

Climate Refugees In International Law - Analyzing The Legal Framework

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Abstract : The adverse effects of climate change, such as rising sea levels, increased temperatures, and extreme weather events, are already posing a significant threat to the lives of people living in extreme weather zones all around the globe and could displace more than a billion people worldwide in the upcoming decades, causing a wave of climate-induced migration. Notwithstanding the urgency of the situation, this situation has so far not been addressed in a specific international treaty. Therefore, this paper analyses whether solutions might be found through existing legal frameworks. To that end, the investigation scrutinizes the possibilities of overcoming the conceptual challenge of combining climate law, refugee law, and human rights law. The paper concludes that the differences in objective, scope, and enforcement of the three fields are too fundamental to be surmounted by overlapping concepts, e.g., state responsibility or the non-refoulement principle. Consequently, states are urged to tackle the problem with a separate international treaty in which the advantages of the different traditions are incorporated into a new protection mechanism.

Keywords : climate change, climate treaties, forcibly displaced persons, human rights, improving and creating advanced knowledge of concepts, non-refoulement, state responsibility, refugee law, refugee status

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