International Law and the Protection of “Climate Refugees”

Authors: Sciaccaluga, Giovanni

• Considers a crucial issue within international law and global politics: climate change and climate-related migration
• Provides the academic and policy community with a better understanding of climate-related migration
• Centers the question “why should so-called climate refugees be protected abroad” not through the lens of ethics but rather, international public law

This book studies the topic of forced climate migrants (commonly referred to as “climate refugees”) through the lens of international law and identifies the reasons why these migrants should be granted international protection. Through an analysis focused on climate change and human rights international law, it points out the legal principles and rules upon which an international obligation to protect persons forced to migrate due to climate change is emerging. Sciaccaluga advocates for a state obligation to protect climate migrants when their origin countries have become extremely environmentally fragile due to climate change—to the point of becoming unable to guarantee the exercise of inalienable human rights in their territories. Turning to the future, this book then investigates the current elements on which a “forced climate migrants law” could be built, ultimately arguing for the duty to provide some form of assistance to forced climate migrants in a third state within the international legal system.

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