

REGULATION URGENCY OF CLIMATE CHANGE REFUGEES PROTECTION IN THE PERSPECTIVE OF INTERNATIONAL LAW^Ω

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Abstract

Climate change refugees are caused by either sudden or slow onset impact disasters due to climate change. The refugees are not categorized as refugees under the Refugees Convention 1951 since they are not caused by persecution. Thus, it is necessary to find out a solution based on international law to provide legal protection to them. The aim of the research is to analyse comprehensively the urgency of legal protection to the climate change refugees and to find out an appropriate legal protection to them. The paper is a normative juridical research by employing conceptual and comparative approach. The paper is analysed qualitatively and presented descriptively. The results show that: First, there is a legal vacuum of the protection of climate change refugees ; second, it is necessary to regulate a legal protection to the climate change refugees since they become the victims of climate change.

Keywords: climate change refugees, global warming and urgency

Abstrak

Pengungsi akibat perubahan iklim (*climate change refugees*) disebabkan oleh kerusakan lingkungan secara mendadak atau kerusakan lingkungan secara perlahan-lahan karena perubahan iklim. Pengungsi akibat perubahan iklim tidak termasuk pengungsi yang dimaksudkan oleh Konvensi Pengungsi Tahun 1951, karena pengungsi akibat perubahan iklim tidak disebabkan oleh adanya persekusi. Oleh karena itu perlu dicarikan solusinya dalam hukum internasional untuk memberikan perlindungan hukum kepada mereka. Adapun tujuan dari penelitian ini adalah untuk menganalisa secara komprehensif perlunya perlindungan hukum terhadap Pengungsi akibat perubahan iklim serta mencari solusi perlindungan hukum yang memadai, karena adanya kekosongan hukum untuk perlindungan terhadap pengungsi akibat perubahan iklim. Penelitian ini merupakan penelitian yuridis normatif, dengan pendekatan konseptual dan studi kasus, serta dianalisis secara deskriptif kualitatif dan disajikan secara deskriptif. Adapun hasil penelitian ini ialah, pertama terjadi kekosongan pengaturan perlindungan hukum terhadap pengungsi akibat perubahan iklim; kedua, perlunya pengatururan perlindungan hukum terhadap pengungsi akibat perubahan iklim, karena mereka menjadi korban dari perubahan iklim.

Kata kunci: Pengungsi akibat perubahan iklim, pemanasan global dan urgensi

Introduction

Global warming is the greatest impact on human lives and their environment. The increased earth temperature triggers several environmental problems, either in the form of drought, flood or acceleration of desert formation in Africa. Global warming has caused millions of people lost their homes because of higher sea levels which drowned part of regions such as, Karibati, Tuvalu, Maldives and Bangladesh known as in lowlying coastal zones very potential to loss of its region. The people was forced to

leave their country and move to another country, because it is impossible to move them within the region of country concerned.¹

Many environmental disasters are caused by sudden impact disasters and slow onset dis-

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¹ Benoit Mayer, "The International Legal Challenges of Climate-Induced Migration: Proposal for an International Legal Framework", *Colorado Journal of International Environmental Law & Policy*, Vol. 22, 2015, Colorado: University of Colorado Law of School, page 357.

asters.² Sudden impact disasters include floods, earthquakes, tidal waves, volcanic eruptions and its kind, while slow onset disasters comprise drought, famine, environmental degradation, forest loss and the increase of desert due to climate change.³ Slow environmental degradation also includes the sinking of the island due to extreme climate change in regions that have under sea level position.⁴

Refugees due to climate change (herein after referred to as climate change refugees) increase, unfortunately the international legal regime has not regulated legal protection of the climate change refugees. International refugee law, as stipulated in the Convention of refugees year 1951 or the Protocol 1967 (the Protocol Relating to the Status of Refugees 1967) on refugees does not include climate change refugees. This is because at the time of Refugee Convention draft was made, the dangers of climate change causing refugees to move another country is not yet known.⁵

Therefore, a legal vacuum occurs in international law to protect climate change refugees.⁶ This is contrary to the concept of human rights and contrary to the principle of common but differentiated responsibility⁷ in Climate Change Convention and in Article 7 of the Rio Declaration. Climate change refugees as vic-

tims has the right to obtain legal protection in international law.

Problems

Based on the background, the problem statements are formulated as follows: *first*, how the impact of climate change on the environment and the regulation of law protection on climate change under international law?; *second*, why is it important/ urgent to provide law protection to climate change refugees and how International legal solutions in protecting the climate change refugees?

Research Method

This is juridical normative research by applying conceptual approach since it conceptually reviews the reasons for the need of legal protection to climate change refugees. Then, Case approach is used in this research to investigate the cases that have occurred as a result of climate change resulting in climate change refugees. Law materials consist of the primary law material and secondary law material, whereas the method of analysis used is descriptive qualitative and presented descriptively.

Discussion

Climate Change Impacts on the Environment

Definition of climate change according to Article 1 (2) United Nations Framework Convention on Climate Change is: *a change of climate which is attributed directly or indirectly to human activity that alters the global atmosphere and which is in addition to natural climate*. Based on this definition, it refers to climate change which is caused by human activity, either directly or indirectly affect the global atmosphere and climate naturally. According to experts, there are three kinds of natural disasters caused by climate change causing climate change refugees: sea level rise, increased storm activity and strength, and drought, desertification, and water shortages.⁸

² Kate Jastrama, "Warm World, Cold Reception: Climate Change, National Security And Forced Migration, *Vermont Journal of Environmental Law*", Vol. 15, Spring 2014, Burlington: Vermont Law school, pages 753-754.

³ Sireesha V. Chiralaa, "Acclimating to Climate Change: Filling The International Policy Void for Environmentally Displaced People", *Houston Journal of International Law*, Vol. 35, Spring 2013, Houston: The University of Houston Law Center, New York: Pace of Law School, page 361.

⁴ Mariya Gromilovaa, "Finding Opportunities to Combat the Climate Change Migration Crisis: The Potential of the Adaptation Approach", *Pace Environmental Law Review*, Vol. 33, Winter 2016, New York: Pace of Law School, page 108.

⁵ Benjamin Glahna, "Climate change Refugees? Addressing the International Legal Gaps". *International Bar News*, Vol. 63, June 2009, London: International Bar Association, pages 18.

⁶ Aurelie Lopez, "The Protection of Environmentally-Displaced Persons in International Law", *Environmental Law Journal*, Vol. 37 Spring 2007, Oxford: Oxford School of Law, pages 367-368.

⁷ Patricia Birnie, et.al, 2009, *International Law and the Environment*, New York: Oxford University Press, pages 132-134.

⁸ Brittan J. Busha, "Redefining Environmental Refugees", *Georgetown Immigration Law Journal*, Vol. 27, Spring 2013, Georgetown: Georgetown Law Center, page 559.

In 1998-1999 the two islands of Karibati national territory disappear from the surface of the earth due to drowning. Many thousands of people who live in the two islands were evacuated to other islands in Papua New Guinea. Then in 2006, the Locachara island in the Ganges Delta of Bangladesh as a residence of 10,000 people drowned.⁹ In many cases, the sea level rise is caused by the rising temperature of the earth sometimes combined with erosion and human activity which make these islands uninhabited.

In addition, along the Bering Sea in Kivalina village where the Inuit Eskimos reside for more than 400 years has been used by the Inuit as a camp for fishing and hunting.¹⁰ This village is in danger of being drowned which threaten the Inuits of losing their living place. Rising temperatures has led to the melting of ice in the Arctic region. Kivalina will have drowned and uninhabited by 2025.¹¹

Earth's ecosystem that is not tied to a regional administrative boundary and the relation between the current conditions with the future climatic conditions makes the concept of environmental justice lies on two main concepts of inter-generational equity and intra-generational equity justice.¹² Based on these two principles, the country as a member of the international community should ensure for justice for both present and next generations.

Climate Change Refugees

Climate change refugees has another meaning since they left their country not because of persecution as intended by the Convention on refugees. Consequently, the reason for the environmental circumstances that endanger their lives cannot be used as a reason to categorize them as refugees under the 1951

Convention unless accompanied by reason of persecution as defined in the Refugee Convention. Based on the 1951 Refugee Convention, the refugee definition is:

a refugee is someone who: [O]wing to well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinions, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country, or who, not having a nationality and being outside of the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

Based on the definition, climate change refugees are excluded because there is no persecution. Climate change refugees is not categorized as refugees as stated by the 1951 Refugee Convention. As a result, these refugees have no certainty whether it will gain protection as refugees or not since there is no international law which governs it. Moreover, there is no international organization such as the United Nations Organization of High Commissioner for Refugees (UNHCR) which is responsible for this issue.¹³

Climate change refugees becomes Organization of High Commissioner for Human Rights (OHCHR)'s concern¹⁴ in 2009 which states that the impact of climate change is potential migration caused by flooding, farm damage and prolonged drought which affect human rights especially the right of life.¹⁵ Those who are categorized as refugees obtain legal protection in

⁹ Rana Balesha, *Op.Cit.* page 80.

¹⁰ Jessica Scotta, "Move, or Wait for the Flood and Die: Protection of Environmentally Displaced Populations Through a New Relocation Law", *Florida A & M University Law Review*, Vol. 9, Spring 2014, Florida: University of Florida Levin College of Law, pages 369-372.

¹¹ *Ibid.*

¹² Christina Voight, 2009, *Sustainable Development as Principle of International Law*, Boston: Martinus Nijhoff, pages 51-52.

¹³ Bonnie Docherty and Tyler Giannina, "Confronting A Rising Tide: A Proposal For A Convention On Climate Change Refugees", *Harvard Environmental Law Review*, Vol. 33, 2009, Massachusetts: Harvard Law School, page 354.

¹⁴ Sumudu Atapattua, "Climate Change, Human Rights, and Forced Migration: Implications for International Law", *Wisconsin International Law Journal*, Vol. 27, Fall 2009, Madison Wisconsin: University of Wisconsin Law School, page 607

¹⁵ Margaux J. Halld and David C. Weiss, "Avoiding Adaptation Apartheid: Climate Change Adaptation and Human Rights Law", *Yale Journal International Law*, Vol. 37, Summer 2012, City of New Haven: Yale Law School, page 310-311.

the new country and they should not be returned to their native country as long as they are in danger in their home country which is in accordance with the principle of non-refoulement.

The general definition for people who were forced to leave their country caused by climate change is called the climate change refugees. However, this terminology is useful in political perspective but it has not recognized legally by the international community. According to the researchers of United Nations Environmental Program (UNEP) Essam El-Hinnawi¹⁶ in 1985 defined that those people are not recognized as refugees but Environmentally Displaced Persons (EDPs) which includes people who moved out of their residence because of environmental disruption caused by either nature or human activity.

The Regulation of Climate Change Refugees in International Law

Refugees recognized in international law is those as defined in the 1951 United Nations Convention Relating to the Status of Refugees (Refugee Convention/hereinafter called the Refugee Convention and the 1967 Protocol (Protocol Relating to the Status of Refugees). In both legal instruments, individuals who want to gain refugees status must meet three conditions namely: *first*, the person has left the country; *second*, it is caused by at least one of the reasons for persecution; *third*, their country is not able to provide protection as well as those people do not want to gain protection from their country.

Therefore, someone who left the country purely by reason of natural disasters or environmental problems such as the region drowned or prolonged drought cannot be included in the definition of a refugee as set out in both legal instruments.¹⁷

UNHCR avoid the use refugees terminology and replace it with the EDPs terminology. UNHCR defines EDPs as:

People who are displaced from or who feel obliged to leave their usual place of residence, because their lives, livelihoods and welfare have been placed at serious risk as a result of adverse environmental, ecological or climatic processes and events.

This definition explains people who were forced to leave their homes because of its harm for life caused by environment, ecology or climate change processes. UNHCR avoid to use the term "refugees" since it would bring the same legal consequence to provide protection as stipulated in Refugee Convention.¹⁸

The authors conclude that those who are called as "Climate Change Refugees" legally are people who were forced to leave their homes because of their causal effect between environmental degradation and climate change; it is impossible they moved to another place in the country, because the country does not allow its region to be inhabited and be able to support them.

Urgency of Climate Change Refugees Regulation in International Law

The regulation of legal protection on the climate change refugees has to be solved immediately regarding the refugees emerges as the consequences of due to the activity in developed countries, developing countries and less developed countries such as Tuvalu and Kiribati. The climate change refugees need to be protected under international law are for the following reasons:

First, based on perspective of the International Human Rights Law, the basic rights of climate change refugees need to be protected. The climate change refugees are similar to other citizens that their human rights must be protected wherever they are. Unfortunately,

¹⁶ Julia Toscano, "Climate Change Displacement and Forced Migration: An International Crisis", *Arizona Journal of Environmental Law & Policy*, Vol. 6, November, 2015, Arizona: University of Arizona James E. Rogers College of Law, page 469.

¹⁷ Margaux Halld J. & David Weiss C. *Op.Cit.*, page 331.

¹⁸ Deepa Badrinarayana, "Global Warming: A Second Coming For International Law?", *Washington Law Review*, Vol 85, May 2010, Washington: Washington University Law Review, page 256.

there is no international convention or other international agreement which provides protection to climate change refugees. Therefore, one approach, human right, can be applied since international human rights law directly relates to basic human rights.

Climate change refugees have lost their homes as a place of living which affects their right of life as a fundamental one under human rights law as arranged in the Universal Declaration of Human rights and are also regulated in Article 6 (1) International Covenant on Civil and Political Rights the Universal (ICCPR), as a binding international legal instrument.¹⁹ Therefore, when people leave their country due to environmental damage and move to another country, they will be under the responsibility of international community for providing legal protection.²⁰

In case of climate change damage, it is not only on the country's responsibility as the damage was caused by the contribution of emissions from different countries with different activities. Ironically, the negative impact of climate change such as sea level rise does not strike countries with the most emission-releasing activities such as the US. Instead, it struck the state who have little contribution to climate change, such as Tuvalu, Kiribati, Maldives and Bangladesh.²¹ Climate change refugees have a right to live their civil and political rights as set out in the ICCPR and also their cultural rights as set out in International Covenant on Economic, Social, and Cultural Rights (ICESCR). Both legal instruments can be used as a legal basis to demand the states spending the emission to claim their responsibility.²²

Second, in the perspective of international environmental law, all activities conducted by the country whether it is done by the country institutions or by individuals or legal entities with the permission of the country, as long as it is disadvantageous to other countries then it becomes the state responsibility. This is in accordance with the principle of *sic utere*²³ that prohibits government to conduct disadvantageous activities to other countries. The principle of state responsibility is then adopted in the Principles of 21 Stockholm Declaration and Principle of 2 Rio Declaration. This principle has been transformed into customary international law. The relevance of the principle of state responsibility with climate change refugees is that climate change refugees is caused by the impact of human activities such as industrial activities, transport and agriculture contributing the huge emissions resulting in global warming and climate change.

Besides, to support their control emissions reduction and technology adaptation to climate change, it is necessary to apply the principle of inter-generational equity. Based on this principle, Edith Brown Weiss²⁴ stated that the current generation is not the owner of the earth inhabited by the current generation; they functions as an agent to ensure that future generations will enjoy the quality of the earth, a variety of natural resources and also an access to natural resources and culture. In the context of climate change refugees, what will happen to the next generation if the current generation cannot use adequately natural resources and environmental quality?

Climate change refugees in legal perspective is a victim who should be given a remedy. Therefore, the polluter pay principle and

¹⁹ Douglas Stephens, "Establishing a Positive Right to Migrate as a Solution to Food Scarcity", *Emory International Law Review*, Vol. 29, 2014, Atlanta: Emory Law Review Emory University, page 181-182.

²⁰ Sumudu Atapattu, *Op.Cit.*, page 611.

²¹ Mariya Gromilova, "Rescuing the People of Tuvalu: Towards an I.C.J. Advisory Opinion on the International Legal Obligations to Protect the Environment and Human Rights of Populations Affected by Climate Change", *Intercultural Human Rights Law Review*, Vol. 10, 2015, Miami: ST Thomas University School of Law, page 245.

²² Tiffany TV Duong, "When Islands Drown: The Plight Of "Climate Change Refugees" And Recourse To International Human Rights Law", *University of Pennsylvania*

Journal of International Law, Vol. 31, Summer 2010, Pennsylvania: Law School, University of Pennsylvania, page 1246.

²³ Cosmin Corendea, "Hybrid Legal Approaches Towards Climate Change: Concepts, Mechanisms and Implementation", *Annual Survey of International and Comparative Law*, Vol. 21, Spring 2016, San Francisco: Golden Gate University School of Law, page 30.

²⁴ Edith Brown Weiss, "Intergenerational Equity and Right of Future Generation", available on the website: <http://biblio.juridicas.unam.mx/libros/5/2043/32.pdf>. Accessed on 28 August, 2015.

also the principle of common but differentiated responsibility should be enforced. It is the mechanism for granting the remedy that must be clearly made.

Third, in the perspective of international law, people who abandoned their country for environmental damage have not been clearly regulated. It becomes a problem in international law. When they passed country border, they require legal protection related to their nationality. If the abandoned country has no longer region due to drowning then they will lose their nationality since it cannot be regarded as a country. It sets out in the Convention Montevideo²⁵ that a country must meet the following criteria: the region, population, sovereign governments, and the capability to implement international relations.

Based on international law, if natural disasters occur in a country, it is the country responsibility and they were called Internal Displaced Persons. However, if they abandoned the country, it shifted to international legal obligation to find protection and the responsibility of the international community to provide protection. For the purpose of legal protection, people who left their country for other countries refer to "refugee". Unfortunately these people cannot be regarded as refugees referring to the 1951 Refugee Convention.

Climate change refugees as in Tuvalu peoples,²⁶ according to international law needed a legal protection. For example, the entire population of Tuvalu should migrate to other countries, then it will depend on the willingness of other countries to accept it or not? Therefore, it is necessary to arrange an international regulation. If the Tuvalu asked Australia or New Zealand to accept them as refugees, then it will depend on the policy of both countries to accept or decline, even though both countries have provided access to climate change refu-

gees by their national laws voluntarily,²⁷ not being obliged by international law.

Solution of International Law to protect the Climate Change Refugees

Legal vacuum in international law to provide protection to climate change refugees need to be solved immediately because this is unfair for the people who are forced to become refugees. For example, Tuvalu as a drowning-threatened country,²⁸ do the deserve to relocate its citizens in other countries and reestablish the country there? Tuvalu people has sacrificed their human rights including the right to reside in a region, self-determination and the right to own property in the region of origin country.

The author believes that international human rights law can be used as an alternative to provide protection to climate change refugees for a while before there is a clear regulation in an international agreement. The legal protection for climate change refugees are based on international human rights law particularly regulated in the Universal Declaration of Human rights, ICCPR, ICESCR, Stockholm Declaration Article 1 and Article 2 of the Rio Declaration, or extend the definition of refugee under the Refugee International Convention. This legal instrument can be used to demand the responsibility of the countries that have contributed to climate change based on the principle of common but differentiated responsibility.

In addition, other solution can be taken by utilizing the legal instrument of International Refugees by expanding the definition of refugees including climate change refugees, with or without persecution or establish a new international agreement to give a clear provision and legal certainty for refugees due to climate change.

Conclusion

²⁵ Rana Balesha, *Op.Cit.*, page 83.

²⁶ See Claire DeWitte, "At The Water's Edge: Legal Protections and Funding for a New Generation of Climate Change Refugees", *Ocean and Coastal Law Journal*, Vol. 16 No.1, 2010, Portland: University of Maine School of Law, page 214.

²⁷ Gil Marvel Tabucanon, "Migration For Environmentally Displaced Pacific Peoples: Legal Option In The Pacific Rim", *UCLA Pacific Basin Law Journal*, Fall, 2012, Vol. 30, Los Angeles, California: UCLA School of Law, pages 70-72

²⁸ Tiffany T.V. Duonga, *Op. Cit.*, page 1243. 1

The impact of climate change has caused climate change refugees, but unfortunately there are no rules of international law to regulate the protection of law to Climate change refugees both in international refugee law, in international human rights law and international environmental law. Climate change refugees has same rights as other citizens that obliged to protect their human rights, especially the right to life and the right to enjoy a healthy environment. Therefore, the setting of legal protection to climate change refugees urgently needed. As a temporary alternative to provide legal protection to climate change refugees are based on international human rights law

Suggestion

International community that consists of developed countries, developing countries and less developed countries need to discuss the legal basis to provide legal protection to climate change refugees. In addition, it is necessary to establish a shared understanding and perception of terminology and definitions agreed on climate change refugees. It is urgent to determine who can be referred as climate change refugees so that they have the right to protection of international law.

References

- Atapattua, Sumudu. "Climate Change, Human Rights, and Forced Migration: Implications for International Law". *Wisconsin International Law Journal*. Vol. 27. Fall 2009. Madison Wisconsin: University of Wisconsin Law School;
- Badrinarayana, Deepa. "Global Warming: A Second Coming For International Law?". *Washington Law Review*. Vol 85. May 2010. Washington: Washington University Law Review;
- Balesha, Rana. "Submerging Islands: Tuvalu and Kiribati as Case Studies Illustrating the Need For A Climate Refugee Treaty". *Barry University Environmental and Earth Law Journal*. Vol. 5. 2015. Orlando: Barry School of Law;
- Birnie, Patricia. et.all. 2009. *International Law and the Environment*. New York: Oxford University Press;
- Busha, Brittan J. "Redefining Environmental Refugees". *Georgetown Immigration Law Journal*. Vol. 27. Spring 2013. Georgetown: Georgetown Law Center;
- Chiralaa, Sireesha V. "Acclimating to Climate Change: Filling The International Policy Void for Environmentally Displaced People". *Houston Journal of International Law*. Vol. 35. Spring 2013. Houston: The University of Houston Law Center. New York: Pace of Law School;
- Cosmin Corendea. "Hybrid Legal Approaches Towards Climate Change: Concepts, Mechanisms and Implementation". *Annual Survey of International and Comparative Law*. Vol. 21. Spring 2016. San Francisco: Golden Gate University School of Law;
- DeWitte, Claire. "At The Water's Edge: Legal Protections and Funding for a New Generation of Climate Change Refugees". *Ocean and Coastal Law Journal*. Vol. 16 No. 1. 2010. Portland: University of Maine School of Law;
- Docherty, Bonnie and Tyler Gianninia. "Confronting A Rising Tide: A Proposal For A Convention On Climate Change Refugees". *Harvard Environmental Law Review*. Vol. 33. 2009. Massachusetts: Harvard Law School;
- Duonga, Tiffany TV. "When Islands Drown: The Plight Of "Climate Change Refugees" And Recourse To International Human Rights Law". *University of Pennsylvania Journal of International Law*. Vol. 31. Summer 2010. Pennsylvania: Law School. University of Pennsylvania. Page. 1246.
- Glahna, Benjamin. "Climate change Refugees? Addressing the International Legal Gaps". *International Bar News*. Vol. 63. June 2009. London: International Bar Association;
- Gromilovaa, Mariya. "Finding Opportunities to Combat the Climate Change Migration Crisis: The Potential of the Adaptation Approach". *Pace Environmental Law Review*. Vol. 33. Winter 2016. New York: Pace of Law School;
- Gromilovaa, Mariya. "Rescuing the People of Tuvalu: Towards an I.C.J. Advisory Opinion on the International Legal Obligations to Protect the Environment and Human Rights of Populations Affected by Climate Change". *Intercultural Human Rights Law*

- Review. Vol. 10. 2015. Miami: ST Thomas University School of Law;
- Halld, Margaux J and David C. Weiss. "Avoiding Adaptation Apartheid: Climate Change Adaptation and Human Rights Law". *Yale Journal International Law*. Vol. 37. Summer 2012. City of New Haven: Yale Law School;
- Jastrama, Kate. "Warm World. Cold Reception: Climate Change. National Security And Forced Migration. *Vermont Journal of Environmental Law*". Vol. 15. Spring 2014. Burlington: Vermont Law school;
- Lopez, Aurelie. "The Protection of Environmentally-Displaced Persons in International Law". *Environmental Law Journal*. Vol. 37 Spring 2007. Oxford: Oxford School of Law;
- Mayer, Benoit. "The International Legal Challenges of Climate-Induced Migration: Proposal for an International Legal Framework". *Colorado Journal of International Environmental Law & Policy*. Vol. 22. 2015. Colorado: University of Colorado Law of School;
- Scotta, Jessica. "Move. or Wait for the Flood and Die: Protection of Environmentally Displaced Populations Through a New Relocation Law". *Florida A & M University Law Review*. Vol. 9. Spring 2014. Florida: University of Florida Levin College of Law;
- Stephens, Douglas. "Establishing a Positive Right to Migrate as a Solution to Food Scarcity". *Emory International Law Review*. Vol. 29. 2014. Atlanta: Emory Law Review Emory University;
- Stillings, Zackary L. "Human Rights and the New Reality of Climate Change: Adaptation's Limitations in Achieving Climate Justice". *Michigan Journal of International Law*. Vol. 35. Spring. 2014. Michigan: Michigan Law School;
- Tabucanon, Gil Marvel. "Migration For Environmentally Displaced Pacific Peoples: Legal Options In The Pacific Rim". *UCLA Pacific Basin Law Journal*. Fall. 2012. Vol. 30. Los Angeles. California: UCLA School of Law;
- Toscano, Julia. "Climate Change Displacement and Forced Migration: An International Crisis". *Arizona Journal of Environmental Law & Policy*. Vol. 6. November. 2015. Arizona: University of Arizona James E. Rogers College of Law;
- Voight, Christina. 2009. *Sustainable Development as Principle of International Law*. Boston: Martinus Nijhoff;
- Weiss, Edith Brown. "Intergenerational Equity and Right of Future Generation". Available on the website:<http://biblio.juridicas.unam.mx/libros/5/2043/32.pdf>. accessed on 28th August 2015.