

Abstract

Legal Framework of Climate Induced Migration

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In 2018, the World Bank estimated the three regions of Latin America, sub-Saharan Africa and Southeast Asia to likely generate 143 million more climate migrants by 2050. Over a rough period of three decades and as a run up to present day, studies on the nexus between environmental security and forced migration have come together through various research initiatives, governmental policy-making, and regional and global institutions such as the UN-IOM, the UNHCR, the Nansen Initiative, the Platform on Disaster Displacement, the EACH-FOR (Environmental Change and Forced Migration Scenarios Project) Project and the German Marshall Fund Transatlantic Study Team on Climate Change & Migration, to name a few. Despite strong progress in research, international legal developments have remained somewhat stymied as no international legally binding instrument exists till date which can address the subject of climate migration. The need for international legal consensus on protecting climate migrants was also reflected in the ruling produced in the case of *Ioane Teitiota v. New Zealand* in 2015, when Teitiota, a national of the Republic of Kiribati, was denied asylum in New Zealand despite unsustainable conditions of life on the island state of Kiribati in the central Pacific Ocean. The present paper contends that there is a strong need to develop a new international legal standpoint on climate migration, but absent crucial consensus on the status or concept of climate migrants, no necessary framework can be developed. Building on previous research, it discusses the various typological issues in describing the climate migrant as a legally tenable category of migrants. It also synthesises existing methodologies of developing the category of a climate migrant in order to suggest a way forward.