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What Lies Ahead:

How Aid for Climate Refugees Must Focus on Human Rights and Human Health

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Refugees crossing the sea.

Two widely recognized attempts at comprehensive descriptions of human rights of refugees exist, and they have produced influential sets of criteria that could be used in determining whether someone who requests refugee status will have it granted. Both of these sources recently released statements commenting on the possible status of climate refugees, responding to migrants attempting to gain refugee status due to factors they attribute to the increasing impacts of climate change (the September 2020 General Distribution of its Views Adopted by the Committee under Article 5 (4) of the Optional Protocol, Concerning Communication No. 2728/2016 by the UN Human Rights Committee; and the March 2021 Pastoral Guidelines on Climate Displaced People from the Vatican's Dicastery for Promoting Integral Human Development). These documents highlight two different approaches it is possible to take toward environmentally related refugee status petitions, and the impacts these discrepant approaches will have for real people seeking refugee status as this crisis plays out. The case study of Ioane Teitiota and his family, from Kiribati, and of their unsuccessful attempt to claim status as climate change refugees is presented and analyzed.

This article focuses on the fates of those who attempt to claim refugee status due to events they ascribe to climate change. The ways that discussions of people who leave their homes en masse are framed are complicated. The United Nations' (UN's) relevant legally protected category for those leaving their homes has been "Refugee" since 1951.¹ As a unique legal protection has been tied to the "Refugee" category, we focus on the result of people's appeals that they attain this category.

The fate of people fleeing the impacts of climate change has been identified by many organizations as a forthcoming humanitarian crisis. The World Meteorological organization estimated² that from 2010 to 2019 weather events exacerbated or increased in frequency by climate change caused on average 23.1

million people to be displaced every year. Other organizations describe the likelihood that many millions of people will leave their homes and livelihoods because of climate change-related events, including the World Bank,³ the World Health Organization,⁴ the Norwegian Refugee Council's Internal Displacement Monitoring Centre,⁵ the UN,⁶ the Brookings Institute,⁷ and recently the White House.⁸ Facilitating such prediction, the science of extreme event attribution continues to develop and raise alarms. This rapidly developing field brings increasingly sophisticated and reliable efforts to bear to answer the question, "Has climate change influenced the frequency, likelihood, and/or severity of individual extreme events?" What were until recently unanswerable hypotheticals are now approachable scientific questions.⁹ Climate modeling now anticipates sea-level rise on the scale of several meters over a 50- to 150-year time scale, with impacts in coastal areas at least that will be transformational.¹⁰ Elevation data indicate that 230 million people live within 1 m elevation from current sea level.¹¹

As discussions of the fate of people impacted by climate change have unfolded, other voices have emerged to interrogate what they view as "the predominant normative politicization of the

climate (change)-migration narrative,"¹² challenging sometimes simplistic explanations by which human movements are explained. A full analysis of the appropriate way to understand large-scale human movements has begun elsewhere in the literature, including discussions of the rhetorical use of "refugees" in the securitization of climate change, the relationship between development narratives surrounding threats of refugees and donor self-interest, long-standing pre-existing factors related to human migration, concerns about the relationship between sustainable development and neoliberal economic policies, and other factors beyond the scope of this article.¹³ Securitization deserves special note as a deeply political question; international tensions are high over migrants coming from politically unstable nations both impacted recently by severe drought and associated by many today with potential terrorist risks (e.g., Sudan, Iraq, and Iran). It is also notable that many authors question whether categorizing climate change *alone* as the cause of much migration characterized as "climate migration" is appropriate, as many other factors are in play in decisions to migrate.^{14,15,16} A more nuanced research agenda for the future would take into account uncertainties in estimates of climate change-related movement, and would analyze



Family gathering sticks and branches to use as firewood.

Oxtian East Africa, Wikimedia commons (<https://creativecommons.org/licenses/by/2.0/>)



The Melbourne Walk Against Warming during COP15, 2009.

“multiple forms, directions, and multiplicities of human movement in the context of climate change,” preferably to be articulated as “climate mobilities.”¹⁷ However, this article focuses on the people, moved by the complicated forces just summarized, who are striving to receive the legal protections afforded to refugees and who characterize their movement as being primarily motivated by climate change for these purposes. While they might be more accurately described in other categories if other legal protections were available, it is nonetheless important to analyze these requests under the existing refugee framework, along with how the existing framework might meet these needs more appropriately.

Worries about the legal and moral status of people displaced by environmental change have featured on these pages for decades. Pittock (December 2002) noted that “Migrants displaced by environmental and economic stresses are not legally refugees and thus may not be welcome in many countries.” Bierman and Boas (November/December 2008) called for a global protocol for climate change refugees¹⁸ and discussed reasons that the United Nations Development Programme and the World Bank might be better equipped than the United Nations High Commissioner for Refugees to meet the needs of the anticipated numbers, but none of that has

transpired in the intervening decade-plus. Conca (January/February 2019) examined a potential role for the UN Security Council and described reasons why, except for brief moments in the Council, it has been generally unwilling to debate climate change threats in a formal way. Recently, the additional thread of the social injustices faced by migrant women has been discussed by Santos (September/October 2021).

The preceding all helps to set the context for this article, which is focused specifically on human rights and what the UN already owes (or should owe) to persons claiming (or attempting to claim) refugee status under the existing rules. The relationship of human health considerations to potential refugee status due to climate change is explored in the following. In considering persons who make claims to being climate change refugees, we examine how those claims are received and the implications for the people involved of that treatment.

Two widely recognized attempts at comprehensive descriptions of human rights of refugees exist. Both these sources recently released statements commenting on people who would identify with and claim climate refugee status (the September 2020 General Distribution of its Views Adopted by the Committee under Article 5 (4) of the Optional Protocol, Concerning Communication

No. 2728/2016 by the UN Human Rights Committee; and the March 2021 Pastoral Guidelines on Climate Displaced People from the Vatican’s Dicastery for Promoting Integral Human Development). These documents highlight two different approaches it is possible to take toward climate refugees, and the impacts these discrepant approaches will have as this crisis plays out. As shown in the following, the Vatican’s Dicastery for Promoting Integral Human Development’s Pastoral Guidelines on Climate Displaced People provides a pathway for the protection of climate refugees to which the UN and other major organizations could turn.

“The Term ‘Climate Refugee’ Is Not Endorsed by UNHCR”: The UN on Environmental Refugees

The UN rights tradition, which began with the UN’s *Universal Declaration of Human Rights* (1948)¹⁹ and was subsequently elaborated upon by other documents such as the *Convention and protocol relating to the status of refugees* (1951),²⁰ has until very recently failed to address climate change refugees. The term “climate refugee,” frequently encountered in newspaper, periodical, scholarly article, or book, has had no meaning according to the UN, which otherwise provides protection to “refugees” propelled to leave their homes by many other forces. Persons who leave their homes due to climate change and seek asylum elsewhere fall into a deep crack in the UN’s designations. This is in part because the UN defines refugees as people who have crossed an international border

*[O]wing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is out-side the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.*²¹



Refugees wait at the West Railway Station in Vienna, Austria, in 2015.

The United Nations High Commissioner for Refugees, on its webpage *Climate change and disaster displacement*²² that begins “climate change is the defining crisis of our time and disaster displacement one of its most devastating consequences,” nonetheless concludes the same document with:

[T]here may be situations where the refugee criteria of the 1951 Convention or the broader refugee criteria of regional refugee law frameworks could apply. People may have a valid claim for refugee status, for example, where the adverse effects of climate change interact with armed conflict and violence... Regardless, the term “climate refugee” is not endorsed by UNHCR, and it is more accurate to refer to “persons displaced in the context of disasters and climate change.”

According to this conclusion, climate change alone can’t make you a refugee; it can only act as an enhancing factor to something like a war. In this definition, to be refugees, people must be subject to forces put in place by an intentional actor that caused them to move. This cannot be fleeing mere environmental hazards: Environmental disasters do not act intentionally, and even more importantly, other environmental health threats cannot be included in this framework at all.

There are two primary reasons that climate change (even when it indirectly affects someone’s health or life) is not the sort of thing that can propel migration that fits under the UN’s definition of refugees: (1) the lack of an intentional actor and (2) its indiscriminate nature. In allegations of human rights violations, the states (or governments) are the accused parties, and international law has yet to treat states as the perpetrator causing the

land to be uninhabitable due to climate conditions. While indirectly one could argue that the state is at fault through its failure to protect the rights of its citizens, the bar for proving this is too high to be met in climate-related claims of refugee status. To substantiate the claim that the state has exhausted all measures and failed to protect human rights against environmental impacts is extremely difficult. The individual would have to prove that her reason for fleeing is a result of a state failure.

This leads to the second problem. In order to count as refugees under the UN’s definition, climate refugees would have to flee as a result of a rights violation that is arbitrary and discriminative. That is, while the impacts of climate change may be felt by the most vulnerable in society, it is hard to establish that the impacts of climate change are selective to the individual or their recognizable group.



Melbourne Global climate strike, 2019.

“Can We Disregard the Growing Phenomenon of ‘Environmental Refugees’?”: The Catholic Church on Environmental Refugees

The Catholic Church’s response to climate refugees, part of the aforementioned second attempt at a comprehensive statement on human rights, began in some ways with predecessor statements in 1891²³ and 1931.²⁴ For the present abbreviated discussion, *Pacem in Terris* by Pope John XXIII in 1963 can suffice as the origin of this modern Catholic rights tradition²⁵ in the Vatican II era, when it declared:

These rights and duties are universal and inviolable ... the right to bodily integrity and to the means necessary for the proper development of life, particularly food, clothing, shelter, medical care, rest, and, finally, the necessary social services ... the right to be looked after in the event of ill health; disability ... or whenever through no fault ... deprived of the means of livelihood.

This initial list of human rights explicitly includes reference to individual health and what is needed to maintain individual health. It is this suggestion

that someone could be a refugee if they choose to leave their home because of threats to their health that could allow climate refugees protection. Climate change impacts, whether changing rainfall patterns that impact agriculture, heat waves that jeopardize the physically fragile, or ocean acidification that damages fisheries, would all be counted as violations of these human rights. Additional documents from Catholic social teaching on climate change and human rights are too numerous to discuss here but have been elaborated upon elsewhere.²⁶

This thought has come to fruition now in the 2021 publication by the Vatican Dicastery for Promoting Integral Human Development’s *Pastoral Orientations on Climate Displaced People* (hereafter the POCDP).²⁷ The Preface speaks of people:

Forced to abandon fields and shorelines, homes and villages, people flee in haste carrying just a few souvenirs and treasures, scraps of their culture and heritage.

The POCDP, in a section entitled *Responding to Climate-Induced Displacement*, defines the problem for climate displaced persons (CDP), and calls for protection of their basic human rights, critiquing the terminology of the 1951 Refugee Convention:

A protection gap often exists for CDP both when they are displaced within national borders and across international borders. However, no matter their legal status, all States are obligated to protect their fundamental human rights.

The POCDP defines the causes and scope of the humanitarian crisis due to climate change:

The climate crisis can lead to displacement when homes become uninhabitable or livelihoods are lost. Displacement can take place either due to rapid-onset triggers, mainly extreme weather phenomena like floods, storms, droughts and wildfires; or slow-onset processes, like desertification, depletion of natural resources, water scarcity, rising temperatures, and sea-level rise.

This highlights the possibility that land can become “uninhabitable,” and includes as examples phenomena that make lands uninhabitable because they are hazardous to their inhabitants. A simple inability to inhabit a land is enough for those choosing to leave it to fall into the category of refugees, therefore deserving refugee protections. This can be clearly justified by a concern for the human right to health, and this broad definition seems poised to cover all of the threats prospective climate refugees face.

The example of Ioane Teitiota, Kiribati, the New Zealand Immigration and Protection Tribunal, and the UN International Covenant on Civil and Political Rights Human Rights Committee

The first step taken by the UN to acknowledge that people leaving their homes for reasons connected to climate change deserve the legal protections of refugees, the broadening of its consideration of refugees to allow for the possibility that the land people are living on



Kiribati is at risk from sea level rise caused by climate change.

itself might disappear and that this would force them to become refugees, occurred in September, 2020. The UN International Covenant on Civil and Political Rights Human Rights Committee distributed its ruling on an attempt by Ioane Teitiota to claim refugee status in New Zealand for himself and his family. Teitiota is from Kiribati, an island threatened by rising seas and saltwater intrusion encroaching on farmland and drinking water supplies.²⁸ Teitiota's claim was unsuccessful on the grounds that complete catastrophe by inundation might be 10 or 15 years away and there was still time for something to intervene.²⁹ The New Zealand Immigration and Protection Tribunal language, cited in the Human Rights Committee ruling, clearly referenced the UN Refugee Convention when it said:

"[W]hile in many cases the effects of environmental change and natural disasters will not bring affected persons within the scope of the

*Refugee Convention, no hard and fast rules or presumptions of non-applicability exist. Care must be taken to examine the particular features of the case." After further examination, the Tribunal concluded that the author did not objectively face a real risk of being persecuted if returned to Kiribati.*³⁰

However, the Human Rights Committee also said³¹ that climate change refugees could exist in other circumstances, saying:

The effects of climate change in receiving States may expose individuals to a violation of their rights [allowing them to claim refugee status] ... Furthermore, given that the risk of an entire country becoming submerged under water is such an extreme risk, the conditions of life in such a country may become incompatible with the right to life with dignity before the risk is realized.

This expansion of the definition of a refugee allows for a new possibility: that the land a person is living on itself might disappear, and that this would allow them to claim refugee status. However, it still excludes the possibility that the land might remain but that living there would represent a risk to people's health. This means the definition does not cover most of the threats prospective climate refugees are fleeing, already described in this article. The only explicit categories of what would successfully be recognized as climate refugees by the UN are therefore people whose land will *imminently* disappear and people subject to political or social strife worsened by climate change. This foreshadows the ways in which current UN policy will continue to fail to address environmental refugees.

Examining the legal history of the background case that the UN Human Rights Committee ruled on in the 2020 document gives more clarity to the ways in which people who migrate due to



Rising sea levels flood lowlands in Kiribati in 2009.

health risks associated with climate change fail to be refugees within the UN's definitions. Mr. Teitiota and his wife moved to New Zealand from Tarawa, Kiribati, in 2007 to seek a better living condition for their future family. Teitiota and his family remained in New Zealand after the expiration of their visas in October 2010. To fight for their chance to stay and avoid deportation, Teitiota sought to apply for refugee status.³² His request for asylum was first denied by the Immigration and Protection Tribunal (IPT) of New Zealand, and the subsequent appeals were also denied by the High Court, the Court of Appeal and finally the Supreme Court.³³ Teitiota filed a communication with the UN High Commissioner for Refugees (UNHCR), claiming his and his family's right to life had been violated when New Zealand forced them to return to Kiribati under the International Covenant on Social and Political Rights.³⁴ In its 2020 ruling, the UN

Human Rights Committee found that New Zealand was within its rights to force Teitiota and his family to return to Kiribati.³⁵ The Human Rights Committee document suggested that some people who flee climate change-related harm may be eligible for refugee status, but the boundaries for this eligibility highlight that many prospective climate refugees will, like Teitiota, fail to be granted protected status by the UNHCR.

The IPT examined the Teitiota claims under the broader language of Article 6 of the UN International Covenant on Civil and Political Rights,³⁶ as well as the UN Refugee Convention. Article 6 is actually about genocide and capital punishment, but begins "Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life." However, the IPT concluded in, the language of the UN Human Rights Commission ruling, that Teitiota failed to establish signs of state failure because

[A]n arbitrary deprivation of life involves an interference that is: (a) not prescribed by law; (b) not proportional to the ends sought; and (c) not necessary in the particular circumstances ... On this basis, the Tribunal accepted that the right to life involves a positive obligation of the state to fulfil this right by taking programmatic steps to provide for the basic necessities for life. However, the author could not point to any act or omission by the Government of Kiribati that might indicate a risk that he would be arbitrarily deprived of his life within the scope of article 6 of the Covenant. The Tribunal considered that the Government of Kiribati was active on the international stage concerning the threats of climate change...³⁷

Evidently, states only need to be "active" or have taken steps on the international

stage to be immune from the possibility of protecting their citizens from climate change.³⁸ Unless Teitiota could prove that the people in his region all considered it to be inhabitable and had largely fled, the government of Kiribati had not, in the UN's eyes, failed to protect its citizens from climate change.

The first attempted claimants to the status of climate change refugees in Teitiota's region were not considered victims of persecution such that they were granted refugee status, in part because the environment impacts everyone living in that area indiscriminately. Furthermore, the impacts of climate change do not conform to state boundaries. For Teitiota to claim refugee status, he would also have had to prove that moving within the country wasn't an option. Teitiota's plea for asylum was taken as a matter of immigration in the sociological sense, rather than a matter of being subject to harm directed by a specific agent. A "sociological refugee" is not a refugee to whom the Refugee Convention applies.³⁹

Another way for Teitiota to appeal the denial of his request for asylum would be to prove that returning to Kiribati would put him and his family in imminent danger. The UN Human Rights Committee recognized that climate change can have "sudden onset events and slow onset processes,"⁴⁰ and that in terms of returning Teitiota to Kiribati, under the UN's International Covenant on Civil and Political Rights,⁴¹ climate change in receiving states "may expose individuals to a violation of their rights under article 6 or 7 of the Covenant, thereby triggering the non-refoulement obligations of sending States."⁴² However, the UN Human Rights Committee did not rule that Teitiota's concern about his home losing land mass, which might amount to a crisis in 10–15 years, was sufficiently imminent threat or danger to trigger the non-refoulement obligations, despite the fact that this was well within Teitiota and his family's lifetimes. Moreover, this timeline "could allow for intervening acts by Kiribati, with assistance of the international community."⁴³ Since the risk of harm posed by the environment itself was unlikely to be imminent by this

standard, Teitiota claimed that violence is likely to erupt shortly due to overcrowding and land disputes. The court rejected this claim based on "the absence of a situation of general conflict in Kiribati."⁴⁴ That is, the risks of harm and danger caused by resources becoming scarce would only be recognized when acts of violence have been generally committed. As one dissenting committee member criticized:

It would indeed be counter-intuitive to the protection of life to wait for deaths to be very frequent and considerable; in order to consider the threshold of risk as met.⁴⁵

In contrast, this description of the kinds of things that refugees might flee would squarely justify Teitiota and his family's petition to remain in New Zealand under the Catholic Church's understanding of refugees: The forces they are fleeing (water scarcity, sea-level rise, and depletion of natural resources) are explicitly listed as displacing forces in the POCDP. If it were possible to use the Catholic Church's refugee framework, it would extend protection to Teitiota, and therefore, to other prospective refugees whose cases he foreshadows.

Of the two attempts to comprehensively define human rights, the UN Human Rights Committee therefore has now articulated the *potential* for refugee status being awarded to people fleeing imminent sea-level rise and political instability exacerbated by climate change, while the Vatican Dicastery for Promoting Integral Human Development has *successfully* brought the human rights tradition of Catholic Social Thought to bear in defining refugees as people who have been forced from their homes by sea-level rise, political instability, lack of access to "basic needs," and harm to individual well-being by environmental dangers.⁴⁶ Both organizations are responding to a perceived future in which climate change combined with socioecological circumstances will displace enormous numbers of people. However, the consequences of their different approaches would be extremely different.

A Crucial Distinction: Attention to Individual Health

The fundamental difference between the Catholic Church's recognition of environmental refugees and the UN's definition seems to stem in part from the description of the kinds of wrongs refugees might flee with which each organization begins. The Catholic Church explicitly highlights a human right to health as relevant to refugee status—consistent for an organization with such a determined focus on bioethics. This allows it the intellectual resources to explain the dangers to refugees fleeing environmental health threats, whether they are posed by toxins or by a lack of the preconditions for health, such as clean water. This is a broad right that does not require an intentional actor to violate it, and it can be violated gradually. Therefore, the Catholic Church is able to describe the reasons that many who would consider themselves environmental refugees have been forced to flee. The UN instead must find ways to describe the threat of climate change under its definition of the kinds of things refugees flee, which must be persecution causing intentional harms, or recently might involve land imminently disappearing, resulting in a narrow definition of climate refugees.

This article does not represent the first time someone has suggested that individual health is important for understanding the harm of climate change: indeed, environmental disasters have been identified as public health crises for years.⁴⁷ Nor is it the first philosophical suggestion that in principle, organizations should extend existing legal protections to protection to people fleeing violations of their health.⁴⁸ However, connecting these lines of thought to the UN's lack of protection afforded to people attempting to claim status as climate refugees is important. That an environment threatening human health has no corresponding right to refugee status in UN documents has a great price for people fleeing environmental harms who wish to claim refugee status, as the counterexample of the Catholic POCDP makes clear.

With this fundamental difference between the approaches of the UN and the Catholic Church identified, there is hope to articulate the reasons the UN protections for migrants designated as refugees should also apply to those who choose to seek refugee status justified by climate change. The UN is capable of taking the health threats of climate change seriously. Elsewhere, the UN already says:

[T]he human right to safe drinking water and sanitation is ... inextricably related to the right to ... physical and mental health, as well as the right to life and human dignity⁴⁹ ... the right to water applies to everyone, States parties should give special attention to ... women, children, minority groups, indigenous peoples, refugees, asylum seekers, internally displaced persons.⁵⁰

The preceding constitutes the start of a wedge for protection for those fleeing places where climate change has contributed to making things like access to clean water and at least minimally protective sanitation impossible. As already observed, the UN now indicates that climate change refugees might exist: "Given that the risk of an entire country becoming submerged under water is such an extreme risk, the conditions of life in such a country may become incompatible with the right to life with dignity."⁵¹ The Intergovernmental Panel on Climate Change, in part created by the United Nations Environment Programme, has described numerous human health threats caused by climate change.⁵² The third UN Sustainable Development Goal is "Ensure healthy lives and promote well-being for all at all ages."⁵³

A Way Forward for the UN Definition of Refugees

As Ioane Teitiota's early test case of prospective climate refugee policy has shown, the specifics of international policy relating to climate refugees will have massive impacts on the lives of people displaced by sea level rise. In 2020, the United Nations supported

New Zealand's choice to force Teitiota to move home because his situation did not fall under their World War II-era definition of what constitutes refugees. Teitiota must not be allowed to be a canary in a coal mine: the first of millions of people to whom, should they apply for it, the United Nations will refuse refugee designation.

The dissents to the UN Human Right Committee's ruling on Teitiota described flaws in the opinion that demonstrate that the UN has the capacity to surpass the current opinion's limitations by focusing on human health. According to the dissenting opinion of Duncan Laki Muhumuza:

... the Committee needs to handle critical and significantly irreversible issues of climate change with an approach that seeks to uphold the sanctity of human life. [...] The considerable difficulty in accessing fresh water because of the environmental conditions, should be enough to reach the threshold of risk, without being a complete lack of fresh water. [...] It should be sufficient that the child of the author [Teitiota] has already suffered significant health hazard on account of the environmental conditions. [...] New Zealand's action is more like forcing a drowning person back into a sinking vessel, with the "justification" that after all there are other voyagers on board. Even as Kiribati does what it takes to address the conditions; for as long as they remain dire, the life and dignity of persons remains at risk.⁵⁴

We suggest that attention to the human right to an environment that is not detrimental to health, as expressed in the dissenting opinion just quoted and central to the POCDP, exemplifies how the UN might move to recognize the status of those who seek to become climate refugees within its existing refugee policy.

The *Convention and protocol relating to the status of refugees* (1951) emerged from a world awash in desperate people, after years of devastating warfare. Its original definition of refugees must be reexamined in our world, again awash in desperate

people, many threatened by a destabilized environment due to how we approach what might best be called an indifferent ideology of industrialization. We live in a world where national and regional tensions over human migrants can quickly come to a boil, where concerns about terrorism and migration quickly get connected, and where the socioecological factors interacting in the face of a destabilized climate include the old intractable features of tribalism, oppression, and hegemonic power. Some nations will have deep internal divisions about people claiming status as refugees at their borders, while others will have fossil fuel-based economies that cause them to oppose the mitigation of climate change in the name of their own economic and political stability. Those seeking to claim the status and protections of climate change refugees must be insulated from this geopolitical maelstrom when an inhospitable environment impels their movement. Centering the human rights of these people in light of the POCDP can help. A focus on protecting individual health gives us a tool to bring clarity to the reasons behind the differences between the two recent documents, which will impact the rights of millions of people who might claim the status of climate change refugees in our rapidly changing world. As the Preface of the POCDP says:⁵⁵

We are engulfed by news and images of whole peoples uprooted by cataclysmic changes in our climate, forced to migrate. But what effect these stories have on us, and how we respond—whether they cause fleeting responses or trigger something deeper in us; whether it seems remote or whether we feel it close to home—depends on our taking the trouble to see the suffering that each story entails...

For both ethical and practical reasons, the international community cannot afford to ignore the fact that our planet is being changed by our own actions, and that climate change and our response and attitude toward the consequences will produce the greatest humanitarian challenge of the next century. One way to ameliorate this crisis is to expand

already-existing refugee protections to those seeking such protection who are fleeing the impacts of this crisis.

It is time for the UN to move beyond 1951 and the *Convention and protocol relating to the status of refugees*. The UN can follow the lead of the POCDP and update its definition of refugees to include a focus on protecting individual health, and can therefore be able to support the human rights of people striving to claim status in the coming decades as climate change refugees. The time for this is both now and already past.

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