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STRENGTHENING TRANSATLANTIC COOPERATION

Climate Change and Migration

Study Team on Climate-Induced Migration
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Summary: Policymakers in potential destination countries for international migrants have been slow to identify possible responses to manage environmentally induced migration that take these complex interconnections into account. Humanitarian admissions are generally limited to refugees and asylum seekers. Most environmental migrants, forced to flee because of loss of livelihood or habitat and not because of persecutory policies, will be unlikely to meet the legal definition of a refugee. In the absence of legal opportunities to immigrate, at least some portion of those who lose livelihoods as a result of climate change and other environmental hazards will likely become irregular migrants. The challenge in these cases is determining whether these individuals should be given consideration over others who migrate in search of better opportunities. Temporary protection policies that permit individuals whose countries have experienced natural disasters or other severe upheavals to remain at least temporarily without fear of deportation may help a limited number of those forced to flee their homes because of climate change, but these will not address the need for permanent resettlement, particularly for the citizens of island nations that may be affected by rising sea levels. Given concerns in many potential countries of destination about the social, cultural, economic and other impacts of large-scale migration, the policy development process will need to balance domestic interests with the clearly humanitarian implications of climate change induced displacement.

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Climate Change and International Migration

by Susan F. Martin

Experts generally agree that the environment is just one of the many reasons that prompt people to migrate, sometimes operating on its own but more often through other mechanisms, particularly loss of livelihoods affected by environmental disruption. Policymakers in potential destination countries for international migrants have been slow to identify potential responses to manage environmentally induced migration that take these complex interconnections into account. This situation derives in part from uncertainties about the actual impacts of climate change on migration. But, even where there is a recognition that some form of migration related to environmental change is likely to occur, addressing these movements is hampered by the paucity of policy responses that are deemed appropriate to these forms of migration.

This paper begins with a brief discussion of the potential impact of climate change on migration patterns. It continues with an examination of existing capacities to address these forms of movement and gaps in the response capacities. The paper concludes with recommendations for addressing climate change induced migration.

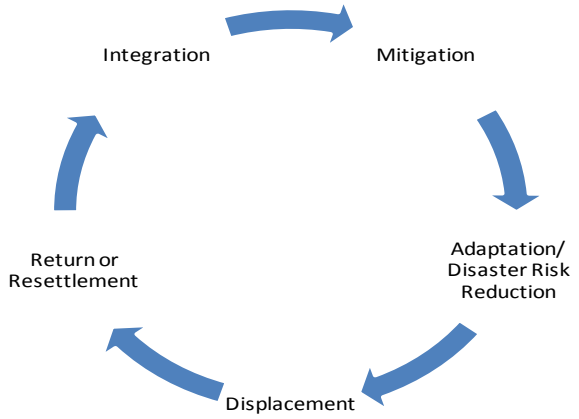
Background to the problem

Different policies and responses are needed at each stage of environmentally induced migration. The first stages are pre-migration, when actions to mitigate climate change and help individuals adapt to environmental hazards take place. It is outside of the scope of this paper to explore the steps being taken by localities, nations and the international community to reverse current environmental problems, reduce the risks associated with natural and human-made disasters, and avert future environmental shocks that may arise out of climate change. Suffice to say that prevention of the underlying causes of environmentally induced migration and developing mechanisms to adapt to climate change and variability is the most critical need in managing the issues covered in this paper, but it will require considerable political will, time and resources to take the steps that are needed to protect the environment and increase people's resilience.

Displacement is the second stage of the life cycle. Migration can be planned or spontaneous, involving individuals and households or entire communities. It can be internal, with people moving shorter or longer distances to find new homes and livelihoods within their own countries, or it can be international, with people seeking to relocate to other countries. It can proceed as an orderly movement of people from one location to another, or it can occur under emergency circumstances. It can be temporary, with most migrants expecting to

return home when conditions permit, or it can be permanent, with most migrants unable or unwilling to return. Each of these forms of migration requires significantly different approaches and policy frameworks. Depending on the specific situation, the environmental migrants may resemble labor migrants, seeking better livelihood opportunities in a new location, or they may resemble refugees and internally displaced persons who have fled situations beyond their individual control.

Life cycle of climate-induced migration



The third stage of the life cycle involves return or resettlement in another location. The decision about whether return is possible involves a range of variables, including the extent to which the environmental causes – either direct or through other channels – are likely to persist. Policies in the receiving communities and countries, depending on whether the migration is internal or international, will also affect the likelihood for return or settlement in the new location. In addition to immigration policies, the policies affecting return and settlement include land use and property rights, social welfare, housing, employment and other frameworks that determine whether individuals, households and communities are able to find decent living conditions and pursue adequate livelihoods.

The final stage of the life cycle involves (re)integration into the home or new location. The policy frameworks outlined above will be key determinants of integration, influencing the access of displaced populations to housing, livelihoods, safety and security. Integration is also affected by plans and programs to mitigate future dislocations from environmental hazards, coming full circle on the life cycle to a focus on prevention, adaptation and risk reduction.

Most migration occurring from climate change is likely to be internal, with the affected populations seeking to find more habitable locations, with greater economic opportunities, within their own countries. A portion of such migration will undoubtedly be international, however. In the most extreme cases, particularly in the context of rising sea levels, the entire population of island nations may need to be relocated. In other cases, environmental migrants will follow already established labor migration patterns that are international in scope. For example, if climate change worsens drought conditions in Mexican states such as Jalisco that already have significant migration to the United States, additional residents may choose to follow their compatriots north. Similarly, rising sea levels in Bangladesh may well add to already established migration to India. In still other cases, new patterns of international migration may occur, particularly if climate change affects habitat and livelihoods in large regions and leads migrants to go to new destinations.

Complicating the situation is the lack of good information and analysis about the circumstances in which international migration may result from climate change. Most projections of climate change induced migration focus on identifying habitat and livelihoods that will be adversely affected by environmental changes. Maps of changes that will result from various projections of sea level rise or intensified drought provide useful tools to assess how many people will be affected by these climatic changes and how many may be forced to leave their current homes. These maps do not provide a useful assessment, though, as to where they are likely to move – e.g., short or long distance, internally or internationally – or how these movements are likely to take place – spontaneously or planned, slowly or suddenly, voluntarily or forced.

Without such basic information, developing an appropriate policy framework is exceedingly difficult. The next section discusses the frameworks already in place for managing international migration that may occur as a result of climate change.

Existing policy frameworks and gaps in capacities

The immigration policies of most destination countries are not conducive to receiving large numbers of environmental migrants, unless they enter through already existing admission categories. Typically, destination countries admit persons to fill job openings or to reunify with family members. Employment-based admissions are usually based on the labor market needs of the receiving country, not the situation of the home country. Workers can be admitted for permanent residence or for temporary stays. Family admissions are usually restricted to persons with immediate relatives (spouses, children, parents and, sometimes, siblings) in the destination country. Most family reunification is for permanent residence.

Permanent Admissions

- Family reunification
- Labor migration/point systems
- Refugee resettlement/permanent asylum

Temporary Admissions

- Temporary worker programs/contract workers
- Temporary protection/temporary asylum

Some countries also use point systems under which they admit immigrants who score highly against such criteria as education and language skills.

Humanitarian admissions are generally limited to refugees and asylum seekers – that is, those who fit the definition in the UN Convention Relating to the Status of Refugees: persons with a well-founded fear of persecution on the basis of race, religion, nationality, membership in a particular social group or political opinion. Countries with permanent resettlement programs screen refugees overseas. By contrast, asylum generally applies within the territory of a destination country, which allows those who can establish their refugee *bonafides* to remain, either temporarily until they can safely return or permanently. Most environmental migrants, forced to flee because of loss of livelihood or habitat and not because of persecutory policies, will be unlikely to meet the legal definition of a refugee.

Some countries have established special policies that permit individuals whose countries have experienced natural disasters or other severe upheavals to remain at least temporarily without fear of deportation. The United States, for example, enacted legislation in 1990 to provide temporary protected status (TPS) to persons "in the United States who are temporarily unable to safely return to their home country because of ongoing armed conflict, an environmental disaster, or other extraordinary and temporary conditions." Environmental disaster may include "an earthquake, flood, drought, epidemic, or other environmental disaster in the state resulting in a substantial, but temporary, disruption of living conditions in the area affected." In the case of environmental disasters, as compared to conflict, the country of origin must request designation of TPS for its nationals.

Importantly, TPS only applies to persons already in the United States at the time of the designation. It is not meant to be a mechanism to respond to an unfolding crisis in which people seek admission from outside of the country. It also only pertains to situations that are temporary in nature. If the environmental disaster has permanent consequences, a designation of Temporary Protected Status is not available even for those presently in the United States, or it may be lifted. When the volcano erupted in Montserrat in 1997, TPS was granted to its citizens and was extended six times. In 2005, however, it was ended because "it is likely that the eruptions will continue for decades, [and] the situation that led to Montserrat's designation can no longer be considered "'temporary' as required by Congress when it enacted the TPS statute."

Another significant factor is that the designation is discretionary, determined by the Secretary of Homeland Security. Countries or parts of countries are designated, allowing nationals only of those countries to apply. Currently, the designation is in effect for citizens of El Salvador, Honduras and Nicaragua. TPS was originally triggered by the earthquakes in El Salvador and Hurricane Mitch in the other countries. It has been extended until September 9, 2010 (El Salvador) and July 5, 2010 (Honduras and Nicaragua). Notably, TPS was not triggered for the hurricanes that destroyed large parts of Haiti. Given the temporary nature of the grant and its application only to those already in the country, TPS

has limited utility in addressing environmentally induced migration.

At the European Union level, the "Temporary Protection Directive establishes temporary protection during 'mass influxes' of certain displaced persons. The term 'mass-influx' refers to situations where masses of people are suddenly displaced and where it is not feasible to treat applicants on an individual basis. It was decided that 'mass-influx' was to be defined on a case-by-case basis by a qualified majority of the Council" (quoted in Kolmannskog, 2009).

Sweden and Finland have included environmental migrants in their immigration policies. Within its asylum system, Sweden includes persons who do not qualify for refugee status but have a need for protection. Such a person in need of protection "has left his native country and does not wish to return there because he: – has a fear of the death penalty or torture – is in need of protection as a result of war or other serious conflicts in the country – is unable to return to his native country because of an environmental disaster." The decision is made on an individual, not group, basis. Although many recipients of this status are presumed to be in temporary need of protection, the Swedish rules foresee that some persons may be in need of permanent solutions. Similarly, in the Finnish Aliens Act, "aliens residing in the country are issued with a residence permit on the basis of a need for protection if […] they cannot return because of an armed conflict or environmental disaster" (quoted in Kolmannskog, 2009).

A number of countries provide exceptions to removal on an ad hoc basis for persons whose countries of origin have experienced significant disruption because of natural disasters. After the 2004 tsunami, for example, Switzerland, United Kingdom and Canada suspended deportations of those from such countries as Sri Lanka, India, Somalia, Maldives, Seychelles, Indonesia and Thailand.

To date, there are no examples of legislation or policies that address migration of persons from slow-onset climate changes that may destroy habitats or livelihoods in the future. For the most part, movements from slow-onset climate change and other environmental hazards that limit economic opportunities are treated in the same manner as other economically motivated migration. Persons moving outside of existing labor and family migration categories are considered to be irregular migrants. In the absence of a strong humanitarian basis for exempting them from removal proceedings (which is unlikely in the slow-onset situation), these migrants would be subject to the regular systems in place for mandatory return to their home countries. As their immediate reasons for migrating would be similar to those of other irregular migrants – that is, lack of economic opportunities at home and better economic opportunities abroad – there would be little reason for destination countries to manage these movements outside of their existing immigration rules.

Yet, a number of source countries are raising the potential that large numbers of their population may need to relocate internationally if the worse case scenarios of climate change come to pass. President Mohamed Nasheed announced at the end of 2008 that the Maldives was establishing a sovereign wealth fund which could be used to purchase a new island for the country's population. According to Nasheed, "this trust fund will act as a national insurance policy to help pay for a new homeland, should future generations have to evacuate a country disappearing under the waves."[1] Hoping that the funds would never be used for this purpose, Nasheed used the announcement as a call for renewed action to reduce gas house emissions.

Anote Tong, president of Kiribati, has also made it clear that the population of his island might be forced to relocate en masse. His focus has been on identifying immigration possibilities for Kiribati nationals in nearby countries, particularly Australia and New Zealand. In a recent trip to New Zealand, he suggested that the best educated Kiribatis should emigrate first, in an orderly fashion, and then establish communities which others could join as the situation requires.

In only a few cases has there been any serious discussion of new immigration policy frameworks for those displaced by climate change, but even in this context, the focus has been on disaster-related, not slow-onset movements. The Green Party in Australia launched an initiative in 2007 to establish

[1] Science News, February 28, 2009, available at http://www.sciencenews.org/view/feature/id/40789/title/First_wave

a "climate refugee visa" in immigration law. The initiative had three components:

1. To amend the Migration Act to incorporate a Climate Change Refugee Visa class;

2. To establish a program for the migration of up to 300 climate change refugees from Tuvalu per year; 300 from Kiribati, and 300 from elsewhere in the Pacific where appropriate;

3. To push the government to work in the United Nations and other international forums for the establishment of an international definition and framework on climate change and environmental refugees.[2]

The visa would be available to persons who had been displaced as a result of a "climate change induced environmental disaster," which in turn was defined as:

> a disaster that results from both incremental and rapid ecological and climatic change and disruption, that includes sea level rise, coastal erosion, desertification, collapsing ecosystems, fresh water contamination, more frequent occurrence of extreme weather events such as cyclones, tornados, flooding and drought and that means inhabitants are unable to lead safe or sustainable lives in their immediate environment.[3]

A determination that a disaster exists would have to be made personally by the Minister, using the following criteria: (a) the geographical scope of the disaster, (b) adaptation options and long term sustainability, (c) the capability of the country and neighboring countries to absorb displaced persons, and (d) international efforts to assist.

The bill was defeated in 2007 but members of the Green Party intend to reintroduce it or introduce a similar bill. The governing party has indicated it sees international migration of environmental migrants as a last resort. When asked if Australia intended to resettle those likely to be affected by rising sea levels in the Pacific, Immigration Department Deputy Secretary Peter Hughes responded:

> "I think the general view that has emerged about climate change displacement is that, first and foremost, the activities of governments ought to be aimed at mitigation of the climate change factors that might displace people, adaptation within countries where that is possible and internal relocation could be part of that adaptation process and, lastly, as a last resort, if needed, international resettlement as a response (quoted in Adelaide Now, 2008)."

New Zealand, under similar pressures regarding the potential need for resettlement of Pacific Islanders affected by rising sea levels, has also not established a specific category of admissions. The government has introduced a Pacific Access Category (PAC), under which 75 people from Tuvalu, 75 from Kiribati and 250 from Tonga may immigrate to New Zealand each year. The program is based on employment, however, not environmental factors. The immigrants must be between 18 and 45 years old, have an offer of employment in New Zealand, have English skills, meet minimum income requirements, undergo a health check and have no history of illegal entrance. The program is not intended to provide access to those who may be most vulnerable to climate change induced displacement – the elderly or the infirm, for example.

Conclusions

Discussion of policies to manage environmental migration is in its infancy. As understanding increases of the various ways that environmental change affects migration patterns, and vice versa, governments are beginning to think through how to manage the implications of these interconnections. Much of the attention to date focuses on internal migration, largely in the context of adaptation strategies. Few potential destination countries have explicit policies to manage climate change induced migration, unless affected populations migrate through the normal immigration policies that give preference to family reunification and employment-based admissions. With the exception of some discussions in Australia and New Zealand regarding admissions from the Pacific Island countries, no destination countries have considered establishing special labor admissions programs for persons affected by loss of livelihoods as a result of slow-

[2] Climate Refugee Visa: An Australian Greens policy initiative

[3] A Bill for an Act to recognize refugees of climate change induced environmental disasters, and for related purposes

onset climate change or other environmental hazards. While potential destination countries have asylum and/or resettlement systems to manage admission of persons who cannot return home because of a well-founded fear of persecution, none have systems in place to manage admission of persons who cannot remain or return home because of environmental threats. At best, destination countries have policies to defer deportation of those coming from countries with natural disasters, but these are generally post-disaster and ad hoc in their implementation. In sum, no major destination country has a pro-active policy designed to resettle persons adversely affected by environmental hazards.

Some international migration may well be needed, however, particularly for the citizens of island nations, necessitating identification of appropriate admissions policies in potential destination countries. Highest priority should be given to identifying likely patterns of migration. Particular attention should be placed on identifying who cannot be relocated within their home countries, either because of widespread habitat destruction (again, as in the case of certain island states) or because relocation would pose security risks that could provoke violence or even conflict. Some attention should also be addressed to the slower-onset situations in which loss of livelihoods generates emigration pressures. In the absence of legal opportunities to immigrate, at least some portion of those who lose livelihoods as a result of climate change and other environmental hazards will likely become irregular migrants. The challenge in these cases is determining whether these individuals should be given consideration over others who migrate in search of better opportunities. There is reason for skepticism that many destination countries will answer this question in the affirmative. With the exception of their refugee and asylum policies, countries tend to frame their admissions policies around their own national interests, prioritizing admission of persons who will contribute to economic growth, meet labor shortages or have close family ties in the destination county. While exceptions may be made for environmentally induced migrants whose situation most resembles that of refugees, there is less likelihood that governments will make an exception for those who resemble economic migrants.

In moving toward more coherent frameworks, the lessons of the past will be useful, particularly in the context of those countries that foresee the possibility that planned resettlement, including internationally, may be needed. More systematic examination of previous planned resettlement programs – in the context of transmigration, villagization and development projects – would help ensure that climate change induced resettlement programs do not fall victim to the problems identified in these initiatives. Identification of best case examples of resettlement – that is, programs that respected the rights of the resettled and resulted in an improved economic and social situation – is as important as identification of pitfalls experienced in programs that failed. Guidelines promulgated to protect those who are involuntarily resettled from development projects or who are displaced from natural disasters should be examined systematically to determine their applicability to the resettlement programs proposed by countries fearing the worst consequences of climate change. Technical assistance and training to the ministries that may be responsible for resettlement is essential to ensure that all alternatives are exhausted before people are required to relocate, affected populations are involved in the planning, and all steps are taken to ensure appropriate preparations and implementation

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The Institute for the Study of International Migration (ISIM), based in the School of Foreign Service at Georgetown University, applies the best in social science, legal and policy expertise to the complex and controversial issues raised by international migration.

PHOTO CREDIT: Floods in Ifo refugee camp, Dadaab,Kenya, UNHCR: B. Bannon, December 2006.

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Climate Change, Migration and Adaptation
by Susan F. Martin

Climate Change, Migration and Conflict: Receiving Communities under Pressure?
by Andrea Warnecke, Dennis Tänzler and Ruth Vollmer

Assessing Institutional and Governance Needs Related to Environmental Change and Human Migration
by Koko Warner

Transatlantic Study Teams

The GMF Immigration and Integration Program's Transatlantic Study Teams link the transatlantic debate on international migration flows with its consequences for sending and receiving regions. Through compiling existing data, policy analysis, and dialogue with policymakers, selected study teams gather facts, convene leading opinion leaders on both sides of the Atlantic, promote open dialogue, and help to advance the policy debate. Study teams are chosen by a competitive selection process, based on the overall quality of their proposal, its policy relevance, institutional strength, sustainability, and potential for synergies. The Transatlantic Study Team 2009/2010 is investigating the impact of climate change on migration patterns. Environmental deterioration, including natural disasters, rising sea level, and drought problems in agricultural production, could cause millions of people to leave their homes in the coming decades. Led by Dr. Susan F. Martin, Georgetown University, and Dr. Koko Warner, UN University, the team consists of scholars, policymakers and practitioners from the migration and environmental communities.

The German Marshall Fund of the United States (GMF) is a non-partisan American public policy and grantmaking institution dedicated to promoting better understanding and cooperation between North America and Europe on transatlantic and global issues. GMF does this by supporting individuals and institutions working in the transatlantic sphere, by convening leaders and members of the policy and business communities, by contributing research and analysis on transatlantic topics, and by providing exchange opportunities to foster renewed commitment to the transatlantic relationship. In addition, GMF supports a number of initiatives to strengthen democracies. Founded in 1972 through a gift from Germany as a permanent memorial to Marshall Plan assistance, GMF maintains a strong presence on both sides of the Atlantic. In addition to its headquarters in Washington, DC, GMF has seven offices in Europe: Berlin, Bratislava, Paris, Brussels, Belgrade, Ankara, and Bucharest.

The Institute for the Study of International Migration is based in the School of Foreign Service at Georgetown University. Staffed by leading experts on immigration and refugee policy, the Institute draws upon the resources of Georgetown University faculty working on international migration and related issues on the main campus and in the law center. It conducts research and convenes workshops and conferences on immigration and refugee law and policies. In addition, the Institute seeks to stimulate more objective and well-documented migration research by convening research symposia and publishing an academic journal that provides an opportunity for the sharing of research in progress as well as finished projects.

The UN University established by the UN General Assembly in 1973, is an international community of scholars engaged in research, advanced training and the dissemination of knowledge related to pressing global problems. Activities focus mainly on peace and conflict resolution, sustainable development and the use of science and technology to advance human welfare. The University's Institute for Environment and Human Security addresses risks and vulnerabilities that are the consequence of complex environmental hazards, including climate change, which may affect sustainable development. It aims to improve the in-depth understanding of the cause effect relationships to find possible ways to reduce risks and vulnerabilities. The Institute is conceived to support policy and decision makers with authoritative research and information.