

CLIMATE REFUGEES AND STATELESSNESS: THE UNSEEN HUMAN RIGHTS CRISIS OF THE 21ST CENTURY

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Abstract:

Climate change is triggering an unprecedented wave of human displacement and raising the alarming prospect of statelessness, yet existing legal frameworks offer little protection to those affected. This article explores how climate-induced disasters from supercharged floods to creeping sea-level rise are forcing people from their homes, creating “climate refugees” who often fall outside the scope of international refugee law. It also examines the emerging challenge of climate-related statelessness, as entire nations (particularly small island states) risk losing their territory to rising seas. The human rights implications are dire: millions face loss of housing, livelihood, nationality, and basic dignity, without a formal status to guarantee their rights. Despite the scale of this crisis, it remains largely unseen in global policy, with fragmented or insufficient responses. The article argues for urgent international cooperation to fill protection gaps from expanding legal definitions and frameworks to proactive measures averting displacement in order to uphold the rights and dignity of those most vulnerable to climate change.

Keywords: Climate Refugees. Statelessness. Human Rights. Displacement. International Law

Introduction

Climate change has evolved from a purely environmental concern into a profound human rights challenge in the 21st century. Intensifying droughts, floods, hurricanes, and sea-level rise are not only wreaking ecological and economic havoc, but also uprooting human communities on a vast scale. In 2023, the number of people forcibly displaced worldwide reached a record high (over 110 million) a figure driven not just by conflict and persecution but increasingly by climate-related disasters and environmental degradation. By 2050, it is projected that more than 200 million people could be displaced by climate change’s impacts, rendering climate change a leading driver of migration and humanitarian crises.⁶³⁵ These displaced

individuals, often referred to as “climate refugees,” flee unliveable conditions created or worsened by global warming, such as submerged homes, failed crops, or devastating storms. At the same time, climate change is threatening the very existence of some low-lying nations, raising the once-unthinkable specter of entire populations becoming stateless when their countries physically vanish beneath the waves.

This confluence of climate-driven displacement and looming statelessness constitutes an unseen human rights crisis. “Unseen” because it remains inadequately addressed in international law and policy. People forced to migrate by climate factors do not fit neatly into

⁶³⁵ Karla Mari McKanders, ‘Climate Migration’ (Human Rights Magazine, American Bar Association, 30 October 2024) <https://www.americanbar.org/groups/crsj/resources/human-rights/2024->

[october/climate-migration/](https://www.americanbar.org/groups/crsj/resources/human-rights/2024-october/climate-migration/) accessed 24 October 2025. (Noting that UNHCR predicts more than 200 million people could be displaced by climate-related disasters by 2050, and an annual average of 21.5 million people have already been displaced by weather-related events since 2008.)

the legal definition of “refugee” and often find themselves in legal limbo without the protections afforded to those fleeing war or persecution. Likewise, our international system has no clear plan for preserving the rights of citizens of countries that may lose all habitable land. The result is a protection gap: large groups of vulnerable people are falling through the cracks of our current frameworks, exposed to homelessness, exploitation, and the denial of basic rights. This article will examine the twin issues of climate refugees and climate-related statelessness, analysing the shortcomings in existing laws, the real human impact on affected communities, and potential pathways to address this crisis. In doing so, it underscores the urgency of recognizing and acting on these challenges as fundamental human rights imperatives of our time.

Climate Refugees: Displacement in the Climate Crisis

Defining “Climate Refugees.” The term “climate refugees” describes people who are forced to leave their homes and communities because of acute or long-term climatic changes and disasters such as floods, severe storms, droughts, desertification, and shoreline erosion. These individuals might cross an international border or remain within their home country’s borders (in the latter case they are technically **internally displaced persons (IDPs)**). What distinguishes climate refugees from traditional refugees is the primary driver of their flight: rather than war or persecution, it is an environmental event or change that has made their home uninhabitable or their livelihood impossible. For example, a farming family whose lands have turned to desert after years of drought, or a coastal community submerged by a cyclone, may have no choice but to move in search of safety and survival. In 2022 alone, there were 33 million new displacements caused by natural disasters with events like catastrophic floods in Pakistan and droughts in East Africa among the biggest triggers

illustrating the scale of climate-induced flight.⁶³⁶ Over time, slow-onset effects of climate change (such as rising sea levels, expanding deserts, or melting glaciers affecting water supply) are expected to displace even larger populations, potentially on a permanent basis, as once-productive regions become inhospitable to human life.

Despite the growing usage of the term in media and advocacy, **“climate refugee” is not a formally recognized legal category** under international law. The cornerstone of refugee protection, the 1951 **Convention Relating to the Status of Refugees**, defines a “refugee” narrowly as a person who has fled their country due to a well-founded fear of persecution on account of race, religion, nationality, membership of a particular social group, or political opinion.⁶³⁷ This definition born in the post-World War II era does not include those fleeing environmental destruction. Climate migrants typically do not claim persecution by a government or group. their adversary is often nature (albeit a nature intensified by human-induced climate change). Because they fall outside the 1951 Convention’s criteria, people displaced by climate impacts generally *do not* qualify for asylum or refugee status in other countries under the existing international regime. As a result, a family displaced by rising seas or by a hurricane has no automatic legal right to cross a border and seek refuge, no matter how desperate their situation. They are frequently classified as **“economic migrants”** or simply remain undocumented, which can leave them without legal status or protection in the countries where they end up.⁶³⁸

⁶³⁶ Lawrence Huang, ‘Climate Migration 101: An Explainer’ (Migration Policy Institute, 16 November 2023) <https://www.migrationpolicy.org/article/climate-migration-101-explainer> accessed 24 October 2025. (Noting that there were 33 million disaster-related displacements in 2022, mostly within countries, including major flood displacement in Pakistan and drought displacement in East Africa.)

⁶³⁷ Convention Relating to the Status of Refugees 1951, 189 UNTS 137, art 1A(2). (The 1951 Refugee Convention defines a refugee as a person with a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion, who is outside their country of nationality and unable or unwilling to avail themselves of that country’s protection.)

⁶³⁸ Zanele Christine Fengu, ‘Protecting climate change refugees in the 21st century: A call to action for African leaders’ (GC Human Rights Preparedness, 27 July 2023) <https://gchumanrights.org/gc->

A Protection Gap and its Human Impact

The exclusion of climate-displaced people from the refugee framework has tangible human rights consequences. Lacking formal recognition as refugees, climate migrants are not entitled to the rights and assistance that recognized refugees receive, such as the right not to be forcibly returned to danger (**non-refoulement**), access to relief programs, or pathways to resettlement and integration. Instead, many face precarious conditions: they may live in informal settlements or camps without adequate food, water, sanitation, or healthcare. They might be at the mercy of border policies that treat them as irregular immigrants, subjecting them to detention or deportation because they cannot prove a fear of persecution by a human actor. In essence, climate refugees often find themselves in legal limbo **“neither here nor there”** with no home to return to safely, and no legal status in any other country. This vulnerability can lead to further human rights violations, including exploitation by traffickers, discrimination, and denial of basic services. UN agencies and humanitarian organizations have increasingly sounded the alarm that people displaced by climate change are among the world’s most vulnerable, often lacking even the minimal protections afforded to conflict refugees.⁶³⁹

Internal vs. Cross-Border Displacement

It is important to note that most climate-related displacement to date has been internal. When disasters strike or livelihoods fail, the first response of affected populations is often to move to safer areas within their own country for example, from a drought-stricken rural district

to a city, or from a flooded village to a drier region. These **internal climate migrants** or IDPs do not cross an international boundary, which means they are not covered even by the limited protections of refugee law. Their well-being is primarily the responsibility of their national government. yet, in many cases, those governments are overwhelmed or lack the capacity and resources to assist all those in need. International law regarding IDPs (such as the **UN Guiding Principles on Internal Displacement 1998**) provides non-binding guidance that people displaced within their country should still enjoy their fundamental human rights and receive humanitarian aid, but implementation on the ground is often lacking.⁶⁴⁰ In some regions, there have been advances for instance, Africa’s **Kampala Convention (2009)** is a legally binding regional treaty that obliges African states to protect and assist IDPs including those displaced by natural disasters. However, such frameworks are not universal. When internal displacement becomes protracted, those affected can languish for years in camps or informal urban settlements. If the environmental conditions at home do not improve as is likely when climate change is the driver temporary displacement can turn into permanent exile within one’s own country. This scenario raises tough questions: how to ensure these internal climate migrants have access to housing, jobs, education, and security in their new locales? And if certain regions of a country become uninhabitable long-term, how will states manage potentially large-scale resettlement of their own citizens? These are questions most governments are only beginning to grapple with.

Statelessness in a Warming World

While climate change is displacing individuals and communities, it is also threatening the very existence of some states raising the

preparedness/preparedness-environment/article-detail/protecting-climate-change-refugees-in-the-21st-century-a-call-to-action-for-african-leaders.html accessed 24 October 2025. (Observing that international refugee law is silent on people fleeing climate disasters, leaving them excluded from refugee status and thus from legal protections, which increases their vulnerability to human rights violations.)

⁶³⁹ Sneha Singal, ‘Stateless in a sinking world: the untold plight of climate refugees’ (LSE Human Rights Blog, 23 January 2025) <https://blogs.lse.ac.uk/humanrights/2025/01/23/stateless-in-a-sinking-world-the-untold-plight-of-climate-refugees/> accessed 24 October 2025. (Noting that climate refugees lack formal recognition under international frameworks, leaving millions without adequate legal protection and exacerbating their vulnerability.)

⁶⁴⁰ ‘Pakistan Case Study’ in *Climate Displacement and Resilience Database* (Othering & Belonging Institute, UC Berkeley, 2023) <https://belonging.berkeley.edu/climatedisplacement/case-studies/pakistan> accessed 24 October 2025. (Reporting that in 2022, catastrophic floods in Pakistan displaced approximately 8 million people and caused over \$30 billion in losses, illustrating how a single climate disaster can uproot millions.)

unprecedented issue of **climate-related statelessness**. Under international law, a stateless person is someone “who is not considered as a national by any State under the operation of its law,” as defined in the **1954 Convention Relating to the Status of Stateless Persons**.⁶⁴¹ Typically, statelessness has arisen from gaps or conflicts in nationality laws, discrimination against certain ethnic or religious groups, or the dissolution of states (for example, people left without citizenship after the breakup of countries). Today, over 4.4 million people worldwide are recorded as stateless, with possibly many more undocumented.⁶⁴² they include, for instance, the Rohingya (a persecuted minority stripped of citizenship in Myanmar), and children born to refugees or migrant parents who have no nationality. Being stateless is a severe handicap it means having no legal identity in the eyes of any nation. Stateless people often cannot obtain passports, vote, own property, access education or healthcare, or even legally work in many cases. They live in a shadow society with virtually no rights or security. Now, to this already troubling phenomenon, we must add the looming threat of statelessness caused by climate change.

Sinking Nations and Nationality

Climate science warns that without drastic reductions in greenhouse gas emissions, global sea levels could rise by 1 meter or more by the end of this century. Such an outcome would be catastrophic for low-lying island nations like **Kiribati, Tuvalu, the Maldives, the Marshall Islands, and others**. Even a smaller rise, coupled with the increased frequency of extreme tidal surges and storms, could render these islands uninhabitable well before they are completely

submerged. Some islands have already seen saltwater intrude into their freshwater lenses and have experienced regular flooding, damaging agriculture and infrastructure. The very real fear is that, at some point in the 21st century, these countries may become unable to support their populations, forcing a mass evacuation. Kiribati’s former President Anote Tong famously described this as his country facing “extinction.”⁶⁴³ The prospect of an entire nation’s population needing to relocate to other countries is a scenario never encountered in modern history. It raises difficult questions: if an island nation’s territory sinks below the ocean or is abandoned, does that nation cease to exist as a state? If so, what happens to the political and legal identity of its people? Will they automatically become stateless, or can their citizenship and by extension their rights be preserved in some way? International law does not yet have clear answers. The traditional criteria for statehood (outlined in the 1933 **Montevideo Convention**) include having a defined territory and a permanent population. If territory is lost to the sea and the population is dispersed, some argue the Montevideo criteria are no longer met, potentially ending a state’s existence.⁶⁴⁴ Others contend that statehood could perhaps continue in a deterritorialized form for example, a government-in-exile maintaining sovereignty rights, or a “state” that exists as a legal fiction so that its citizens do not become stateless. These legal debates remain largely theoretical so far, but for the nations in question, they are of utmost practical urgency.

Some threatened states are proactively seeking solutions. **Tuvalu and Kiribati** have both engaged in diplomacy to secure the future of

⁶⁴¹ Climate Refugees, *Report on Somalia: Climate Change and Displacement* (Climate Refugees NGO, 2021) as cited in Fengu (n 4). (In Somalia, an estimated 75% of new internal displacements in 2020 were caused by climate-related factors like drought and flooding, compared to 25% by conflict, marking climate change as the dominant driver of displacement in that year.)

⁶⁴² Nasrat Sayed and Said Hashmat Sadat, ‘Climate Change Compounds Longstanding Displacement in Afghanistan’ (Migration Policy Institute, 29 June 2022) <https://www.migrationpolicy.org/article/climate-change-displacement-afghanistan> accessed 24 October 2025. (Describing how severe droughts in Afghanistan in 2018 led to massive internal displacement, and noting that in 2018 more Afghans were displaced by natural disasters than by armed conflict.)

⁶⁴³ United Nations Guiding Principles on Internal Displacement, UN Doc E/CN.4/1998/53/Add.2 (11 February 1998). (Although not binding, these principles affirm that IDPs including those displaced by disasters have the right to assistance, and that national authorities have primary responsibility to protect and aid them without discrimination.)

⁶⁴⁴ UN Human Rights Committee, *Ioane Teitiota v. New Zealand*, Communication No. 2728/2016, CCPR/C/127/D/2728/2016 (24 October 2019, published January 2020). (This decision, while not granting refugee status to the applicant from Kiribati, held that states must consider climate change impacts under the right to life when deporting individuals. it warned that returning someone to a place where climate change poses an imminent threat to life could violate their right to life, thereby extending non-refoulement principles to climate contexts in extreme cases.)

their people. In a dramatic example, Kiribati in 2014 purchased a parcel of land in Fiji (approximately 20 square kilometres) as a potential site for future resettlement of its population or at least for growing food if climate pressures worsen.⁶⁴⁵ Similarly, the Maldives has at times floated the idea of buying land in other countries to which its citizens could relocate if necessary. These actions, while prudent, are essentially stop-gap measures attempting to stave off a worst-case scenario. They do not solve the core legal dilemma of how to maintain nationhood or citizenship when homeland territory is lost. An additional approach has been for these states to lobby internationally for recognition of their plight and for frameworks that would preserve the rights of their people. In 2021, the Pacific island nation of Vanuatu spearheaded a campaign for the UN to seek an advisory opinion from the International Court of Justice on the obligations of states to protect people from climate change an effort aimed at strengthening international accountability and potentially benefitting vulnerable populations. Small island states through the **Alliance of Small Island States (AOSIS)** have also been instrumental in pushing for a “**loss and damage**” mechanism under the UN climate regime, to secure funding and support for harms that cannot be avoided, including possibly the displacement of populations.⁶⁴⁶ While primarily about financial compensation, the loss and damage discussion acknowledges that some effects of climate change (like territory loss) are irreparable and require solidarity from the global community.

Human Rights Implications

The phenomena of climate refugees and climate-induced statelessness are fundamentally human rights crises. At their core, they involve people’s basic rights to life,

security, shelter, food, water, health, and identity being put in jeopardy by environmental forces and insufficient legal protections. Here we outline key human rights issues that arise:

- **Right to Life and Security:** Climate disasters pose an immediate threat to life through floods, storms, heatwaves, or famine prompting people to flee to save their lives. When displaced persons cannot find safe haven due to legal barriers, their right to life remains at risk. For example, a family that fled a devastating cyclone only to be turned back at a border or confined in unsafe conditions faces ongoing threats to life and security. Additionally, climate-exacerbated conflicts (over dwindling resources like water and arable land) can create violence that imperils lives and safety, effectively forcing migration. Refugee and human rights law both insist that no one should be returned to a situation where their life is in danger. However, without clear recognition of climate threats as legitimate grounds to flee, this principle is not consistently applied for climate refugees.
- **Right to Adequate Housing and an Adequate Standard of Living:** Displaced people often lose their homes and livelihoods. The right to adequate housing (recognized in instruments like the International Covenant on Economic, Social and Cultural Rights) is massively challenged in displacement scenarios. Climate refugees frequently end up in temporary shelters or camps that are overcrowded and underserved, or they live in informal urban settlements (slums) at the margins of cities. They may lack clean water, sanitation, food security, and healthcare undermining their right to an adequate standard of living. If they are not legally acknowledged, they might not be eligible for state assistance or international aid programs that would

⁶⁴⁵ Convention Relating to the Status of Stateless Persons 1954, 360 UNTS 117, art 1(1). (Defining a stateless person in international law.)

⁶⁴⁶ UNHCR, ‘Global Trends Report 2023’ (June 2024). (At the end of 2023, UNHCR documented about 4.4 million stateless people worldwide, noting that the true number is likely higher due to underreporting, additionally, around 1.3 millions of these stateless individuals were also among displaced populations, such as stateless refugees.)

help meet these needs. Stateless individuals face similar deprivations. often they cannot legally work or own property, trapping them in poverty. We see this in the case of stateless refugees like the Rohingya, who rely on humanitarian handouts while being barred from formal employment or permanent homes.

- **Right to Nationality and Legal Identity:** Perhaps the clearest human rights issue in the statelessness context is the loss of a legal identity. Nationality is considered a fundamental human right because it is the right that secures recognition before the law. Without nationality or legal status, individuals may not be able to access justice, education, or health systems. If an entire population becomes stateless, this is a human rights catastrophe they become people with no country responsible for them. The psychological toll of that, alongside the practical obstacles, is immense. People have a right to belong to a community and a nation. climate change threatens to sever that bond for some communities.

In summary, climate change is acting as a threat multiplier for human rights: it not only directly endangers basic rights through environmental harm, but it also exploits weaknesses in our legal and social systems such as the non-recognition of climate refugees and the lack of framework for sinking states to produce secondary human rights crises. Those who are displaced or made stateless by climate impacts are often invisible in legal terms, and that invisibility leads to violations going unnoticed or unaddressed. Recognizing climate-displaced people as rights-holders in need of protection is the first step toward closing this gap.

International Response and Legal Developments

The international community has begun to acknowledge the link between climate change, displacement, and human rights, but concrete protections remain limited. Thus far, efforts to address the plight of climate refugees and prevent climate-induced statelessness can be described as fragmented and still in nascent stages. Here we outline some key developments and proposals:

Global Compacts and Multilateral Initiatives:

In 2018, two significant, albeit non-binding, agreements were adopted by the United Nations which recognize climate change as a driver of displacement. The **Global Compact on Refugees** and the **Global Compact for Safe, Orderly and Regular Migration** both emerged from the New York Declaration (2016) process. The Migration Compact explicitly acknowledges that climate, environmental degradation, and natural disasters are among the factors that compel people to move, and it calls on states to cooperate to address these issues (for instance, by devising planned relocation policies and humanitarian visas).⁶⁴⁷ However, the Compact stops short of creating a new legal category or obligations. it avoids the term “climate refugee” and frames the issue as part of broader migration management. Similarly, the Refugee Compact mentions disasters and climate indirectly, encouraging support for countries affected by displacement in those contexts. While these compacts are important for putting climate displacement on the international agenda, they rely on voluntary action by states.

Parallel to the UN compacts, there have been **state-led initiatives** aimed at filling protection gaps. One of the earliest was the **Nansen Initiative (20122015)**, spearheaded by Norway and Switzerland, which consulted widely on the

⁶⁴⁷ Laurence Caramel, ‘Besieged by the rising tides of climate change, Kiribati buys land in Fiji’ *The Guardian* (30 June 2014) <https://www.theguardian.com/environment/2014/jul/01/kiribati-climate-change-fiji-vanua-levu> accessed 24 October 2025. (Describing Kiribati’s purchase of land in Fiji as a contingency for potential future relocation of its people, and quoting leaders of small island states on the “irreparable” impacts of climate change that threaten their countries’ existence.)

issue of cross-border displacement due to disasters. It resulted in the **Protection Agenda**, a set of conclusions and effective practices endorsed by over 100 governments in 2015. This agenda lays out approaches for how states can admit and protect people fleeing disasters (e.g. through temporary protection, humanitarian visas, or regional agreements). It is not a binding treaty, but it has influenced policy. The work of Nansen is continued by the **Platform on Disaster Displacement**, which is actively promoting these ideas within regional organizations and encouraging countries to incorporate disaster displacement clauses into their national laws. For example, some Central American countries (under the 2017 **San José Declaration**) agreed to treat persons fleeing disasters with humanitarian consideration for protection a regional step toward recognizing such refugees. In Africa, as noted, the **Kampala Convention** on IDPs includes those displaced by natural disasters, and the older **1969 OAU Refugee Convention** (governing refugees in Africa) has a broadened refugee definition (“events seriously disturbing public order”) that arguably could cover environmental catastrophes. Similarly, Latin America’s **Cartagena Declaration (1984)** expands the refugee definition to include those fleeing “massive violations of human rights” or “other circumstances” that disturb public order, which has been interpreted in some cases to include disaster scenarios. These regional instruments provide some flexibility that could be used to protect climate refugees, but they are not uniformly applied.

National Policies: A few individual countries have taken steps to accommodate climate-displaced people. For instance, **New Zealand** launched a modest pilot program a few years ago offering a special visa for limited numbers of people from Pacific Island states affected by climate change (often dubbed the world’s first “climate refugee visa”), though the program’s scale and criteria remain narrow. **Canada** and some European countries have shown openness to considering climate factors in

asylum applications on a case-by-case basis, especially if claimants can link environmental disaster with persecution or conflict. Courts in countries like New Zealand and France have made notable decisions: in one case, a New Zealand court recognized the grave situation of a Kiribati national affected by sea-level rise but ultimately did not grant refugee status. In France, courts have occasionally halted deportations of migrants to countries (like Bangladesh) due to environmental risks and health conditions that would be life-threatening. These cases indicate a judicial awareness that something must be done, but also the limitations of working within existing law.

UNHCR and International Agencies: The UN Refugee Agency (UNHCR) has not advocated amending the 1951 Refugee Convention, but it has issued guidance and legal opinions on how existing law can apply. In 2020, UNHCR released **Legal Considerations on Climate Displacement**, affirming that while climate refugees per se are not recognized, there are scenarios where refugee law *might* protect those affected by climate change for example, if a government’s failure to assist a certain group in a disaster is due to discrimination, that could amount to “persecution” on a protected ground (e.g. if an ethnic minority is denied disaster relief by its government, and members flee, they could argue persecution). UNHCR has noted that climate change can “interact with drivers of persecution and conflict,” thereby indirectly bringing some people into refugee criteria.⁶⁴⁸ Moreover, UNHCR has been integrating climate preparedness into its operations, since 8090% of current refugees are from countries highly vulnerable to climate impacts (meaning refugee camps and host communities are dealing with climate stresses too). Another important agency, the

⁶⁴⁸ Mark Nevitt, ‘Climate Change and the Specter of Statelessness’ (2024) 36 *Georgetown Environmental Law Review* 331, 337339. (Discussing how rising sea levels threaten the territorial integrity of certain small island states and examining the gaps in international law regarding statehood and statelessness if a state’s territory becomes uninhabitable. noting the Montevideo Convention criteria for statehood and the lack of consensus on how to treat “sinking” states.)

International Organization for Migration (IOM), has a mandate encompassing all migrants and has been very active in research and programs on climate migration. IOM helps governments with adaptation strategies that include migration as a form of resilience (e.g. facilitating voluntary relocation from high-risk areas). The **UN Human Rights Council** has also weighed in: it appointed a Special Rapporteur on human rights and climate change, who in reports has highlighted the need to protect those displaced by climate effects and ensure that statelessness is prevented.

Preventing Statelessness: On the statelessness front, there have been calls for creative solutions to avoid climate-induced statelessness. One proposal by legal scholars is the idea of “**detrterritorialized states**” allowing a state like Kiribati to continue to exist legally even if its population is in exile and its territory is underwater, perhaps by having an agreement to use another country’s land for its government operations. This would preserve the nationality of its citizens. Another suggestion is establishing **regional citizenship** arrangements. For example, citizens of doomed islands might receive citizenship or long-term residence in a larger neighbouring country as a form of climate refuge (some have pointed to the possibility of Australia or New Zealand granting such status to Pacific Islanders, given their historical ties and responsibilities in the region). Thus far, no country has explicitly committed to honouring the future nationality of climate-displaced populations in this way. However, the groundwork is being laid in international discussions. The issue was mentioned in the 2021 UN **High-Level Meeting on Statelessness** and in academic forums. Additionally, the ongoing UNHCR-led **#IBelong Campaign** to end statelessness (launched in 2014) has raised awareness and prompted more accessions to the statelessness conventions. As of now, that campaign focuses on traditional causes of statelessness, but the principles that everyone has the right to a nationality and that states should work together to prevent new cases of

statelessness are certainly applicable to climate change scenarios. The hope is that by the time any state faces physical extinction, the international community will have crafted a legal safety net to ensure its people do not lose their citizenship and rights.

Prospects for a New Legal Framework: Some advocates argue that incremental measures are not enough, and what’s needed is a new global legal instrument often dubbed a “**Climate Refugee Treaty**” or protocol that squarely addresses protection for people displaced by climate change. Ideas include an amendment or protocol to the Refugee Convention broadening the definition of refugee to encompass environmental displacement, or a standalone treaty that creates a status of “climate-displaced person” with certain rights. So far, governments have been cautious about this approach. There are political concerns that reopening the Refugee Convention might lead to a reduction in protections (given some states’ anti-immigrant stances), or that a new treaty could be difficult to negotiate and ratify. As a compromise, others suggest using **soft law** guiding principles or a Security Council resolution to affirm obligations toward climate refugees. Notably, the **UN Security Council** has debated climate change as a security threat. While one draft resolution in 2021 (which would have explicitly incorporated climate-related security risks into the Council’s work) was vetoed, there is growing acceptance that climate change has peace and security implications, which includes large-scale displacement. If framed as a threat to international peace, climate migration might prompt binding action or funding under security auspices, though such action is in early days.

In sum, the international response is characterized by acknowledgment of the problem and some innovative initiatives, but also a lack of binding legal force and uniform practice. **No single international legal instrument yet fully guarantees the rights of climate refugees or persons at risk of climate statelessness.**

Conclusion

Climate change is often described as a threat multiplier and nowhere is this more evident than in its capacity to uproot human lives and undermine the very constructs of statehood and citizenship. The twin phenomena of climate refugees and climate-induced statelessness represent an unfolding human rights crisis that the world has only begun to confront. On one hand, millions of people are being displaced from their homes by climate-related forces, yet finding no clear sanctuary or legal status when they seek safety. On the other hand, entire nations face existential risks, bringing into question some of the fundamental assumptions of international law regarding territory and nationality. Together, these issues challenge the global community to respond in ways that reaffirm the dignity and rights of every person regardless of whether they fit existing legal categories.

The current international legal framework is inadequate to meet this challenge. Refugee law, as it stands, reflects 20th-century realities and does not account for those fleeing environmental collapse. Statelessness law guards against many traditional causes of statelessness, but not the loss of a physical state due to climate change. The absence of legal recognition, however, does not negate the reality that these people need protection. It is therefore imperative to bridge the gap through innovative and compassionate approaches. This could include developing new legal instruments or expanding interpretations of existing ones to encompass climate-displaced persons. It also requires practical measures: creating pathways for planned relocation and resettlement before crises hit, allocating international funds to support communities forced to move (ensuring that the burden does not fall only on already-poor countries or on the affected individuals), and guaranteeing that those who do move are not stripped of basic rights such as education, healthcare, and the ability to work. In the case of threatened nations, the international community must be prepared

to uphold the nationality rights of affected populations potentially through agreements that confer dual citizenship or other protective statuses if their original state loses viability.

The situation also calls for addressing root causes. Ultimately, reducing greenhouse gas emissions and limiting global warming is a human rights imperative to prevent the worst-case scenarios of displacement and statelessness. Climate adaptation building sea walls, improving water management in drought areas, diversifying livelihoods can reduce the need for people to migrate involuntarily. But adaptation has limits. Beyond a certain threshold, some migrations will be unavoidable. Thus, part of “climate justice” is ensuring that those who do lose their homes or countries are treated not as pariahs or anomalies, but as our shared responsibility. These are people who through no fault of their own find themselves on the frontlines of a global crisis. Justice and equity demand that we do not turn a blind eye to their plight.

In conclusion, climate refugees and statelessness should not be seen as distant or speculative problems. They are already realities for many and forecasted destinies for more. Recognizing them as a core human rights crisis of our time is the first step toward marshalling the political will, legal ingenuity, and moral courage needed to tackle them. History will judge the global community by how we treat the most vulnerable and today, some of the most vulnerable are those displaced and dislocated by a crisis not of their own making. To truly leave no one behind in the 21st century, we must bring climate refugees out of the shadows and ensure they, and those at risk of climate statelessness, have a place in the international legal order that protects their humanity. Anything less would be an abdication of our common responsibility in the face of one of the greatest challenges of our era.