the Mediterranean and southern China. But by 2070, a colossal number of people will be forced to live in the Sahara Desert, with average annual temperatures above 29 degrees Celsius. Now such a thermal regime is spread only on 0.8% of the world's land, but in 50 years it will cover 19% of the territories. Living in such conditions is difficult because high temperatures seriously affect physical and psychological health, activity, mood and behavior. The authors of the study believe that in response to the shift in the ecological niche, people will have to either adapt to life in a completely different climate or migrate to other places.

In Central America, increasing drought risks are leading to food security risks. Already, the poor in Honduras, Guatemala and El Salvador are experiencing massive problems. According to research from Stanford University, by 2100 rainfall in Jordan will decrease by 30 percent, and the number of droughts will triple [36]. More and more people from the arid regions of Mexico are moving to the United States. Droughts and desertification are an increasingly serious threat

to entire ethnic groups, whose traditional lifestyles make them the most vulnerable. The population of Kenya, dependent on the cultivation of maize and beans, is engaged in irrigation agriculture. The change in the regime and the amount of precipitation virtually end local farming during dry seasons as people suffer from a lack of water and food [29]. In addition to water and food shortages, Australia's Aboriginal people are at increased risk of diseases such as respiratory disease and bacterial diarrhea, which are common in hot dry climates [37].

It is also important to mean that climate change leads not only to peaceful migrations, but can also *cause serious conflicts* and lead to flows of real refugees. Arid regions, where there is intense competition for access to water and food resources, can be one of the most dangerous regions on the planet. Climate change, in particular cataclysms, affect not only migrations, but also indirectly relate to conflicts and wars. Mostly this is not the only reason for armed confrontations, but one of the defining ones. Scientists from the International Institute for Applied Systems Analysis in Austria recently conducted research looking for a causal relationship between climate change and conflict [38]. In particular, scientists analyzed data from asylum seekers from 157 countries from 2006 to 2015. The researchers concluded that climate change was one of the reasons for the so-called Arab Spring in 2010-2012 in Tunisia, Libya and Yemen [39].

According to the former UN Secretary General, the environmental crisis, partially a consequence of global warming, is at the heart of the military conflict in Darfur (Sudan) [40]. Since the 1980s, rainfall has dropped by 40 percent, water and food were no longer sufficient for everyone, and in 2003 a resource war broke out in the country between Arab nomadic herders and sedentary black farmers. The situation is aggravated by intensive desertification, which is developing in almost half of the country's area [13].

Also, global warming is seen as one of the key causes of the war in Syria [41]. In 2007-2010, when the population had not yet recovered from the previous

lack of rainfall, the country experienced a prolonged drought, the worst on record and most likely related to anthropogenic warming [42]. The collapse of agriculture led to massive migrations - up to one and a half million Syrians moved to cities. A water crisis began, exacerbated by numerous refugees from Iraq. In this context, the Arab Spring began in 2011, and then the Syrian war broke out, as a result of which about 5 million people have already emigrated, another 6.6 million have moved inside the country [13]. But, in this situation, it is important to understand that Syria and the countries of the "Arab Spring" are not the only examples of the correlation between climate change and conflicts, because similar events unfolded in African countries in the south of the Sahara.

Having analyzed the reasons for the emergence of climate migrants and experts' forecasts about the impact of the climate situation on migration in the future, there is no doubt that today we need to make every effort to recognize a new category of refugees, namely climate refugees. And one of the main steps is the revolutionary *Teitiota v. Wellington case*. So, a few years ago, the UN Human Rights Committee considered an unprecedented climate refugee solution. The Office of the United Nations High Commissioner for Human Rights said the committee's decision was historic [43]. Thus, the UN Human Rights Committee for the first time considered a case related to an asylum claim due to climate change.

This decision is vital, as the Office of the United Nations High Commissioner said it (the decision) opens the door to asylum claims related to global warming. "Countries cannot deport people who face the circumstances caused by climate change and violate the right to life", the UN High Commissioner said in a statement [43].

This case concerns a citizen of Kiribati, a Pacific island nation that could become the first country to be flooded by global warming. So, the world's first applicant for the official status of a climate refugee is named Ioane Teitiota. His visa expired in 2010, after which Teitiota and his wife and children applied to the

relevant New Zealand migration authorities for refugee status. But he was refused, and in this regard, he and his family had to return to their homeland. After that, Ioane Teitiota complained to the UN Human Rights Committee about the decision of the New Zealand court to deport him to his homeland, because, according to him, such a step *violates his right to life* [44].

Ioane Teitiota moved to New Zealand with his wife and children, as the reason for this was rising sea levels, which threaten to flood Kiribati and make it uninhabitable. Indeed, the central part of Tarawa (Kiribati Island) rises above sea level by no more than three meters. Due to rising water levels in the Pacific Ocean and accompanying adverse changes, this land may become uninhabitable over the next 10-15 years. The life of the islanders will be in jeopardy. Teitiota said that as a result of the reduction in the area of fertile land, violent conflicts over land rights erupt in the country. Degradation of the soil makes it more difficult to feed on work in the field. And as the sea level rises, fresh water mixes with salty water and becomes undrinkable.

In January 2020, at the World Economic Forum in Davos, the Commission issued its judgment in the Teitiota v. New Zealand case. The Office of the United Nations High Commissioner for Human Rights took the side of New Zealand, but in its decision recorded a *new legal precedent*, the consequences of which are now difficult to imagine. UN experts, after carefully listening to the arguments of the plaintiff and carefully studying all the available information, concluded that in this case there is no threat to life, since the country has already adopted appropriate sufficient protective mechanisms for the population [44].

But at the same time, UN experts have recognized that climate threats can force people to seek a safe place to live in other countries. Moreover, the decision reads: "If a person's life is in immediate danger due to climate change leading to natural disasters, and he crosses the border of another state, he cannot be deported back, since his life is in danger, as well as in the case of wars or death threats at home" [43].

This decision is mandatory for New Zealand. The UN Human Rights Committee monitors compliance with the International Covenant on Civil and Political Rights by the 172 signatory countries. 116 of these states, including New Zealand and Germany, have recognized the right of individuals to file complaints of violation of the Covenant, therefore, the decisions of the UN Human Rights Committee are *binding* on them. Thus, for potential refugees who have been denied for other reasons, a new opportunity opens up with impunity to move to more comfortable conditions, and these people, apparently, will be very, very many.

“This decision of the Committee sets new standards that in the future may contribute to a favorable outcome of other cases related to asylum due to climate change,” said one of the Committee's members, Yuval Shani [44].

The members of the Committee also stressed the need for the international community to support countries suffering from the effects of climate change. Unless decisive action is taken, both internationally and nationally, entire states could end up under water. In this case, the threat to life is obvious, and host states will not be able to deport asylum seekers from such countries.

It looks like this incident could become a turning point in the attitude of other states towards people caught in the zone of natural disasters caused by climate change.

And given this decision and the situation around climate refugees in the world, all this can be considered a signal to start developing the concept of the legal status of climate refugees, unhindered provision of their rights and freedoms. Moreover, as it became clear from the statements cited above by the UN representatives, the UN considers this topic important and urges countries to think now what to do with climate refugees, and emphasizes that deportation is not a solution to the problem.

Considering the analysis of the definition, signs, causes of the emergence of climate refugees, their statistical calculations, it is possible to provide several

ways to solve this urgent and inevitable problem, which will cover our entire planet in the near future. So, in order to mitigate the threats mentioned above, it is necessary, first of all, to comply with the provisions of the Paris Climate Agreement, as well as to take a number of other measures. In addition, the solution to the problem can be:

- new technologies and analytical capabilities need to be used to ensure that long-term climate prediction is based on effective and reliable analysis. Also, it is important to count climate migrants using new technologies, because statistical data helps to understand the picture that is happening in different parts of the world;
- besides, it is also very important to accumulate and analyze the experience of countries that have already faced the problem of resettlement of people due to climate change. Indeed, only in practice is it possible to develop real effective mechanisms and algorithms of actions to create a global strategy in the field of climate security;
- in addition, it is also necessary to strengthen the multifaceted international partnership of the United Nations, UN member states, regional and national organizations, because only together we can effectively confront the problems of climate refugees. Strengthening the coordination of the leading countries of the world on the migration problem by combining the efforts of many countries is the only way to secure the existence of the future of our planet and ourselves.
- finally, it is also necessary to create a global insurance fund, which, on the one hand, will help the affected refugees from climate change and from forced resettlement by paying compensation; on the other hand, the costs will be covered for the countries where the climate refugees ended up.

To summarize, it's safe to say that climate refugees are more than an existing group of people. Natural disasters caused by climate change leave millions of people homeless every year. Environmental changes and natural

disasters have always been one of the main causes of forced migrations. Climate change is just one of the reasons for the migration of people, but today it is extremely dangerous.

Numerous examples of problem regions show that in the modern world there are practically no countries that, at least partially, are not experiencing the consequences of global warming. We will all have to adapt, but in some countries, changes will make the usual life of people more impossible, which will cause a multi-million-dollar migration of people in the near future.

The problem today is that the term "climate refugee" has no legal status. It turns out that neither "climate refugees" nor "environmental migrants" exist in the international legal field. According to the Geneva Convention, such people cannot obtain refugee status - since this is a fairly new phenomenon, it is quite difficult to achieve rights for them. Moreover, today, there is not even a clear definition of what climate refugees are.

But, although there is no clear definition of "climate refugee", millions of people are forced to temporarily or permanently leave their place of residence due to the noticeable deterioration of the environment and live in a state of uncertainty.

And in this situation, a very important stage for the recognition of climate refugees is the decision of the UN Committee regarding the first officially recognized refugee. Thus, the decision emphasizes that the authorities of third countries do not have the right to deport asylum seekers if the situation in their homeland due to climatic conditions endangers their lives. This decision is literally revolutionary and hopeful for millions of people around the world. After all, this is the first step towards building an integral international system of long-term assistance to refugees and migrants, including climate ones, their resettlement and adaptation to a new place.

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