

Climate Refugees: Displacement and International Law

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Abstract

Due to climate change, the rising sea levels have increasingly affected low lying islands and territories. With the increase of rising sea levels, island nations and territories are at risk of becoming submerged under water or uninhabitable. Over time rising sea levels have caused an increase in displacement and relocation of climate refugees. Climate induced displacement and relocation of individuals and communities has become more than a state or territorial issue, it has become a global issue. There are no current domestic and international laws protecting climate refugees. In my research I am asking, what are the current outcomes for climate refugees? And what are possible policies and laws at an international level to address climate refugees? I began with analyzing the current laws regarding refugees and human rights as well as international climate agreements to find any framework for protecting climate refugees. I also analyzed the outcomes of three islands within my case study. Focusing on Tuvalu, Kivalina Island, and Isle de Jean Charles, I examined each island looking at the multiple factors that influence displacement and relocation. In my findings, all islands received little help in the process of displacement and relocation. International laws regarding refugees and human right laws did not provide or offer protection in Tuvalu, Kivalina Island, and Isle de Jean Charles. Domestic laws in the islands of Kivalina and Isle de Jean Charles show that they cannot receive aid and protection until these communities declare a state of emergency. Due to lack of guidance, help, and protection from international and domestic laws, these island communities face the dangers of rising sea levels to their health, safety, and well-being of their communities.

Tuvalu

Tuvalu is a collection of nine islands which low-lying islands that are thirteen to sixteen feet above sea level. The islands are facing the impacts of climate change and sea level rise. Coastal erosion, loss of land, flooding, damage to infrastructures and severe storms threaten the agriculture, culture and traditions, land, and the people. This has led to adaptation strategies, climate-induced displacement, and migration.

Outcome:

- With no international laws or assistance for climate refugees, the people of Tuvalu rely on traditional knowledge and community as an adaptive response and government aid.
- An agreement for relocation and resettlement has not been made for Tuvalu. There are still approaches being made in seeking new territory to re-establish the county.
- The people of Tuvalu are encouraged to make their own decisions to migrate to New Zealand. New Zealand is assisting Tuvalu if needed to uphold its national efforts to



Issues of Outcomes

Tuvalu	Climate change poses a strong threat to Tuvalu's populations in displacement and loss territory. International framework protecting the rights and needs of climate refugees is needed to support Tuvalu in further actions on relocation and resettlement.
Kivalina Island	There are no international governments that are able to assist with the process of relocation. Investigations by the U.S. Army Corps of Engineers determined that Kiniktu-uraq could also fall victim to climate
Isle de Jean Charles	Political decisions ignore social and cultural factors. Community is seeking cultural restoration and traditional livelihood development.

Kivalina Island

Climate change has strongly affected Kivalina island impacting a village that heavily relies on the formation of sea ice. The loss of ice leaves the shoreline unfrozen and exposed to storms making the island vulnerable to erosion and flooding threatening infrastructure and residents of Kivalina.

Outcome:

- Residents of Kivalina are currently developing a plan to relocate to a nearby site.
- Kivalina proposes to develop a safe, reliable, and direct means of temporary community evacuation to an acceptable mainland location on K-Hill.
- In 2000, the community settled on a potential site for relocation, dubbed Kiniktuuraq.



Conclusions

- There is a Significant difference between climate induced displacement and relocation in the U.S. and international context.
- In climate-induced displacement and relocation, rights of climate change refugees should be protected which includes cultural rights as well.
- Guidance and protection of communities facing climate-induced displacement and relocation should be rooted in the human rights framework which protects rights to self-determination and ensures protection to traditions, culture, and identity for communities.
- Indigenous communities should be included in the process of relocation and resettlement.

Isle de Jean Charles

Isle de Jean Charles is a narrow island in the bayous of South Terrebonne Parish, Louisiana. It is home to the Biloxi-Chitimacha-Choctaw Indians. The community's culture, land, settlements, and livelihoods are threatened by rising sea levels. Losing wet land and barriers, the island no longer has protection from storms leading to flooding and erosion.

Outcome:

- Isle de Jean Charles is first community in the U.S. to receive federal assistance for a large-scale retreat from the effects of climate change.
- \$48 million is used to purchase land, build homes and move the island's approximately 80 full-time residents.
- The Louisiana Office of Community has reached an agreement to buy a 515-acre tract in Terrebonne Parish near Schriever to relocate about 80 residents from Isle de Jean Charles.



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