

International Political Economy Series

Governing Climate Induced Migration and Displacement

IGO Expansion and Global Policy Implications

Andrea C. Simonelli



International Political Economy Series

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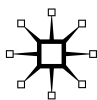
Governing Climate Induced Migration and Displacement

IGO Expansion and Global Policy
Implications

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1

Introduction

Climate change is a topic most often broached by environmental scientists and its effects discussed in terms of animal populations and atmospheric events. The quintessential image accompanying this discussion is the sad-looking polar bear on a lonely iceberg. However, its direct effect on human life is yet to garner such attention. Many do not yet associate the consequences for wildlife with similar consequences for humanity. A changing climate will affect how people are able to use their environment as the locations of arable land and water supplies will shift. In some places, sea level rise and desertification will forcibly displace current human populations. How the world seeks to deal with this shift is yet to be seen. Climate change is also publically discussed in terms of sterile statistics. What tends to be missing is how climate change relates to humanity as a whole. What does a 2 degree Celsius rise in temperature mean in the life of the average person? Can that person conceive of what X tons of carbon in the atmosphere looks like? Without a direct relationship to its effect on humans, these estimates cannot be fully understood. They are vague descriptors at best and useless at worst. Gigatons of invisible gasses cannot be adequately internalized by the minds of most people; it is too abstract. In addition, a rise in temperature effects the whole globe, but with a wide variance across regions, longitudes, and zones of habitation. Thus, how can climate science be connected to the changes seen in individuals' daily lives? This is a difficult challenge and even more so in countries where climatic effects are less visible. The Intergovernmental Panel on Climate Change (IPCC) provides a source intended to parse out these effects in the Working Group II Assessment Reports "Impacts, Adaptation and Vulnerability". Each report contains a "Summary for Policy Makers", which is an annotated version with more accessible language and summarized results designed

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for those who are not scientists in the formal sense. Its language describes the risks and changes to the natural environment, but with minimal emphasis on how climate affects humanity. This means that any reader needs to be able to extrapolate in order to further connect how the likelihood of climate trends will affect specific human sectors. The report suggests generalities over regions and time which need to be specified further in order to completely connect the earth's physical and biological changes to human activity. Science can only estimate the future in general terms.

The Summary proposes some examples of major projected proposed impacts by sector. Table 1.1 presents an annotated version which focuses on climate trends that the IPCC identify and their likelihoods in both the Assessment Reports 4 and 5 (AR4 and AR5) from 2007 and 2013 respectively.

The trends explicated here are long-term changes to typical weather events based on two different time frames: early in this century and on the cusp of the next century. If the latest two Assessment Reports are considered, these trends are either stable or more certain over time. Additionally, the most recent report, AR5, shows that climate science models more strongly predict changes than do previous reports. For example, there are two trends that are described in more specific terms: drought and tropical cyclone activity. Drought had not been adequately projected in terms of changes in soil moisture for early in this century, but is deemed "likely" for late in the century in AR4. However, AR5 adds a generalized descriptor. For cyclones, we see the same low confidence early in the century, but it changes from "likely" to "more likely than not" later and even a specific location where this will be a consideration. This is helpful, in that it can more specifically designate where changes will occur, but again, a purely scientific explanation is still woefully vague. However, Table 1.2 is much more descriptive than Table 1.1. Below is a list of weather-related trends, again, but paired with effects on human health and (separately) industry, settlement, and society from AR4. These descriptions still need to be fitted to individual regions, countries, and localities, but begin to better define the impact of climate trends on human life and livelihoods.

Here, the effects on human health and industry, settlement, and society provide a much broader basis for understanding the impacts of climate trends. These effects vary, but relate to large-scale economic disruptions, personal livelihood issues, infrastructure, vulnerabilities, and potential for migration. Not every locale will be affected by all of these trends, but identifying how an intensification of tropical storms (for example) will

Table 1.1 IPCC proposed major climate change impacts

Direction of Climate Trends from Assessment reports 4 and 5		
Direction of Trend	Likelihood of further changes: Early 21st Century (AR5)	Likelihood of further changes: Late 21st Century (AR4 and AR5)
Warmer and/or fewer cold days and nights over most land areas	Likely	<i>Virtually certain</i> , Virtually certain
Warmer and/or more frequent hot days and nights over most land areas	Likely	<i>Virtually certain</i> , Virtually certain
Warm spells/heat waves. Frequency increases over most land areas	Not formally assessed	<i>Very Likely</i> , Very Likely
Heavy precipitation events. Frequency increases over most areas	Likely over many land areas	<i>Very Likely</i> , Very Likely
Areas affected by drought increases	Low confidence	<i>Likely</i> , <i>Likely</i> (on a regional to global scale)
Intense tropical cyclone activity increases	Low confidence	<i>Likely</i> , More Likely than Not (in the Western North Pacific and North Atlantic)
Increased incidence of extreme high sea level (excludes tsunamis)	Likely	<i>Likely</i> , Very Likely

Note: For changes in the early 21st century the dates include 2016–2035 and for the late 21st century the dates include the years 2081–2100. Additionally, *Virtually Certain* refers to a likelihood of outcome greater than 99% probability and *Very Likely* refers to a likelihood of outcome 90 to 99% probability, and *Likely* refers to a likelihood of outcome 66 to 90% probability. Finally, there is low confidence related to areas affected by drought increases, because there is low confidence in projected changes in soil moisture specifically.

affect human habitation is a starting point for an assessment of how to govern and plan for such changes. It is not that climate science is uncertain, but that there is a need to combine the “hard” and “soft” sciences to further develop responses to climate effects. While those scientists who live in a world of computer models and atmospheric statistics can demonstrate how likely a region is to face certain trends, social scientists are needed to determine how vulnerable a location is to large-scale disruption, how resilient is the society/ecosystem to this disruption, and what kinds of adaptation will be needed. Social science researchers

Table 1.2 IPCC climate effects on humans

Direction of Trend	Human Health	Industry, Settlement, and Society
Over most land areas, warmer and fewer cold days and nights, warmer and more frequent hot days and nights	Reduced human mortality from decreased cold exposure	Reduced energy demand for heating; increased demand for cooling; declining air quality in cities; reduced disruption to transport due to snow, ice; effects on winter tourism
Warm spells/heat waves. Frequency increases over most land areas	Increased risk of heat-related mortality, especially in the elderly, chronically sick, very young, very socially isolated	Reduction in quality of life for people in warm areas without appropriate housing; impacts on the elderly, very young, and the poor
Heavy precipitation events. Frequency increases over most areas	Increased risk of deaths, injuries, and infectious respiratory and skin diseases	Disruption of settlements, commerce, transport, and societies due to flooding; pressures on urban and rural infrastructures; loss of property
Area affected by drought increases	Increased risk of food and water shortage; increased risk of malnutrition; increased risk of water- and food-borne diseases	Water shortages for settlements, industry, and societies; reduced hydropower generation potentials; potential for population migration
Intense tropical cyclone activity increases	Increased risk of deaths, injuries, water- and food-borne diseases; post-traumatic stress disorders	Disruption by flood and harsh winds; withdrawal of risk coverage in vulnerable areas by private insurers, potential for population migrations, loss of property
Increased incidence of extreme high sea level (excludes tsunamis)	Increased risk of death and injuries by drowning in floods and migration-related health effects	Costs of coastal protection versus costs of land-use relocation; potential for movement of populations and infrastructure (also see tropical cyclones above)

interested in the societal and political effects of climate change have to use a literature base that can parallel the types of risks that will slowly occur. Though one cannot study how an increase of temperature or storm surge occurrence will affect people, one can study the effects of high temperatures and storm surge from past events. This link will allow for a connection between scientific data, measures, and models to those who will inevitably experience them. The risks to humanity have begun to be described in terms of coastlines, buildings, and lost tourist revenue (Arifin, 1997; BBC News, 2009; Wright, 2009; Morton, 2009; Reuters, 2009). While these examples are mostly economic, increases in extreme weather events affect human settlements, health, and personal security, among other things. Thus, how climate change will influence humanity is still yet to be a lived reality for most. Scientific projections and probabilities only provide an ambiguous framework under which to begin to plan, prepare, mitigate, and adapt.

Migration as a form of adaptation to climate change needs to be addressed, because the nations with the highest carbon emissions are not doing enough to curb their global impact. Therefore, there is an increasing need to develop a governance structure to tackle the spontaneous and planned climate induced migration and displacement already occurring. A 2009 report by the World Wildlife Fund (WWF) Australia suggested that only three out of 20 industries are moving fast enough to deliver the transformation to the greener economy needed by 2014 to stay under a 2°C rise in temperature (Clarke, 2009). As of 2015, the goal of a minimum 2°C temperature rise is still elusive. If the global temperature rises beyond 2°C, certain nations currently facing growing climate-related pressures will have no recourse other than to migrate; this will be a sentence of extinction for some. As the pressures of a new Kyoto commitment period loom for the COP 21 in Paris, it is clear that in order to slow the need for migration, the deal has to make significant gains in the mitigation sector.

Meanwhile, the global governance of climate change induced displacement is currently at the stage of ad hoc development. Legal and conceptual categorization of this phenomenon has been difficult and slow moving. The mainstay of most research on the topic of climate induced migration and displacement has come from the field of international human rights and refugee law. In this vein is how/which current international legal norms and protections can assist those who will need to migrate or are already being displaced. Due the fact that there is no formal legal standard or even set of policies to guide action on this phenomenon, legal analysis mostly entails international soft

law instruments. Legal and non-legal scholars alike use inconsistent language to describe what is happening; many authors have begun to define those affected by climate change in terms of refugeehood; “climate refugee”, “climate change refugee”, “environmental refugee”, “disaster refugee”, and “ecological refugee” are most often cited. Legally speaking, the word “refugee” defines a very specific identification which carries with it certain rights and obligations; a concrete meaning and privilege. These rights do not apply equally to all persons fleeing their homes simply because the term “refugee” has been presupposed onto their condition. This grouping is also referred to as “climate change migrants”, “climate migrants”, “environmental migrants”, and “climate displacees”. These inconsistencies occur because there has been no common academic or policy-based consensus as to where this group fits into the current discourse on climate change or migration. While a case can be made for many of these labels, their varying use has been problematic for governance. To adequately place those being displaced under the most appropriate governance structure, what is needed is a concrete definition which can be applied through policy. If they are refugees, there is a place for them under the United Nations High Commission for Refugees (UNHCR). If they are migrants, they belong under the treaties of the International Organization for Migration (IOM). However, if they are not currently “refugees”, should they be? Does “migration” adequately describe their predicament and its drivers? Or are they “displacees”, those who are pushed out of their original environments? Being driven out of one’s homeland by the actions of others can also be considered a humanitarian problem. If so, they can also find a home under the United Nations Office for the Coordination of Humanitarian Affairs (UN OCHA). Or rather, should their plight be governed somewhere else? With this phenomena being an unintended consequence of climate change, should the United Nations Framework Convention on Climate Change (UNFCCC) be involved? Thus, conceptualization of this phenomenon is crucial for adequate governance.

UNHCR, IOM, and UN OCHA currently handle many types of human migration, from assisting refugees to economic migrants to those affected by natural disasters. These structures have expanded their reach over time as drivers for migration continue to be identified; adding another group of migrants could be seen as a natural progression. Nevertheless, a major impediment to the addition of climate change induced migrants or displacees into current governance systems is determining who is responsible for them. Responsibility has been an essential component when dealing with other types of migrants. Specific protections and

statuses are based on either a nation's responsibility to its own people or the world's responsibility to those whose governments fail to assist them. Responsibility refers to those who caused the impetus to migrate and thus should pay for the assistance to the group which it has created. International governance structures are poised to assist when either a national government refuses to or cannot assist its own people. Their connections with member states and their negotiating power provide a forum to discuss, create policy, and implement agreements which have a much broader scope than individually negotiated regional treaties. While helpful, these bodies still face institutional and political constraints. Their ability to incorporate those displaced by climate change into current structures depends on political will as well as the flexibility of their mandates. This book presents a qualitative case study of the UNHCR, IOM, UN OCHA, and the UNFCCC's Loss and Damage work program. It provides a historical account of the development of each intergovernmental organization (IGO) from the beginnings of its regime to formal institutionalization, how and why each has eventually expanded, and how each has incorporated climate change into their work. A comparative structural analysis is then employed to evaluate the different institutional components which guide each IGO beyond their specific mandate. Finally, it will also question which, if any, of these IGOs are the appropriate places through which to govern such movement. It had been suggested that a case can be made for each IGO to be the one which *should* take on this new and growing challenge, but their abilities, desires, and appropriateness to do so are not equal.

This research represents a new foray into the study of those affected by climate change as a part of the global dialogue. This book will demonstrate that climate change displacement, as a form of forced migration, has yet to be brought into mainstream research and will pose a significant challenge to current migration/displacement frameworks – specifically frameworks that relate to governance. Analytic frameworks are fluid and tend to work well for academic inquiry. They can change over time with new information, but governance is different. Governance of such an issue needs concrete and thorough information as it is derived from policy and international cooperation. To govern an issue such as this takes governments, IGOs, and regional/local coordination. Policy which can connect these points needs to be concrete and systematically outlined with specific agreed upon responsibilities to those the governance is for. In this case, not only has no current migration/displacement-based IGO stepped up to take responsibility for this phenomenon under its current mandate, neither have individual

governments. Those being affected have called for action, but the international community has not decided to make this issue a priority. In some ways, doing so would force nations that have not wanted to commit to high levels of emission reductions to have to do so; admitting that their outputs are displacing people would indirectly force them to have to take responsibility for what they are causing. Additionally, this would be an expensive endeavor; thus, if a current governance structure were to take up the task, the IGO would need significant financial assistance to do something, but the responsibility would then be indirect to individual states using the IGO as a conduit.

In some ways, this is not a new challenge. When major environmental shifts happen, people have always had to choose whether to stay or to go. However, modern immigration policies have developed with closed borders, external processing centers, quota systems, and traffickers to sneak around all of these. Current policies make it very difficult to cross an international border. But moving within a nation is not necessarily an easier or safer endeavor. Many of the world's mega cities have significant slum areas being developed by individuals seeking better economic opportunities after leaving poor agricultural conditions. Not everyone chooses to migrate, and not all people have the resources to do so; individual choice is situated at the nexus of social, environmental, and economic conditions. When the impacts of climate change are increased, they weigh heavier on both the social situation and economic conditions of individuals and communities and its interaction effect on both is also larger. This interaction is important to keep in mind, since the decision to migrate or the reasons for displacement are never clear cut. When the phrase "climate induced migration" or "climate induced displacement" is used, either in the title or throughout this book, the implication of the phrase(s) is not intended as simplistic; any and every time these are used, it is under the consideration of other complex factors such as social and economic considerations. Individuals do not simply move because the climate is changing; they see the need to move because larger storm surges keep destroying ones' home or because changing monsoon patterns can no longer support ones' necessary crop yields. These short examples are not meant to be exhaustive, but to demonstrate that reasons to move are more complex, and this book (and its language) takes this into account. There are hot spots around the globe where these choices have already taken place. Their explication in the next chapter highlights some of these overlapping complications as they apply to each example. The book will proceed as follows:

Current state of affairs

Chapter 2 brings to the forefront a few of the examples of specific countries where people are already being displaced, highlighting both internal and external displacement. Examples include short case studies of the Carterets in Papua New Guinea, both Kiribati and Tuvalu in the Pacific, and the Maldives in the Indian Ocean. Each represents the difficulties many are facing in the attempt to navigate acquiring new land. The Carterets have been in the process of seeking a solution to their disintegrating islands for decades, and their process has been stalled due to a lack of funds, lack of land, and a looming vote for autonomy; these islanders are seeking to internally migrate. While it has already been shown that most movement due to climate change will be within national borders, the case of the Carterets demonstrates that internal migration should not be considered synonymous with easy migration. The cases of the Pacific and Indian Ocean islands will eventually necessitate the crossing of an international border. Similar geographies create some convergence between cases, but when these are layered over on top of other cultural and development-based issues they begin to exemplify the difficulty faced when an entire nation needs to relocate. Additionally, resettlement solutions will question how sovereignty can still be exercised when a nation is possibly nested within another. Lastly, the chapter will provide a brief overview of additional areas that are vulnerable to displacement, highlighting locations in both the developing and developed world.

Hyperbole versus fact

Chapter 3 outlines how well-known concepts and definitions are being challenged by this new phenomenon. In the media, those who are already being displaced by climate processes and those who will be described in very colorful language. Being touted as the “canary in the coal mine”, and representations of the “lost city of Atlantis” and “sinking islands” are becoming commonplace. However, these representations only serve to skew the much more complicated realities that most people face. This chapter begins with an evaluation of these commercial frames, to move from the overly dramatic characterizations to a realistic version of events. Each concept above has come to epitomize a certain level of futility and concrete proof of climate change. Their use in normative discourse evokes vivid imagery and some spectacle, but is not useful. The chapter deconstructs this idea and moves the reader beyond hyperbole and into the true thorniness of this phenomenon.

This serves two purposes: to disassociate the reader from any oversimplifications that journalistic accounts tend to provide, and to show that theatrical simplifications can do more harm than good. Once that is accomplished, the chapter demonstrates the larger implications of such lines of thinking. Poor characterization leads to a misunderstanding of human security issues as well as minimization of long-term adaptation measures. Finally, the chapter suggests a different language to discuss these vulnerable areas in a plural fashion that does not degrade the seriousness of their situation.

Academically understood context

The field of migration studies, both voluntary and forced, has a way to further deconstruct and classify movement due to climate change. Though helpful, they also serve to demonstrate many more levels of complication. Academic fields beget more specific subfields, and those who will need to relocate based on climate-induced phenomena can fall into many categories and yet still – in other ways – fall through the cracks. Chapter 4 situates climate induced migration and displacement in the field of migration studies, forced migration studies, refugee studies, and the subfields of environmental migration and survival migration. It also attempts to distinguish the different scenarios in which the agency of an individual can shift this interpretation. If one chooses to leave a location that is inevitably uninhabitable, is this voluntary migration or forced? In this chapter, climate change and its effects are seen as an additional layer over current understandings of migration and displacement, but one which challenges normative and legal understandings of causation. This culminates with both a descriptive and legal analysis of the label “climate refugee”. By the end of this chapter, the reader can see how otherwise fairly demarcated concepts can overlap when new scenarios challenge our current understandings.

Institutional expansion

Chapter 5 situates climate induced displacement in the realm of governance. How a phenomena is labeled and conceptualized can affect how it is governed; Chapter 4 delved into these labels and understandings and Chapter 5 explains their implications. This chapter begins with an introduction to global governance; what it looks like and how it functions without a world government to enforce it. It provides a discussion of governance at the meta-level and then proceeds to incorporate specific structures at subsequent levels. Governance is also a type of international cooperation at the highest level; this chapter also provides

a short overview of how cooperation works between nations, as told through traditional international relations literature. Beyond cooperation, institutions of governance and their mechanisms come from specific mandates that eventually expand if the institution is to grow or change over time. This chapter provides several institutional expansion theories, from the general sense to more specific theories of neofunctionalist spillover and firm theory. It provides theoretical and functional explanations for institutional expansion.

Lack of expansion

Currently, there are three IGOs that govern several forms of migration and displacement – all of which have expanded over the years when the situation has demanded it. They are the UNHCR, the IOM, and the UN OCHA. Chapter 6 tells the story of their corresponding regime development, refugee, migration, and humanitarian, respectively, as well as the development of each IGO as the solution to a specific international problem. Subsequently, each has also gone through an institutional expansion beyond its original mandate when new situations demonstrated a further need. It also provides examples of how each IGO has related itself to the topic of climate induced migration and displacement and how each has significant challenges to additional expansion to govern this new group of displacees. This chapter is organized by each IGO to be examined.

Filling the governance gap

Chapter 7 contextualizes the institutional analysis of Chapter 6 into the topic of global governance. Reluctance to expand on the part of UNHCR, IOM, and UN OCHA has left a large gap in the general international governance framework. Alternatively, the gap is slowly being filled through the UNFCCC, which seeks to govern the mitigation and adaptation measures relating to climate change at the global level. In recent years, it began a new work stream to assess loss and damage beyond what both mitigation and adaptation can prevent. This chapter outlines the development of the modern climate regime and introduces the Loss and Damage mechanism as an alternative to the established IGOs that have been discussed until this point. The work stream has been extended multiple times and was codified as the Warsaw International Mechanism (WIM) at the COP 19 in Warsaw in 2013. However, where it is going is still in question, since its focus continues to be lopsided; it is supposed to consider both economic and non-economic loss, but economics has tended to be more of a focus thus far. The chapter will

evaluate what kind of mechanism it is, how it has developed until now, and its potential to fill the governance gap that currently exists in this realm – comparing this new emerging apparatus to the IGOs previously mentioned. The chapter also provides both a structural and political analysis of the three IGOs under investigation (against the WIM) in order to demonstrate where substantial challenges to expansion will lie and their implications.

Conclusion

Chapter 8 concludes with an overview of the main premises provided throughout the book, such as revisiting how the case studies reflect the issues brought up in earlier chapters. It evaluates if either of the expansion theories help explain each IGO's expansion to date and if these theories can assist in understanding why they have not expanded into the issue of climate induced migration and displacement. This chapter will also delve further into insufficient political and theoretical reasons for the main IGOs to be averse to expanding. Additionally, it will consider which, if any, of the governance institutions under consideration should be the space in which this issue is handled. With the slow loss of land and habitability in many areas simultaneously, there is need for concern in the realm of governance. Most considerations of migration and displacement have taken place under the umbrella of security and conflict. Without adequate measures to curb climate change, its progress will not slow, and without governance or assistance to those on the front lines, there is potential for security theorists to be right. However, sufficient measures to govern these consequences as they come can assuage this. The conclusion will suggest several policies and their global implications.

2

Current State of Affairs

The current state of affairs for many around the globe is becoming challenging. Those feeling the effects of climate processes are already seeing the need to migrate as a way to adapt to their changing situations. Spontaneous and planned relocations are being considered across the globe. In the larger climate change discourse, displacement is slowly coming to the forefront. More scholars and policy makers are acknowledging that migration can be a positive way to adapt and that, in many cases, it is the only option. The temporal element also varies over this fragile geography: for some, this need to move is now; for others, their short-term future is in jeopardy. But the long-term future is bleak for many. This section will highlight several of the geographical areas in which people and communities are already being displaced, both within and outside national borders. Each example represents the difficulties many are facing in the attempt to acquire new land through complicated negotiations with local and national governments as well as NGOs. Cases which highlight the need for displacement solutions include the similar situations of the Carteret Islands, Kiribati, and Tuvalu in the Pacific Ocean and of the Maldives in the Indian Ocean. These islands and their situations are the best known and detailed in the media as well as in academic writing. In these cases, similar geographies create some convergence between cases, but when these are layered over on top of other cultural and development-based issues, they begin to exemplify the difficulty faced when an entire nation needs to relocate. There are other areas where displacement will be necessary as well; this chapter will conclude with a short overview of those areas and their future struggle for relocation.

Migration as adaptation

Migration has slowly come to be seen as an adaptation strategy to extreme environmental stresses, and now to climate change. McLeman and Smit (2006) detail several situations of environmental difficulties, such as the African famine (in the mid-1980s) and Hurricane Mitch, as specific evidence for migration as adaptation. The authors also offer a model that provides a basic framework of the process as it applies to climate stressors, which demonstrates that decisions to move are made at the household level. Banjeree et al. (2012) also provide evidence of migration as adaptation caused by climate-related vulnerability. Their report for the Foresight Project outlines three areas of vulnerability: dryland margins, mountains, and low-elevation coastal zones. The authors argue that in each of these cases, there is evidence of the effectiveness of migration as a form of adaptation in terms of its persistence as a strategy adopted by those facing deteriorating or extreme environmental circumstances. Yet across such vulnerable locations, there is a lack of specific empirical studies on the role of migration in the context of adaptation to environmental variability and change. Thus, while the greater body of academic work is still lacking in empirical studies in this area, migration as adaptation can still be seen. It is also occurring in two ways; adaptation that takes place prior to the impacts of climate change and migration that takes place afterwards are referred to as anticipatory adaptation and reactive adaptation, respectively (McCarthy et al., 2001). *After* a climate-related environmental disaster, households may have lost their belongings, valuables, and homes; those moving in reaction to this type of situation will need aid and assistance. It is pre-planning and governance that can assist with anticipatory migration, paving a way for those in most need to have access to a place in which to relocate and the means to travel there. Until such time as this is universally implemented, each vulnerable location, community, and household will have a different experience. How this is currently unfolding will be described below.

Making the move

The Carteret Islands, a territory of Papua New Guinea (PNG), is only 1.5 meters above sea level and is already being inundated with salt water, which is destroying crops and contaminating freshwater wells. This has left the inhabitants with a diet of rainwater, coconut, and fish, facing chronic hunger (Lateu, 2008). The residents of the Carterets are, unfortunately, already living with the most serious results of climate change and represent the first organized relocation. The local

population created their own association to tackle this issue. Called Tulele Peisa, which translates to “sailing the waves on our own”, its purpose is to advocate for conservation, culture and identity, relocation, and sustainable livelihoods for its people. Its founder is a woman named Ursula Rakova, a native of the Carterets. Chosen by the Council of Elders, Rakova has worked with local and regional NGOs since 1993 and is considered a pioneer of the environmental movement in PNG (Tulele Peisa, 2008). The Carterets Integrated Relocation Program is a proposal to assist the 3,300 residents of the Carterets who are losing their homes due to sea level rise and to integrate them into three existing communities (Tinputz, Tearouki, and Mabiri) on the neighboring island of Bougainville. As early as 2001, the Bougainville government was discussing the relocation needs of the nearby Carterets; the Council of Elders made the final plans to form the local NGO in 2006, when it became apparent that they would need their own organization in order to implement a planned, staged program to relocate its people (Tulele Peisa, 2008). Official preparations to evacuate began in 2008 (Loughry and McAdams, 2008).

The most dramatic images depicting the necessity for migration as a form of adaptation have come from these islands. This was chronicled in the documentary *Sun Come Up: The Story of Climate Change Refugees*, produced by Jennifer Redfearn and nominated for a 2011 Academy Award. The film follows a group of young Carteret Islanders as they search for land in Bougainville, an autonomous region of PNG, 50 miles across the open ocean (Big Red Barn Films, 2010). While it did not win the big prize, the film continues to tour different festivals to raise awareness and money to assist in the relocation.

On December 11, 2008, Tulele Peisa’s resettlement initiative was presented at a meeting organized by Displacement Solutions (DS), a Swiss NGO which focuses on land rights and resettlement projects. In attendance were representatives from Bougainville, AusAid, UN Habitat, the government of Tuvalu, OXFAM, Mantle Group, the International Commission of Jurists Asia and Pacific Office, the University of Florida, the Australian Centre for Peace and Conflict Studies, Tulele Peisa, the government of Kiribati, a Maldivian climate change expert, the UNHCR Pacific Regional Representative, and DS (Displacement Solutions, 2008). This meeting demonstrated the overlap of national, regional, and international interests in the relocation process. Those present also discussed issues of responsibility and how to fund the project. Participants expressed the need for the PNG government to earmark funds to purchase land on Bougainville and to compensate those forced to resettle;

this would coincide with its legal obligation toward its citizens. In addition, the government of Australia added a request for additional aid to come from the international community (Displacement Solutions, 2008). One of the biggest challenges discussed was the identification of land for resettlement. The islanders felt it was important that they be sustainable in their new home and needed sufficient land for each family in order for them to earn their livelihoods. This was decided as 5 hectares per family. The Catholic church donated 81 hectares, but the negotiators still needed 1,400 hectares more for all of the families to be able to move. The Carteret islanders did not have the financial resources to purchase all the land necessary, and it appeared that the PNG government lacked the political will to purchase it for them or expropriate the land. There are several layers of land ownership to contend with: traditional owners, the government, the title holder, and the user. A final barrier arose at the meeting; the political status of Bougainville (Displacement Solutions, 2008). A referendum for independence has been in the works for a while, which could complicate not only land rights, but also political will and any monetary agreements with the PNG government, as well as change internal negotiations into international negotiations. The PNG government's window to hold the referendum is between 2015 and 2020 – which potentially leaves years of uncertainty (*Radio New Zealand*). As of September 2014, seven families had already been relocated (*Huffington Post*), but many more need to follow.

This short discussion of the Carteret resettlement plan demonstrates the complications of this type of planning among the many stakeholders with varying degrees of commitment. Although the PNG government is ultimately responsible for the safety and wellbeing of its people, it has been largely absent in the planning and meetings held by Tulele Peisa. If one looks at the sources of funding for Tulele Peisa, the PNG government is absent again. Because of the layers of barriers and stakeholders, a global governance structure would have better reach as an arbiter than the small NGO that began the process. While both UN Habitat and UNHCR had representatives at the resettlement meeting, they have not taken a leadership role either.

Resisting a move

There are several other islands that are slowly seeing the need to plan for relocation like those in the Carterets, but which have more time. Tuvalu is arguably the most researched set of islands in this group of vulnerable countries and consists of nine coral atolls. Located in Oceania, its highest point is 5 meters, with an estimated population total of 10,472.¹

King tides, the highest of the year, have been increasing and lasting longer than they ever have in the history of the islands. This flooding has hurt crops, caused in-migration from outer atolls to the capital Funafuti, and, in turn, has caused overpopulation and a strain on resources. The inundation of sea water has leached into the drinking water and has also damaged the already small amounts of arable land. King tides do not only roll in from the sea, but also bubble up through the sand, affecting anything growing within it. Because of this phenomenon, some Tuvaluans now grow crops in tin cans instead of the ground (Price, 2003). The former prime ministers of Tuvalu have been outspoken on the matter and have argued that the industrialized nations need to do their part to mitigate the damage they are doing to these islands due to their carbon dioxide (CO₂) emissions (Ielemia, 2007). In 2002, the former prime minister announced a plan to sue the USA and Australia in the International Court of Justice (Allen, 2004). Though the case never went into litigation, the next prime minister, Apisai Ielemia, still said that he will keep the option open (Ielemia, 2007). Tuvaluans, either at home or abroad, also participate in this debate using chat rooms, blogs, and letters to the press (Farbotko, 2010).

Internal ecological destruction in addition to sea level rise creates a process which erodes an island's ability to continue to sustain human habitation. In the case of Tuvalu, climate change is affecting where people live, and thus one driver of vulnerability is overpopulation. This is likely to be a process which is the most pertinently destructive. A move from one island to another forces not only more stress on a strained ecosystem, but on the economy as well. Ecological destruction leads to economic destruction, as environmentally based economies are very fragile. When fishing grounds, agricultural land, and tourism are simultaneously being destroyed, the chances of economic improvement are nil. Most importantly, with sea level rise, the concern is the irreversible salinization of water resources. Contaminated wells affect drinking water supplies and cannot be used for agriculture. While foodstuffs and water can be imported, it becomes cumbersome and expensive if this becomes led by aid versus regular economic conditions.

Kiribati, also located in Oceania, consists of 33 islands, 21 of which are inhabited. It has an estimated population of 99,482.² Kiribati has also been highly researched academically. Kiribati's population lives at a subsistence level where most people are actively involved in fishing and farming. Two-thirds of the workforce is employed by the government, with about 14% employed as seafarers on German and Japanese fishing vessels. Remittances are a significant source of money for extended

families and communities, especially those in rural islands with little development opportunities, infertile soils, and long-distance markets (Borovnik, 2006). Dense population growth and high poverty exacerbate the human pressure on its small landmass. Of most concern is the use and management of Kiribati's freshwater, which is highly vulnerable to salt water intrusion and pollution (Storey and Hunter, 2010).

For Kiribati, and especially Tuvalu, their internal environmental issues have raised questions about whether climate is really the impetus for their problems or development. Locke (2009) argues that the influxes of population movements to urban central islands have changed the socio-economic structure of these small island developing states. His work focuses on both Kiribati and Tuvalu and demonstrates how overpopulation strains resources and makes people less healthy. He has observed that Kiribati imports more and more processed foods to make up for poor agricultural production and increased foreign aid and remittance money. The population spike has also led to poor sanitation and inadequate sewage and garbage disposal. Similar circumstances prevail in the capital of Tuvalu, Funafuti. Much of the capital is built on water and garbage-filled pits. It also imports poor quality foodstuffs which has hurt the Tuvaluan death rate. Allen (2004) describes these issues, comparing Tuvalu to a small planet; its poor environmental stewardship is no more egregious than that of bigger nations, but because of its fragile, remote, and resource-poor landscape it has less room for error than other countries. However, these internal problems have become a barrier to outside help. Tuvalu and other islands have been implicitly and explicitly encouraged to resolve what is seen as their own "development issues" (by the developed world) before neighboring nations will seriously consider additional migration schemes (Connell, 2003). Loughry (2009) explains that the populations of both Kiribati and Tuvalu deal with overcrowding, unemployment, poverty, pollution, and modernization. Climate change not only drives these issues, but also multiplies their effects. Sea level rise has forced this initial internal migration from smaller atolls to their overcrowded capitals. Thus, these nations' adaptation capabilities have become extremely challenged already due to climate induced internal migration.

The Maldives is a series of 1,190 coral atolls with 80 used as resort islands; its highest point above sea level is 2.4 meters. It has an estimated population of 395,650.³ Situated in the Indian Ocean, its low lying nature has already made it vulnerable to intense cyclones and storm surge. The Intergovernmental Panel on Climate Change (IPCC) predicts that most of its low lying islands will be submerged by the year 2100. Concerned

by this prospect, former President Nasheed announced he was starting a fund to relocate his entire population; this was even before he was sworn in as president on November 11, 2008. News of this plan circulated through major news editions and networks such as the *Financial Times*, *Guardian*, *Telegraph*, *BBC*, and *CNN* on November 10. The plan involves earmarking a certain percentage of tourism revenue to purchase land in neighboring Sri Lanka, India, or Australia. While *The Telegraph* reported that Nasheed found the nations he approached to be “receptive”, the *Financial Times* adds that the Director of DS, Scott Leckie, questioned the logic of this plan suggesting that it has not been thoroughly thought through. By the time this news story ran, rumors had already spread that Maldivian officials had begun purchasing land in Sri Lanka.⁴ Another quote from Leckie poses an essential question for understanding the specific complications for Maldives’ climate migration, “Are they actually asking to re-establish the Maldives elsewhere?” (Evans, 2008). Nasheed was looking to reestablish their cultural and national integrity within this process. Since the Maldives produces 0.001% of global greenhouse emissions (Climate Lab, 2011) and yet faces the brunt of the total damage, why not ask to be totally restored? To do so requires a new interpretation of international law. If the Maldives were to buy land in Sri Lanka and move its population, would it be autonomous there or would it be subject to rule by the Sri Lankan government? These are not questions easily answered, but necessary evaluations which could set a precedent for peoples in the Pacific Rim as well. This line of questioning can be posed in the Carteret case as well if Bougainville does secede from PNG.

The Maldives (like Tuvalu and Kiribati) is threatened with the eradication of its entire landmass; in this circumstance not only is out-migration a necessity, but it makes the idea of purchasing a new homeland less crazy. The Maldives has a unique culture which has spanned the rule of European and regional powers, its own language, and is an Islamic state. It should be no surprise that the president voiced such a strong plan for his people this early in his tenure, as it is one of the places most vulnerable to climate change. Over 90% of government tax revenue comes from the tourism industry, which can be very fragile. Tourism has been a developing industry which, after implementing a more liberal foreign investment policy, has boomed through the “one island-one hotel” scheme converting each resort island into its own sustained enterprise (Domroes, 2001). However, it is an industry which creates much solid waste, increasing pollution, and uses large quantities of the Maldives’ limited fresh water. President Nasheed had been adamantly

voicing the Maldives' concerns to the world. In 2009, he and his cabinet held a meeting underwater in scuba gear in order to bring attention to his nation's plight (Buncombe, 2009; Omid, 2009). The event sparked many news stories again, but little sincere action. He was the main character in *The Island President* (2012), a movie about his role in the Copenhagen Climate Change talks in trying to garner international assistance for their vulnerability to climate change. International cooperation over this issue has been slow moving and will be outlined in later chapters. After President Nasheed was ousted in a coup in 2012, the country has not had as outspoken an advocate for their relocation.

As a group, these nations have much in common. All are low lying, have environmentally based economies (either tourism, seafaring, or agriculture) and have governments which are keenly aware of these issues and how it will affect their people. The simple geological similarity of being atoll islands explains other parallels. Islands are, by nature, restrictive environments of limited sustainability. Any kind of economic base is structured within this limit. Island nations already understand the difficulties in sustaining a growing population or economy on scarce resources. They will be damaged more quickly than larger land areas because they have comparatively lesser ability to deal with climate change. For example, the development of industry, individualized products, and disposable packaging creates mounds of garbage all over the globe. However, the small land area of an isolated island leaves less room for disposal. This phenomenon has already been mentioned for Tuvalu and Kiribati. It can be understood as an unfair bind for small islands; the developed world pushes for open commerce and for purchase of their products, only to criticize those that acquiesce, but who cannot feasibly handle the unintended effects. These examples demonstrate the complex set of issues facing small islands and their drivers of out-migration. Internal movement, overcrowding, and pollution signal the need to move – that this homeland cannot sustain early adaptational methods. But this tends to be held against them by nations which are not as vulnerable as they are. Conventional adaptation measures pose a long-term question of adequate fit when it comes to nations of smaller landmass and capabilities. Thus the less conventional idea of migration as adaptation needs higher consideration in these situations.

Additional areas vulnerable to displacement

While the islands detailed above are some of the most identifiable areas of concern, there are many more areas – some in just as precarious situations – with the need to migrate even more quickly. The Asian

Development Bank's (2012) assessment finds that population mobility has already grown in East Asia, Southeast Asia, South Asia, Central and West Asia, and the Pacific, being driven by varying economic forces. However, climate change will aggravate this region in four ways: through sea level rise and storm surge, cyclones and typhoons, riparian flooding, and water stress. The assessment also identifies that some governments in the region have already begun to plan for the resettlement of vulnerable populations. Bangladesh in Southeast Asia, situated in the world's largest delta, has been dealing with environmental challenges for years, but its increasing vulnerability to cyclones is forcing some to consider and some to begin migration within the country's borders. Kartiki (2011) studied this decision of the people affected by Cyclone Alia in 2009. With the scale and frequency of these events increasing, many are choosing to move somewhere else. The factors under consideration in such a decision were identified as both push and pull factors. Individual push factors included: destruction of livelihoods, destruction of households, landlessness, lack of cyclone shelters, dissatisfactory current living conditions, insecurity for children, lack of optimism for the future, and the threat to life. Pull factors were better pay in urban areas and friends/family in other areas. Thus in Asia, some level of rural to urban migration can be attributed to the increase of climate impacts, just like in the islands of the Pacific. Elliott (2012) confirms this analysis with respect to other areas in Asia. Investigations by both the US National Intelligence Council and the Asian Development Bank reinforce the prediction of large-scale movement from rural or coastal areas to cities in Indonesia, Thailand, Cambodia, and Vietnam, as well as the possibility of cross-border migrations in the area.

As it stands, there is plenty of research on the developing world (Global South) and its challenges to climate change and potential displacement, but much less has focused on the developed world, though it will be affected in much the same way. Upscale homes in places like Florida, Louisiana, and New York in the USA are under threat from increased storm surge. Coastlines in the Mediterranean face similar concerns in places like Spain and Greece. In Australia, the biggest concern is the eventual lack of water due to record heat (Fatoric, 2014). Bronen (2013) outlines the immediate challenges faced by Native Communities in Alaska. The author explains that the erosion of these communities is well documented, even by the communities themselves, going back to the 1980s. But it was not until 2003 that the US Government Accountability Office (GAO) issued a report to document the impact of flooding and erosion on Alaska Native Communities. After it concluded

that 86% of the villages are affected by such flooding (several very severely), Congress authorized the relocation of specific communities at full federal expense in 2005. However, the US Army Corps used all of the funds provided to conduct studies to determine the viability of relocation and to assess certain relocation sites. These reports found that it would be more cost effective to invest in erosion control instead of relocation, even though it had already been authorized. To date, none of the villages that were identified as living in imminent danger have yet been relocated, due to governance issues; the GAO report also recognized that no government agency has the authority to relocate these communities and that no government organization exists that can address the planning or funding specifically designated for relocation.

The state of affairs related to climate induced migration and displacement spans the globe, and does not neglect the developed world, even though the plight of the developing nations has tended to be more severe. However, while there is the need for relocation in many areas, the governance to facilitate these plans is lacking. This chapter has demonstrated the layers of governments, local organizations, and NGOs working on this issue and how the process has still been slow, obstructed, and generally unsuccessful. The previous paragraph confirms this: if the USA cannot orderly relocate its own people under the threat of climate impacts, what chance does Tuvalu have? This highlights the necessity for global governance that can and will assist with independent migration and relocation and which can act as a go-to beyond the usual bureaucratic processes. Those in precarious situations which are only going to deteriorate further cannot cope long with conflicting layers of multi-level governance refusing to take their fate seriously.

3

Hyperbole versus Fact

A problematic discourse

While climate change displacement has been identified as a possible risk in Table 1.1, it *is* already occurring and has become a nascent international concern, even though few have noticed this (Monbiot, 2009). Although not widely known or understood, spontaneous and organized internal and external migrations due to climate change are occurring around the globe. Projected hot spots of movement include the dryer areas of Africa, regions near the delta systems in South Asia, the coasts of Mexico and the Caribbean, and the low lying islands in the Pacific and Indian Oceans. Beyond projections, movement is already occurring on small, low lying islands which are the most vulnerable to the effects of sea level rise. What is known about such movement has been described in colorful, exciting, and hyperbolic terms. While this has been mostly propagated by the media, it has encroached into academic writing on the topic as well. What is disturbing is that these discourses provoke spectacle instead of understanding, fiction instead of fact, and a macabre longing for the worst to happen. The three main discourses in which this is most evident are the “canary in the coal mine”, “lost city of Atlantis”, and “sinking islands”. This chapter deconstructs these ideas and moves the reader beyond hyperbole and into the true thorniness of this phenomenon. It serves two purposes: to disassociate the reader from any oversimplifications that journalistic accounts tend to provide, and to show that theatrical simplifications can do more harm than good.

Canary in the coal mine

As a well-known metaphor, the “canary in the coal mine” is often used as a way to identify when something bad is happening that cannot

been seen with the human eye. Literally used in mining, a caged canary would be carried in with the miners. If noxious, but scentless, gasses built up in the mine, the canary would die, and thus the miners would know to exit the mine immediately. A canary is more sensitive than the miners to these gasses, and thus its death would indicate that the miners were also threatened if they did not leave the area. Using this metaphor to describe a literal or metaphorical death due to climate change would suggest that the death or loss incurred by islanders would prove that climate change is real, its effects are real, and both are in fact dangerous. This metaphor is especially powerful in demonstrating the effects of climate processes for lay people. As Farbotko (2010) explains, for climate scientists, climate science is concerned with changes in the earth's systems seen through specialized measurements: "On islands that are disappearing from view, however, such (scientific) changes are apparently rendered visible, without complexities, to the non-expert and imagined as phenomena that can captured photographically in real time." An island disappearing can be seen by anyone and thus verified as a canary – without instruments or formal training. Even some academic articles use this metaphor to describe areas vulnerable to extreme climate deterioration. Bailey (2010) uses the phrase to describe the islands of the Maldives, but takes it from a BBC article. Others have noticed this as well; Connell (2003) mentions that even the more cautious social scientists see Tuvalu as the "canary in the coal mine", a true indicator of the seriousness of climate change. This terminology is much more pervasive when its usage in the general media is considered. Ayers and Forsyth (2009) also use the same phrase to describe the Arctic Rim communities in their article in *Environment Magazine*. A simple Google search of "canary in the coal mine", "climate change", and "islands" brings up over 12,900 results.¹ Farbotko (2010) argues that this metaphor is utilized as a way for the developed world to construct their anxieties about climate change and for newspapers to assign the people of (specifically) Tuvalu a label of victimhood (2005). They would have to be victims, because in order for the island or coastline to be the "canary", it has to disappear, and this implies the people and culture attached to it will disappear, as well. That is the importance of the canary; it is a sacrifice. For miners, it was a sacrifice for industrial capability of the world; to build and grow, it needed coal. Islands, islanders, and other coastal dwellers would also be the sacrifice (to development) if they are deemed the canary in this instance. The actual loss of these areas should cause more than anxiety for the developed world; it is unclear if Farbotko is suggesting that the anxiety is that the island of Tuvalu *will* have to disappear and only then will the developed world

have no more excuses not to make large emission cuts. This would finally demonstrate that there is a big price to pay for inaction. However, the world's nations already know this – their participation in the COP process and their reliance on the IPCC's reports are evidence. But then again, would losing one island or coastal town be enough to force political will? Until or unless the canary dies, there is no way to definitively know.

The lost city of Atlantis

Using the “lost city of Atlantis” to describe both small low lying islands and threatened coastlines is also hyperbole and misleading. Using either literary or figurative descriptions of the Atlantis myth lead to different variations of the same macabre inevitability of complete loss. The literary description comes from Plato's *Critias*. In this work, Plato describes a vast island through the Straits of Gibraltar from the Mediterranean, “larger than both Libya and Asia put together” and thus deserving to be called a continent. While Plato's *Timaeus* provides an account of how Atlantis was populated and about its resources and livelihoods, it is *Critias* which accounts for the continent's demise. “But afterward there occurred violent earthquakes and floods, and in a single day and night of rain all your warlike men in a body sunk into the earth, and the island of Atlantis in like manner disappeared, and was sunk beneath the sea.” In one line, a legend was born. Without archeological substantiation, this version of events is all that there is. As it stands, the literary version of the Atlantis myth is of earthquakes, floods, and rain. If this is taken literally and the idea that an earthquake is the main reason for destruction is considered, which, in turn, could have created a tsunami and a subsequent flood, then the loss of Atlantis can be attributed to a natural disaster. The figurative myth takes a bit of a different interpretation; it can be attributed to Plato's *Timaeus*. It explains how advanced the civilization was: abundance of wood for carpenters' work, temples, palaces, harbors and docks; manmade canals, bridges, statues of gold. The Atlantians built their intricate world and lived by a strict code of laws passed down by Zeus² and the bloodline of Poseidon. But even with their comforts and abundance, things eventually changed.

By such reflections, and by the continuance in them of a divine nature, all that which we have described waxed and increased in them; but when this divine portion began to fade away in them, and became diluted too often, and with too much of the mortal admixture, and the human nature got the upper-hand, then, they being unable to bear their fortune, became unseemly.

The Atlantians had abundance, wealth, stability, and yet they were unable to keep it. This part of the myth implies that the Atlantians were responsible for their own demise in some way; they were unable to handle what they had built. Moving away from the literary, this has come to have a slightly different meaning in popular culture; Atlantis was a highly developed society with great advanced technology; they eventually destroyed themselves with that technology. This is not unlike the fears shared by many in the early years of the Cold War when global annihilation due to nuclear weapons was a very real possibility.

Scholars and journalists have also used this metaphor, but usually without any indication as to which description, direct literary or metaphorical, the author is implying. Jain (2014) uses the same quote above from Plato about Atlantis being lost in a day and a night and argues that a “substantially similar fate” is likely to befall the Maldives, Tuvalu, and Nauru. Additionally, the author uses a fictional state of “Atlantis” to be representative of this group. Similarly, Blitz (2011) suggests that a new Atlantis be reorganized as a colony on another state when discussing Melanesia, Micronesia, Polynesia, and the Maldives in their relation to climate induced statelessness. Shen and Gemenne (2011) call the plight of climate change refugees as portraying an “Atlantis in the making”, not unlike Whitty (2003) and Price (2003). Wong (2013) suggests that “Atlantis-style” inundation of small islands is unlikely because many climate processes are of slow onset in nature, but the author uses the metaphor nonetheless. This process is again examined by Tol et al. (2006) though the use of the “Atlantis Project” which was to look at the extreme scenario of the West-Antarctic Ice Sheet (WAIS) collapse, or a 5 meter sea level rise in the next 100 years. Another crude Google search for “Atlantis” plus the same search terms as above provides an impressive 246,000 results.³ It appears that this imagery is even more pervasive than the canary in the coal mine when considering the disappearance of small island states and potential climate refugees.

Comparing those islands most at risk to extreme degradation or to complete loss due to rising seas to the lost city of Atlantis is not helpful as either a visual or metaphorical characterization. In terms of the visual, the idea of an entire continent being lost to the sea in a day and a night is extremely dramatic. The size and magnitude of the earthquake (and subsequent hypothetical tsunami) which would be able to do this would be well beyond what anything human experience has otherwise witnessed. And even Plato agrees:

Many great deluges have taken place during the nine thousand years, for that is the number of years which have elapsed since the time of which I am speaking; and in all the ages and changes of things there has never been any sediment of the earth flowing down from the mountains, as in other places, which is worth speaking of. (*Timaeus*)

While exciting, this visual is not accurate as to what small islands and coastlines will face. Climate change is a slow onset event, especially sea level rise. Even the IPCC's projected increase in cyclonic activity would not cause this type of destruction. In essence, the drama is unscientific and unfounded. Both the literary and metaphorical myth conjure up images of tragic victims who came to be extinguished – but in different ways. As victims of a natural disaster, Atlantians are nothing like those under threat from increasing climate stressors. Not only is climate change a slow onset process in nature, it is also not a natural occurrence. This literal literary interpretation implies that climate change is natural and out of any human control. In this way, using Atlantis as a descriptor for the effects of climate change has the potential to incite those who deny that the climate is in fact changing. Additionally, it can add fuel to arguments of similar sects of people who do believe that the climate is changing, but that it is completely natural. Either interpretation makes the destruction of islands and coastlines inevitable and suggests there is nothing that can be done. Those lost to such a tragedy were immortalized by Plato and thus will be fate of those lost in this time, but they have to actually *be* lost to fit into the mold of the Atlantians. The metaphorical interpretation also portrays islanders as victims, but the victims of the actions of the developed world. They become a bedtime story of the perils of self-induced technological overload again, inevitably lost to man's insatiable lust for development. Victimization in this way also strips away the agency of the people living in these vulnerable areas. If they are indeed doomed like Atlantis, fighting back is futile. However, adaptation efforts are not something these places have taken on in vain; they will sustain habitation in many places for years to come. Moreover, if they are again "doomed", the world's nations have little reason to actively put together an emissions reducing climate deal with any significant targets; if islanders are already fated to be lost, then there is only need to plan for a future without them. The Atlantis characterization, like the canary in the coal mine, becomes a self-fulfilling prophecy that strips individual peoples' identities and designates them to be a harbinger rather than sovereign.

Sinking islands

Often referred to as the “sinking islands”, these places have tended to garner some attention as their predicaments have unfolded. The islands most popularly designated to this grouping are particularly at risk due to their small, low, and flat nature, which is typical of reef islands on coral atolls (Yamano et al., 2007). The “sinking island” is a concept that has become another well-known metaphor for the long-term consequences of climate change. The term is often used to describe those places which will be most severely affected by climate change; those which may be completely lost to rising sea water. These are islands whose highest point is only a meter or so above sea level. Unlike coastal areas, which have also been referred to as Atlantis (*Environment*, 2003) or canaries, only islands can completely “sink”. These tropical islands conjure up images of idyllic palm trees, crystal waters – and imminent doom. It is an image of tragedy in “paradise”. However, this image can be damaging to substantive research in that it detracts from serious issues that need to be addressed and refocuses on simple doomsday scenarios which are sensational, but disempowering not only to those who are personally affected, but to adequate research as well. It is scientifically unsound.

Sea level rise will not make an island “sink”; climate change is not a geologic process at work. While the structural integrity of islands do change over time, it is part of a process that includes reef integrity as well as the lagoon and island itself. As Kench et al. (2005) describe, coral-reef islands are accumulations of the sands and gravels that characterize the surface of atolls and other reef platforms. The islands’ low elevation, small size, and reliance on locally generated sediments make them particularly vulnerable to the impacts of climate change and sea level rise. Thus the stability of reef islands is of major concern in atoll nations where such islands provide the only habitable land. Improved understanding of the depositional history of reef islands is required to better resolve their future stability. However, this stability is complicated. Coastline adjustments are just one complication. The “sweep zone” suggested by Kench and Brander (2006) proposes that alongshore reorganization of sediment characterizes siliciclastic shorelines. But there are alternative models such as the Bruun Rule – a simple geometric profile model which implies coastlines will migrate landward due to erosion and the relative extent of erosion is a direct function of the magnitude of sea level rise and the gradient of the coast. It is also a tool advocated by UNEP (Webb and Kench, 2010). Woodroffe (2008) explains that sea level rise in itself need not endanger all elements of atoll systems until a critical threshold has been exceeded. In addition, reef flats may be recolonized

by coral, and can (eventually) provide more sediment to be transported to the oceanward shores. He also acknowledges that it is unclear what effect increased wave run-up will have on these islands. It may build the ridge crest higher or, alternatively, waves may run over the oceanward ridge and inundate the island's interior. And this inundation is exactly what most islands are feeling. Rising King tides have continued to make these islands more difficult to live on in the long term. Such flooding is now a regular occurrence in Tuvalu and the Marshall Islands, and has caused great damage to at least one northern Maldivian island (Simonelli, 2014). This chapter is certainly not meant to be a complete background on atoll geology, but serves to demonstrate the complex life spans and stability of small reef islands. Their shapes may ebb and flow over time and even retain some of their structural integrity through some sea level rise, but to "sink" or "disappear" is not the same as being unable to sustain human habitation. Severe coastal inundation makes living on a small low lying island difficult, if not impossible over time. An island does not have to "sink" for its inhabitant's long-term future to be threatened.

Using the term "sinking islands" suggests that Tuvalu, the Maldives, and other such islands are expendable – as are their inhabitants. It also advocates that there is no hope of saving them and thus no need for discussion on mitigation tactics – these islanders are simply doomed. Because scientific time frames are mere generalities, not only are islanders doomed, but not knowing exactly when heightens the drama. Many news magazines and publications refer to this imagery as a dangerous paradise (Allen, 2004; Ede, 2002/2003; Lynas, 2004; Morris, 2009; Patel, 2006; Sheehan, 2002; Warne, 2008). This drives normative discussions about climate change and island nations into a place where the details on the ground do not matter; any island that is sinking can be integrated into this frame and delegitimized as an individual society. This also affects islands that are not sinking. As the discourse is overwhelmed by the conceptions of "sinking", it leaves no room for less dramatic, but necessary, adaptation policy. What is not fully understood is how damaging this label of "sinking islands" is to their actual plight. Not only does it suggest something that is inevitable, but it also implies a steady, continuous process. Because scientific forecasts provide long-term projections, we cannot know exactly when an island will "sink". However, only focusing on the time line for sinking ignores the fact that there are more problems associated with sea level rise other than the loss of land to stand on. Long before islanders will be permanently ankle-deep in the ocean, they will suffer losses that will make it virtually

impossible to stay that long. The salinization of drinking water and agricultural land, as well as more frequent and severe tropical storms, have the potential to leave low lying island nations in an extremely vulnerable position – even without sinking. The difficult thing is finding another way to discuss this general phenomenon in terms that are easily understandable. When academics use this language, even for description (Cordes-Holland, 2008; Farbotko, 2005; Kolers, 2012; Kolmannskog, 2012; Prasad and Narayan, 2008; Simonelli Berringer, 2012; Wong, 2013), it can still cloud the discussion of what is actually happening in these places. The difficult thing is finding a suitable language to use. While academics may occasionally play with general semantics within a sphere of deeper understanding and sentiment, it is the thoughtless use of such language which is damaging. A last Google search for “sinking islands” and “climate change” produces another 7,660 results.⁴

Implications

It is apparent that low lying islands are not actually sinking and that most may not completely “disappear” either. But this discourse has a way of steering the direction of conversation away from the people living on these islands and toward a need to demonstrate physical loss for definite “proof of climate change”. No one is sinking, nor are they Atlantians or canaries. Each hyperbolic phrase to describe climate change’s worst case scenario depicts a largely Western way of conceptually understanding the results of what it has primarily caused. In some ways, it may make the situation more palatable – the suggestion that certain areas are already lost. However, there are hundreds of thousands of lives at stake – minimized by eager journalism and the human imperative to relate the past to the potential future. Finding short cuts in verbiage or drama in metaphors cannot simplify certain issues.

More important than sloppy interpretations are the issues of lost agency and human security. When a specific discourse takes the focus away from the individuals in a precarious situation and onto these islands in the “perverse hope” (Farbotko, 2010) that one day they will not exist, it not only minimizes the inhabitants themselves, but also what they can do about their own situation. Victimizing them in this way dismisses local means of adaptation and social resilience. If the outside sees their plight as simply inevitable, they will be blind to the determination of these people to save their homeland or at least find meaningful ways to cope in situ. Additionally, this may force the locals

to have to stay in deteriorating conditions until the damage is *enough* to fulfill the prophecy of “doom” and allow their moving to be justified. If so, this will jeopardize certain aspects of these people’s security. To stay in a place where higher tides are constantly damaging one’s property would mean having to replace that property, and over time this burden can undermine previously financially secure people. Additionally, such conditions threaten health and environmental security, in that higher tides and flooding disrupts garbage fills in shallow earth. Standing water full of contaminants affects the surrounding environment and can breed water-borne disease. There is also the risk to physical security, not from the threat of others, but from the water. Walking, wading through, or bailing high water can overexert the elderly.⁵

The normative discourse that emphasizes “sinking”, “disappearing”, or Atlantian disaster as a potent hyperbole provides ample research space to explore climate change migration/displacement. The inevitability of “sinking” is exciting and fascinating, but leaves virtually no room for mitigation or adaptation projects which could extend the habitation of these and other islands. Migration is the only option. However, it remains in the future, which can force necessary research and governance intervention away in the meantime. But if, in this early stage, the focus can be shifted to direct attention to the many ways in which climate change will exacerbate migration, then its necessity as an adaptation mechanism can be seen as legitimate much earlier. Human migration has linkages with climate and other societal processes and can be better understood in its complexity, instead of considered an automatic response to a singular risk. Climate change causation for migration is thornier than “sinking”; it also entails adaptive capacity, which will vary from place to place (McLeman and Smit, 2006).

Is there an alternative to poor descriptions of long-term climate processes that are not hyperbolic and yet are able to explain the complications that these islands face? Simonelli Berringer (2012) uses the phrase “eventually uninhabitable islands” or EUIs. The author preliminarily defines this as: “those islands/islands chains that are geographically the closest to sea level, will lose their ability to support human habitation, and have already begun to deal with the consequences of rising sea water including frequent storm systems, larger storm surges, and tidal flooding.” As a group, nations that can fall under this description have much in common; all are low lying geographically, have environmentally based economies (a combination of tourism, seafaring, and agriculture), and have governments which are keenly aware of these issues and how it will affect their people. With so many islands facing

long-term damage to human habitation, this descriptor is getting closer to a realistic concept to work with. The acronym EUIs does not suppose any form of “sinking” or necessitate physical loss or disappearance. Furthermore, there are plenty of land areas that are currently uninhabitable by humans. While modern transportation and technology allow for the importation of food and water to places that do not produce them otherwise, there are still places where human habitation is difficult to impossible. The term also considers the long-term nature of such processes by only assuming that the process is “eventual”. Until such time that the world’s nations act to swiftly curb global emissions, the earth is locked into a certain degree of change no matter what is done, and considering the current damage to many Pacific islands, this process is currently moving in the direction of “eventually” being the case unless monumental changes take place. There may still be better language that can be adapted to describe long-term climate processes that will displace island and coastal populations, but for now the term EUIs will be used in the remainder of the book, when applicable. It will, however, be slightly expanded to include those islands/islands chains/coast lines that are geographically the closest to sea level, which (according to current projections) will eventually lose their ability to support human habitation due to the consequences of one or any combination of climate processes. This includes but is not restricted to: rising sea levels, more frequent storm systems, more intense storm surges, increased tidal flooding, ocean acidification, and beach erosion. The adjusted term will be Eventually Uninhabitable Islands and Coastlines (EUICs).⁶

4

Academically Understood Context

The focus of this chapter is to adequately conceptualize migration and displacement in the context of climate change. There are many varying definitions of both migration and displacement which have changed over time and have been dependent on different contextual understandings. For the purpose of governance, it is imperative to contextualize the group under inquiry in this book. Legal and conceptual categorization of those being affected by climate change has been difficult and slow moving, and scholars in this field use inconsistent language. Many authors have begun to define those affected by climate change in terms of refugeehood, such as “climate refugee”, “climate change refugee”, “environmental refugee”, “disaster refugee”, and “ecological refugee”. Legally speaking, the word “refugee” defines a very specific identification which carries with it certain rights and obligations; a concrete meaning and acquired privileges. These rights do not apply equally to all persons fleeing their homes simply because the term “refugee” has been presupposed onto their condition. Using legal terminology for purely descriptive purposes can and does confuse academic analyses. These “fuzzy concepts” can be understood in a multitude of ways – but for governance, concepts need to be codified, defined, or fixed. How can a phenomenon be governed if there is no agreement as to what it is? Governance and subsequent policy necessitates clear definitions, and thus far, there are few. The group in question is also referred to as “climate change migrants”, “climate migrants”, “environmental migrants”, and “climate displacees”. These inconsistencies occur because there has been no common academic or policy-based consensus of where this group fits into the current discourse on climate change, let alone migration. While cases can be made for many of these labels, their varying use has been problematic for accurately placing them under the most appropriate

governance structure. This chapter will serve to comprehensively define these labels, properly place them in their respective subfields, suggest some alternate interpretations, and provide a specific definition that will be used throughout the rest of the book.

Migration as a field of study

Migration or migration studies is a broad field of study which encompasses many forms of movement. Definitions of migration also tend to be expansive in nature. The census definition of migration is a change in the address at which one usually resides (Hyman and Gleave, 1978), while others see it as the movement of any distance leading to a change in residence (Young, 2002). These common definitions can include those making cross-national journeys or those moving down the street. There are many conceptual problems with defining a “migrant”. Petersen (1978) argues that this depends on equally vague criteria concerning distance covered, the relative permanence of the move, and its seeming importance. Is a person that changed residences within a mile radius as equally a migrant as one who moves overseas? Is anyone who moves out of their literal home of birth a migrant? Pronk (1993) argues that there is a little bit of nomad in each of us. For some it is a way of life, such as gypsies, pastoralists, employees of multinationals, or diplomats. For others it is a periodic escape, such as for tourists. In some cultures it is a requisite for adulthood and obtaining the right to marry. It is also a feature of seasonal economics. People move temporarily or permanently to improve their living conditions, to gain experience, to flee from oppression or persecution, or to seek adventure. The difficulty is to disentangle proper conceptual categories. If migrants are potentially everywhere or everyone, categorization is the only way to begin to differentiate between motives. However, data on migration is currently collected through legal and political definitions which have been argued to be too specific. This calls into question many other facets, such as how a “migrant” sees himself/herself. How do values act upon the attitude of the migrant in question (Mangalam and Schwartzweller, 1968)? Or should the criterion be more social in nature; whether a migrant crosses a cultural or societal boundary (Petersen, 1978)? Or whether a migrant crosses a national boundary? The field also considers internal and external migration, but suffers from a lack of consensus as to how to understand cross-national migration; frameworks and research assumptions have mostly been based on national intellectual assumptions and policy

models. In an era of globalization, the study of international migration necessitates transnational tools (Castles, 2007).

Theoretical studies of migration have focused on economic push-pull factors and larger spatial models versus individual journeys (Anthony, 1990; Clark, 1986; Hyman and Gleave, 1978; Lewis, 1982; Petersen, 1978; Weidlich and Haag, 1988; Young, 2002). Demographic studies are attentive to the characteristics of migrants, their means for social mobility, the direction of migration, and their destination (Mangalam and Schwartzweller, 1968). However, demographics are purely descriptive and do not lead to any theory development without knowing more about the drivers of migration. Migration as related to social institutions, group coherence, and collective behavior has been relatively neglected for purely economic models (Petersen, 1978). These focus on labor migration and have dominated migration analysis with their emphasis on job opportunities, labor markets, and rising expectations. The sociological theories of migration study a much smaller unit of analysis, the individual migrant. They also argue that the economic assumptions about the individual being a utility maximizer are an inadequate basis for theorizing social action (Boswell, 2008). The sociological focus is on the choice of leaving or staying based on the advantages and disadvantages of the two alternatives. This focus can also have a strong tendency to be economically driven, with the exception that it also includes those escaping religious or political oppression. This literature is also very US-centric, beginning with explanations for the Irish potato famine and other large-scale westward European migrations (Petersen, 1978). Over the years, this field has amassed a quantity of knowledge which has yet to be connected by a general explanatory system. Because migration is such a broad issue of inquiry, developing a framework that can interpret its diversity has been lagging. Migration theory tends to be time-bound, culture-bound, and discipline-bound. As a social phenomenon, it cannot be understood in meaningful terms without a comprehensive grasp of the interplay of demographic, economic, psychological, and other dimensions that converge in the process of migration (Mangalam and Schwartzweller, 1968).

Human migration has been around much longer than any economic or sociological analysis. Scientists date large-scale human migrations out of the African continent as far back as 130,000 years ago (Balter, 2011). This assumes that early human ancestors migrated great distances to follow big game and eventually occupied all the continents. No dominant species had ever spread so far, so fast. Early civilizations also migrated with

the rotation of crops as well as across open water with the advent of capable sailing vessels around 4000 B.C., became pastoralists, and began to expand by direct conquest (McNeill, 1984). Human history is almost entirely based on migrations. The English today are not indigenous to England, neither are the Malays to Malaysia, nor the Turks to Turkey (Sowell, 1996). What is interesting is that considering it has been a natural activity of all times and places (Pronk, 1993), migration has become a topic of international debate. The advent of the national border, the international search for jobs during the Industrial Revolution, and the post-World War I (WWI) refugee flows changed the way in which migration was seen. Until this time, migration had been conceived of as an exercise of individual decision and choice. Before WWI, passports and official regulation of migration were thought of as improper infringements on personal freedom. However, a mass of refugees threatened to put a strain on industrial societies (and their social welfare systems) and became a potential threat to native born citizens (McNeill, 1978). This opened the door to using migrants as political pawns; irrational and inaccurate opinions have found great influence (O'Brien, 1996).

The politicization of migration has continued and strengthened in recent years. The 1990s saw political discourse in the richest countries that immigration was out of control (Papademetriou, 1997/1998). Much of this can be attributed to a misunderstanding of the dynamics of migration. As Mangalam and Schwartzweller (1968) argue, migration is not a random event, it cannot be understood by approaching it like bird migration, it is a social, not an individual behavior, and while each case of migration can have superficial differences, patterns can be connected between movements. Each nation tends to see its own unwanted immigration in isolation. Thus, there has been a global tightening of borders for legal and illegal migrants as well as asylum seekers. A new legitimizing ideology has developed to justify this inequality. The hierarchization of the right to migrate can be seen as a form of transnational racism which posits the "naturalness" of violence in less developed regions and other perceived cultural incompatibilities with non-Western peoples (Castles, 2007). Even the field of migration studies has been driven by political considerations. Research questions and even some findings have been pushed by government officials who can undermine the scientific nature of investigation in this area and has isolated migration studies from broader social inquiry. Politicians believe that if they can work out the root causes of international migration, they can reduce it. This attitude suggests that immigration is a bad thing that ought to be stopped (Castles, 2009).

Voluntary migration

The study of modern migrations is most often derived from ideas about economic utility. It is based on immigration patterns and the idea that people move by choice for better economic or living conditions. This movement is usually classified as voluntary in that the move is a tacit choice based on conditions that either pull or push them out. However, there are distinct differences between push and pull factors; those include the lack of economic opportunities, jobs, land, and freedoms, respectively, as well as political repression (Belton and Morales, 2009). One is pulled out by a better job opportunity, while one is pushed out by not being able to pay one's bills. While both are economic-based, there is a clear difference between the two. Much of the voluntary migration literature which emphasizes economic pull factors relates to globalization and the individual desire to improve one's economic condition in the world. Shaw (1975) explains that this approach is guided by the idea that man is economically rational, an economic maximizer, and that he will perceive and evaluate migration options from this point of view. This is an opinion which is posited from the outside in that the migrant is not consulted to understand if that was indeed his/her motivation. Stark and Taylor (1989) reinforce this view by providing evidence that international migration is influenced by both relative as well as absolute income considerations. However, their research demonstrates that migration motives have more to do with one's relative income based on his/her peer's versus a basic determination based on poverty. This adds support for other theories in the field, which argue that it is not the poorest that migrate, but those who have the means to do so; this is a consequence of globalization. Contending literature, however, argues that if migrants are asked about their motives, a different picture will prevail. Winchie and Carment (1989) demonstrate that non-monetary career reasons can also be important. Their research shows that having existing familial relations overseas can be an equally strong pull factor as the desire for economic mobility.

Migration in this fashion is considered voluntary in that one wants to improve his/her lot and thus moves in order to do so. However, migration theory often omits those voices which oppose capitalist globalization or heavily critique it. Pull factors like wanting economic mobility suppose the decision to migrate is purely selfish; one is currently economically secure but chooses to find a way to acquire more. However, capitalist development often raises some while disaffecting others. Migration is an instrument of the capitalist work economy and the exploitative economic and development policies by dominant states

which affect weaker ones (Belton and Morales, 2009). Capitalist development causes both pull- and push-based migration. Globalization essentially means flows across borders of capital, commodities, ideas, or people. National governments remain suspicious of the latter two (Castles, 2007). This body of work, however, does not consider the larger sphere of situational influences that can affect a potential migrant. A subsistence farmer who has a poor growing season is not necessarily looking to move into a new career as much as to supplement a current short-term difficulty. The same can be said for the same farmer whose business has dried up due to trade agreements. NAFTA has been a disaster for small farmers in Mexico, increasing rural poverty. An estimated two million Mexican corn farmers have been forced out of business by cheaper, subsidized US imports (Belton and Morales, 2009). These examples and their implications begin to question the extent to which migration is purely voluntary in the sense of economic maximization or is forced based on prevailing outside influences. This discrepancy will be discussed further in the next chapter.¹

Forced migration as a field of study

Forced migration studies is a subfield of migration studies. It is concerned with the types of “push” factors which drive migrants to leave their homes. This also includes studies on displacement types, such as disaster induced displacement, development induced displacement, environmental displacement, and all those labeled refugees.² The main debate within this subfield is whether refugee studies should be part of forced migration studies or be a separate field of study. Hathaway (2007) argues that marrying refugee studies with forced migration studies will take away from the special circumstances of refugees and encourage work on the phenomenon itself instead of on refugee rights. While DeWind (2007) agrees that refugees are a special category of forced migrants; he believes that Hathaway overemphasizes the effectiveness of the international community and underappreciates the positive contributions of forced migration studies. He argues that practitioners have a difficult time distinguishing between refugees and forced migrants in cases of human rights abuses; there are conflicting ideologies of legitimacy for legal rights. These distinctions demonstrate the way in which the field has tried to incorporate the ideas of practitioners who deal with these conflicts every day. There are also other authors who disagree with Hathaway. Adelman and McGrath (2007) see his ideas as puritanical; Hathaway presents no evidence that forced migration studies will pose

a risk to the study of Convention refugees. Cohen (2007) adds that not all refugees are Convention refugees; many flee generalized violence. In addition, Hathaway ignores internally displaced people who do not enjoy the protections of their government and yet have not crossed an international border in order to receive assistance. Cohen's main problem is that academics should not argue over priority; a better response is to work toward protectionary needs. What has initiated much of this debate is the way in which the asylum paradigm has changed over time. Crisp (2003) explains that there is more and more pressure for migrants to be managed, and there is a growing unwillingness to admit and provide for asylum seekers. Therefore, keeping the fields separate may be a tactic to lessen the erosion of current protections; lumping refugees in with other forced migrants may exacerbate this policy process.

Refugee studies

The refugee regime is arguably the most developed in terms of literature, governance, and protections. Asylum is one of the most ancient institutions, dating back to the Mediterranean civilizations. It was based on the guarantee of liberty and protection against oppression. This norm was accepted as one of "minimal standards", which meant that refugees in another land should be accorded the same treatment as nationals (Krenz, 1966). The evolution of a formal protected status, however, took a bit longer. This began after WWI and proceeded in three distinct phases, argues Hathaway (1984). The first phase emerged around 1920. The concern during this time was with refugees as a member of a group which had no freedom of international movement because its members were deprived of the formal protection of their government. This remained the theme concerning refugees until 1935. From 1935–1938, there was a move away from preoccupation with state protection that saw refugeehood as encompassing those who were victims of broad-based social and political upheaval. Finally, from 1938–1950, there was a move back to understanding the relationship between the individual and the state. After WWII, mass movements of refugees through Europe necessitated governance and attention. The newly founded UNHCR passed the 1951 Convention on the Status of Refugees, which outlined a specific definition of a refugee as well as their legal status and protections. A refugee is a person who,

owing to well-founded fear of persecution for reasons of race, religion, nationality, membership in a particular social group or political opinion is outside the country of his own 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 the country of his former habitual residence as a result of such events, is unable to or, owing to such fear, is unwilling to return to it. (Article 1, section 2)

It also set the legal principle of non-refoulement, which states that no refugee should be returned to any country where he/she is likely to face persecution, ill treatment, or torture. States have endorsed this principle, but have looked to define its limits. Others have extended protections, such as the Organization of African Union (1969) and the Cartagena Declaration (1984) treaties, which add circumstances such as events of external aggression, occupation, foreign domination, and events seriously disturbing the public order (Goodwin-Gil and McAdam, 2007). While the term “refugee” has a specific legal meaning, it is often still used as a general concept which can vary in meaning. Shacknove (1985) argues that refugees should be seen as persons whose basic needs are unprotected by their country of origin and who have no remaining recourse than to seek international restitution for their dilemma. This definition would open up the label to many more people around the globe, including those displaced by climate change.

Refugee studies focus on many of the legal issues with refugee processing, who can and cannot be considered an asylum seeker, issues of resettlement, reconstruction, peace building, aid, and protracted crises. The most contentious issue may be bureaucratic labeling, which can blur the lines between refugees and other groups of forced migrants. Many academics and policy makers use language that implies refugeehood, such as “environmental refugee”, “economic refugee”, and similar terms. This language confounds the important distinctions between those forced to move because of these issues and the fact that even though they may need assistance, there is no legal precedent for individual nations to have to provide it. Politically, this bureaucratic label can also be used as a tool for marginalization (Zetter, 1991). All migration labels are weighed against the Convention; however, more labels have been created as the world has sought to restrict its protections (Zetter, 2007).

Environmental migration

Development induced displacement and disaster induced displacement are common and widely discussed forms of forced migration. Both are generally considered part of the larger sphere of environmental migrants. There is general agreement on three causes of environmental migrants:

natural disasters and environmental or industrial accidents, planned or unplanned relocation due to development, and health-related effects due to inadequate resources to maintain life (Cardy, 1994). This definition has been influenced by El-Hinnawi (1985), who specified that the first category encompassed temporary displacement because of earthquakes, cyclones, or environmental/industrial accidents; the second includes those who are permanently displaced due to man-made changes to a habitat, such as development projects; the third are those who migrate temporarily or permanently because their original habitat can no longer support them, such as due to drought and crop failure. Direct and indirect displacement will likely span all categories. As more frequent and increasingly stronger hurricanes, cyclones, and drought occur, environmental migrants from group one will increase. If a government decides to erect improved sea walls or divert water into drought areas, an increase of migrants in group two will be possible. Finally, if people begin to move due to the inability to sustain their lives and livelihoods, they will fall into group three. This includes those living on coastlines which are being lost to rising seas or agricultural lands that have been ravaged by desertification. These examples are certainly not exhaustive, but offer a glimpse as to the way that climate change can exacerbate known groups of environmental migrants and complicate current labels. Dun and Gemenne (2008) argue for a better definition of environmental migration in that it is often difficult to isolate environmental factors from other drivers of migration. Environmental factors are challenging to differentiate from other drivers, as they are often underlying and not necessarily seen by those affected by them in the same way that they are viewed by those studying the event. The environmental damage of human habitats can initiate a chain of events which affects peoples' lives and livelihoods. The driver is not specifically the environment, but its effects. People do not migrate simply because of drought, but because they cannot produce food anymore. They do not move because of a cyclone, but because the cyclone has eradicated the industry which provided the community with jobs.

Development induced displacement and disaster induced displacement have been classified, but still need to be defined more specifically. Robinson (2003) provides a thorough description of both. In the 1950s and 1960s, development was seen as the way to westernize traditional societies. Robinson explains that large-scale capital-intensive development projects in developing countries accelerated the pace to a brighter and a better future. Uprooting many along the way was seen as necessary for the majority to benefit. These projects include transportation,

water supply, urban infrastructure, energy, agriculture, parks and forests, and population redistribution. Development induced displacement and resettlement can also be thought of as a form of state induced displacement. The state, as a sovereign power over its land, can and often does sanction infrastructure projects to provide benefits to those it considers part of the in group of society. Hammar (2008) explains two understandings of sovereignty which justify this practice. The first is the right to own and protect one's territory, which can be legitimized by expulsions by non-citizens; the second relates to the authority to define distinctions between worthiness and unworthiness and the power to define who is an insider who an outsider. These concepts can be used to understand forced displacements and replacement in places like Zimbabwe and Israel, where governments have forcibly moved those who they see as outsiders and replaced them with those who are loyal to the sovereign group. This is also seen around the world, where governments have displaced indigenous groups in order to establish environmentally protected areas (Dowie, 2011). Literature on development-induced displacement falls into two categories. At one end of the spectrum is a category of scholars who consider displacement to be the inevitable, unintended outcome of development, and at the other are research scholars to whom displacement is a manifestation of a crisis in development (Dwivedi, 2002). The first category considers development as a given, while the second considers it a catastrophe. Concerns of the first group include minimizing the adverse consequences of continued development. Concerns of the second include the political and negotiation rights of the people being displaced. Group one seeks to reduce negative effects, while group two seeks new ways of doing development.

The first of the two main development induced displacement and resettlement models which see development as a given is Scudder and Colson's four stage model. It attempts to explain how people and socio-cultural systems respond to resettlement and was later applied only to supposedly successful cases. The stages include recruitment, transition, potential development, and incorporation. Many cases failed to go through all four steps, and a new theory became necessary to explain this tangled process. From here, Michael Cernea's *The Risks and Reconstruction Model for Resettling Displaced Populations* (1997) has relatively monopolized this field. This model, also referred to as the Impoverishment Risks and Resettlement (IRR) model, resides in category one and utilizes economic methods. It is a conceptual model that is built around eight risks of impoverishment; landlessness, joblessness, homelessness, marginalization, increased morbidity/mortality, food insecurity, loss of access

to common property, and social disarticulation. Cernea also articulates four steps to use this tool in practice: carry out a risk assessment in the field, design targeted responses, engage proactive responses and participation of the population at risk, and establish transparent information and communication between planners and the at-risk population. One main reason for the specifically outlined model is his refutation of the traditional risk-response pattern: the cost benefit analysis (CBA). Cernea explores reasons why this method is inadequate. He concludes that the true costs of displacement are typically not included and accounted for fully. This perpetuates situations where some people share gains while others share victimization. Massive personal costs are paid for by the projects displacees, and thus this approach minimizes what compensation is directly connected to property loss and not livelihood loss. Those who will be moved are often seen as calculated for the benefit of the masses. Their compensation is also calculated haphazardly and without long-term consequences of the disruption that displacement will cause to current livelihoods or the education of the young. Thus the CBA approach to development induced displacement and resettlement accepts the cost of the lives and future of potential displacees for the convenience of the masses.

While Cernea (1997) is widely cited, Dwivedi (2002) takes issues with some of his conception of risks from the movementist tradition in the second category. The Cernea conception is considered managerial, as it seeks to manage risks. Because it accepts that development will still occur as it has, the only durable solution is to manage the damage. Dwivedi has four concerns with this framework. First, risk perceptions are constantly changing; a resource valued by one community may not be valued by another. A risk assessment may undervalue a resource or overvalue a resource, depending on the perspective of the person making the assessment. Second, the model is bereft of any systemic aspect or the global economic processes that cause displacement. Third, it neglects an understanding of the sequential nature of risk; risk is not a singular phenomenon, and it can unfold in a complex sequence of events which show that variables used in the IRR model cannot be isolated from one another. Finally, the model adopts a mechanical strategy for problem resolution in that it assumes that land can be substituted for more land, as jobs can be for more jobs – things that, upon resettlement, are rarely equitable trades.

The descriptive literature on development induced displacement and resettlement also exposes the shortcomings of the managerial approach, however. Heming et al. (2001) and Stein (1998) discuss the involuntary

resettlement policies of China concerned with the Three Gorges Dam. While affected peoples assume the state will take responsibility for their transition and compensation, this does not guarantee that managerial decisions made by the state will be fair or efficient. Heming et al. (2001) find that increased poverty was common in Chinese reservoir resettlement areas. A main reason for this is a low rate paid for lost assets, which failed to be sufficient to rebuild new homes and/or restore original living standards. Stein also finds that failures also occurred in not involving local people in resettlement plans; no new employment options gave way to high unemployment, with 60% of resettled residents living below the poverty line. Similar findings appear in India from the Nagaon Paper Mill project (Bharali, 2007). The result of the Land and Forest Allocation Programme (LFAP) in Laos also shows a shortage in draught animals after relocation due to the need to sell them to buy rice. Farmers were not given quality information about their new environments to adequately farm and thus were unable to do so (Vandergeest, 2003).

Beyond development, disaster induced displacement as a driver of environmental migration is a broader phenomenon. It includes natural and man-made components, but needs to be considered carefully. Not every fire, earthquake, drought, epidemic, or industrial accident constitutes a disaster, only those which exceed a society's ability to cope and where external aid is required. Robinson's dissection of the term identifies two types of disasters and separates them into several subcategories (Table 4.1).

Disaster-displacement issues appear to be handled as a form of relief rather than a more comprehensive rebuilding or resettlement strategy, domestically and internationally. Unlike persons displaced and relocated

Table 4.1 Man-made and natural disasters (as per Robinson, 2003)

Types of disasters		
Natural	Sudden impact	Flood, earthquakes, tidal waves, tropical storms, volcanic eruptions, landslides
	Slow onset	Drought, famine, environmental degradation, pest infestation, desertification
	Epidemic diseases	Cholera, measles, dysentery, malaria, HIV, AIDS
Man-made	Industrial disasters	Pollution, spillages of hazardous materials, explosions, fire
	Complex emergencies	War, internal conflicts, and natural disasters in conjunction

domestically due to development, environmental migrants usually have no rights to compensation for losses due to natural disasters (Heming et al., 2001). Without legal protections entailed in crossing an international border, those who lose their homes and livelihoods due to natural causes have to rely only on short-term help to survive and possibly rebuild. Lautze (1996) explains that international relief resources are to be used to return communities to the status quo prior to the emergency. In essence, international aid is used to manage the situation. Cernea (1997) does suggest his model is a possible option for natural disasters, but it is unclear if it has been used as such. For natural disasters, relief and rehabilitation are different from redevelopment. The aim in a disaster is to alleviate human suffering. For the USA, funding for relief is based on lending a helping hand when others are in need, but development or redevelopment is still an individual nation's domestic concern. Additionally, both development induced displacement and disaster induced displacement are defined in terms of internally displaced persons (IDPs). IDPs share many of the same difficulties as refugees, but have no defined legal status. Persons displaced by dams or cyclones are usually displaced within their country of origin. IDPs are a broad classification of those who could be considered refugees if they had crossed an international border (Robinson, 2003). Although development and natural disasters are thus cast as domestic problems, they are both sensitive to international influence. Many development projects are underwritten by the World Bank, and disaster assistance is leveled by global resources.

Survival migration

The newest conception in forced migration is called "survival migration". Conceived by Alexander Betts (2010), it is defined as those persons outside their country of origin because of an existential threat against which they have no access to a domestic remedy. This threat has been interpreted as environmental/climate change, livelihood collapse, and state fragility. The definition has three specific elements; people are outside of their home country, they face a threat which includes the right to dignity,³ and they cannot/have not been able to remedy this situation within the domestic sphere. What makes this a relevant new category is that it identifies deprivation of socioeconomic rights, which may make many of those currently considered economic migrants be designated as survival migrants. While the literature usually depicts international migration as a simple dichotomy between refugees and economic migrants, this conception gets at the complications and multi-causality that can be attributed to migration. It also recognizes

such gaps in protections, in that those who are survival migrants may need assistance but currently cannot attain it as “refugees” under the 1951 Convention.

Climate change complications

As mentioned before, climate change displacement will likely overlap the various categories of environmental migrants. The IPCC suggests that long-term variation in mean temperatures will only exacerbate short-term issues that already disturb the public order. Modest projections for what Norman Myers calls “environmental refugees” from all causes could, by the year 2050, amount to 1.5% of the world’s population (Cardy, 1994). This estimate has been since considered wildly alarmist in nature, but the reality is that not every person migrating can be interviewed; thus it will be extremely hard to assess how many would legitimately fall into this particular conception. With no academically agreed upon definition, many may be lumped in with other categories of migrants. This would include victims from every category of environmental migrants as well as many survival migrants. If each of these scenarios is confined to domestic spheres, and the previously noted inadequate planning (concerning development) and short-term resources (concerning relief) continue, these circumstances can lead to conflict. If so, actual refugees will be produced in this process as well. Therefore, it is likely that millions of people driven by the same factors will be treated differently, based on how their individual situations play out. Treatment will be (and most likely already is) uneven. There is a need to apply a label to this situation which can adequately define its intricacies, can disentangle this group from others (as best as possible), and can be attached to governance policies that are specific and equitable.

The “climate refugee”?

Labels matter. They recognize a process of identification or identity that has been independently applied and chosen. Bureaucratic measures seek to prevent access to the (refugee) label, and ever decreasing numbers of people are afforded full refugee status (Zetter, 2007). The choice to use the term “climate refugee” is purposeful and imposes an identity. It suggests that those affected by climate change are victims of circumstances beyond their own control and thus are deserving of international protection. However, deserving a legal entitlement is not the same as having one.

The refugee label can reinforce alienation and divisions within society as well. It can cause an exacerbation of welfare issues as refugees are afforded protections and assistance. More specifically, this label assumes a set of needs and a distributional apparatus (1991) such as food, shelter, protection, and a way to receive them. But “refugee” means much more. Zetter also considers the broad ramifications of refugee labeling. The label originates within the confines of an extreme situation, but over time it becomes a permanent status. How long should a refugee be considered a refugee; how long does one have to be resettled or assimilate to be considered a citizen? Many protracted refugee situations encompass generations of “refugees”. Zetter’s work on Greek-Cypriot refugees demonstrates generations of assistance even after resettlement. While the label is necessary for assistance, when it becomes significantly longer lasting it can seem like a burden to a host society. In addition, many refugees may not want to be viewed solely as victims in need of “international charity” (Robbins, 1956). Though somewhat controversial, the refugee definition has been argued to be the starting point for every discussion on international refugee law, though often the UN treaty definition is not adequate to meet today’s realities (Helton, 2002). There are many labels which fail the test of the Convention for legal status, some of which articulate very desperate situations: tsunami refugees, development refugees, environmental refugees. No matter who is called a “refugee”, all forced migration labels are ultimately tested against the Convention (Zetter, 2007). Can those being displaced by climate change legitimately receive refugee protection based on the Convention’s established legal mechanisms and expanded operations? Two short analyses will clarify the situation.

Convention analysis: strict definitional

The Convention’s definition of a refugee is structured around the concept of persecution, with the only other clearly identified stipulation being that a refugee must cross an international border. A refugee is one who

owing to well-founded fear of persecution for reasons of race, religion, nationality, membership in a particular social group or political opinion is outside the country of his own 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 the country of his former habitual residence as a result of such events, is unable to or, owing to such fear, is unwilling to return to it.

What needs to be established is if “climate change refugees” are being persecuted. The general conception of persecution is an individual threat. It can be a threat to one’s person because of who he/she is, or a threat to one’s safety because of an inclusion in a specific group. Are “climate change refugees” a definable group? They are peoples living in the many places where the climate is shifting. This can include coastal communities, forest villages, and/or urban areas. It will affect people of varied cultures, societies, and economic conditions. Because climate change affects the entire globe, there will be few, if any areas unaffected. However, the need to flee or become a “refugee” is only apparent in areas most severely affected. Therefore there may be pockets of displacees; the only commonality among them will be a deterioration of living situations due to environmental degradation. Thus the persecution could only be considered impersonal, as human environments are indiscriminately threatened in different ways. Climate change does not choose who to affect, but some areas are more vulnerable than others.

If impersonal persecution is acceptable, the question becomes, does an Act of God translate into persecution by a non-state actor? In this case, for what reason would nature persecute? This line of thought is obviously extreme, but the point is simply to show that persons already uprooted by famine and flood are not included in the UN definition (Robbins, 1956), and the Act of God explanation is therefore insufficient to offer any significant international protections. Can a case be made for impersonal persecution by the developed world? Persecution in this case would be equitable to negligence on the part of industrialized nations. It can be argued that as soon as they understood the damage they were causing, the developed world was complicit in such negligence. However, the 1951 Convention and 1967 Protocol do not conceive of refugees being created by the invisible emissions of industrialized nations. At this point, all nations directly contribute to climate change through development and are complicit when buying products produced in damaging ways. Carbon emissions span the globe, and it is unlikely that any particular refugee can be sure of whose carbon caused their predicament. Again, the persecution would still be impersonal and direct causation of any identifiable persecution impossible. It is clear that the predicament of those displaced by climate change cannot simply fit under the legal mandate of the UNHCR as it is currently written. However, UNHCR’s humanitarian approach has expanded its reach to protect and assist those in “refugee like situations”.

Conventional analysis: chain reaction

In addition to the legal documents UNHCR relies on, it also provides a Handbook on the Procedures and Criteria for Determining Refugee Status under the 1951 Convention and 1967 Protocol Relating to the Status of Refugees. This document outlines definitions of terms used in each of these agreements and how to interpret a person's situation into a status. As previously mentioned, the important thing to decipher is whether "climate refugees" are being persecuted. The Handbook states, "There is no universally accepted definition of 'persecution', and various attempts . . . have met with little success." Because there is no universal definition, UNHCR workers in processing interviews have some room to interpret individual situations and can decide if the reasons for the persecution feared is met. The Handbook also states that persecution is "normally related to action by the authorities of a country". Therefore, if the national government cannot protect its citizens from persecution, there is a case for refugeehood. In the case of climate change, and considering an earlier example, is the Maldives at fault for not being able to protect its citizens from the effects of India's industrialization? It may be impossible for any country to protect itself from the combined emissions of the world. Developing nations will also feel the effects of climate change before others; thus are they inadvertently persecuting their own people by not being able to protect them? Would all those living in regions susceptible to the worst damage from climate change be allowed prima facie group status as refugees due to this protection inability? This is a difficult case to make, because there would have to be agreement as to which areas are most at risk and what, if anything, a country would be expected to have done to protect its people.

However, the Handbook does provide one last way to include "climate refugees"; it is the concept of cumulative grounds:

In addition, an applicant may have been subjected to various measures not in themselves amounting to persecution . . . in such situations, the various elements involved may, if taken together, produce an effect on the mind of the applicant that can reasonably justify a well-founded fear of persecution on cumulative grounds. . . . Needless to say, it is not possible to lay down a general rule as to which cumulative reasons can give rise to a valid claim to refugee status. This will necessarily depend on all the circumstances, including geographical, historical, and ethnological context.

Cumulative grounds can include the ways in which climate change will affect the lives of many; its complications, chain reactions, and refugee-causing catastrophes. Recent academic work is beginning to discuss these linkages. There are currently at least 40 case studies in which environmental resource scarcity has been cited as a contributing factor leading to violent conflict; environmental scarcity acts as an indirect cause of conflict by amplifying or triggering traditional causes of conflict (Martin, 2004). Global climate change will impact a region's ability to produce agricultural goods, will expose more people to floods and drought, and threaten the integrity of certain island chains. A chain reaction analysis demonstrates how climate events can/will trigger many types of societal responses.

These event chains are long term in nature, however. Many of them will happen slowly and ultimately redistribute natural resources. Arable land and current sources of drinking water will have new geopolitical owners. This can easily create struggles for power and incite violence. Martin argues there is a growing concern that scarcity induced insecurities can contribute to the amplification of the perceived significance of ethnic differences. There is a natural progression of events which can cause people affected by climate change to become legal refugees. However, they will have endured much hardship before that point. These are general events which can take on complicated processes as they play out. These conceptions under a chain reaction analytic frame can be applied to any situation where a climate event is threatening to or has already created a deteriorating state of affairs. At the end, there will be refugees, but is it not particularly humanitarian to make those in need go through much hardship before assistance can be had. Thus an argument can be made that "cumulative grounds" could be considered for climate refugeehood, depending on the processor of the asylum application. However, the person making the application may not be aware of the many years of circumstances that have led up to their displacement. It may take more than a generation for certain tensions to build, and it is possible that the applicant will not be able to piece the story together in a way that encompasses every step in a way that gets the whole chain of events correct. This consideration will also exclude assistance to those who leave before any violence erupts, but who still could use it. There is also the consideration that most of those being displaced will be inside their own nation's borders. However, UNHCR has created *The Guiding Principles on Internal Displacement* which explains that IDPs cannot be granted a special legal status like refugees, which would exclude refugee-like assistance to those who have not crossed an international border. Refugees are offered special

international protections because they have lost the protection of their own country, and those still remaining in their own nation are considered a domestic issue. As per the Guiding Principles, IDPs are

persons or groups of persons who have been forced or obliged to flee or to leave their home or places of habitual residence in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights, or natural or manmade disasters and who have not crossed an internationally-recognized border.

It is within this legal paradigm that the climate change “refugee” is considered. There are also great challenges to repatriation; those affected by climate change will not have the opportunity to overcome many of these. Those who leave early as the economy begins to irreversibly slip will not want to return, as they are already aware that their livelihood conditions will not improve. Those affected by recurring disasters will necessitate repeat emergency assistance and may also decide not to go home and face their destroyed personal belongings again and again. Not only will it become undesirable for the residents to return to an environmentally vulnerable area, but it also poses questions of whether the international community or the national government will continue to fund such actions. When the redevelopment of an unstable area becomes a burden, a nation may decide not to intercede and look to resettle its residents in a safer area. Those who experience conflict over dwindling natural resources may be in a similar position as those who leave for economic reasons; they know that the situation will not improve and that they face hardship if they return. Options for durable solutions for climate change “refugees” are not the same as for Convention refugees. With repatriation impractical due to continual environmental degradation, the only available option is resettlement. The difficulty lies in the extent to which settlements will need to shift. In the case of sea level rise, entire populations will need to be resettled, which includes those who some host nations may find undesirable. The 1951 Convention provides for exclusions for individuals who are unworthy of refugee status: those who had committed war crimes, those who had committed a serious non-political crime prior to their admission as refugees, or those who are guilty of “acts contrary to the purposes and principles of the United Nations”.⁴ These exclusionary categories can complicate negotiations between sending and receiving nations in situations where it is necessary for everyone to be relocated.

Because of the preceding evaluation, the term “refugee” should not be used to reference those potentially displaced by climate change. Regardless of the good intention of those using it to describe a desperate situation and to imply that individuals displaced by climate should be covered by the same protections as those fleeing systematic violence, they are very different situations. Considering the academic labels as referenced above, “climate change” or “climate” instead of “environmental” migrant or displacee differentiates those who face irreversible habitat deterioration and those who may face only temporary displacement. Specific language can also suggest those who will need to migrate or those who will be pushed out. The word “displaced” proposes that an event is occurring which moves someone involuntarily. Economic migrants are often pulled out of their communities with opportunities from abroad, but this is often coupled with unsatisfactory living conditions at home. Using “climate change displacee” suggests a push out instead of a pull, which can decouple those who choose to leave a deteriorating situation early from general economic migrants – the difference is layering climate processes onto a deteriorating economic situation. People will be displaced because their living conditions will only continue to erode – something which cannot necessarily be assumed to be the case for economic migrants. Being “displaced” does not imply a new location for movement. Using “migrant” suggests that the person or group is actively moving, while being “displaced” suggests a passive process. Understanding one label as active and the other as passive can more clearly identify the processes at work in international or national movement. Migrants choose to leave, while displacees are forced out. This distinction is an important one. Those who will need to move to Bougainville are not doing so by pure choice; it is the best of many other poor options. Using “migration” to discuss the effects of climate change can suggest that many may not have to leave, but wish to; this is an incorrect understanding which can hurt relocation efforts. Politicians and IGOs that are already reluctant to extend themselves to assist this group can use such a label to make it more difficult to attain help. If these people are perceived as choosing to leave rather than being forced to, they may be left to manage the process in their own ad hoc fashion. If they are considered to be forced out, there is a better chance their situation will be seen as necessitating humanitarian assistance. Labels matter, and once institutionalized it is much harder to change their meaning. The islanders of the Carterets did not contribute to the changes that are causing their imminent displacement. Most of those

who will be affected will be situated similarly; thus displacement also implies that there is a causality which is beyond their control.

It should be clear that much of the academic literature on different forms of migration intersects, conceptually and in practice. While the word “refugee” is often used in conjunction with many other forms of forced migration, it should be apparent that this is not only inaccurate, but is creating a general misunderstanding. In the established academic community, the debate over the “climate refugee” is and has been over for some time. However, new academics to this field, journalists, and the general public still perpetrate this confusion. For the remainder of this book, the terms “climate displacement” or “displacee(s)” will be used to describe those who will be forced to leave their current homes due to the continual environmental deterioration and secondary concerns (those affecting their livelihoods or having other economic and social impacts) from the processes of climate change, migrating inside or outside of their home country. There is no expectation that all academics may eventually agree on this definition, but it is useful for this analysis to untangle these overlapping conceptions and specifically outline a definition for the group whose governance potential will be examined.

5

Institutional Expansion

The focus of this chapter is to situate climate induced displacement into the realm of governance. With climate induced displacement being a newer phenomenon, it has no governance structure of its own, but there are IGOs which govern migration and displacement in alternative contexts. Before the constraints on such organizations can be understood, governance structures must be situated within the broader international relations literature. While their unique inner workings and expansion will be discussed in the case studies in the next chapter, this chapter will serve as a conceptual background as to how governance at the inter-governmental level is currently understood (in the broadest sense) and what should be expected from it. Additionally, it identifies the functions of international governance organizations, how they develop, and why they are used. Finally, the chapter provides an overview of several institutional expansion theories and elaborates on how they can and do creep into various additional issue areas beyond their original mandates.

Governance at the global level

Governance at the global level is about the rules of world order, the agents who participate or are excluded, and the discourses about them (Mittelman, 2010). At the global level, governance is thus characterized by the prevailing centers of power which not only provide a platform to develop new rules, but also the ability to allow and disallow participation. These centers can be IGOs, non-state actors, and informal institutions (Kahler, 2013). It entails multi-level and networked relations and interactions for managing and facilitating linkages across policy levels and domains; it consists of formal and informal arrangements that provide order and stability in a world full of constant flux: it provides a

range of international cooperation without a world government (Thakur et al., 2014) or, as Ruggie (2014) describes it, governance in the absence of government. There is no world government, and thus the overlapping systems of policy development can assist the state where it cannot go alone. More so, it reflects a capacity of the international system to provide government-like services at any moment in time in the absence of a world government (Weiss and Wilkinson, 2014a). It entails complex processes of social patterns of formation driven by rule-following, management, and self-organization in a world of turbulence, flux, fragmentation, disequilibrium, and uncertainty (Brachthäuser, 2011). Ultimately, governance can be identified as a system of steering, coordination, or control that occurs at various spatial scales (Cadman, 2012). For the purposes of this inquiry, it is this steering of policy at the global level by states, non-state actors, and interest groups alike to tackle issues beyond the scale of an individual state alone and is based on interdependence between those actors and the necessary cooperation to achieve results.

Ikenberry (2010) argues that the generally recognized model of international governance is an American led model built on a Western foundation and entails complex notions of sovereignty and interdependence. It is also hierarchical, with the USA positioned at the apex. This developed into the bipolar environment of the Cold War; in the 1990s, the international order began to expand and American dominance was contested by new states seeking influence and changes in security interdependence. This hierarchical “old governance” model has limited utility in dealing with many of today’s most significant global challenges (Ruggie, 2014). The development of hierarchy in international governance is also discussed by Abbott and Snidal (1998). They characterize the changes in IGOs over time as “Old Governance” and “New Governance”. Old Governance is not unlike Ikenberry’s description of governance after the Cold War; it is state-centric, centralized, and distinguished by bureaucratic expertise and consists of mandatory rules. This model provides a space in which hierarchy, designed by the USA, can be facilitated and upheld. It has a centralized regulatory authority and views societal actors as self-interested and unaccountable, and thus in need of rules. It can also be considered statist in that all formulation, implementation, monitoring, and enforcement of societal rules occurs directly or indirectly through state or interstate relations (Scholte, 2004). Scholte (2004) argues that governance in the more global world of the twenty-first century has become distinctly multi-layered and cross-cutting – rules for global companies, global finance, global communications, global ecology, and other matters are administered through

non-governmental arrangements. Thus, in a world run by globalization, the “New Governance” theory rests on the premise that the state cannot by itself do all the work necessary to meet all of the pressing societal challenges it faces and so it needs to engage other actors to leverage its capacities (Ruggie, 2014). It is still state-centric in part, but the state plays a role as orchestrator rather than dictator. It is also decentralized, has dispersed expertise, and functions through soft law. In this model, the state promotes and empowers a network of outside institutions which are encouraged to create self-regulating activities. In addition to being self-regulated, these are also argued to be more participatory and democratic as institutions. International organizations like the European Union (EU) and the World Bank as well as leading grass-roots movements have pioneered new governance arrangements leading a pathway to more inclusiveness (Swyngedouw, 2005). This is one major critique of governance literature, that effective governance achieves not only efficiency and order, but also participation and accountability (Scholte, 2001), and that considerations of participation and democratic accountability tend to stop at the national border. Additionally, whose consent is necessary and whose participation justified in decisions concerning acid rain, AIDS, or the use of non-renewable resources (Held, 1995)? These are global concerns in which one democratic state can assert its participatory decisions and have an effect on others. In this context, it is important to question who makes such decisions in the international realm and how they are accountable for them. In this literature base, technocratic criteria receive more attention than democratic standards (Scholte, 2001). Nonetheless, technocratic criteria are one of the main subjects of inquiry in this book, as they do not question the level of legitimacy or democratic representation of such organizations. This analysis is more state-centric because the institutions under investigation have resulted from the consent of member states and the subsequent political inquiry describes the interplay among these states.

Both Old and New Governance are ideal types, but they can represent the changes that international governance has seen from the post-Cold War era to today. Furthermore, even if there is a shift to New Governance and states are not necessarily authoritarians in this realm, this does not mean that all states are considered equal. The assumptions underlying this argument is that countries in the global South are underrepresented in global governance, and governance cannot apply to countries with a minimum of institutionalized public order. Thus the global South is pitied for being excluded from world affairs (Overbeek et al., 2010). There are certainly many reasons to substantiate this claim; smaller nations

do not necessarily have the resources or personnel to participate at the same levels as larger and richer nations and are not seen as equally influential. Governance actors wield authority across borders as states exercise authority over other states; it is cooperation within a hierarchy (Lake, 2010). Regardless of whether it's considered a specific hierarchy – such as the one proposed by Ikenberry – or a diffuse one where many states agree to use their authority over others, governance is still about the authority in relationships. This is especially important when dealing with climate change. Those most affected by this process are the smaller nations which do not have the global reach to insist that their concerns be addressed by the larger and significantly higher carbon emitting nations. Kahler (2013) argues that sheer economic weight and increasing military prowess do not directly translate into capabilities that provide bargaining power in negotiations or influence over the institution of global governance – that market size and the ability to open and close a market plays a larger role for some developing states. However, developing market shares have only compounded issues in the global climate arena and helped to create rifts instead of cooperation.¹ An alternate model comes from Ramachandran et al. (2009). These authors consider a system of global governance as needing a balance between people, economics, and nation-states; Ikenberry and Abbott and Snidal have already illustrated that balancing smaller nations can be a difficult task. Ramachandran et al. see a necessity to treat all nation-states as equals; however, they also add that there should be a requirement to include representation by economic resources which would reflect pragmatism. The authors' idea of pragmatism is already shown in the way in which minor states are currently treated in governance structures; those with small or developing economies do not receive the stature or have the influence that states with larger economies do. In terms of climate governance, it may be less than pragmatic to isolate the nations that are most affected, if effective solutions are the goal. However, if the goals of governance are guided by the powerful main actors, "effective" may not be the ideal if these solutions hurt their already strong economies. Whether pragmatic or not, relative economic power does shape global governance structures.

One way to define these structures is to use the term "architectures". This term has been used to describe the broader institutional complex in international relations such as security, finance, trade, and environmental protection; however, it has no clear, commonly agreed upon definition. Biermann et al. (2009) define global governance architectures as the overarching system of public and private institutions that

are valid or active in a given issue area of world politics. The system comprises organizations, regimes, and other forms of principles, norms, regulations, and decision making procedures. It can be described as the meta-level of governance. Meta-level governance is a bit abstract, but as the authors describe it, the term focuses on the overall environmental setting in which distinct institutions exist and interact. Additionally, there are degrees to the amount of fragmentation of an architecture; this description of global governance structures emphasizes the layers of governance that can make them more global in nature. If some states/regions are not directly active within the highest level of organizational entity, there may be alternative ways in which participation is still achievable. Similarly, Eberlein and Newman (2008) describe the development of what they call “incorporated transgovernmental networks” in their discussion of the EU. This form of international governance is comprised of national regulatory authorities who are embedded into the supranational policymaking process; transgovernmental actors guide the process of integration and harmonization. This can also be seen as a type of architecture, as layers of national governance harmonize with supranational structures. A step below this meta-level would be the international regime which tends to have distinct institutional elements of the larger architecture (Biermann et al., 2009). Regime complexes, argue Van de Graff and De Ville (2013), have components that are loosely coupled, but these writers draw on Keohane and Victor (2011) to elaborate that regime complexes can offer advantages such as greater flexibility across issues and adaptability across time versus legally integrated regimes. Orsini et al. (2013) argue that regime complexes have several distinct properties: the constitutive elements of regime complexes are regimes in their own right; they are composed of at least three elemental regimes; their focus is a specific subject matter, often narrower than an issue area; their elemental regimes must overlap at least partially, but seldom entirely; any set of three regimes does not automatically constitute a complex, and policy makers/stakeholders must see the simultaneous existence of the elemental regimes as problematic. Thus, while regime complexes are not as nebulous as governance architectures (as per Orsini et al., 2013), what is under consideration is a wider governance space than an institution developed to govern one particular regime.

International governance structures

The emphasis on international governance structures for the purpose of this academic inquiry is the IGO. This structure would be one of the

more concrete forms of governance within an architecture. The literature on IGOs focuses on the specific structural attributes of an organization, not on a conceptual entity like global governance scholarship. Early efforts to develop international governance have attempted to parallel domestic governance forms – especially federalism. Abbott and Snidal (1998) argue that replicating domestic governance is difficult in the anarchic structure of the international system. IGOs may be governed and created by their members, but are in essence not state-centric. They are member-centric, and powerful member states often exercise substantial and disproportionate influence over IGOs. Centralization is also limited, with many decisions made by consensus. IGOs are important centers of bureaucratic expertise, but rarely adopt mandatory rules, instead relying on individual states to ratify any treaty before it can take effect. The shortcomings of these organizations have given way to an alternative bodily configuration. Deemed “Emerging Transnational New Governance”, this updated form differs in that there is little state orchestration, it is highly decentralized, its expertise is disbursed, and agreements have become voluntary.

Going one step further, Ingram et al. (2005) define IGOs as organizations that meet regularly, are formed by a treaty, and have three or more member states. Similarly, Bernauer et al. (2010) recognize such an organization as one with a permanent secretariat and one that holds regular meetings. Minnich (2005) argues that IGOs should be defined as those associations established by governments or their representatives that are institutionalized sufficiently to require regular meetings, decision making rules, and a permanent staff and headquarters. Additionally, they can be distinguished by their formal organization, purposeful activity, bureaucratic design, and legal personality. These definitions move closer to a description of what an IGO is as a physical entity. They argue that the policies of an IGO with capabilities – such as effective mechanisms of communication, coordination, and dispute resolution and enforcement – should have more of an impact than those bereft of these attributes. Rey and Barkdull (2005) define them as formally recognized, permanent institutions created by a treaty among nations. Thus an IGO is multilateral, with an enduring character, headed by a secretariat which holds regular meetings, and backed by some sort of international legal standing. However, the more one can define an institution’s operations, the better chance one can have of understanding its effectiveness. Volgy (2008) distinguish between IGOs and formal intergovernmental organizations (FIGOs) which have a comprehensive operational system. These authors take a nuts and bolts approach to identifying such organizations

through structural criteria. They define IGOs as entities created with sufficient organizational structure and anatomy to provide formal, ongoing, multilateral processes of decision making between states, along with the capacity to execute the collective will of their members. In doing so, they also offer 11 specific criteria and the respective thresholds of those criteria which classify FIGOs (Table 5.1).

These explicit criteria provide a complete view of what an IGO consists of above and beyond conceptual explanations; the structures examined in the subsequent case studies can be categorized as FIGOs, but will be referred to as IGOs. IGOs also vary as institutions by membership rules, scope of issues, centralization of tasks, rules for controlling the institution, and the flexibility of their arrangements (Korememos et al., 2001). They are structures which come to exist in a rational and purposeful manner. Much of this section thus far has focused on how IGOs are viewed, conceptually as well as structurally. It is important not to overlook the way in which they function. IGOs are independent from states, because they control information and expertise. They have an authority derived from their member states to act independently and thus do not necessarily mirror state decision making. IGOs bargain over turf and funds, are constrained by individual state preferences, and create a ritualistic behavior which can be disconnected from the outside (Barnett and Finnemore, 1999). Beyond structure, there is also the

Table 5.1 Classification threshold for a FIGO

Thresholds for FIGO criteria

Criteria	Threshold
Number of states	Three or more
Mix	Predominantly states, no veto by non-state members
Representation	Representing central government or its subunit
Rules of governance	Specified in its charter
Meetings	Routinized and meeting at regular intervals and at least every four years
HQ secretariat	Permanent
Staffing presence	Non-symbolic, more than two, paid by the IGO
Staffing independence	Independent of any IGO
Budget amount	Sufficient to cover minimal staffing and operation
Funding mechanism	Routinely identified and regularly available
Source	Majority funding not controlled by another state or IGO
Source of information	Varied, including direct contact with IGOs and their websites, news reports, and original documents

internal functionality of IGOs. There can be no denying politics, which often conflicts with the functionality within these structures, and this will be further examined in the next chapter. One of these political factors is a strong Western dominance.

A type of cooperation

The IGO can also be understood as a form of international cooperation. While IGOs can conduct themselves in a somewhat disconnected manner from their member states, they are representative of the way in which states cooperate in the international sphere. The international relations scholarship on institutions and cooperation is broad; it will be reviewed with consideration to its relevance to the research at hand. The international sphere is generally characterized by a state of anarchy where there is no super state which can wield supreme authority over the rest. It is also argued that considerations about relative gains and concerns about cheating prohibit cooperation (Mearsheimer, 1995). These concerns from those in the realist community have been a challenge to their liberalist rivals, who identify not only that cooperation does occur, but that it does not have to be coerced. Realists are mainly concerned with power, how states guarantee their own survival, and how to maximize their relative power over others. Axelrod (1984) challenged this notion using game theory and realist assumptions about self-interest using a tournament of Prisoner's Dilemma (PD) games. He finds that cooperation can evolve from those who base their cooperation on reciprocity, a strategy which can thrive over many more protective strategies. The tit for tat strategy of reciprocity is nice, but also retaliatory when necessary. While this game represents cooperation in a sphere of anarchy, it is usually used to demonstrate whether states go to war. Deciding to act on climate change is a different matter. This situation is a "tragedy of the commons" (Hardin, 1968), where the freedom of each state to pollute with carbon emissions is harming them all. It is a problem of overdevelopment of common pool resources (Ostrom et al., 1994), not war. Thus the imposition of PD on this situation may not best represent a strategy for cooperation. All states know that climate change is a bad thing, that no one is immune from its consequences (good or bad), and that they would be better off with an agreement to stop it. Krasner (1993) would describe this as a coordination problem best represented in the Battle of the Sexes. The disagreement lies in what is to be done, not that something needs to be done. There are many Pareto points to consider, depending on the issue area; coordination on emissions limits will have different options.

Neoliberal institutionalism explains cooperation through transnational institutions and regimes (Milner, 1997) and is thus a better theoretical location for this research than basic realism or liberalism. The term “institution” can mean various things; Keohane (1984) describes institutions as formal NGOs, international regimes, and conventions. Norms and regimes have the ability to develop into more formal organizations, depending on how widely accepted they become. Finnemore and Sikkink (1998) describe this process as a life cycle where new norms emerge, cascade, and then become internalized. This process can create what Milner (1997) calls an epistemic community – where many states share certain thoughts about a particular issue on which they agree and have adopted the same stance on said issue. Cooperation is more likely when these communities exist. Inversely, Dorussen and Ward (2008) argue that those who participate in IGOs are exposed to norms which generate a type of social capital which creates network links among nations. States within these institutions develop ties to other states and learn how to bargain with each other; thus, rather than seeking asymmetrical advantages through coercion, states are functioning in a realm of reciprocity. Membership in an IGO is in itself a distinct form of cooperation, as well. Coordination can be found in their formal structures, such as agreed upon goals, established decision making procedures, and coordination of policies (Minnich, 2005). In addition, IGOs can assist outcomes and alleviate fears of unequal gains (Keohane and Martin, 1995). They create credible commitments (Morrow, 1999), reinforce norms, mediate conflict, reduce uncertainty, aid problem solving, socialize actors, and contribute to identity formation (Rey and Barkdull, 2005). IGOs are also purposefully designed with membership rules, a scope of issues, and with centralization of tasks, internal rules, and certain flexibilities of arrangements (Korememos et al., 2001). Constructed as such, IGOs are specifically crafted, not haphazard. They are a form of cooperation which is tacitly agreed to in order to form a concrete structure, form, and purpose.

Why do states agree to join IGOs?

According to Abbott and Snidal (1998), states agree to create and prefer to institutionalize certain arrangements because they can generate centralization and independence. IGOs have the propensity to contribute much to the international community. These organizations enhance efficiency by economizing transactions costs and resemble governments more than business firms; they can thus mirror the activities of

governments and achieve cooperation in ways that other institutions cannot. There are additional functions which IGOs provide as well. They (seek to) provide a neutral, depoliticized space to make arrangements, which is essential for productive negotiations. They equalize power among nations through rules; while not always successful, rules are necessary for smaller nations to be able to have their say against those which are more powerful. IGOs have an administrative apparatus which allows them to continue their work on a day to day basis – not just when heads of state or government are available. They manage operational activities and pool risks that individual nations may not feel comfortable tackling alone. Lastly, they push negotiations forward by facilitating cooperative relationships and agreements. While democracies tend to join more IGOs than do non-democracies, this also varies by democratic institutional structure. Rey and Barkdull (2005) find that those with more competitive party structures and multiple legislative chambers join more IGOs. Boehmer and Nordstrom (2008) add to this, demonstrating that dyads of nations that are economically dependent and/or that are democratic and enjoying peace join IGOs at higher levels than those which are not; development and alliance also increase IGO involvement. It could be argued that these results represent the effect of the epistemic community and that developed, democratic, and peaceful societies share a similar international outlook which increases their propensity to join international governance structures. The realist tradition suggests that IGOs only represent the current and prevailing power centers, but if others begin to buy into the values which these centers represent, then there can be an agreement between the two schools of thought in which resulting cooperation can stem from varying perspectives on the same phenomena.

In order to be able to fulfill the tasks listed in the section above, states need to be able to relinquish some level of sovereignty. Sovereignty within the sphere of international cooperation can be a complicated issue. It is the justification for domestic rule, but sovereignty becomes more difficult to maneuver in the international arena. The anarchic nature of the international realm is characterized by the lack of any entity which is sovereign over the rest. Even in the case of a powerful hegemon, realist explanations for peace between nations lean more toward alliances that support a balance of power rather than takeovers (Haas, 1953; Morgenthau, 1985; Waltz, 1979). In understanding international cooperation and how and why individual states would give up some of their sovereignty in order to join such an organization, there is a need to consider the benefits gained from becoming a member.

Abbott and Snidal (1998) provide many reasons why it can be advantageous to join an IGO. While the general purpose of such an organization is to create rules which constrain its members from choosing policies which are negative for the other members (Heinmiller, 2007), this does not have to seem detrimentally confining. Referring back to the epistemic community, there is some room to reconcile sovereignty issues. Rules are only constraints if a nation does not see them as in their best interest. If one is a member of an epistemic community consisting of a set of shared values and is doing what is in one's best interest, this can also be in the best interest of the community as a whole. Shared values should facilitate choices and regulations which will be more agreeable to the entire community.

Institutional mandates and enforcement

IGOs can be individually identified through their mandates and also consist of mechanisms to enforce agreements which facilitate the enacting of such a mandate. As Korememos et al. (2001) remind us, institutions are rationally designed to solve specific problems. While this may change over time, the original structure is built for a purpose. Mandates outline the reason for and justify the existence of an IGO. In order to create an IGO, the question of what will be governed needs to be answered. The mandate creates the initial image of the IGO, states what it will stand for, and distinguishes its activities.

IGOs govern through differing types of international law. Such agreements often vary between hard and soft law. Additionally, these mechanisms are multi-layered in that agreements at the IGO level must also be incorporated at the state level. Since WWII, there has been no shortage of instruments which states have consented to and formally share under the UN and other governing bodies. They have developed from common concerns and normative principles and rules that originate in regional and domestic law (Cottier, 2009). Again, the epistemic community provides a basis for the development of law as cooperation. It is important to refer back to the development of IGOs to understand the use of these mechanisms. The period of Old Governance was rooted in "hard law" which was legally binding and mandatory. Hard law rules are uniform across regions, enforced by legal procedures and backed by civil regulations. State compliance is monitored by other states. In contrast, New Governance relies on flexible norms and procedures (Abbott and Snidal, 1998). These rules affect a state's compliant behavior. Governments make commitments to further their own interests and comply to preserve their reputation (Simmons, 2000). However, hard

and soft laws pose different challenges and incentives. Abbott and Snidal (2000) explain why there is the use of both. Legalization enhances credibility while codifying rules and consequences. Hard commitments are often used when the benefits are great but opportunism costs are high. When compliance is difficult to detect, hard law can increase the credibility of commitments. Sincerely committed states will also use them to symbolize their seriousness. In terms of climate change, it will be difficult to detect changes in others' emissions, and the risk of free riding is high. Conversely, soft agreements are argued to be more effective in that they are easier to achieve and allow actors to learn about the impacts of these agreements over time, which fosters compromise and cooperation.

Though it would make sense that hard law be used at the outset to deal with this global challenge, what has happened is that states with the least ability or desire to commit to such treaties simply do not. Soft agreements on this issue get widespread participation, but leaders do not seem interested in compliance (Von Stein, 2008). This is the tragedy of the global commons: exploitation of natural resources in support of economic growth and energy consumption which has lacked responsibility. Efforts to combat climate change have been dysfunctional and driven by these national interests. Long-term vested interests loom large (Cottier, 2009). Power does play a role in regulatory outcomes; these are not simply sterile technocratic processes (Shaffer and Pollack, 2010). Hard and soft law and agreements are not specifically alternatives, however. They can complement each other, but can also be antagonists. They can and usually are discussed in binary terms, but the usage of both can and often does lead to inconsistencies and conflicts among complementary norms. They are choices along a continuum. Hard and soft laws also interact; non-binding or soft law can lead to binding hard law, and hard law can be elaborated through soft law instruments. In the presence of distributive conflict (which can be understood as the winners and losers of climate change), the interaction of hard and soft law is often seen as the strengths of each regime being weakened by the other (Shaffer and Pollack, 2010). Those states that prefer one type of agreement over the other may also be involved in this antagonism, arguing for one's preferred competing jurisdiction over another.

Institutional change (general)

Lane and Ersson (2000) explain why institutions matter by classifying their importance into two distinct categories: intrinsic and extrinsic.

Intrinsic importance means that institutions matter for their own sake because they are interesting and affect overall social outcomes; extrinsic importance means that they are important because of their consequences or outcomes. For the purposes of this book, the focus is on their extrinsic importance. There can be no doubt that institutions have value as social instruments. Regimes and norms have continued to become institutionalized throughout human history. In recent years, many more have become structures which, in turn, are dissected by political science. The field has a need to understand how they come into form, how they function, and when and how they change. This type of inquiry is certainly interesting for the purposes of intrinsic value. Whether as a norm or structure, institutions have many beliefs, rituals, and actors to investigate. Change or expansion can also be seen in this light, but not for the same reason that an institution has extrinsic value. Institutional change, as intrinsic value, speaks more to its survival than outcomes. An institution is not one if it dies; thus if change is what is needed to survive, there is value in change for the sake of simple perpetuation. This is not an assessment of the institution's quality of inputs or outcomes, but an observation about the institution as an object in and of itself. Because climate induced displacement is a pressing issue that will only get worse over time, this book is interested in investigating the outcomes of IGO expansion. Institutions do grow and change over time, often evolving under the pressure and demands of outside forces. This section will demonstrate how and why these things happen in order to appropriately situate the IGOs to be evaluated in the next chapter. If IGOs expand and evolve over time, it is logical to assume that the ones under examination will also have done so and/or be in the process of doing so to address climate induced displacement. This book's concentration on expansion and change stems from the role of outcomes of institutions – in the form of IGOs. Institutions act for many purposes, but IGOs act under the auspices of governance which seeks to manage or create solutions to global problems. In this case, expansion and change equates to problem solving. The implication is also normative; expansion in order to take on global challenges is a good thing. IGOs represent the strongest form of cooperation ever attempted as a way to improve international relations. The institutions which will be examined here were conceived in the aftermath of WWII, when international agreements were viewed as essential to correct the injustices perpetrated during the previous wars and to protect the world from new conflicts. Three of the four IGOs to be researched are a part of the UN system proper and fashioned under these norms.

While change and expansion can be considered normatively positive as a way to tackle newly recognized global problems, there are two main forms of constraints which can work against such progress: political will and structural path dependence. Political will describes the salience of new issues to the majority of member states involved, while path dependence describes the internal workings of the institution, such as bureaucratic culture and rules. Most literature on institutions and IGOs focuses on the latter rather than on the former. Shanks et al. (1996) explain that while bureaucracies have been described as “practically indestructible” by Max Weber, they do grow and have developed differently over time. The total number of international organizations has grown significantly since 1981, but only two-thirds are still active, suggesting that without growth many have become stagnant or insignificant. From 1981 to 1992, most IGOs were created by other IGOs with common goals. Large-scale cooperation is now important to IGO growth as well as state objectives. Within these institutions of common goals, arrangements can generate regularities that may become taken for granted, as Clemens and Cook (1999) describe. In this case, change occurs when such an organization is no longer perceived as inevitable. Connecting to Shanks et al. (1996), a third of IGOs which have fallen out of favor could have suffered this fate as either their mandates were no longer necessary or another IGO appeared and became more credible on a particular issue. Clemens and Cook also offer another reason for change: learning. Internal actors modify institutions in order to solve new problems or increase efficiency. This reason implies the actor involved is some sort of bureaucratic employee, as the writers’ discussion does not touch on member states. And even if a bureaucrat can initiate change from within, such change needs to align with institutional tradition, as it must still be compatible within certain models of behavior.

IGOs have a propensity to create their own specific activities and behaviors. Meyer and Rowan (1977) describe this as myth and ceremony. Institutional rules function as myths which organizations incorporate to gain legitimacy, resources, and survival prospects. These myths can be isomorphic and affect the formal structure of an organization, which is distinct from its day to day activities. These institutionalized myths define the organization’s domain of rationalized activity. The flexibility of the myth can either assist or deter expansion. Certain mythologies can be very confining, as an organization sees this as their identity, which, in turn, is internalized by its staff, who will protect it. One possible deterrent to change may be that in terms of climate induced displacement, there may be no prevailing myth yet which can be absorbed.

An institutional mythology can act as a way to legitimize territory; a way to ensure survival. If IGOs can lose their significance, a strong mythology can perpetuate an organization's existence. However, it can also create conditions which are less conducive to change. A mythology needs to be protected in order to ensure an institution's survival; changing it could be seen as a threat to the organization itself and to the people it employs. Organizations are not mechanical tools doing the work of their creators; they are alive in that they interact within their environments and maintain personnel who try to use the organization for their own ends. IGO secretariats spend time and energy in ritualized conferences, establishing agendas, co-opting state representatives, developing data, and generating resolutions (Ness and Brechin, 1988). There is also research which confirms that IGOs provide the negotiating space which member states use to make the case for their own interests and to facilitate cooperation. Bearce and Bondanella (2007) find that IGOs make member state interests more similar over time; this remains the case even considering the levels of inequality between nations (Beckfield, 2003), and the results are stronger within global IGOs than among their regional counterparts (McCormick, 1980). These outcomes suggest that if a member state saw the opportunity, it could use an IGO to make the case for expansion on an issue if it thought it was important to do so. This is not to suggest that the process would be easy or guaranteed. What the research does not answer is whether interest convergence happens through cooperation or coercion; thus smaller member states may not be the ones initiating a discussion to bring something important to the forefront or, even if they do, they may not find the convergence going in their direction.

This chapter has discussed the theoretical propensity for institutional change as somewhat detached from the individuals who initiate it. Much of this literature treats institutional bureaucracy and even member states as if they were autonomous of any sort of human design or control. However, there is a subset of neoinstitutionalism and neofunctionalism which identifies Eisenstadt's conception of "Institutional Entrepreneur" as important when discussing human agency; it designates individuals and groups who adopt leadership roles in episodes of institution building. Eisenstadt maintains that institutional change is partially contingent on the activities of such entrepreneurs, and while they may still rely on institutional myths, they do so only in ways to legitimize the changes they seek. Institutional entrepreneurs find innovative ways to articulate what they want, even using some of the confining aspects of the institution in their favor (Colomy, 1998). However, institutional

arrangements often reflect the ideas and goals of the most powerful system actors (Seo and Creed, 2002); thus changing the institution can also mean standing up against those who would benefit from the way it currently works. This makes the task of the entrepreneur difficult, but also reflects the need for persuasion. These institutional entrepreneurs can be seen as the personification of Finnemore and Sikkink's norm entrepreneurs; once they begin to make progress and hit the necessary (and non-specific) tipping point, the norm cascade will bring others within the institution along.

Institutional expansion theories (specific)

For the purposes of this book, it is not sufficient to explore what an IGO is and does, but also how it acts over time. This means looking at IGOs' propensities to expand. As mentioned before, many international governance structures are initiated with the purpose of aiding a specific issue area. In recent years, however, governance has expanded rather than remained static. Thus, the expansion of migration governance to cover those affected by climate change would not be without precedent. Below are two different theories which can assist in understanding the impetus for governance enlargement. They are from both international relations and business literature.

Neofunctionalism is the brainchild of Ernst Haas, from his seminal work *The Uniting of Europe* (1958). It is a theory about the growth of governance of the EU. It began as a departure from two earlier works about the development of the EU: transactionalism and functionalism. Transactionalism refers to the amount of economic and human capital-based transactions across European borders. The more transactions, the more integrated nations become (Puchala, 1970). Transactions are a description of integration; they do not cause it. Functionalism has emphasized a union of neutrality which is suggested to be apolitical and based on regional institutional building (Mitrany, 1948). Haas' departure was moving beyond functionalism's vision of simple technocratic governance to offer a utilitarian approach to the fulfillment of interest (Rosamond, 2005). With neofunctionalism, actors matter, and they need to be comfortable acquiring the new loyalties of the developing governance organization. European scholarship has identified nested identities as an important way in which this process is facilitated, much like Russian Matruska dolls (Risse, 2005). This is important, as some have argued that neofunctionalism suffers from a macro bias and does not give enough credence to human agency which provides the leadership for institutional change (Colomy, 1998). It can also be extrapolated

that national leaders can work as entrepreneurs to push for institutional change. Additionally, integration is a sporadic and conflictual process, but through democracy and pluralism, national governments will find themselves devolving more authority to these regional organizations, and thus citizens will expect more of them as well. This is the process of “spillover” (Schmitter, 2005). The better the system functions, the more will be expected from it. The process of spillover is optimistic, but also somewhat paradoxical. For the process to begin, existing states need to come together on some relatively non-controversial and separable issue area where tangible gains from cooperation are sufficient to give up autonomy. However, if this issue were so non-controversial, there would be little reason to necessitate expansion to handle it (Schmitter, 2005). In the case of climate change, the issue is much bigger than any one nation can tackle on its own and is also controversial in terms of blame. But, because the problem and its consequences are so large, it necessitates governance and cooperation beyond the national level. There is the need to provide functioning apolitical governance in order to tackle such a complicated issue. An important facet of spillover is that (at least in the case of the EU) it does not specify a time line for its occurrence. Contemporary authors have found this difficult, as the development of the EU stalled for many years. This could also be the case with climate change; there may be little movement now to expand migration governance structures, but this need not be the case forever.

Another set of literature which outlines organizational expansion comes from organizational behavior and firm theory. While firms or corporations do not function identically to IGOs, there are some theoretical similarities which may assist this particular investigation on institutional expansion. Organizational theory and firm theory tend to complement each other because a firm is a particular type of organization. Organizational theory assumes that organizational forms are effective in that they promote the survival of the organization. In addition, the job of a firm is to economize transaction costs. There are also political theories of the firm which argue that the basic problem facing organizational actors is to create a stable world so that the organization can continue to exist (Fligstein and Freeland, 1995). Stability is one thing, but expansion requires a large amount of resources (Hu et al., 2008) and a full evaluation of immediate operating needs, the competitive environment, and dimensions of management, finance, and macroeconomics (Kumar and Waheed, 2007). However, there are good reasons to expand. Taylor explains that expansion is often driven by clients’ requests or demands, attractive economic options (2005), and when

clients are already based in an alternate geographic area (Felts, 2005). Bringing IGOs back in, once established, they have bureaucratic structures which employ many who do wish to promote the survival of the organization, if for nothing other than to keep their jobs. Continuing to exist is important, but so also is the issue of continued relevance. This is complicated by overly effective governance of the issue area at hand; is governance necessary after all member states actively integrate IGO regulations into their own domestic policy? With nothing more to govern, there is no need for the institution to survive. However, expansion can be the answer to stagnation and irrelevance; thus firm theory can be extrapolated here. Expansion for IGOs is just as resource-intensive as it is for a firm; similarly, there are the requisites of office space, personnel, and sufficient revenue. In terms of climate displacement, there is also a growing demand to expand from those who are currently affected as well as from academics and practitioners.

This chapter is not meant to be fully comprehensive, but to provide some theoretical and pragmatic background on how and why institutions expand over time. International relations literature is flush with work on cooperation and calculating how and when states do so, to the extent that to be thorough it would necessitate a book of its own. This chapter's focus has been on IGOs in international relations as they form, develop, and expand, which is the basis for the in-depth case studies to follow. Neofunctionalist spillover and firm theory are two possible frameworks through which to see this process. These will be referred to again later in the book as a way to reintroduce, more specifically, a structure for understanding the options for each of the IGOs being researched. Most importantly, this chapter has shown that IGOs do expand in order to facilitate cooperation on new issue areas, and thus those IGOs which currently assist with migration and displacement do have theoretical and practical precedent to draw from. The next chapter will follow the development of three influential IGOs and their expansion over time, as well as their current involvement in the issue area of climate induced migration and displacement. They will be evaluated against each other and their structural constraints, political constraints, and theoretical frameworks to expansion in this issue area will be discussed in the final chapter.

6

Lack of Expansion

There are three IGOs that govern different forms of migration and displacement – all of which have expanded over the years when the situation has demanded it. UNHCR, IOM, and UN OCHA each assists migrants in a variety of contexts and will be discussed in this chapter. UNHCR is arguably the most capable and successful institution when it comes to protecting and assisting forced migrants. However, its potential expansion to deal with this newly identified type of migration cannot be seen as a given. Unlike refugees, the bureaucratic term “migrant” represents a much broader group of immigrants and does not clearly implicate a regime. While migration has been a continuous part of human existence, the development of any such governance in the international sphere, such as by IOM, has been relatively recent, leaving border governance to the individual state. Humanitarian agencies such as UN OCHA often deal with those displaced by environmental disasters, and the effects of climate change will only exacerbate their work. Thus, the development of humanitarian structures and governance is crucial to determining if this regime and its corresponding IGO are yet prepared to deal with the additional strain of climate change. This chapter will explain the development of the refugee, migration, and humanitarian regimes, their respective IGOs, and their current expansion to date. It also provides examples of how each IGO has related itself to the topic of climate displacement and how each has significant challenges to additional expansion to govern this new group of displacees. The chapter concludes with the idea of reluctance to expansion and how these IGOs have responded when confronted with outside demands for this expansion in recent years.

The refugee regime and its evolution

The modern legal designation of “refugee” originated in ancient times. As a form of hospitality, Mediterranean and Near East civilizations often granted asylum to those fleeing violence. It was an early humanitarian gesture recognizing the human desire for liberty and protection (Krenz, 1966). This first form of international protection had no special regulations, bureaucratic processes, or formalities; it was an informal civil pact of profound importance, and it continues to serve as one of the oldest international norms. Krenz explains this as the rule of “minimum standards” which, in short, grants foreigners the same treatment as nationals in cases of conflict. Goodwin-Gill comments on this custom in his discussion of citizenship and the nation-state. He explains that in the seventeenth century foreigners were not to be denied local protection if they came within the territory and jurisdiction of a government not currently at war (Goodwin-Gill, 1989). These customs turned into law as early as 1685 and established a more modern system of asylum in Europe (Grahl-Madsen, 1966). The World Wars created a burden on the old ways far more onerous than ever before. This period also saw more exclusionary immigration policies by individual nations, leaving millions of the displaced in limbo. Rubenstein (1936) calls this situation an “exodus” which created political, legal, social, and humanitarian problems. Hathaway (1984) describes this phase as having three periods; juridical, social, and individualist. They represent a changing definition of international refugees. The juridical perspective period (1920–1935) was primarily concerned with the refugee as a member of a group that has no freedom of international movement because its members have been deprived of the formal protection of their government. This relates to a nation’s drive for a homogeneous homeland and their use of what Adelman (2001) calls a population swap (or a less violent form of ethnic cleansing). These swaps allowed Turkish Christians to come to Greece and Muslim Greeks to flow into Turkey. The social perspective (1935–1938) shifted to encompass victims of broad-based social and political upheaval – regardless of their legality. Finally, the individualist perspective (1938–1950) moved away from group disenfranchisement and toward a consideration of the relationship between the individual and the state. Essentially, it was concerned with a fundamental incompatibility between the citizen and government. This was the prevailing understanding of refugees as WWII came to a close. Several refugee governance institutions came into and went out of existence during this time, leading to the development of UNHCR. They will be briefly outlined in the time line below to demonstrate the structural evolution of refugee governance.

- 1921:** In the aftermath of WWI, the Office of the High Commissioner for Russian Refugees opened in 1921 with the express purpose of helping those who had become refugees due to the Russian revolution. Headed by Dr. Fridtjof Nansen, it provided travel documents, sought employment opportunities, and delivered aid to displaced Russians and those living in the Ottoman Empire. It was an arm of the League of Nations and would be replaced by the High Commissioner for Refugees in 1938 (UNHCR, 2005).
- 1933:** As a partner to the Office of the High Commissioner for Russian Refugees, the addition of the Office of the High Commissioner for Refugees Coming from Germany became necessary when Jewish refugees began leaving. In two years, the office resettled 80,000 refugees, mainly to Palestine. It was also replaced by the High Commissioner for Refugees in 1938 (UNHCR, 2005).
- 1938:** Formed in 1938 as a conglomerate of the previous two offices, the High Commissioner for Refugees played a very limited role until 1946 (UNHCR, 2005). The Intergovernmental Committee on Refugees was formed in the same year, with the responsibility for those who emigrated out of Germany and Austria on account of their political opinions, religious beliefs, or race and those within this group who had not yet settled (IO, 1947a). This organization supported a very specific mandate and resettled 240,000 refugees (defined as such) before the outbreak of WWII. Still in existence after the War, an initiative to expand came from the governments of the UK and the USA. In 1944, refugees included all persons who had to leave their homes due to the events in Europe. The organization's second expansion came in 1946, to include those persons who were considered "non-repatriable" refugees from Germany, Austria, and Italy (IO, 1947a). Additionally, the Committee worked with the UN on a draft constitution of the International Refugee Organization (IRO) which would take over its current functions (IO, 1947b). Its Executive Committee arranged for the transfer of all office equipment, vehicles, and stocks to the IRO. While under liquidation, final agreements allowed for the resettlement of refugees to Peru, Brazil, and Venezuela (IO, 1947c).
- 1944:** Established by the Allies in 1944, the United Nations Relief and Rehabilitation Administration (UNRRA) was to provide emergency relief to the displaced. It organized the return of millions to their homes, but was not designed or prepared to handle those who refused to go back (UNHCR, 2005).

Permanent institutionalization

The IRO, established by the UN, took over for the Intergovernmental Committee for Refugees to provide a permanent solution for Europe's refugees. Its primary task was defined as repatriation, followed in other cases by resettlement of those who could not return to their countries of origin (IO, 1947b). The agreement and subsequent constitution it produced was far more comprehensive than that of the previous organization. It was also very clear about who would be considered a "refugee" for the purposes of its mandate. The IRO defined as "refugee" any person who "has left, or who is outside of, his country of nationality or former habitual residence, and who, whether or not he had retained his nationality" is a "victim of the Nazi or Fascist regimes or of regimes which took part on their side of the Second World War, . . . Spanish Republicans and other victims of the Falangist regime in Spain, . . . persons who were considered refugees before the outbreak of the Second World War" (IO, 1947d). It also specifically outlined those who would be excluded, such as war criminals, traitors, those who had assisted the enemy, ordinary criminals, ethnic Germans, those who already received financial support, those who had attempted to overthrow their government by armed force, and those who were currently in the military or were members of the civil service of a foreign state. In terms of mandate, these specificities are obviously time- and incident-related. Additionally, the IRO was deemed a "non-permanent organization" (IO, 1947d), suggesting that after those displaced by WWI and WWII were resettled, it would be an unnecessary institution. While highly tailored for a precise function, agreement on this institution was not without member state politics. A divide emerged between countries of origin and countries from the West. The Soviet Union preferred a policy of resettlement and a strict definition of "refugee", while others emphasized widescale resettlement and a wider definition. The gap continued to be an issue for the institution's financial arrangements as well. Much of the expenses of repatriation were to be charged to the governments of Germany and Japan (IO, 1947d). This consisted of external and "heirless assets". Some would come from German financial holdings in international bank accounts which were promised to the Intergovernmental Committee on Refugees, but were eventually allocated to the IRO (Rubin and Schwartz, 1951). In its four-and-a-half-year tenure, the governance structure dealt with more than one and a half million dislocated people. Of this group, 1,038,750 were resettled and 72,834 repatriated, leaving some 362 cases without a satisfactory resolution (IO, 1952). It provided care and maintenance rehabilitation, legal and political protection, counseling, vocational

training and employment (Davie, 1957). As Sir Arthur Rucker (1949) recounts, it did this work juggling three headquarters (in Geneva, Paris, and London) and while nations paid their contributions very late in the year. As an insider, Sir Rucker's speech at Chatham House in 1948 represents a frustrated view from the inside which observes that the organization's important work must have public support, more money, and nations willing to assist refugees.

The IRO began to fall out of favor by the late 1940s, but it was clear that there was still much to be done. A subsidiary body of the General Assembly, the UNHCR originated in January 1951. Its mandate provided for it to function for three years (UNHCR, 2005). The agency's mandate, drawn from previous experience, was as specific as possible as to the conditions which would cause one to be a refugee in Europe at that time, including "race", "religion", "nationality", and "membership of a particular social group or political opinion", which are antecedents of the period between the two World Wars (Gallagher, 1989). The Convention on the Status of Refugees also specifically noted a time frame: refugees would be those displaced by events occurring before January 1, 1951. As is, the Convention provides for WWII refugees and very little else. The institution itself had only a restrictive budget; it was also explicitly prohibited from raising its own money (Barnett, 2011). However the Convention does stipulate that any contracting state can extend its obligations further than what is specified in the agreement. Its original signatories (those who signed and ratified the treaty before and in the same year as its effective date of April 22, 1954) are Australia, Austria, Belgium, Denmark, France, Germany, Israel, Italy, Luxembourg, Monaco, Norway, Sweden, and the UK. It is clear that directly after WWII, UNHCR and its work was primarily the concern of the European continent.

Extensions of the refugee regime – national policies and regional agreements

Many state and regional agreements to govern refugee flows did spring up after the establishment of UNHCR. The Convention needed to be ratified by individual states in order for it enter into force, but those states had the right to extend such obligations, and many did. In addition, regional agreements came into force in the areas in which conflict continued to emerge. The USA passed the Refugee Relief Act of 1953, which also incorporated the reason of "natural calamity" under its definition of refugee (Wenk, 1968). The USA was not an original signatory to the 1951 Convention and decided to implement its own law. In doing so, it expanded the definition of refugee which it would observe. While this

move could be seen as benign due to the occurrence of hurricanes and the need for America to assist its neighbors in the Caribbean, accepting a larger definition of those labeled as “refugee” began to open the door to later expansion of the legal terminology. Additionally, the Organization of African Unity (OAU) prepared a Convention in 1969, adding an additional category to the 1951 UN Convention: those fleeing their country to escape warfare or other man-made disasters (Grahl-Madsen, 1983). During this time, a man-made disaster tended to be understood as the consequences of decolonization. The 1960s saw a huge wave of nations calling for independence from their colonial rulers. Specifically, the OAU Convention states, “The term ‘refugee’ shall also apply to every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing the public order either in part or whole of the country” is forced to leave his/her country of origin. Africa was extending its definition of “refugee” to apply to its changing landscape. Central America eventually followed suit. In 1984 the Cartagena Declaration on Refugees also extended its refugee definition to those fleeing “other circumstances which have seriously disturbed the public order”.

UNHCR expansion to date

Academics have been arguing for expansion of the UNHCR definition since its inception. Grahl-Madsen (1983) explains the category of “de facto refugees”, or a person not recognized by the Convention but who is in a similar situation. These are people who could eventually be successfully recognized as refugees or those who cannot be recognized as such under the Convention but may be allowed entrance into another country on humanitarian grounds. The meaning of “humanitarian grounds” can also vary from country to country, but allows for receiving nations to expand their assistance in circumstances which may not exactly fall under the Convention’s explicit definition. These critiques did not fall upon deaf ears. While UNHCR’s original mandate and funding mechanisms were fairly well constrained, its officials were able to open some space to grow. Signatory states had labeled the organization “humanitarian” not only to describe the work it did, but in hopes that it would be resolutely apolitical. Humanitarianism gave UNHCR moral authority. The body used this role to increase its influence in protecting the weak and vulnerable, extending its mission and principles to assist in “refugee-like” situations outside of Europe and geared toward events occurring after 1951 (Barnett, 2011). This initial expansion conceived by its own employees set the stage for further growth as international conditions began to change.

Expansion of the 1967 Protocol

The demands on UNHCR grew as the world continued to spar with the growing Communist threat in Europe and Southeast Asia and decolonization in other locales. Increasingly, people fled from Communist regimes in Eastern Europe and the USSR, while many more were being affected by the conflicts in Korea and Vietnam. In 1967, the Protocol Relating to the Status of Refugees was expanded, which formally applied the status of refugee to any person who fits the definition “as if” the date requirement had been omitted. This act had an enormous effect on expanding UNHCR. Before the Protocol, its mandate only required that it provide legal assistance to those displaced because of the events of WWII. The Protocol opened the door to assisting anyone displaced due to persecution and conflict. While nations continued to slowly ratify the 1951 Convention, those nations who became the first signatories of the Protocol demonstrated the acceptance of this humanitarian role. They include Algeria, Argentina, Cameroon, Cyprus, Denmark, Finland, Gambia, Ghana, Greece, Guinea, the Holy See, Iceland, Liechtenstein, the Netherlands, Nigeria, Norway, Senegal, Sweden, Switzerland, Tanzania, Tunisia, Turkey, the UK, and USA.¹ Many of these nations were dealing with large refugee flows – especially on the African continent, where the OAU would take this as a first step toward its own regional agreement mentioned in the previous section.

Expansion to IDP issues

Hakovirta (1993) explains that in the 1990s, UNHCR’s concerns broadened and prima facie group determination of refugee status largely took the place of individual interviews. The circumstances under which it offered protection in these situations included persecution and insecurity as well as starvation and critical environmental conditions. During the Cold War, those searching for refugee status were often making claims on their own. Subsequently, UNHCR began to see the need to assist many groups even before they became refugees. This began with the displacement of the Iraqi Kurds during Operation Desert Storm. In the midst of this conflict, UNHCR became increasingly involved in providing assistance and protection to the degree it possibly could. The agency decided not to wait until the Kurds crossed an international border, but to proactively help those who were internally displaced (Hammerstad, 2011). IDPs share many of the same difficulties as refugees, but have a different legal status. UNHCR drafted a new document entitled *The Guiding Principles on Internal Displacement*. It explains that IDPs cannot be granted a special legal status like refugees. Refugees are offered special

international protections because they have lost the protection of their own country. As per the Guiding Principles, IDPs are

persons or groups of persons who have been forced or obliged to flee or to leave their home or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights, or natural or manmade disasters and who have not crossed an internationally-recognized border.

Defined as such, IDPs are a broad classification of those who would be considered refugees *if* they had crossed an international border (Robinson, 2003). UNHCR was changing its bureaucratic agenda from specific legal assistance to a more “on the ground” aid disbursing agency which would be more central to the protection of forced migrants, not just legal refugees. This period also saw a shift in the types of employees the organization hired. The number of staff working around the world in conflict zones increased, while the number of lawyers decreased.

Climate change and UNHCR

The previous chapters have offered an overview of the ideological forces that have provided and contested the existing legal refugee framework. The 1951 Convention and the 1967 Protocol outline a specific legal form of governance which is internationally recognized. It is also a confirmed obligation which guarantees a certain set of rights and privileges. Unlike economic migrants/immigrants, refugees have the right to seek asylum, cannot be returned to their country of origin, and have a protected status. They also need care and maintenance, reestablishment, and legal and political protection (Malin, 1947). Refugees, as defined by the Convention and Protocol and accepted by their signatories, are a recognized humanitarian commitment. They are internationally justified in their migration and are deemed worthy of assistance (monetary and otherwise). However, not every desperate situation falls under the protection of the Convention and Protocol; this is why it is important to question the use of the label “refugee” on a certain group, as they may not have a legally valid claim to it. Those who already are or will be affected by climate change to the extent that they will need to relocate are often called “climate refugees”. It is a term that is popular in the sensational vernacular of journalists and some academics (Biermann and Boas, 2008; Trent, 2009). Former President Nasheed of the Maldives had made a specific call for UNHCR to prepare a new treaty

which would include those displaced by climate change as “refugees” (Biermann and Boas, 2008), though no progress has been made on this recommendation thus far. Others have made the case that it is not just the people, but entire islands that should be considered “ecological refugee states” due to the loss of their entire geographical territory (Nine, 2010). However, just calling such people “refugees” does not provide them with legal status as if they were – as mentioned in Chapter 4. There are many important distinctions between those who fall under the refugee label and those who have been implicated due to climate change. The most important distinction is the ability to repatriate. Generally speaking, after a war or conflict, refugees want to go home. The refugee regime, even before the advent of UNHCR, focused on repatriation as the primary solution. Refugees rebuild; they reconstitute their previous communities. But climate change impedes this. The migration literature explains current problems with repatriation and other durable solutions. The three classic durable solutions are repatriation, resettlement in the country of first asylum, or resettlement in a third country. Resettlement is the least used solution, as not all countries are equally open to all refugees (Stein, 1983). The decision to resettle is in the hands of the state and not the refugee. First, states can and often do return asylum seekers in an attempt to not overburden their own society. UNHCR dubbed the 1990s the “decade of repatriation”, with an effort to return three million people to 21 countries. The agency faced many challenges with trying to return this volume of people, and asylum seekers were often returned to areas which were politically fragile, so that protection was still necessary after return. A second issue surrounded material conditions. Many returned to areas which were destroyed or where land mines were abundant. Third, refugees going back to agricultural production faced rival claims to arable land. Fourth, when generations returned with children who had known no other life other than a refugee camp, many necessary skills were lost to the community. Finally, repatriation has demonstrated the organizational gap between humanitarian efforts and development assistance (Rogers, 1992). In many areas disturbed by climate processes, these same problems may occur and leave no room for repatriation – only relocation. In an unofficial research paper on this topic published by UNHCR, Ferris (2012) evaluates some of the research and lessons learned from previous forced resettlement and planned relocation. The piece also evaluates the use of normative frameworks such as the *Guiding Principles on Internal Displacement*, emphasizing forced resettlement and planned relocation and not touching on the need for external relocation, although it does comment that organizations like

UNHCR and the Red Cross have not paid attention to this need even though they have relevant experience in this area.

Internal displacement continues to be a growing concern for UNHCR ever since it decided to delve into the issue. While the discussion of “sinking islands” is provocative, the vast majority of people displaced by climate change will be displaced within the boundaries of their nation of residence. As such, a more proper discussion of the way in which UNHCR could assist those displaced by climate change under their current structure would be through its expansion into IDP issues. In 2009, the UN representative of the secretary-general on the human rights of Internally Displaced Persons presented a report to the General Assembly which outlined the way they interpret the nexus between climate change and internal displacement (A/64/214). The report credits climate change with the potential for voluntary and forced displacement, highlights the issue as one of humanitarian concern, and outlines a framework of protection under the *Guiding Principles on Internal Displacement*. The Report also clarifies that there is no legal basis for the term “environmental refugee” or “climate refugee”, and argues that this term should be avoided in order not to undermine the legal regime for refugees.

On the surface, it appears that without expanding, UNHCR has included those displaced by climate into their fold. However, a closer examination of the Guiding Principles shows that in doing so, UNHCR is shifting responsibility of this group to the state level. Finalized in 2000, the Guiding Principles identify rights and guarantees relevant to those who are displaced in their country of residence. They are based in international human rights and humanitarian law and reflect previously established norms. The document consists of 30 principles relating to the treatment of those in a situation of displacement due to violence, human right violations, and those affected by natural or man-made disasters. While the Guiding Principles are thorough and based in law, they themselves are not law. The Guiding Principles are not a recognized treaty obligation to member states. They are, as is stated in the document itself, to “provide guidance” and “should be disseminated and applied as widely as possible”. The Foreword, written by Under-Secretary for Humanitarian Affairs Sergio Vieira de Mello, emphasizes this point. He explains that these Principles are to serve as an “international standard to guide governments as well as international humanitarian and development agencies in providing assistance and protection to IDPs”. Guidance is helpful, but not obligatory. The Principles relate the needs of the internally displaced to their current rights if the states in which

the displacement is occurring adhere to the Universal Declaration of Human Rights, which is also a non-binding document, even though it serves as the basis for human rights law. Thus, the Principles are more of a reminder as to how to nation *should* act, rather than an outline of new international law. The importance of its non-binding nature is that it allows each state to decide if it will chose to adhere to such principles on its own. Many indeed do, but as a soft law instrument, there is no mechanism for enforcement. In sum, invoking the Principles is a way of taking a stand on the issue of climate change displacement without offering material assistance, situating the issue outside of UNHCR's legal mandate, and allowing UNHCR to rest on its moral authority in displacement situations for guidance.

This stance was strongly reiterated at The Nansen Conference: Climate Change and Displacement in the 21st Century, held in Oslo, Norway, in June 2011. Antonio Guterres, the UN High Commissioner for Refugees, offered a statement to open the conference which parallels this assessment. Guterres posited that primary responsibility for the protection and wellbeing of those displaced by climate change rests with the states in which displacement is occurring and encouraged such states' responses to be consistent with the Guiding Principles. In addition, he stated that UNHCR has refused to accept any label such as "climate refugee" or "environmental refugee" as it will confuse UNHCR's efforts to protect those who are persecuted. Finally, he recognized that it will not be easy to establish a new binding international treaty; therefore UNHCR offers its assistance in developing a "guiding framework" on the matter (Guterres, 2011). To restate, UNHCR is offering no material assistance, is placing this matter outside of its legal mandate, but is offering more guidance. But it does highlight this guidance in its 2014 publication, *UNHCR, the Environment and Climate Change: An Overview*. The document promotes UNHCR's involvement in the Nansen Initiative and its additional recommendations as a part of the Advisory Group on Climate Change and Human Mobility in the UNFCCC process, the Interagency Working Group on Climate Change, and the Sanremo Consultation on Planned Relocation. These actions were also stressed in the *Note on International Protection* – a Note from the High Commissioner (A/AC.96/1134).

Concluding remarks

The UNHCR is a highly developed governance structure for the protection and assistance of refugees. Its mandate and the definitions which it utilizes have developed through the World Wars, and it has come to be known as an organization with great experience and impact. Because of

this, it is easy to see why many have called for it to weigh in on the matter of climate change displacement. Its mission has not in fact remained static over the years; the definition of refugee was expanded in 1967, and it has occasionally stepped in to assist populations before they became displaced. Former staff saw a need to expand its protection mechanisms as the political situation in the world changed. However, when it comes to displacement due to climate change, UNCHR has made it a point (as has its High Commissioner) to posit this issue outside of its legal obligations – not to offer specific material assistance, but to provide its legal expertise when it comes to human rights. Its response has been hands off, and there is no indication of this changing.

The migration regime?

Migration is the story of humanity. From the earliest hominids to modern man, history follows mankind through migration; it is in our blood. People have never remained static – which is the point often lost in many modern accounts of migration policy. The earliest stories of human origin come from the Rift Valley in Western Africa and demonstrate humanity’s amazing capacity for migration; traveling to every corner of the globe to inhabit desert, icy wastes, and small islands in the sea. Migration is also ingrained in many of the major religious traditions. The Judeo-Christian religions tell stories of Moses leading his people out of bondage in Egypt and then wandering the desert for 40 years; one of the five pillars of Islam requires for its followers to make a pilgrimage to Mecca once in their lives (if possible). The human history of migration is not always benign. It is important to note that the English of today are not indigenous to England, nor are the Malays to Malaysia or Turks to Turkey; migration and conquest put them where they are (Sowell, 1996). Migration has also occurred by force, regardless of whether it is through slavery, indentured servitude, or military conquest that then expelled the current inhabitants of a geographic area. The European age of exploration beginning in the fifteenth century demonstrates all of these types of forced migration. Whether discussing the triangular slave trade, an aristocrat taking his/her servants to the New World, or the destruction of indigenous populations, migration facilitated all of these.

Migration is defined as a permanent or semi-permanent change of residence across some type of administrative boundary. A person can migrate many times, for many reasons, over his/her lifetime (Wood, 1994). People migrate because of population growth or disparities in economic development, for salaries and living conditions, due to

economic crisis, or because of poverty, political instability, ethnic conflict, and ecological deterioration (Farrag, 1997). In addition, there is the thrill of being somewhere new, taking on a challenge and adventure. Each of the motivating factors listed above can be seen as individual causalities for movement, but more often they overlap. These dual and multiple causal relationships have made governance difficult. Many of the labels used to describe and categorize migrants only infer a single causality such as “economic migrant”, “environmental migrant”, and (for the purposes of this book) “climate migrant”. The difficulty for governance is that these factors are intimately entangled and cannot easily be separated. We know very little about how changes in the environment affect migration and lack the data to move beyond estimates (Laczko and Warner, 2008).

A major nuance that influences how migrants are viewed is the idea of personal choice. Shanmugaratnam et al. (2003) explain that while migration is often viewed in a typology, all concept-types flow into the voluntary/forced dichotomy. This dichotomy has emerged in most recent studies of migration and plays a role in this inquiry, albeit an inferred one. In real life, the line that divides the choice to migrate or not is most often blurred, but in academia it can be helpful in the conceptualization of movement. For the purpose of this investigation, refugees are forced migrants, while most others are considered voluntary; this is where certain labels can help and hurt such conceptualization. While the many who migrate in search of survival may argue that survival is not a choice, others do chose to stay behind to suffer hunger or violence. This “choice” to stay can also be guided by the lack of resources to actually migrate (Haug, 2003). The key factor is not necessarily the type of coercion applied, but the migrants’ belief that they must flee to survive (Wood, 1994). IOM facilitates migration in many forms, both forced and voluntary, while UNHCR is only concerned with forced migration. However, this inquiry does not presume to use these terms lightly. Without taking the time and space to reconceptualize this dichotomy, it is used reluctantly. At a metaphysical level, a person always has free will, but there are many things out of the control of most individuals which limit choices in such a way that they can feel forced. The reader should keep in mind that these distinctions are not as clear-cut as the terminology suggests. There are other dichotomies which blur conceptual distinctions and policies as well: skilled or unskilled workers, permanent and temporary migrants. Individuals usually belong to one or more categories at the same time or move from one to another – ignoring this fails to do justice to the complexity of international migration

(Report on the Global Commission on International Migration, 2005). The simplicity of these dichotomies can be helpful when trying to make immigration policy, but does not allow for varied interpretations or complicated situations.

What becomes apparent when researching migration/immigration is the lack of a clear regime; national sovereignty remains the deciding factor in immigration policy, subject only to treaty obligations to refugees (Report on the Global Commission on International Migration, 2005). Governance in this area is still almost entirely controlled at the level of the nation-state, and jealously guarded, although most governments recognize that they cannot control migration unilaterally. As employers, smugglers, workers, agents, and individuals continue to defy national policies, governments are extremely reluctant to relinquish any formal regulatory authority beyond the regional level. However, states have never had full sovereign control over migration and have lost what little control they have had through the forces of globalization (Newland, 2010). In many other policy spheres, national leaders acknowledge and use the international realm to cooperate on issues that are too large to handle on their own. The question, as posed by the former Commissioner of the Global Commission on International Migration, is: “Why do we persist with national approaches to a phenomenon that is inherently transnational?” It appears that some governments find the global governance of migration intimidating and fear that it would involve the creation of a new supranational agency. There is a preference for soft governance and sharpening existing instruments in this area, although it has not yet resulted in any coherence (Marchi, 2010). While there may not be a conventional regime for migration, what has developed so far in terms of international governance will be outlined in the following chapter.

Governance development

The governance of migration has lacked a coherent institutional framework at the international level (Koser, 2010). Its development coincided with that of the refugee regime, but with different roots. Unlike the norms that accompanied refugees, any assistance awarded to a simple traveling stranger does not have the same moral pull as does someone fleeing conflict, and the current dichotomous bureaucratic terminology continues to divide those who migrate. From the beginning of humanity until the turn of the twentieth century, migration was mostly ungoverned. However, human history is dotted with ages of migration – from Greek colonies and Roman military conquests to the Byzantine

and Ottoman Empires. Exploration and colonial territorial gains provided many places to migrate to. Many lands, even those occupied by indigenous peoples, were seen as virgin areas ready to be populated by European settlers. No matter how old the process, virtually no society seems capable of managing it effectively. It can be described as a paradox, in that without proper management, the receiving country's sense of identity and capacity to maintain its own laws leads to political turmoil (Papademetriou, 2003).

Even though some countries (such as the USA) began to regulate migrants as they continued to flow in, international coordination came after the dramatic population shifts caused by WWI. The International Labor Organization (ILO) emerged in 1919 during the Versailles peace settlement, with a mandate to promote social justice and human and labor rights for migrant workers (Kneebone, 2010). It also assisted in the movement of refugees until the League of Nations' High Commissioner for Refugees was established. Additionally, it facilitated a conference in 1938 to enable collaboration on bilateral migration agreements. During the meeting, the Permanent Migration Committee was established, which convened a meeting the next year on how these agreements could be financed. However, as WWII began, the ILO realized that the issue of migration would be much greater than employment and settlement. Orderly migration would be necessary to realize the peace and social justice needed after such a war. It suggested a plan which would establish an ILO Migration Administration and the constitution of a Migration Aid Fund (Karatani, 2005). The ILO saw the need to assist in migration not only across the European continent, but across other regions as well. But the proposal would not be accepted by the Americans during talks. The ILO's operation emphasized providing non-binding standards which recognized the sovereign rights of all nations to determine their own migration policies, but its strategy was to "sell" individual rights to states and bypass their direct engagement (Kneebone, 2010). The ILO could not sidestep the negotiations for its own expansion, however. The ILO's suggested programs at the Naples negotiations were seen as too expansive and international, but the plan backed by the USA and presented at the next meeting in Brussels was intergovernmental and had a much more limited mandate. The US backing established the Provisional Intergovernmental Committee for the Movement of Migrants from Europe (PICMME), which would ultimately become IOM (Karatani, 2005).

The PICMME was established in 1951, but began its activities in 1952 under another name, the Intergovernmental Committee for European

Migration (ICEM). Its constitution was adopted in 1953 and came into force on November 30, 1954. The constitution outlines its purposes and functions as well as its membership and organization. The mandate, as defined in Article 1 of its constitution, explains that the organization shall make arrangements for the organized transfer of migrants to countries offering to house them, to assist refugees and other displaced persons in the same manner, to provide medical assistance, language training, and assimilation services when requested by the states concerned for voluntary repatriation, and provide a forum for states and other international organizations to promote cooperation in the coordination of efforts and development of practical solutions. This operating mandate is quite broad. Although its name change implies that the organization only works on European migration, its constitutional operations do not specify a timeline for assistance, who it can or cannot assist, or in what region it can work.

IOM expansion to date

Operational expansion

At the outset, the ICEM was situated to facilitate any migrants anywhere around the world, and it did. While its first task was resettling those from WWII, this did not limit its work to Europe. In its first decade of operations, ICEM arranged for the processing and emigration of over 406,000 refugees and displaced persons from Europe to other nations overseas, such as Uruguay. During this time it also assumed responsibility for 180,000 Hungarian refugees. By the 1960s, it had already assisted over a million displaced persons. In 1964, the ICEM developed a program to place highly skilled emigrants in the developing countries of Latin America and organized the resettlement of 40,000 Czechoslovakian refugees from Austria (IOM). Unlike UNHCR, ICEM's mandate allowed for it to assist refugees and non-refugees who were also called "surplus workers" in Europe (Karatani, 2005). Any populations in the "surplus" are often considered an economic threat – especially at a time when Europe's economy was in slow recovery. ICEM's efforts expanded with the political turmoil of the 1970s. It began to resettle Jews from the Soviet Union, resettled 130,000 persons from Bangladesh and Nepal to Pakistan, evacuated Asians from Uganda, helped resettle 31,000 Chileans in other countries, and initiated a program to resettle Indo-Chinese refugees and displaced persons. By 1980, the organization had helped to transport and relocate over three million migrants (IOM). The expansion throughout the mid-twentieth century had more to do with operations and less with mandate. The agency changed its name to the Intergovernmental

Committee for Migration (ICM) to reflect this. ICM's responses continued to expand into what were called Migration for Development programs in Africa and Asia. By 1985, ICM had assisted four million migrants. It would change its name again in 1989 to the International Organization for Migration (IOM). In the 1990s, IOM would become involved in the repatriation of migrants stranded by the Iraqi invasion of Kuwait (including 800,000 Kurds), organize the return of the displaced from wars in Mozambique, those fleeing the Rwandan genocide, refugees from Chechnya, Hondurans needing assistance after Hurricane Mitch in 1997, and Kosovar refugees in 1998–1999. In the last decade, IOM has been there to assist with refugees and displacement in East Timor, India, Pakistan, Sierra Leone, Afghanistan, Thailand and Laos, Myanmar, Indonesia, Sudan, Somalis in Kenya, and many more. What is evident from this growing list of operations, which is only a part of IOM's work, is that as global crises increased, IOM has been there to facilitate the movement of the displaced. What is also apparent is its growth into aiding natural disaster displacees in addition to those affected by conflict; specifically, the Haitian earthquake and the Pakistani floods in 2010.

Institutional expansion

As referenced in the previous section, IOM went through several name changes to reflect updates in its work and mandate. Weiner (1995) explains that IOM initially focused on the movements of populations from Europe to North America and Latin America. But by 1980, its work had expanded worldwide. An amendment to the constitution in 1989 eliminated all geographic limitations and broadened the range of its activities. In its institutional expansion, there are some similarities to UNHCR; however, IOM's constitution does not activate the same type of mandate as UNHCR, in that its mandate is not legal, but functional. IOM asserts that its activities do contribute to the protection of human rights, and it also uses the language of humanitarian assistance to describe its work, which has troubled other agencies that have a longstanding association with humanitarianism. Criticism stems from the fact that IOM lacks the proper mandate to act in this area and that it engages in activities which violate the human rights of migrants (Andrijasevic and Walters, 2010). Assisted voluntary returns are facilitated by IOM and receiving countries which have denied asylum. It has often been described as a way to achieve justice for those who have been forced out by war but are not refugees. The assistance IOM provides is short term and piecemeal. It cannot reverse illegal expropriations or ensure that the returnee will be treated well upon return to

his/her country of origin (Webber, 2011). In addition, there is only so much that is “voluntary” when a country threatens to forcibly repatriate; options are limited. IOM will not physically remove people, but it offers temporary assistance rather than forcibly deporting people. It is also in agreement with the many governments who view those who are rejected for asylum after the appropriate legal procedures as illegal aliens. Even though their bid for asylum was rejected, it does not mean that the situation back home has in anyway improved, and thus they may face hardship or poor treatment if returned. While this is a concern for IOM and many of its member states, there is no legal recourse for returning someone if they are now an alien (Weiner, 1995). As stated in the previous section, IOM came from a bargain which needed US backing; it was always intended to be an economic counter agency to the humanitarian UNHCR. They are neighbors, but serve different functions (Duvell, 2005). While IOM may be sympathetic to humanitarian interests, its institutional functions, even in its expansion, should not be misinterpreted. A main reason for such a misinterpretation is that although IOM is a major operator in the field of international migration, there is surprisingly little academic research on the agency itself. Migration scholars routinely use the research material it produces, but rarely is IOM the object of research (Andrijasevic and Walters, 2010). IOM’s reports and policy recommendations have been used in this investigation, but research about the development and evolution of IOM has been hard to find. Andrijasevic and Walters (2010) argue that carefully interrogating this agency will lead to a better understanding about the ethos and rationality of international governance. IOM works in the realm of power relations, tactics, and maneuvers between its member states. If immigration and migration is so highly researched, so should be the institutions which promote standards and communicate norms about border controls. However, migration is not “traditionally an area of interstate cooperation and is not governed by a single applicable entity” (Ionesco and Traore Chazalnoël, 2015). It is important to keep this in mind as IOM can facilitate the development of frameworks in this area, but is not a treaty making body.

Andrijasevic and Walters (2010) use Duvell’s discussion on IOM to explain how the institution sees itself and manages the role it has chosen. However, Duvell challenges its technocratic self-representation with its sometimes violent activity of deporting people while calling this “assisted voluntary returns”. He has also pointed out that its main goal is to align the migration policies of the global South with the control norms of the global North. Its task is the sorting of mobile populations

into streams of the useful and useless, admissible and returnable, and employable and deportable. IOM is not under any mandate, nor has it expanded to adequately take human rights into account. This is not to suggest that the organization does not care about migrants, but its work is more clearly understood as managing the processes of migration – not specifically protecting migrants. Its mandate is not normative. Ashutosh and Mountz (2011) provide one additional piece of research on IOM's brand of migration management. The authors argue that the organization maintains the role of nation-states by ordering global migration flows. It acts on the behalf of nations using the language of human rights as if it were working for the benefit of migrants, but it is ultimately to benefit the state. These institutional goals (orderly migration and upholding human rights) are not mutually exclusive, but are different. Andrijasevic and Walters insist that IOM's work shapes and defines the way in which states understand borders and create their policies; its institutional role has developed to become constructive and constitutive. In this way, its open mandate has allowed it to act independently and expand its efforts to become a player beyond a consultative/operational figure. One way that it has done this is through its commitment to what it calls "frontier strategies" which incorporate control functions to non-border settings and include the harmonization of travel documents. The authors describe the role IOM has taken on as that of the entrepreneur when bringing together states and other actors to negotiate, identify opportunities, and implement support programs. In these ways, IOM has expanded its role from interstate facilitator to the specialist in migration management.

Extensions of the migration regime

Even though there is not much of a migration regime, certain tools have evolved to protect those on the move. Koser (2010) divides these into two sets of instruments. The first set includes the core human rights treaties such as the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social, and Cultural Rights (ICESCR), the Covenant against Torture (CAT), and the International Convention on the Elimination of All Forms of Racial Discrimination (CERD). Each of these offers many freedoms, such as life, liberty, freedom from discrimination, freedom to choose one's job, and the like. The second set consists of the 1990 UN International Convention on the Protection of All Migrant Workers and the Members of Their Families; the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children; and the Protocol Against Smuggling

of Migrants by Land, Sea and Air. Even with all of these conventions, the human rights protections of migrants are much less developed than those of the international refugee system. Moreover, these instruments are very broad and do not get into identifying migration other than for work purposes. Again, economic opportunities are but one of the overlapping push-pull factors for migration. One could argue that their breadth should be enough to cover many forms/categories of migration. Koser adds that the Convention on the Protection of All Migrant Workers and the Members of Their Families has only been ratified by 42 states, none of which is a major destination country for migrants. Thus even if the breadth of the instruments appears to assist the many, not enough states have ratified the agreements to bring them into force. As largely unratified documents, they are little more than aspirations to protect migrants in any form.

Climate change and IOM

Since 2008, IOM has been publishing research on how climate change can affect migration. These papers and books include studies, brochures and informational sheets, and the Migration Research Series (MRS). Primarily, there are two types of publications which form IOM's archives: those which IOM publishes but are written by outside experts and those which are official IOM documents. The reason for the use of a dichotomy to describe IOM's publications on climate change is that it sets up a lens through which to view what IOM endorses and what actions it takes.

Non-official publications

IOM's MRS "presents the findings of research projects managed by IOM's Research Unit in Geneva, and studies prepared by IOM staff and its field offices. The series is designed to bring the results of policy-relevant migration research to the attention of a broader audience more quickly than would be possible in academic journals and books" (IOM). The series covers varied topics on migration and presents new research. The series has also presented documents on climate change. Another type of research that IOM publishes and that is not always official are assessment reports. One was published in 2010, entailing environmental changes and vulnerabilities in the islands of Mauritius. It is also part of the IOM's repertoire on climate change and will be discussed below. Another significant publication that is not official and yet is written and funded by IOM staff is the *Compendium of IOM's Activities in Migration, Climate Change and the Environment* (2009). The publication was compiled through 32 country

offices and missions, in conjunction with IOM's Migration and Policy Research, Emergency and Post-Crisis Management, and Migration and Climate Change Focal Point. Its Foreword is written by IOM's director general, William Lacy Swing. It presents IOM's role over the years in the areas of migration, climate change, and the environment, and includes country program profiles which also contain IOM responses in these countries along with project proposals.

The Compendium begins with an evaluation of the nexus between climate change, environmental degradation, and migration. It notes that even though predicting the details of climate change remains difficult, the probability is very high that there will be an increase in those migrating for environmental reasons. It also hails migration as a necessary strategy for adaptation, as it alleviates pressure on population and land use, and one that needs to be adequately managed so that large-scale movements do not lead to the overexploitation of resources in other areas. Much of this is echoed in the other publications. However, the Compendium also states that migration, as a coping strategy, is not open to everyone; this depends on resources, information, and social and personal factors. The most vulnerable are those who cannot move. While this is the case now, there is no indication that management, the way it is being used in this context, means finding ways to include those who cannot move without further help. The word "management" is continually used to indicate the role IOM sees itself having in climate change migration. Again, it is emphasized:

IOM is making the case that migration in the context of climate change does not necessarily have to be a worst-case scenario. . . . Yet, for migration to become a viable alternative – an adaptation strategy that increases the resilience of vulnerable populations – environmental migration needs to be managed, in particular with a view of enhancing positive and sustainable outcomes.

At first glance, this can give the appearance that IOM will assist those who will need to move and that they will be managed. Conversely, the approach outlined emphasizes IOM's objective that migration should be a choice. If so, then its work on climate change and migration is reactionary – IOM acknowledges that migration cannot be open to everyone; functionally, it has to wait for individuals to move before they are managed.

The Compendium also consists of regional and state-centric evaluations of IOM's activities in the realm of climate and migration. There

are only two projects that have a direct connection to facilitating migration as opposed to responding to it: the voluntary relocation of vulnerable communities in Madagascar, and the Framework to respond to mass migration in Trinidad and Tobago. Madagascar, located off the east coast of Africa, is very vulnerable to tropical cyclones. Their increasing intensity motivated several communities to relocate – regardless of their attachment to their ancestral land. Two entire communities submitted formal requests for assistance to Madagascar's disaster bureau. In turn, the bureau solicited support from IOM. However, the project was first proposed as part of the global early recovery plan led by the UN Development Programme (UNDP). For now, the Pilot Voluntary Relocation of Selected Communities Affected by Cyclones and at High Risk of Further Flooding and Erosion in Madagascar is still a proposal, with an estimated budget of US\$ 2,052,467. The Framework for Emergency Response to Standard Operating Procedures: Mass Migration Emergencies, however, has been formally completed. In the case of Trinidad and Tobago, IOM, in consultation with the government of Trinidad and Tobago's Office of Disaster Management and Preparedness (ODPM) and the Ministry of National Security has compiled a manual to guide the development of a framework for standard operating procedures (SOPs) to assist in the building of technical capacity for migration management. The manual is specifically tailored to improve the response after a natural disaster forces those from Grenada and Guyana to out-migrate. Trinidad and Tobago is a destination country and one of the four Subregional Focal Points in the event of a disaster. The manual is a framework for orderly migration in states of emergency, which means it is for a sudden impact event. While these projects are a starting place for IOM, they are still not clear examples of IOM taking on the challenge of climate migration head on. For Madagascar, IOM was invited to help, but the project itself was initiated by UNDP. In Trinidad and Tobago, creating a manual which produces a framework for an SOP is different from working on the actual SOP.

Migration and Climate (Brown, 2008) considers how climate change will affect forced migration, incorporates climate prediction, assesses implication for development, and recommends policy responses. This publication skims the surface of the connection between climate change and migration, but represents the beginning of such research at IOM. With this in mind, its policy responses do identify the gaps through which those affected may fall. However, Brown's last recommendation does not specifically deal with climate change. He states that the international regulation of migration, adaptation to climate change, and

capacity building in vulnerable countries are intertwined. Because of this, migration will be used by individuals to adapt to climate change. He advocates for policies which promote workers to stay in their home countries, while not entirely closing the door on international labor mobility. While labor migration may very well be the first form of climate migration as certain livelihoods are eroded, there have been no connections made which implicate this in highly skilled occupations. It appears to be a reference to the brain drain problem experienced by developing countries as their most educated leave for better opportunities in more developed countries. He seems to be concerned that opening borders to those affected by climate change will accelerate this drain. As the last conclusion in a publication about climate change and migration, it seems a bit out of place. However, it can be seen as a political statement; it's a recognition that the implications of the report (i.e. the work and money necessary to fix the issues identified) are tied into current migration types.

Climate change, migration and critical international security considerations (McLeman, 2011) is authored by a geographer from the University of Ottawa. This publication also considers how climate forecasts can assist in understanding climate migration and discusses this type of migration as a phenomenon; in contrast to the previous publication, the author more specifically identifies the regions that are at most risk for environmental damage and subsequent potential migration. McLeman also briefly discusses the nexus between labor migration and climate migration, explaining that they are those on the lowest end of the socioeconomic spectrum – not highly skilled workers. The chapter on policy specifically focuses on what can be done to avoid distress using policy as a tool for management. Political will is identified as the main barrier to action – not technological know-how or socioeconomic necessity; developed nations have what they need to mitigate climate damage. This is also a criticism of the governments of developing nations in Africa who lease out arable land and fishing rights to Asian conglomerates which essentially strip-mine these areas, killing their long-term sustainability for local livelihoods. In addition, McLeman delves into the instruments which are commonly called upon for preliminary climate migration management. He disqualifies the use of the 1951 UN Convention on the Status of Refugees and points out that although the *Guiding Principles on Internal Displacement* explicitly include those displaced by climate change, signatories to the Principles are not bound to enforce them in any way. Finally, the author argues that national sovereignty, in a more exclusive sense, has taken priority over humanitarian

principles; again, the main problem being political will. He also advocates for an internationally binding treaty to protect those displaced by climate change. His last point is a personal statement about his work and the urgency of this issue.

It should be apparent that there is a considerable difference in tone between these two volumes of the IOM MRS publications. They both begin to connect climate science to migration literature and evaluate what kinds of migration flows may be seen. However, their approaches to evaluating policy are very different. Brown's MRS paper evaluates policy through a state-centric lens, while McLeman's approach favors the international perspective. Additionally, McLeman's work is much more critical of the lack of action by individual nations and the international community. Brown's MRS report is more statement, while McLeman's carries an edge of advocacy.

Gemenne and Magnan (2011) produced an assessment report on the current migration issues due to environmental degradation in Mauritius. The report includes interviews and field visits to adequately evaluate the situation on the ground. It was funded by the IOM office in Mauritius, supported by its office in Geneva and the IOM's regional office located in Pretoria, South Africa. The study differentiates the impacts of climate change from other environmental changes, outlines vulnerabilities to climate change, and provides a thorough evaluation of the current ways in which those on Mauritius have had to migrate due to environmental changes. The focus groups conducted by the study reveal that the sea has reclaimed enough beach in Riviere des Galets to have affected the use of that area by locals and tourists alike. They are aware of the eventual necessity of relocation, but are reluctant and generally unwilling to do so. On the adjacent island of Rodrigues, the fishing has deteriorated and many have already thought about migrating to the mainland of Mauritius, but are reluctant to do so due to cultural differences. In Cite Lumiere, the government has already started the process of resettling residents out of the slum as its increasing floods have posed health risks and difficult living conditions. In concluding the focus groups, it is noted that some populations will need to be moved and others have already done so; resettlement schemes are ad hoc and do not apply the same standards evenly. Recommendations state that inter-island migration flows need to be better managed and harmonized. The report goes on to propose a framework for pilot projects for adaptation to current and future environmental changes. The main point is that there are no migration projects suggested in the framework. The 13 that are listed are explained as examples, but considering it has been noted that migration

is already occurring, it is remarkable that none are for migration itself. The projects include sea salt production, mangrove restoration, ecotourism, and roof-top gardening, to name a few. These are adaptation projects which will extend the time that the vulnerable areas in Mauritius are livable, deterring and preventing migration, not facilitating it. This report focuses on the development of the kinds of mitigation and adaptation projects preferred by environmentalists, not migration scholars. It could be argued that when it comes to climate change, IOM's early foray into independent research demonstrates an interest in preventing migration than in assisting it (2014 Outlook Doc).

IOM authored publications

The final set of publications related to climate change and migration, as per IOM, come from documents which can be considered official. *Disaster Risk Reduction, Climate Change Adaptation, and Environmental Migration* presents IOM's efforts to assist vulnerable communities affected by environmental hazards through disaster risk reduction (DRR) and climate change adaptation activities. It argues that migration and environmental migration need to be integrated into sustainable development strategies in order to be properly managed. The document itself is an informational piece for stakeholders and IOM members. The text openly acknowledges that IOM considers most current and developing environmental migration to be a part of a slow onset process and that in worst case scenarios, relocation, either internally or to a third country, may be needed. It also reiterates the point made in the non-official documents that migration is not an option open to everyone, that the most vulnerable are not able to move. IOM also points out that climate change is increasing the vulnerabilities of communities around the world and leading to increased migratory flows; IOM states that because of this it places high priority on addressing environmental migration. Here IOM demonstrates that it considers and integrates climate migration into the sphere of environmental migration; it is not addressed as a separate issue. IOM explains its response efforts as working to increase communities' resilience to risk factors and changes in their environment, with an emphasis on empowering local actors to develop capacity. This response is based on its migration management cycle, which consists of five steps: (1) preventing, (2) preparing, (3) managing, (4) mitigating, and (5) addressing migration. IOM conceptualizes this as a circular form, with each step leading to the next. The diagram emphasizes under step 1 that "IOM's foremost objective is to reduce unmanaged migration pressure, preventing forced migration while also

ensuring that the migration taking place is managed.” Management, the buzzword also used in the non-official documents, is used to denote addressing humanitarian needs, protection, mitigating the impact of migrants on destination communities, and looking for durable solutions. However, management, like in previous publications, is required and needed only after displacement occurs.

The document also makes an important point about IOM’s function. It states that IOM’s responsibility is to support states in strengthening capacity and institutions to respond to emergencies; however, it can and will substitute the state’s role (upon request) in cases of “imminent or ongoing humanitarian emergency”. This was the case after the devastating 2010 floods in Pakistan. Climate change, as it affects the slow deterioration of living conditions, is an imminent and ongoing humanitarian emergency. Considering it as such can put IOM in a position of taking the necessary proactive role of facilitating relocation, if it so chooses.

In 2013, IOM conducted a survey on environmental migration among its Missions worldwide. It acknowledged that migration related to climate change is an established reality in many countries. The respondents in this survey found the topic of climate induced migration important, but the survey only concluded much of what IOM has already written in terms of the need for better preparation and awareness for environmental migration as a whole. It also produced an info sheet titled *Capacity-Building Activities on Migration, Environment, and Climate Change* (2014), which outlines the trainings it has been conducting. It outlines five different programs and how IOM aims to respond to member states’ needs for training tools and experts. Its main goal in this endeavor is to develop a corresponding training manual and build staff capacity. In the same year, it published the *IOM Outlook on Migration, Environment, and Climate Change*, a 144-page document containing 14 separate briefings on IOM’s approach to this topic, legal frameworks, state of knowledge, as well as development and humanitarian policy. Brief 5 explains the state of knowledge on migration, the environment, and climate change. In all of its information, it uses the IPCC’s reports to identify how climate change will affect the movement (greater frequency of sudden and slow onset events, changes in livelihood security, rising sea levels, and competition over shrinking resources). Additionally, it says that some changes may prevent migration (citing a 2011 study out of the UK Office for Science) and that when displacement occurs it may be short term, long term, and for other durations. Most telling is Brief 14 on IOM’s operational responses to environmental displacement. This chapter cites several case studies, one of which was mentioned earlier in this

book – the relocation of the population of the Carterets to Bougainville. As a part of IOM's operational response, they cite this slow onset event and state what they have done to assist. In this case, IOM has only recently become involved with assisting the Bougainville government (as PNG has only become a member state in the past couple of years) by doing a vulnerability assessment of the remaining communities to environmental issues, as well as the need for them to relocate – temporarily or permanently. Additionally, IOM will develop and test research methodologies to train researchers in the field to produce vulnerability and resilience maps.

Concluding remarks

IOM, the migration agency, has a mandate to assist migrants and manage migration flows. Consequently, it is much better situated to deal with migration due to climate change than UNHCR, whose main business is to legally protect refugees. Its membership has continued to grow over time, and currently stands at 157 member states. In its favor are increasing levels of expertise dealing with natural disasters; it has also taken an interest in migration due to climate change and sees it as a growing phenomenon which will need to be dealt with. However, its integration of climate change adaptation into DRR places its efforts in the category of short-term acute efforts that IOM is used to. IOM (and even its non-official authors) focus on building capacity for individual states to deal with migration. The majority of its activities serve as an alternative to permanent migration due to natural disasters, such as suggesting temporary and circular migration strategies to support seasonal livelihoods. However, these proposals are not viable for those whose land is eroding from under them due to sea level rise or desertification. DRR and management are important tools for sustainable development, but fall short in terms of the slow onset disasters that IOM recognizes as the majority of what is happening.

Additionally, IOM's usual focus on management, even in this area, is not adequate when slow onset disasters are being considered. Its reactionary response to managing displacement only involves IOM *after* something has forced people to migrate. Furthermore, it has emphasized that although it seeks to allow migration as a chosen adaptation strategy for climate change, it repeatedly states that not everyone can migrate, because of individual resources. Is migration a choice for those with money? If so, they are not preventing forced migration, but allowing many to be left behind. The language of prevention and management are reminiscent of Chimni's (1998) discussion of how the global North

views refugees; excess or unintended movement can be controlled. This indicates that the values and political discourse of the North is guiding IOM and its current response to climate change; the goal is to keep unwanted migrants from coming at all, which can be achieved by investing there so they don't necessarily leave their home. This includes DRR, management, infrastructure, and capacity – exactly what IOM is advocating for and simply adding climate change adaptation into. Only McLeman, who is not attached to the organization, suggests that the problem of climate change induced migration may need a bigger international solution. Thus far, IOM has been engaging its member states in different policy forums but the impetus for action (proactive or reactive) needs to be initiated by members. This has accelerated since 2007 as some are seeing this topic as one that needs further discussions. This led to the 2011 Internal Dialogue on Migration workshop which disseminated policy recommendations from IOM to its members and the decision to create the Migration Environment and Climate Change Division and its recognition in 2014 at the 105th Council session (Ionesco and Traore Chazalnoël, 2015).

The evolution of a modern humanitarian regime

Humanitarianism, at its core, does not decipher between who is on the side of right or wrong – it seeks to eliminate the majority of suffering along the way. However, it does not attempt to alter the order of things, which is the job of politics. Pure humanitarianism works to assist all mankind through several principles: humanity, impartiality, neutrality, and independence. These command attention for every human, separate humanitarianism from politics, and demand that assistance is based on need (Barnett, 2005). It is driven by human sympathy and the obligation to better the human condition and is guided by the mantra of “do no harm” (de Waal, 2010). Humanitarian aid is a function of compassion. It is also paradigmatically regarded as a state of exception (de Waal, 2010) or humanitarian space (Hilhorst and Jansen, 2010) where humanitarians can work without the interruption of politics or outside forces to provide aid and follow humanitarian principles. This space is metaphorical and physical, as it also marks the camps and tents in which aid is given.

Humanitarianism is also understood in two main veins: assisting those affected by both natural disaster and war. Much of the literature on humanitarianism intertwines the two scenarios in its discussion of “aid”. They will be disaggregated here for analytical purposes,

but it is an important point to keep in mind throughout the rest of the chapter. A natural disaster's impact is primarily the outcome of a physically uncompensated interaction between a natural event and a social system, while a complex human emergency is the outcome of an institutionally uncompensated interaction between a societal event and a social system (Albala-Bertrand, 2000). Complex human emergencies are very much the effects of war, when societal structures collapse and their reconstitution is a threat to a particular vision. This is usually a violent and long-lasting conflict in which there is an eventual political aim. War destroys infrastructure and services, security and safety nets. The outcome is an unraveling of the basic social fabric, which necessitates aid to rebuild individuals as well as communities, and sometimes nations. On the other hand, natural disasters are not caused by any social or societal impetus, but simply consist of patterned responses to changes in atmospheric or geological pressure and temperature. There is no guilty party, because disasters are not personal in nature. When climate change is considered, these two categories can blur together. IPCC predictions clearly show the impact of disasters will become larger and more frequent due to anthropogenic change. In turn, climate change can be seen as a form of complex human emergency due to indifference; large polluting nations are knowingly contributing to the destruction of vulnerable social systems by altering their long-term viability. Thus, while the literature does not always delineate the humanitarian intervention in a war zone from that in a hurricane, this is not problematic if climate change is understood as a function of the two disaster events.

Unlike the refugee regime which originated in ancient traditions, the humanitarian tradition, as an organized entity, is truly modern. The idea of doing something altruistic or philanthropic is not new by any means, but an organized effort to alleviate suffering is. It can be argued that the 1860s produced such a turning point. The work of businessman Henry Dunant, who wrote about the suffering he saw at the Battle of Solferino in 1859, contributed to the founding of the International Committee for the Red Cross and the 1864 Geneva Convention on the Amelioration of the Condition of the Wounded Armies in the Field (Leebaw, 2007). Additionally, this was at the same time as the American Civil War and when Clara Barton's organization of nurses eventually became the American Red Cross. These early humanitarian organizations were mostly concerned with treating injured soldiers – no matter which side of a war they fought on. They exemplified humanitarian principles, but it is important to note that in the beginning aid of this

sort was directed solely at medical need. Slowly, two different versions of humanitarianism emerged: Dunantist and Wilsonian. Named for Henry Dunant, Dunantist organizations define humanitarianism as neutral, independent, and the impartial provision of relief to victims of conflict. These organizations are sometimes accused of being “high priests” of humanitarianism, which fear that the relaxation of their principles will endanger their purpose and effectiveness. Alternatively, Wilsonian organizations, named for Woodrow Wilson, believe that it is possible to transform political, economic, and cultural structures to produce peace and progress. Wilsonian humanitarianism seeks to attack the root causes that make populations vulnerable (Barnett, 2005). While both claim to be apolitical, the Dunantists would claim that the Wilsonian organizations are in fact political entities. The International Committee for the Red Cross is considered Dunantist, while Oxfam would be classified as Wilsonian. Ultimately, Wilsonian organizations see value in more than just temporary relief, and while this form of relief is necessary, it can also be a constant recurrence.

During the mid-twentieth century, it was the belief that the responsibility, will, interest, and capacity to assist individuals in a disaster situation were that of the national government of the affected area. Additionally, the significance of national sovereignty reinforced the separateness of each nation in this respect. International interventions occurred in the 1970s, but had proved uncoordinated and ineffective. At this time, international aid was not yet seen as a supplement to domestic aid (Kent, 2004). Kent describes the beginning of humanitarian aid as a “sideshow” to real political concerns; the crises of the 1970s and 1980s were not conceived of as having real political consequences. While there was considerable empathy for those affected in places such as East Pakistan, Guatemala, and Ethiopia, they were defined by the momentum of the Cold War. During the Cold War, the superpowers provided arms to various regimes, but did not intervene directly for fear of direct confrontation with the enemy. In this era, aid agencies had a real necessity to be neutral, especially when assisting those in conflict zones; they could not be seen as pro-Russian or pro-American (Vaux, 2006). Agencies at this time were also highly unrefined. There were relatively few agencies providing relief, they had few interactions, and they did not yet conceive of professional standards. Operations were staffed by individuals with little or no experience who believed that all they needed was a “can-do” attitude and good intentions. In a sense, humanitarianism was not much of a field; those who participated in relief work treated it more like a craft than a profession (Barnett, 2005).

It was only after the Cold War subsided that fragile nations, vulnerable to humanitarian crises, lost their resources and political support. International collaborative support deteriorated as key governments began to disengage; this reflected a lack of interest in continuing to work for the false harmony that existed in the bipolar Cold War world and the sense that unilateral action would be best for individual power interests. These tendencies undermined the role of humanitarian action – regardless of the intentions of the UN and other agencies – and allowed for them to become inadvertent instruments of post-Cold War politics (Kent, 2004). In the post-Cold War era, humanitarian action and space became politicized by several environmental factors. First, geopolitical shifts at the end of the war increased demand for humanitarian action; without state-sponsored aid, unstable domestic situations threatened to become large emergencies (Barnett, 2005). Additionally, state spending on humanitarian aid increased dramatically as nations began to show an interest in utilizing such aid in connection with political goals; it was also seen as a rationale for regime change (Leebaw, 2007). Second, these domestic breakdowns became “complex human emergencies” or conflict-related disasters, which involved a high degree of social dislocation and required a system-wide aid response. Third, there was the political economy of funding; private contributions increased, but not nearly as fast as official assistance, with the United States as the lead donor. Political motives fueled this increase in giving, and conditions were often placed upon such aid. Finally, there was also a change in the legal environment; the concept of state sovereignty was becoming conditional, based on accepted behavior to one’s own people (Barnett, 2005).

Humanitarian aid began to be viewed by states as an opportunity. This was exemplified by the US intervention in Mogadishu, Somalia, in 1992. Provoked by the potential mass starvation of 500,000 Somalis, the US military prepared Operation Restore Hope to provide logistics, security, and support to relief agencies who were attempting to provide help in the chaos of civil strife. One specific battle in Mogadishu garnered the world’s attention in 1993 as 19 US soldiers were killed. This loss initiated the Clinton administration’s disengagement in the situation (Kent, 2004). Additionally, the United States’ loss in Mogadishu served as a blow to humanitarian involvement/intervention by other nations as well. By 1994, no government was willing to step in and prevent the planned genocide in Rwanda, and over 800,000 Tutsis were slaughtered. In the aftermath, humanitarian assistance poured in and it has been argued that it was used as an apology for the international community’s unwillingness to act. Additionally, assistance was used as an alternative

to political action in the former Yugoslavia. There it was used as filler, to plug policy gaps when the major powers could not agree on a course of action. One UN official called this “containment through charity” – a true politicization of humanitarian aid (Kent, 2004).

Politicization was not solely an issue that developed in state-sponsored giving; it has also become a major driver of aid assistance from NGOs, as well. Donor nations can and often do use subtle, indirect methods to guide aid where they wish it to be directed. These include bowing to international pressures, using charitable giving in videos that favorably sell the war at home, to win hearts and minds; in this, the USA has donated much more than others and guides much humanitarian aid for its own interest (Barnett, 2005). Individual donors have specific motives as well. Donors want to know that their money is being spent in accordance with their intentions – no matter if these do not align with need. For example, the Asian tsunami of 2004 evoked massive public support and response, but such high levels of support are not seen for every humanitarian challenge. People suffering in situations which have a low media profile also get less help than others in the opposing situation, and thus aid is more closely related to donors’ interests than wider need (Vaux, 2006); these interests include basic charity, while others donate to assist one side over another in a conflict. Donors wish to know that their money has been distributed in the manner they see fit, which means they donate to a particular disaster of interest, not humanitarian aid as a whole. Thus while the highly visible disasters garner the aid they need, other more serious situations can still struggle for funds. Humanitarian organizations do not survive on good intentions alone, but are eventually steered by resources controlled by others. Ultimately, the dissemination of ideas, allocation of resources, and implementation of projects all take place as subtle power processes (Hilhorst and Jansen, 2010).

Humanitarianism and human rights

As the humanitarian regime developed, the general conception of charity in which humanitarianism tends to be situated began to be questioned. The human ideal had been defined through the development of human rights instruments, which continue to fail to live up to the realities of the human condition (de Waal, 2010). Contemporary formulations of humanitarian intervention try to fuse the urgency and immediacy of rescue with claims of justice that are seen in human rights (Leebaw, 2007). Walzer (2011) describes the ancient Hebrew political tradition of obligatory charity; the word used for “charity” comes from the same root as the word “justice”, which is suggestive that charity is not only

good, but also right. He argues that if humanitarianism does not connect with justice, then it is not what it should be; that it would be wrong not to act in such a fashion, and in doing so it is more like justice rather than benevolence. Accordingly, intervening to assist those affected by a natural disaster or war is just, and the idea of the right to humanitarian assistance was within reach (de Waal, 2010). Rights-based programming is now used by many humanitarian organizations which highlight the degree to which a person is denied or enjoys their rights as a basis of vulnerability (Linde, 2009). Connecting justice and a right to aid reflects the Wilsonian view of humanitarianism; real material improvement can be attained if aid is used to ensure people's rights. Greenwood (2010) explains that humanitarian law is the older of the two legal frameworks; references go back to the Bible, early codes of Hindu law, and the Koran. Its original principles were quite primitive and only applied when you were fighting people within your own community. Its primary function was to provide guidance to the military as to how to protect human values in the most inhuman of environments – war. Although there are traces of human rights law in the early twentieth century, it is only since WWII and the Holocaust that a body of law has emerged that established how a state should treat its people. Both frameworks apply directly to individuals and impose obligations on them.

However, there is also a situational view of the application of humanitarian and human rights instruments. With the origination of the regime, international humanitarian law is often assumed to only be applicable in times of war, while international human rights law is also applicable in times of peace (Laucci, 2009). In opposition, Barber (2009) argues that while humanitarian law does apply in times of conflict, human rights law applies in times of peace and in times of war – it trumps humanitarian law. While this dichotomy in theory is the result of two extreme visions, the separation between them can be questionable as to the separate applicability of each. First, no one knows when war begins and ends anymore; formal declarations of war and peace treaties have fallen out of fashion. Second, the theory does not reflect relevant human rights treaties. Finally, the theory runs contrary to what international courts have stated – human and civil rights do not cease to exist in times of war. As one can clearly see, the debate between when to apply human rights or humanitarian law directly relates to the area of war, not to other situations of humanitarian need. If one considers disasters such as famine or an earthquake, legal frameworks are still relevant, but in a different way. There is no rift over which side has the prevailing moral high ground. The principles of humane treatment and basic rights

overlap, although the standards vary; humanitarian assistance is provided at a lower level than aspirations for human rights would propose. Humanitarian assistance is also a temporary solution. Thus while this form of aid aspires to provide for need, rights become important after needs are met, if levels of deprivation are considered. For humanitarian aid to develop into providing the physical components expressed as human rights, there needs to be long-term cooperation with development, as per the Wilsonian view. Reflecting upon the numbers of people around the globe whose governments currently cannot provide them with their rights, there continues to be a need to implicate humanitarianism as a supplement to human rights. Thus they are intrinsically intertwined as legal regimes and in practice.

The development of UN OCHA

As previously mentioned, the development of institutions at the inter-governmental level to assist in the work of humanitarian efforts is truly modern. The success of the UN in other endeavors allowed some to question what more it could do. In the early 1980s, pressure began to mount on the UN to increase its capacity to deal with disasters and emergencies principally through coordinating humanitarian responses. This was in hopes of avoiding more of the irrational, ad hoc responses of the 1970s. The UN Charter provides for three responsibilities: peace and security, economic development, and human rights. The addition of a fourth pillar was originally considered a dangerous development in that it could seriously jeopardize the effectiveness in its core functions (Kent, 2004). With Cold War conflicts and their inevitable displaced populations, UNHCR was struggling to keep up. Additionally, as the agency grew and professionalized, it set a standard which others could see as useful in other areas, especially humanitarian responses.

This began to change in the fall of 1991. There was a growing recognition that the UN system needed a stronger coordination mechanism; duplication of efforts from additional agencies had proven inefficient, and yet humanitarian crises only got more complex. The political issue at hand was the right for humanitarian assistance to be delivered to individuals while still respecting national sovereignty. This ended in a General Assembly Resolution (46/182) which was adopted by consensus and which set out guiding principles for UN assistance for those affected by natural disasters and other emergencies, and fell outside the legal mandate of UNHCR (Helton, 2001). These guiding principles include a reference to national sovereignty, stating that assistance should be provided with the explicit consent of the affected country. The resolution

also affirms that the first and foremost responsibility for disaster victims is of the state in which they reside, which has the primary role of initiation, organization, and implementation within its territory. Finally, it acknowledges that states whose populations are in need of humanitarian assistance need to facilitate the work of other organizations which will be implementing necessary assistance (Barber, 2009). The resolution provided for a senior official to coordinate relief efforts and states that humanitarian assistance should be provided with the consent of the affected country (Helton, 2001). To develop the leadership role, the UN decided to take on a separate department that was established within the secretariat – the Department of Humanitarian Affairs, led by an under-secretary general with the title of “Emergency Relief Coordinator”.

With the mounting challenges of Bosnia and Herzegovina and the Great Lakes region connecting issues of humanitarian relief as well as growing numbers of refugees, the UN secretary-general proposed a reform to this system: to integrate the Department of Humanitarian Affairs into UNHCR. This would have made UNHCR the permanent lead agency for all humanitarian disasters. Many were opposed to this proposal, including the World Food Programme and UNICEF. Instead of creating an integrated institution, the secretary-general decided to keep the agencies separate, and the Department of Humanitarian Affairs was renamed the Office for the Coordination of Humanitarian Affairs (OCHA) in 1997. OCHA was to have three core functions: coordination of humanitarian emergency responses, policy development and coordination, and the advocacy of humanitarian issues (Helton, 2001). More specifically, in order to coordinate international response, its work includes contingency planning, such as consultation with the countries concerned to reach agreement on priorities. In terms of being an advocate, it is concerned with reflecting the need for recovery and peace building. The reform package was also a way to push back the mission creep that others perceived with the Department of Humanitarian Affairs even when it was filling gaps between agencies, as it was seen as being in competition with other similar institutions (Helton, 2001). Kent (2004) explains this political wrangling as a case of the UN becoming overly absorbed with its own domestic harmony rather than developing the leadership and coordination roles offered by the General Assembly. He also critiques the emergency relief coordinator for rarely challenging the donor community in order to provide more equitable and consistent relief. Ultimately, its development is mired in the basic drive for institutional survival.

Extensions of the humanitarian regime

While the humanitarian regime is still quite young, it has not developed without its share of growing pains. As previously mentioned, it began with a distinct dichotomy between simple basic humanitarian aid and humanitarian intervention. This changed as the Cold War thawed. No longer were NGOs kept at a distance from conflict situations and the high politics of dealing with such areas. Aid itself began to have political and partisan prerogatives, or it was at least so perceived to be. Additionally, NGOs began to look critically at how their aid impacted the areas it was intended to help. In many cases, such aid inadvertently exacerbated existing tensions and divisions between rival social/political groups (Bock, 2011). Another major realization with regard to humanitarian aid was that many large humanitarian NGOs encountered high staff turnover and frequent reassignment, which makes organizational learning difficult. Such disruptions affect institutional memory, especially when disasters pull people into emergency responses (Bock, 2011). This is exemplified through Messina's (2007) concerns with the Humanitarian Coordinator System. Humanitarian coordinators as well as regional coordinators are essential to the organization of aid responses at the top-down level. This system is officially developed under OCHA, but is essentially important to all UN aid. Messina argues for the need to develop an understanding of how NGOs and the UN system cooperate. Also, the author argues for an update to the format of the annual retreat which will allow peer to peer exchanges of information and experiences and for the integration of regional workshops for humanitarian coordination. Finally, Messina's department at OCHA will draft policy papers on key issues to further inform such employees. Humanitarian assistance has also become highly competitive and has grown as a percentage of development assistance. It has increasingly become the only form of support some nations receive. And as these budgets increase, enterprises such as gender sensitization and livelihood support get lumped under humanitarian aid. While not always humanitarian, though well intentioned, these additional projects can threaten traditional humanitarian projects in that they can stretch many organizations too far. Additionally, donors may have specific objectives, such as projects that do not directly fit into traditional humanitarian project work but can be funded through humanitarian budgets. This causes overlapping plans, duplication, and fissures where there should be coherence. Another issue that has come with growing aid budgets is that while this has been a great success, it has caused a demand for professionalization and well-rounded permanent structures

which maintain their capacity between crises. This creates a circular dilemma; like a fire station, these structures need continuous money and resources to be able to be efficient (Kent, 2004).

Coordination is an important concept. In part because it is an imbedded feature of OCHA, the meaning of coordination has been implied as the organization of humanitarian efforts at the intergovernmental level. However, it can be more complicated than that. Helton (2001) explains that senior UN officials refer to coordination as the “C word” as it usually represents bureaucratic fights over money, personnel, and programs. It can also mean control over resources and programming or merely sharing information and consultation. Coordination has been a success, but one that comes with the risk of territorial disputes between UN entities and those on the outside. Appropriate and expedient responses require an active level of cooperation and coordination, even if the parties involved are not always amenable to each other’s organizational whims. Coordination problems are not new to IGOs, and humanitarian aid is certainly not either. There is also a division between the objectives of those in offices and those in the field, the difference between strategic and operational coordination (Helton, 2001). Additionally, the Inter-Agency Standing Committee (IASC) was developed to support the Department of Humanitarian Affairs by facilitating inter-agency decision making. The IASC consists of the FAO, OCHA, UNDP, UNFPA, UNHABITAT, UNHCR, UNICEF, WFP, and WHO.² Coordination of so many agencies is bound to be complicated. At the headquarters level, OCHA has the dual responsibility as the undersecretary-general for humanitarian affairs and the emergency relief coordinator who chairs the IASC. In essence OCHA is the overstretched coordinator of all coordinators.

A last expansion of the humanitarian regime is the incursion of the military. Recently, foreign military have assumed additional responsibility for the distribution of disaster aid and emergency assistance. Kent (2004) argues that this creates three problems in the humanitarian context. First, the mixed role of the military puts in jeopardy the very principles that lifesaving aid should be provided to everyone in need and is perceived to be impartial. Second, the lack of distinction between impartial and independent aid workers and the military can create security problems and tensions. Finally, despite the huge increase in humanitarian funding in recent decades, the involvement of the military increases the competition for finite resources. The military and civilian groups are also structured in different ways, which can and often does result in a culture clash where the military sees any civilian as an NGO (Helton, 2001).

This can undermine IGO governance if the military, which can be seen as a threat to certain humanitarian victims, takes primary control where IGO and NGO coordination is preferred. Competition between these two groups is highly counterproductive in a situation of real emergency.

OCHA expansion

Because OCHA is a relatively new entity, it has expanded, but not nearly as extensively as the other institutions investigated. OCHA's mission allows for it to fill in assistance gaps to those who cannot receive international legal protections, but who do need temporary assistance. One more gap that OCHA began to fill was supporting IDPs. In 1996, the UN General Assembly tasked the emergency relief coordinator with a central role in the inter-agency coordination of assistance to IDPs. OCHA advocates IDP issues to member states, donors, and the media, ensures displacement issues are included in briefings to the Security Council, and works with the IASC to address gaps in IDP policy and institutional arrangements (OCHA, 2010). Its work with IDPs can be considered collaborative because UNHCR also heads and has developed IDP projects. However, this process garnered criticism, and thus, in January 2002, OCHA established its own unit for IDPs, renamed the Internal Displacement Division (IDD) in 2004 (McNamara, 2006).

OCHA and climate change

Like IOM, OCHA has begun to research and consider the implications that climate change will have on its work and on human migration. Several publications outline its recent work on the topic. While these papers are few and represent only a beginning, what they do demonstrate is a different attitude toward the impending situation at hand. A joint study by OCHA and the Internal Displacement Monitoring Centre is titled "*Monitoring disaster displacement in the context of climate change*". The aims of the study were to provide an estimate of the number of people displaced by natural disasters in 2008, a methodology for ongoing monitoring of forced displacement arising from such disasters, and an indication of the resources required to implement the methodology. It does not seek to analyze how current levels of displacement will be affected by climate or what proportion of current displacement can be considered a direct effect of climate change. Instead, it seeks to inform discussion by providing an indication of the scale of displacement from which to start when considering the increasing influence of climate change. The report considers only hydrometeorological extreme hazard events,³ those which force temporary displacement. The results show

that 20,293,413 people were displaced in the 322 sudden onset climate disasters (including hydrological, meteorological, and climatological – excluding drought). Disasters associated with flooding and storms have been found most likely to be major drivers of displacement. Additionally, the mass majority of displacees came from Asia. While the study does not go so far as to attempt to predict how many people will be displaced by other drivers, it does indicate that sea level rise will be a significant driver in the future and highlights that 146 million people live in areas that are less than one meter above sea level. However, the study assumes that return to prior homes will be the most likely durable solution for those displaced by extreme hydrological events, but that resettlement will also be needed.

The Policy Development and Studies Branch presents research and papers which are written by OCHA itself and by its employees. The month before, a joint research paper with the Norwegian Refugee Council was published, OCHA's Occasional Briefing Series published "Climate Change and Humanitarian Action: Key Emerging Trends and Challenges". It is a short paper, but identifies several ways in which climate change will affect humanitarian efforts. The paper recognizes that climate change will redraw the world's maps of populations, wealth, and resources and will generate higher demands for disaster assistance. It also finds that the results of climate change will contribute to massive movements in populations, which have the potential to overwhelm state authorities and the international community and even threaten global stability. Because of the impending vulnerabilities and the consequences of complex interactions, it recognizes that carbon emissions may become a source of geopolitical tension. Finally, it recommends that humanitarian actors must become proactive in order to assist in mitigating this risk. A few months later, in January 2010, an additional paper on the topic came out with a disclaimer. However, the disclaimer is different from those used by other IGOs. It states that this is a "non-paper" and is produced primarily for internal circulation and with the intent of promoting further discussion on policy analysis and that its views are not necessarily the official views of OCHA. The difference lies in the fact that OCHA identifies them as a spring board for discussion, rather than simply backing away from its findings. Gelsdorf presents "Global Challenges and Their Impact on International Humanitarian Action", which addresses the fact that the humanitarian community needs to broaden its view of vulnerability; insecurity will stem from non-traditional threats, and there is an increasing need to integrate humanitarianism and development. The paper identifies climate change

and migration as global challenges, and those implications for humanitarian work include caseloads which do not have the legal or policy frameworks to support them – such as climate induced migration and displacement. Finally, the author calls for the humanitarian community to be more proactive – a sentiment already presented by OCHA itself. A 2011 unofficial policy brief produced by UN OCHA outlined the potential roles for the organization in slow onset disasters. Desertification and sea level rise are slow onset in nature, but the brief does not mention either of these drivers, neither does it connect this brief to climate-based migration or displacement.

Concluding remarks

The humanitarian regime is new and has been growing in significance since its inception. It is in constant tension in two ways: between those who would assist anyone in need and those who do not want to contribute to those who create such problems, and between those who promote humanitarian action to mitigate complex emergencies and those who see military intervention as the appropriate fix in those situations. When it comes to climate change, it is the responsibility of each humanitarian organization to reflect on the consequences such change poses on its mandated work (Braman et al., 2010). This OCHA has begun to do. Its work on the subject of climate induced displacement is still in its infancy, but it does recognize that climate change will affect mass migration, and it is evaluating how such processes will affect its work. It stands out from the other two organizations in that its organization and its employees see the need for proactive measures. While these are not in place as yet, OCHA at least has more active messaging than the other two IGOs. Humanitarian actors are some of the first on any scene of great suffering – whether people are migrating yet or not. They appear to acknowledge that in this way, whether they like it or not, they are on the front lines of the response to climate change. However, as the joint research project demonstrates, it views much of climate induced movement as happening in the future. While more recent events may prove otherwise,⁴ OCHA sees the need, but not that it is sufficiently urgent as yet.

7

Filling the Governance Gap

The expansion ability of any of the IGOs investigated depends on both political environment and the institutional apparatus they have put in place. To date, the three established IGOs discussed in the previous chapter have come up short even under increasing pressure to expand, thus leaving a governance gap. While each has produced original research detailing their interpretation of this gap, none is yet actively seeking to close it within their own organizations. Each of the previously investigated IGOs had originated for a specific purpose: UNHCR to protect refugees, IOM to facilitate migration and resettlement, and UN OCHA to fill in the gaps left by the other two. As it stands, this new challenge may necessitate an individual response of its own and, indeed, a new IGO. Why a new IGO? Because the intricacies of climate change adaptation and migration schemes as adaptation are too complicated to simply slip into another existing IGO. There is the need to identify hotspots where the environmental and economic systems are already deteriorating, negotiate resettlement sites for different peoples, and invest in alternative livelihood training for displacees and temporary assistance while this is taking place. An IGO is also appropriate because the problem will only continue to grow, necessitating a full international buy-in in order to produce suitable results; a global problem needs a real global solution.

Organizing such an IGO under the UN umbrella would allow for as many nations as possible to be involved. Arthur Helton (before his death) and Susan Martin have both proposed alternative visions for how the international community can better serve forced migrants who are not refugees. Martin (2004) went so far as to offer a UN reorganization of UNHCR under a new umbrella office for forced migrants. Such reorganization can easily add in an office which deals with climate change displacement. Without any significant changes in the UN structure,

it will prove more difficult to initiate a new office. Concerns about migration/displacement due to climate processes have been getting louder and louder in the past few years during the UNFCCC climate negotiations, and this has slowly created a space for discussion and an eventual governance mechanism. This chapter provides a comprehensive background of the inception and development of what will eventually be called the Loss and Damage Mechanism (LDM) and its Warsaw International Mechanism (WIM). This chapter will evaluate what kind of mechanism has developed, its potential to fill the governance gap, and compares this new emerging apparatus to the IGOs previously discussed through a set of structural variables.

The climate regime

The climate regime, not unlike the humanitarian regime, is a new phenomenon originating in the 1950s but not culminating into a distinguishable source of governance until the 1990s. Its development began with the scientific acknowledgement of the problem and eventual large-scale buy-in by individual nations to form an IGO to further foster the governance of the issue and possible solutions. The estimated effects of increased greenhouse gas (GHG) concentrations has held some sporadic scientific interest from as far back as the mid-1800s, but it was not until the early stages of the Cold War that it became embedded within a durable, well-funded research program. During that time, two discourses emerged: the cycling of carbon between land, atmosphere, and the oceans, and how increases in atmospheric CO₂ influence the climate system (Andresen and Agrawala, 2002). Important contributions came from oceanography and meteorology in terms of weather prediction and the first carbon cycle model. This research was also fostered by scientific networks under the World Meteorological Organization (WMO) and the International Council of Scientific Unions (ICSU) (Andresen and Agrawala, 2002). At this point (during the 1950s and 1960s), one could not characterize research being done by multiple institutions as a coherent regime. This is because climate change was still being evaluated and had not yet come to the forefront of any discernible policy – national, international, or otherwise. However, Andresen and Agrawala (2002) argue that the development of UNEP in 1972 and its executive director, Mostafa Tolba, initiated the turning point from science to policy. Established as a result of the UN Conference on the Human Environment in Stockholm in June 1972, the UNEP approved a declaration of 26 principles which would guide the nations of the world in multilateral agreements to “effectively control, prevent, reduce and

eliminate adverse environmental effects resulting from activities conducted in all spheres". Andresen and Agrawala (2002) contend that UNEP was instrumental in establishing climate change as a political concern by focusing on the societal impacts of climate variability. UNEP was influential in its funding of a five year international assessment of the causes and consequences of climate change, presented at a meeting held in Austria in 1985. Shortly thereafter, an Advisory Group on Greenhouse Gases (AGGG) was established in an effort to initiate the consideration of a global climate convention. The AGGG facilitated two workshops on climate change and policy responses which led to a larger event in June 1988 – the Toronto Conference. The scientists at this conference endorsed a timetable suggesting the need for a global cut of 20% of CO₂ emissions by 2005, relative to 1998 levels. While the scientists were acting as substitute policy makers (Agrawala, 1999), their efforts gave way to the development of the IPCC in November of the same year (Andresen and Agrawala, 2002). In just 30 years, a sparse group of scientists, with the help of UNEP to contextualize their findings, brought climate change out of the shadows and into the beginning of a series of institutional intergovernmental arrangements. Coming out of the intergovernmental nature of the IPCC was a series of sessions of the International Negotiating Committee (INC) in 1991 and 1992. Its focal point was a solution to stabilize GHGs. The text coming out of these meetings (specifically from a limited group meeting in Paris) was presented and negotiated at the fifth session of the INC and led to the adoption of the UNFCCC a month prior to the Rio talks (Andresen and Agrawala, 2002). This ushered in a new era of intergovernmental talks on policy to address the consensus science on climate change.

As intergovernmental talks began in earnest, efforts to address the mitigation side of the problem were the sole focus of negotiations for a decade, from 1991 to 2001 (Roberts, 2011). However, this would not go smoothly. While 132 nations did sign on to the UNFCCC, the original treaty avoided tough details. Southern countries were concerned about limits that could possibly be put on their efforts to develop, while powerful, industrialized nations refused to curtail their own excesses unless poorer nations did the same (Parks and Roberts, 2008). To balance such demands would require a new way of thinking and a change in international norms. Mitchell (2005) explains that the stabilization of GHGs is a lofty goal, and thus the developing regime will need to create a broadly held and abiding norm among governments and within global society that appropriate behavior requires significant and consistent efforts to reduce GHG emissions. And thus the first challenge to the climate regime was a legally binding agreement to stabilize GHG emissions

agreed upon by all negotiating parties. This began with the Berlin Mandate out of the COP 1 that acknowledged the need to strengthen Annex 1 commitments beyond the year 2000, followed by the Geneva Declaration coming out the COP 2 calling for quantified legally binding objectives within specific time frames (Andresen and Agrawala, 2002). But things become contentious in the lead up to the COP 3 to be held in Kyoto, Japan. On the line was a treaty arising from concerns about GHG stabilization and an understanding that all nations needed to participate to meet this goal. But how to bridge the gap between the developed and developing world? The agreement that was negotiated was the 1997 Kyoto Protocol, based on grandfathering – or the notion that countries should reduce their emissions incrementally based on a baseline year, 1990 (Parks and Roberts, 2008). The Protocol was described by Andresen (1998) as a “genuine compromise” in the sense that the EU got the numbers they wanted, the USA got its institutions, Japan got the prestige, the JUSSCANNZ¹ countries got their differentiation, and the developing countries avoided commitments. More specifically, the Protocol established emissions reduction targets for the period 2008–2012. For nations in Annex A and Annex B, it offered the beginnings of an accounting procedure to establish compliance, and provided a general description of various mechanisms to allow flexibility to reduce the cost of compliance. These mechanisms included “bubbles” within which several countries could meet their obligations jointly, a facility for crediting emissions-reducing projects in other Annex B nations (Joint Implementation or JI), a Clean Development Mechanism (CDM) to generate credits for investing in projects in developing nations that had not assured constraints under Annex B, and a system of trading emissions permits among Annex B nations (Babiker et al., 2002). Of course, regardless of the deal struck, individual nations are responsible for the changes needed to actually lower global emissions. Domestic implementation thus requires each party to develop a regulatory compliance and review mechanism consistent with its own political, judicial, and regulatory structures (Babiker et al., 2002).

The Kyoto deal, while seen a positive step forward, did not end international tensions. Beyond the agreement itself, many details still remained to be hammered out – specifically the terms of implementation. The buy-in to the Protocol, including developing countries, has largely come out of the argument that getting a foot in the door is critical, even if its current targets are diluted (Najam et al., 2003). But the process needed to begin with a broad-scale agreement, and thus there was a concrete place to begin. COP 6 at The Hague began with 250 pages of bracketed

text,² with the intent for the diplomats to clean up the text the first week and leaving key political choices to be decided by ministers the second week. However, the negotiations broke down. A compromise was reached in Bonn at the next UNFCCC intercessional meeting (Babiker et al., 2002). At the same COP, there was agreement on a number of funds, including the Climate Change Fund for capacity building and transfer technology and the Least Developed Countries (LDC) Fund to assist LDCs in climate change adaptation. While the intent of these funds is noble, it is difficult to place much faith in their potential, argue Najam et al. (2003), because: (1) they are voluntary, (2) they are to be managed via the still-controversial Global Environmental Facility (GEF) which inspired little confidence in the developing countries because its governance and agenda remains Northern-dominated, and (3) they remain poorly funded (Huq and Sokona, 2001). Moving beyond Kyoto meant eventually contending with the core of the climate negotiations which have boiled down to the differing perceptions of justice in the global North and global South (Roberts, 2011).

The South's concerns about the climate regime have evolved as the Kyoto Protocol has taken shape, but their longer-term interests have remained unchanged. The key interests of the South as a whole can be characterized within three categories: (1) the creation of a predictable, implementable, and equitable architecture for combating global climate change, stabilizing atmospheric concentrations of greenhouse gas emissions in a reasonable period of time, while giving all nations a clear indication of their current and future obligations based on their current or future emissions, (2) enhancing the capabilities of communities and countries to combat and respond to climate change, with particular attention to adaptive capacity that enhances the resilience of the poorest and most vulnerable communities, and (3) sustainable development as a central goal – at the declaratory as well as operational levels (Najam et al., 2003). More specifically, what is required is a binding treaty that covers all nations with operationalized goals and compliance, assistance to those countries and communities that face the most suffering, and a commitment to a sustainable future in all countries. All of these considerations became increasingly important as time progressed toward the deadline for the next treaty. During the decade leading up to COP 15, a social movement for “climate justice” had taken off, with growing numbers of academic and policy-making publications supporting increasingly vocal debates by activists and the governments of developing countries. The core of the idea of climate injustice is that those who are least responsible for the problem are suffering the worst

impacts of climate change, with the least ability to address those impacts (Athanasίου and Bear, 2002; Roberts, 2011; Roberts and Parks, 2007). The global South has had sincere concerns about the levels of effort they had been asked to achieve, knowing that the USA had not even signed onto Kyoto and that the developed nations (as a whole) had held back on making the same development sacrifices they had asked of others. The USA and other highly developed nations have used path dependency as a crutch, arguing that it will be detrimental to their economies to do so. This, combined with concern over historical responsibility – and considering that by the end of the 1990s wealthy countries belonging to the Organisation for Economic Cooperation and Development (OECD) failed to honor their policy commitments (Parks and Roberts, 2008) – there was still much more to be agreed to through the UNFCCC's continued meetings. The Marrakesh Accords (COP7) in 2001 brought about a new focus on adaptation measures which began to address the growing needs of the global South. At this meeting, the National Adaptation Programme of Action (NAPA) was formulated to identify the urgent and immediate needs and priorities of the LDCs. In addition, the Special Climate Change Fund (SCCF) and the Least Developed Countries Fund (LCDF) were also created to fund NAPA activities. This was followed by the launch of the Nairobi Work Programme (NWP) on impacts, vulnerability, and adaptation to climate change at the COP 11 in 2005.

At COP 13 in Bali, the parties agreed to launch negotiations to adopt new arrangements for ushering a second commitment period under the Convention that would include binding emissions reductions for developed countries and new programs on adaptation for developing countries, deforestation, finance, technology transfer, and capacity building (Kakahel, 2012). This meeting also resulted in the adoption of the Bali Action Plan, which established adaptation as another pillar of the UNFCCC (with mitigation: technology transfer and finance). This COP also operationalized the Adaptation Fund (AF) under the Kyoto Protocol (Okereke et al., 2014). As the UNFCCC grew into a regime that governed both mitigation *and* adaptation, the pressure was still on to fully address deepening concerns over long-term damages. This seemed to boil over, coming into the Copenhagen talks in 2009 (COP15). The “climate justice” and “climate debt” concepts and discourse arose from rather peripheral circles in the early 2000s, being a part of some of the near-final version of the Copenhagen texts on Adaptation and Financing (negotiating texts of Tuesday, 15 December, 2009); some parties even called for a 1.5% GDP of wealthy nations to be earmarked for climate adaptation and mitigation support (Roberts, 2011). With tensions rising and pressure mounting, there was a failure to agree on ambitious goals,

and a number of countries stepped back from actions they would have otherwise been prepared to take (Hare et al., 2010). Vast numbers of brackets in the text showed that there was no clear route forward. After heads of state arrived in Copenhagen during the second week of meetings, the BASIC countries (Brazil, South Africa, India, and China) and the USA simply set aside the text carefully negotiated up to that point. The EU, used to playing the role of climate leader, was pushed to the curb, as were smaller countries in the developing world (Roberts, 2011). On the concluding day, it was announced that the heads of state and governments of 26 countries had negotiated a two-and-a-half page document called the Copenhagen Accord. While this document was submitted to the plenary of the COP, the Accord could not receive the requisite consensus, and the COP merely agreed to “take note” of the document, meaning that it had no legal status or validity (Kakahel, 2012). Making things worse, the Copenhagen Accord’s program of voluntary emissions reductions were projected by IPCC metrics to lead to a 4°C temperature rise. But the slightly brighter spot were two clear and fairly ambitious promises of finance of US\$ 30 billion “Fast Start Finance” over 2010–2012, ramping up to US\$ 100 billion per year by 2020 (Roberts, 2011).

Copenhagen failed to produce any semblance of consensus on a grand scale and was nicknamed the Copenhagen Discord³ based on that experience. Consequently, there were very low expectations for the results of the COP 16 in Cancun, Mexico in 2010 (Cavazos, 2012). But, after two weeks of discussions, the negotiators at COP 16 arrived at a multilateral agreement that covered four of the five major topics on the agenda. It established:

- A *Deforestation Accord*, to prevent clear-cutting and create a framework to allow developed countries to finance others for reducing emissions (REDD+).
- A *Green Climate Fund*, to be managed by developed and underdeveloped countries to support adaptation and mitigation. This had been proposed in Copenhagen and was revived in Cancun.
- The *Cancun Adaptation Framework*, a guide for decisions to support adaptation in underdeveloped countries. An Adaptation Committee was established to provide coherence and implementation.
- *Technology Transfer*, to support developing countries with clean energies, technologies and capacity building (Cavazos, 2012).

The COP 16 talks could be considered a success, based on the fact that agreement was found on so many fronts. However, some contend that the developing countries were strong-armed into the agreement, leaving only

one country standing strong against it. Kakahel (2012) explains that the agreements were primarily based on the positions voiced by the USA and other developed countries during the negotiations, as confirmed by the Chief US negotiator saying, "The reality is we really got what we wanted". The negotiator added that developing countries acquiesced to save the decision-making process itself; the package was a non-negotiable matter. The strongest voice in opposition came from Bolivia's president, Evo Morales, arguing that the agreement was totally inadequate (Simonelli Berringer, 2011) and his country would be the only one not to sign on.

The next round of talks seemed to fare better all around. Not only did the COP 17 in Durban, South Africa, add to the (nearly) universal agreement struck in Cancun, the event itself was not as contentious. The Durban Platform established a standing committee to govern and distribute funds from the Green Climate Fund. It fully recognized the Adaptation Committee under the COP 16 Framework and operationalized the Technology Mechanism also confirmed in Cancun. It made the Measuring, Reporting and Verification (MRV) system operational and confirmed the next negotiating period up to 2015, presuming the next legally binding agreement to be implemented in 2020 (Malla, 2012). The outcomes of the Durban talks were substantially less than what came out of Cancun, but it is important to note that the negotiations did move forward many of the previous meeting's decisions and confirmed the next time line toward a new legally binding treaty, which was needed as the previous commitment period for the Kyoto Protocol was about to end. When the world converged on Doha, Qatar, in 2012, the agenda was quite extensive. Doha would focus on five aspects of climate change: adaptation, mitigation, finance, technology, and loss and damage – with its main objective being a procedural way to streamline the negotiating process into the next Kyoto Protocol commitment period (Streimikiene, 2013). The first commitment period (for the Protocol) came to a close in 2012, and thus the Doha conference was the last opportunity to confirm a way forward. While important to approve the issues under discussion, it has been argued that Doha was going to be anticlimactic because of the nature of the agreements made in Durban (Roberts, 2013). There were well-founded fears that no formal agreement on a commitment period could be achieved, thus creating a gap. But the conference did adopt, by consensus, amendments to the Kyoto Protocol establishing a new commitment period (2013–2020, KP2) and providing for increased quantified emission limitation and reduction commitments (Bothe, 2014). Beyond a confirmation of the new commitment period, the rules for this period were also agreed upon

and the discussions of the Durban Platform in Doha were broad and inclusive (Roberts, 2013). Streimikiene (2013) argues that although successful in general, the COP 18 did not deliver any improvements in mitigation ambition when it came to major emissions, and simply ignored emissions from international aviation and maritime transport. But there was substantial progress on the adaptation side, which was the decision to establish “institutional arrangements” for some kind of LMD. This will be elaborated on further in the next section.

Up to this point, the UNFCCC has succeeded in facilitating the development of several governance mechanisms to address the increasing amounts of GHGs in the atmosphere through multiple means *and* initiated initial evaluations of the needs of LDCs with corresponding funding mechanisms. But what does any of this have to do with displacement and migration? To date, not much. As an alternate regime to those previously examined, the climate regime was not developed with displacement in mind. Its formal structure was precipitated by meteorologists, climatologists, and technical advisors; in other words, no one with a social science background. The refugee regime, migration regime, and humanitarian regime all were established in response to refugees, migrants, and the otherwise displaced, respectively. The climate regime was established in response to high levels of GHGs in the atmosphere. Furthermore, most of the literature evaluating its current status and possibilities for future development focus solely on GHGs and the best ways to govern them. This work considers the implications of top-down and bottom-up agreements, if legally binding or flexible pledges are more apt to garner commitments and compliance, alternative designs, and equitable agreements (Barrett and Toman, 2010; Baumert et al., 2003; Keohane and Victor, 2010; Stokke et al., 2005; Thompson, 2010; Torvanger et al., 2005). And while an understanding of commitments, flexibility, and equity does also apply to governance considerations of migration and displacement in this context, it will be the commitments, flexibility, and equity of mitigation and adaptation agreements that will set the tone for any other subsequent issues.

Migration and displacement developments in the UNFCCC

Migration and displacement, as a long-term issue beyond or regardless of current mitigation and adaptation activities, has been articulated by island states for over a decade. But its discussion has been under an umbrella frame called “Loss and Damage”. Loss and Damage was conceived of as the irreversible long-term harm faced by people and states

which will occur because of historical fossil fuel emissions which has yet to be seen; it is based on the estimate of global warming beyond what any international mitigation or adaptation can tackle. Thus, many island nations are concerned about their long-term survival *even if* the UNFCCC negotiates a treaty to drastically lower emissions targets and fully funds global adaptation projects. The Small Island Developing States (SIDS) had been pushing for recognition for the ultimate “loss”, their permanent forced displacement from their homes.

Loss and damage has been a priority of the Alliance of Small Island States (AOSIS) since 1991. In that year, they conceived of an international mechanism by which they could access funds immediately after a disaster. This way, beyond the current humanitarian disaster imperative to simply provide short-term assistance, they would be able to provide a better and quicker response to disasters that have been predicted to happen more frequently and to build back better. That same year, AOSIS originally proposed the establishment of an international insurance pool as a “collective loss-sharing scheme” to “compensate the most vulnerable small-island and low-lying coastal developing countries from loss and damage arising from sea level rise” (Mace and Schaeffer, 2013). The scheme was to be funded by mandatory contributions from the Annex I parties to the Convention, but it omits some highly antagonistic and complex practical issues concerning definitions of climate change, the standard of care, and the level of liability that should be applied to the culpable state(s) (Okereke et al., 2015). Thus, the proposal did not make it into the UNFCCC agreement in 1992.

Attention to loss and damage in the UNFCCC, then, did not begin in earnest until 2007 with the Bali Action Plan. It called for increased adaptation efforts, including strategies and means to address loss and damage in developing countries. Although the Bali Action Plan contained an entire section on (disaster) risk management and loss and damage associated with climate change, any association or mention of compensation or liability for such loss and damage was a cause for discomfort for industrialized countries (Warner and Zakieldein, 2011). By 2008, the proposal developed into a multi-pronged instrument with provisions for disaster risk management, compensation, and rehabilitation for unavoidable and irreversible damage (Burkett, 2014). For many years, the idea and desire for an institutionalization of this concept had made little progress toward making it into any main negotiating document; again, this hung on the issue of “compensation” and “liability” – language which held up any progress at the COP 15 (Warner and Zakieldein, 2011).

However, the COP 16 meetings in Cancun, Mexico, in late 2010 became turning point. It began as just another series of meetings in

the continued discussion about prevention of further climate change and GHG emissions, but it eventually provided a step forward for those nations concerned with their eventual displacement. The text, Bolivia argued, was full of loopholes for polluters and reduced the obligation for developed countries to act (Solon, 2010). Bolivia also contended that the text replaced binding mechanisms for reducing greenhouse emissions with voluntary pledges. This would mean that the plight of the Carterets and the Maldives would not be isolated events, but would represent the beginning of a snowball effect which would threaten the homelands of many more peoples around the globe. Bolivia had reason to demand more from these negotiations as well. Many of its residents are already “climate migrants”, as their country defines them (Bolivia Climate Summit: Climate Migrants, 2010). Adding to the list of nations becoming aware of how climate change is affecting its people is Ghana, whose Minister of Environment and Energy has admitted a concern for internal climate induced migration. The issue there has been drought and subsequent floods in their northern region. The minister noted that over 300,000 deaths were recorded annually due to climate change, while another 300 million people per year were affected by climate change (Ayittey, 2009). The Cancun Adaptation Framework noted that approaches to loss and damage should consider impacts, including sea level rise, increasing temperatures, and ocean acidification (Burkett, 2014). But the big win for AOSIS within the frame of loss and damage came in the negotiation over a particular subsection paragraph. Over the course of the meeting in 2010 at the COP 16, SIDS, along with their non-party advocates, negotiated paragraph 14 (f) into the Cancun draft decision. This subsection invites parties to take specific action nationally to enact: “Measures to enhance understanding, coordination and cooperation *with regard to climate change induced displacement, migration and planned relocation*,⁴ where appropriate, at national, regional and international levels” (Draft decision -/CP.16). While this subsection, like the agreement, is not legally binding, it does ask individual nations to acknowledge the existence of climate change migration and displacement at several levels of governance. This decision launched the Work Programme on Loss and Damage, to be placed under the Subsidiary Body for Implementation (SBI) (McNamara, 2014), which would consider approaches to address this issue through workshops and expert meetings (Burkett, 2014).

The following year, at the COP 17 meeting in Durban, South Africa, no additions or changes were made to the previous text concerning migration or displacement, but Loss and Damage was elaborated on in terms of its overarching goals and its role in the Framework Convention

(Burkett, 2014). Negotiators reached a consensus on elements of the SBI Work Program (Decision -/CP.17); the decision requests the SBI to continue the implementation of the work program to make recommendations on Loss and Damage at the next COP session. It calls for stakeholders and experts to share the outcomes, lessons learned, and good practice related to the implementation of existing risk assessment and risk management approaches (Warner and Zakieldeen, 2011).

The decision emerging from the COP 18 meeting in Doha, Qatar, in 2012 represented a significant advance in the Loss and Damage discussion. It heightened the work stream's importance by calling for an advanced understanding of non-economic loss and damage, patterns of migration and displacement, and identifying the development of approaches to rehabilitation following climate-related loss and damage. Finally, the Doha Gateway mandated the formation of an institutional mechanism for the next COP (Burkett, 2014). This did, in a practical sense, recognize the particular threat posed by sea level rise (Bothe, 2014). It was an important point in that a group of small nations were able to bring to the forefront their most crucial issue.

At the COP 19 in Warsaw, parties convened to create the institutional mechanism mandated by the Doha Gateway. The WIM was established to address loss and damage, including both slow onset and extreme events. The parties created an executive committee which will report annually to the COP through both its subsidiary bodies, the Subsidiary Body for Scientific and Technological Advice (SBSTA) and SBI (Decision -/CP.19). The WIM was established under the Cancun Adaptation Framework and did not provide Loss and Damage with its own additional pillar; this made it a point of controversy (Simonelli, 2013). The G-77 countries and China argued that the new international mechanism should be housed as a separate entity under the Convention itself (McNamara, 2014), the reason being that "Loss and Damage" was originally intended to address long-term irreparable losses and damages beyond adaptation. Considering the minimal mitigation targets over the course of each COP meeting, many nations considered the LDM to be a measure of last resort, acknowledging that both mitigation and adaptation would not be enough to save certain vulnerable regions and countries. This opinion also weighed into the consideration of funding. AOSIS (2013) argued that LDM funding should be from a dedicated source and separate from that of adaptation funding. Again, if Loss and Damage were to be put under the Adaptation pillar of the UNFCCC, would any funds it may need get funneled into adaptation projects instead? How could it function to fix what adaptation and mitigation could not if

it were possibly buried under them? The meeting became so intense that the G-77 bloc of developing countries walked out of the discussion during the second week of the meetings. The climax came at 4 am on Wednesday, November 20, when the lead negotiators from the G-77 and China walked out.⁵ Bilateral discussions did resuscitate the talks, and compromise eventually won out in the creation of the mechanism – under the Cancun Adaptation Framework; this came as talks ran into overtime on Saturday (McNamara, 2014). The decision legitimizes the exploration of responses beyond mitigation and adaptation, but does not promise compensation (Burkett, 2014). Additionally, the committee is not empowered to decide any concrete claim (Bothe, 2014).

The initial meeting of the Executive Committee (ExCom) of the WIM was held in Bonn in March 2014, where it adopted a two-year work plan which includes the action areas of: (1) enhancing knowledge and understanding of comprehensive risk management approaches, including the identification of gaps or development of methodologies to be used by national governments, and (2) enhancing data knowledge and response measures concerning non-economic losses associated with climate change, including slow onset events such as sea level rise or glacial melt (Okereke et al., 2015). As the work plan currently stands from the September 2014 Adaptation Committee meeting,⁶ it consists of eight points (and subpoints), with general time lines for each, and culminating in an additional five-year rolling work plan for consideration by COP 22, building on the results of the present work plan. Its main action items include: (1) enhancing the understanding of how loss and damage affects vulnerable developing countries, (2) enhancing understanding of and promoting comprehensive risk management, (3) enhancing data and knowledge on the risks of slow onset events and their impacts, (4) enhancing data and knowledge on non-economic losses, (5) enhancing understanding of capacity and coordination needed to prepare for and respond to loss, (6) enhancing understanding and expertise on how climate change affects patterns of migration and displacement, (7) encouraging comprehensive risk management through financial instruments, and (8) complementing the work of the existing bodies and expert groups under the Convention. The COP 20 in Lima, Peru, in 2014, confirmed this work plan of the ExCom and outlined its reporting and operational procedures. The next major step will be the negotiations of the WIM for Loss and Damage into the Paris talks (COP 21) in 2015. In early February 2015, the Adaptation Committee meeting in Geneva produced the first version of the full negotiating text, which, if accepted, includes several specific leaps forward for Loss and Damage. Under *Loss*

and *Damage, Option 1*, 33.3 (a), it suggests “provisions for establishing a climate change displacement coordination facility that:

- Provides support for emergency relief;
- Assists in providing organized migration and planned relocation;
- Undertakes compensation measures.” (ADP 2–8 Agenda item 3)

The text also leaves an opening for discussion as to which governing body the international mechanism on loss and damage should be subject to. This could reopen the dispute over which pillar (if any) the mechanism falls under, a subject that has already been contentious during previous negotiations. While almost the entirety of this text that came out of the Adaptation Committee is bracketed, meaning that it is not formally agreed to and is up for debate, these items are the most concrete options thus far to deal with climate induced displacement.

Institutional and political analysis

Regimes

In the previous chapter, three IGOs, and their preceding regimes, were introduced as potential conduits to assist with climate induced migration and displacement. The refugee regime, although ancient in sentiment, was institutionalized for a very specific purpose; to assist those displaced due to WWII. Because UNHCR was developed to be the solution to a singular problem, it had to expand in order for it to remain relevant, thus acquiescing to a broadening of protections in the 1967 Protocol. It was a critical acknowledgement that the 1951 Convention was too shortsighted; the need for protection was far broader than previous conceptions, and persecution would continue far beyond the Nazi or Communist regimes. The institutionalization of the refugee regime was only meant to be temporary. This is not to say that is was not a tremendous achievement, even as a short-term fix. It was not necessarily in the monetary or national interest for nations to agree to take in WWII refugees. However, the loss of sovereignty ceded to the terms of the 1951 Convention had allowed for a great leap forward in human rights. It is also important to note that the Convention and Protocol had overwhelming support from UN member states, but without clear compliance mechanisms. This was accomplished through a treaty which was integrated into national laws, thus keeping sovereignty intact.

The migration regime, on the other hand, is still decentralized, bereft of any binding legal treaties, and is unceremoniously reactive not only

to migration flows, but to displacement as well. This regime remains tied much closer to the issue of sovereignty; there has not been any one migration crisis large enough to relinquish immigration policy to a larger body. While the history of humanity is that of migration, in modern times the migration regime seeks to regulate a phenomenon which continuously finds its way around rules and borders. The borders of the world are not distinguished by elaborate fences, and yet many nations continue to develop policies which could only be effective *if* this were the case. Individual states guard their sovereignty knowing full well that they cannot control their borders unilaterally. And instead of using this fact to orchestrate clear, binding regional treaties, politicians use nationalist rhetoric with xenophobic undertones to criminalize those who seek to subvert their ill-thought-out policies. Globalization of trade without a restructuring of immigration and border controls has proven inefficient, but governments are still wary of any sort of hard law in this area. Development has necessitated inflows of migrants to create modernity, and yet the modern state cannot cede control of its borders to keep up with the times.

The humanitarian regime, like the refugee regime, is highly connected to the perils of war. Extending medical treatment to the “other” or even to the enemy rejects the notion of separateness that borders ultimately create. Additionally, refugees come from both sides of a conflict. Humanitarianism comes from a deep-seated connection to the suffering of all people and a view that, as humans, everyone deserves minimal standards. These fall apart during wartime and often after natural disasters. However, the divide between Dunantians and Wilsonians does demonstrate a rift between the active and reactive forces within this regime. The Dunantist sect holds a close parallel to both the refugee and migration response in that these are seen as imperative only after a situation arises; Wilsonians see that one disaster can lead to changes which can prevent or at least assuage the next. However, when states began to invest in humanitarian projects they did so with political concerns far from either of these veins and placed conditionality on needs-based relief. One could argue that states could see the opportunity to be proactive if there was the chance of gaining stature or influence, but were reactive when no one could decide what to do otherwise. In this book, this discussion has focused on the concept of aid as relief, which could be seen as different from aid as redevelopment. Without a current focus on building back better, temporary aid projects do facilitate movement, but mostly to a shelter.

The climate regime is a very different from the previous three in many regards. This regime has slowly expanded as the consequences of climate change have become more apparent, but its focus has been more

on gasses than people. UNHCR and UN OCHA have directly sought to deal with the human consequences of war and disaster, while IOM has sought to facilitate human mobility; but the UNFCCC's focus has been atmospheric gas percentages and their effects on the environment – not people. The human element had to evolve into this regime, which has taken a long time and is still unclear. The climate regime is an environmental regime; between carbon credits, emissions reporting, and clean development mechanisms, it can also be considered a partial development regime. Sovereignty, under this lens, is a sensitive issue. The divide between the developed and developing world is contentious regarding the rights of the sovereign state to develop (or emit) to certain levels. This reflects tensions over human as well as industrial development. Smaller nations (economically) resent that they are being asked to curb the industrial growth they need to elevate the wellbeing of their people, while the larger nations resent that the smaller nations want them to reduce their impacts significantly, fearing that it will hurt their strong economies. Finally, this regime has the shortest span of norm development. While all four regimes were formalized in the twentieth century, issues such as humanitarian relief and migration have been around since the dawn of man. Climate change was not acknowledged as a global threat until the late 1900s.

Institutionalization

The institutionalization of these regimes has allowed a much larger reach for collective action to assist those currently migrating or those who have been displaced. While international governance structures have greater capabilities, these structures are not always conducive to effective outcomes. IGOs only institutionalize out of compromise, and thus their structures will vary based on multiple dimensions. In this chapter, all four institutions will be evaluated according to the following variables: Organizational Structure, Origination of Research, Primary Sources of Funding, Legal Frameworks, Scope of Responsibility, Compliance Mechanisms, and Number of Member States. These particular variables provide a clear outline of the basic structural differences between each IGO.

Organizational structure is a necessary starting point. Structure allows one to see and understand how an organization functions. Institutions can be centralized or decentralized, which reflects either a hierarchical or a lateral structure. Both the UN-based organizations (UNHCR and OCHA) have a clear hierarchical flow, while IOM's structure is lateral. In UNHCR's Office of the High Commissioner, a Deputy High

Commissioner and two Assistant High Commissioners report directly to the High Commissioner. The responsibility of each subordinate Commissioner is clearly delineated; the only overlap concerns a connection between the regional bureaus and the Assistant High Commissioner for Operations and the Assistant High Commissioner for Protection. For OCHA, the Corporate Programme Division, the Coordination and Response Division, and the Geneva Office report to the under secretary general and emergency response coordinator, with the Strategic Planning Unit as an additional offshoot; there is no overlap across subunits. With IOM, there is a stark difference. The director general and deputy general have eight offices reporting to them directly: the Office of the Inspector General, Office of Legal Affairs, Senior Regional Advisors, Spokesperson, Staff Security Unit, Ombudsperson, Gender Coordination Unit, and the Occupational Health Unit. Directly under these is the Office of the Chief of Staff, which has the Department of Operations and Emergencies, Department of Migration Management, Department of International Coordination and Partnerships, Department of Resources Management, and the Administrative Centres of Manila and Panama reporting to it. Under the Chief of Staff is an assortment of nine regional offices, then two Special Liaison offices, and finally Country offices. Clearly, each main office of IOM directly handles more horizontal units, while UNHCR and OCHA are structured in a vertical fashion. Conversely, the structure of the WIM under the Loss and Damage work stream is developing in a consensual and democratic fashion. Its governing ExCom is to be composed of 10 members of the Annex I countries and 10 non-Annex I countries providing two representatives from the African, Asia-Pacific, Latin American, and Caribbean states, one from the LDCs, and an additional two from the non-Annex I states (Decision -/CP.19). The COP 20 decision elaborates on this; it explains the length of term and how many terms each member can serve, that it should internally elect co-chairs – one from the Annex-I and one from the non-Annex I countries, and finally, that all ExCom decisions must be taken by consensus (Decision -2/CP.20). However, what comes out of the ExCom must then be reported through both the SBSTA and the SBI to make recommendations. Thus whatever governance suggestions come out of the WIM need to go through both the SBSTA and SBI and can then come for a discussion on the main floor to be deliberated on by all of the parties. The WIM is a mechanism nested within an IGO – the other three are IGOs in their own right – and thus its structure is ultimately vertical, because what it recommends cannot be implemented unless also agreed on by the UNFCCC COP as a whole.

The origination of research is also important. It demonstrates openness to new ideas and willingness to investigate how a particular issue will affect the IGO. While all four get their scientific information from the IPCC, among other sources, when it comes to research about climate change and their operations, UNHCR, IOM, and UN OCHA invest in internal research, either directly sponsored by the institution or contracted out to other academics, which is still published internally. The WIM has access to expert working papers that come out of the SBSTA, the ability to establish its own expert groups to develop inputs and recommendations, and invites relevant outside actors to develop specific analyses to assist with activity numbers 5 and 6 of the ExCom's initial two-year work plan. Ultimately, each IGO/mechanism produces original research relating to its specific goals and mandates.

Sources of funding for all four IGOs are somewhat similar, coming from their member states and a handful of other outside sources consisting of the European Commission, the private sector, and individual donors. Most important to note is the desire of donors to have their money spent as they prefer. This point was previously noted with humanitarian donors. Money can arguably be a form of soft or hard power, depending on one's interpretation. Most of these IGOs are financially tied to their biggest donors, as these large donors do have influence in these organizations and the IGOs have to survive and fulfill their mandates. Member states are not pure Dunantists seeking to do charitable work; they seek to affect the areas in which they chose to participate/donate. This is especially apparent within IOM; the majority of its budget is allocated by donors for specific and time-bound projects only leaving a comparatively limited core administrative budget (Ionesco and Traore Chazalnoël, 2015). Additionally, neither UNHCR nor IOM has a balanced set of donations among its contributors; some pay much more than others and thus have a louder voice inside the institution. These particular donors are also the same ones in each organization. According to their 2010 financial reports, the USA is the top contributor by a significant amount. In this year the USA accounted for 31% of the total budget of UNHCR and 31.8% of the IOM budget. The WIM shares this similarity, but in a different way. While *all* parties to the UNFCCC pay into the system on a sliding scale, the vast majority (again) comes from the USA. The scale mandates that no party should pay less than 0.001% or more than 0.25% of the Convention budget (Decision 17/CP.4), with the lowest percentage paid being 0.2145% in 2010. However, as a nested mechanism within the UNFCCC, the WIM is only indirectly funded. The disproportionate contributions go into a main fund and the operating expenditures for each Convention-related activity are then divided out.

Thus, unlike UNHCR and IOM, no donor has a disproportionate say in the ExCom's direct undertakings and recommendations. When it comes to OCHA, the US' contribution only accounts for 11%; its highest contributing member state in 2010 was Sweden, and its other receipts are more evenly distributed at the top through Western Europe. The total funds to both UNHCR and IOM hover around 1.8 and 1.3 billion (USD) respectively, while OCHA only saw 186 million in 2010 and had to take out a Central Emergency Response Fund (CERF) loan from the General Assembly against its outstanding pledges. At the low end is the UNFCCC at 44,200,099 (Euro) in 2010.

Another point of comparison across the IGOs is their legal frameworks. This determines the flexibility of their mandates if backed up by some sort of hard or soft law. For UNHCR, the 1951 Convention and its update, the 1967 Protocol, are international law. For IOM and OCHA this is not so clear. IOM's International Migration Law Unit has compiled various sorts of migration-related legal instruments, but migration law is derived from state sovereignty and the human rights of those migrating; it is not independent and/or binding. For OCHA, humanitarian law relates to actions taken in and during war as it relates to armies – the Geneva Convention. It does not regulate the way in which those responsible deal with crises within their territory or the actions of outside responders. With respect to the WIM as it has developed, there is the potential for formal legalization, but this depends on how well its recommendations are taken by the UNFCCC as a whole. Currently, the WIM only has authority to bring proposals to the negotiating floor, but does not have the ability to make its own international law. However, if its suggestions are accepted by the parties and integrated into a treaty, the WIM has the potential to legalize its decisions. Legal frameworks also define the scope of responsibility which these IGOs have. Legal frames specifically define who the institution is responsible for. Refugee law includes a specific definition which qualifies a certain group within a set of particular circumstances. Migrants and those in humanitarian need vary; the mandates of both IOM and OCHA consider the breadth of these needs and vulnerabilities and thus take a broader view of their responsibilities. The current work plan endorsed by the WIM ExCom does so as well. Additionally, a legal regime should have some sort of compliance mechanisms to enforce such laws. However, in the realm of international law there are very few methods for this, as it creates pressure on state independence and sovereignty. In recent years, Belgium was sanctioned by the European Court of Human Rights (ECHR) for sending refugees back to Greece when it knew that Greece did not have the means to adequately support them.⁷ But not every country gives

authority to such a body, and only three regional bodies exist: the ECHR, the Inter-American Court of Human Rights (IACHR), and the African Court on Human and Peoples’ Rights (ACHPR). Thus even a legal mandate can only provide a thin level of compliance.

An assessment of member states is also necessary for all four organizations. If IGOs are an extension of the desires of their member states, it is important to understand which member states belong to each organization. The numbers are also essential to know. As branches of the UN, UNHCR and OCHA’s member states are the official UN members, which now consist of 193 individual nations. There have been suggestions to bring IOM into the UN Secretariat, but this has never happened. Its member state count stands at 157.⁸ What becomes apparent is that many countries that are already experiencing displacement due to climate processes or are most vulnerable to it are not members of IOM, or have only become members in the last few years (this includes the Maldives, PNG, and the Marshall Islands). As for the UNFCCC, its member states count consists of each UN member and additionally offers the same status to Niue, the Cook Islands, and the EU, bringing its total to 196 (Table 7.1).

Table 7.1 Overview of case study structural variables

Structural IGO variables				
Variables	Intergovernmental organization			
	UNHCR	IOM	UN OCHA	UNFCCC Warsaw International Mechanism
Organizational Structure	Vertical	Horizontal	Vertical	Vertical
Origination of Research	Original	Original	Original	Original
Primary Sources of Funding	USA	USA	Western Europe	USA (indirectly)
Legal Frameworks	Yes	No	No	No
Scope of Responsibility	Specific	Broad	Broad	Broad
Compliance Mechanisms	ECHR, IACHR, ACHPR	National courts	None	None
Member States	193	157	193	196

Implications

The structural components of these IGOs do not exist in a vacuum. Thus the political environments that they face also provide a context through which it is necessary to understand their potential suitability to govern this developing human security problem. First, it is understandable why many first look to UNHCR for guidance. Since its inception, it has assisted millions of people fleeing the most desperate of situations; the vast majority of nations have signed its treaties and have acknowledged their responsibility to refugees. As a regime it is far-reaching, and as an institution it has specific compliance mechanisms underscored by international law. Additionally, the bureaucratic label of “refugee” is universally recognized, if not for its correct legal meaning, at least for the implication of need and vulnerability that comes with the label. However, if those displaced by climate change are not being persecuted, do they need protection? This is the essential question to ask when analyzing this governance structure.

The feature of refugee law that is most powerful is the principle of non-refoulement; it is critical when administering protection to keep the affected individuals out from under the threat of harm. Although certain climate processes will hinder and in some cases prevent human existence in some areas, does returning them to these areas equate to an imminent threat? The threat normally under consideration when establishing refugee status is that from other humans, not the environment and its larger processes. Thus even refoulement as a protectionary measure does not exactly fit the circumstances of those displaced by climate change. Additionally, the non-entrée regime now guides how refugees are treated, administered, and processed. Non-entrée refers to the ways in which Western governments have made it more difficult for asylum seekers to enter and become refugees. Chimni (1998) outlines the actions which make this possible, such as the strict scholarship in this area of the positivist tradition of refugee law interpretation and the justification of different treatment of African refugees than of European refugees due to the different reasons they have had for flight. There has also been the growth of detention centers, external border processing centers, and European policies that only allow refugee petitions from one member state (such as the country of first arrival). This process is happening in other areas of the globe as well. Australia has faced harsh criticism in recent years for their Christmas Island processing center and its tighter restrictions. It is clear that the refugee regime is attempting to shrink, not expand. This is due to pressure from member states.

The previous chapter explains UNHCR's expansion into soft law instruments for IDPs. This juxtaposition of the tightening of the regime by member states while the bureaucracy of the institution is expanding through non-binding soft law demonstrates an operational rift. The UNHCR bureaucracy acknowledges the continued pressure it feels to assist more and more people in desperate situations and is offering solutions that are less demanding on the member states than a formal treaty. Soft law and formal recommendations offer a way to introduce member states to additional ideas without forcing them to formally act on them. But with the need for action, will the guidance of this institution accomplish much? With the increasing resistance toward accepting refugees from member states of the global North, UNHCR is already in a precarious position to simply execute its mandate, much less expand it. And while the previous chapter demonstrated that UNHCR's mandate has expanded, this has only happened once, through the 1967 Protocol. Its help with any other sort of displacement has been based on suggestions for new soft law instruments or reinterpretations of current soft law to emphasize avenues that are already available. Those being displaced by climate change are not "refugees" in any traditional sense, and with its current challenges in executing protections in a growingly securitized world, UNHCR may be able to offer expert advice in this situation, but this is all. In the strict legal sense, UNHCR has no obligation to accept a new group of displacees that are not being persecuted in its mandate, and although UNHCR continues to be implicated each time the media or other lay people use the term "climate refugee", this IGO will not be swayed simply by the misuse of a label.

IOM faces different challenges, but is also no better prepared to assist those displaced by climate change. The main drawback for IOM is its member states; not just that it is comprised of a lesser number of states than UNHCR, OCHA, and the WIM under the UNFCCC, but it is *who* is missing that counts. As outlined above, almost all of the nations which are the first ones to feel the damaging effects of climate change are not members of IOM. And of those island nations used as examples in Chapter 2, only PNG and the Maldives are *recent* members, with Tuvalu and Kiribati on the outside. This is highly problematic because an IGO that provides expertise toward migration governance (and seeks to facilitate it) is relatively confined in its actions if it does not include all nations in which migration occurs. Without the involvement of the most vulnerable nations, the institution has little impetus to act; projects proposed will solely relate to the needs of its member states directly. It would be prudent to further investigate why so many vulnerable states

are not IOM members, additionally considering the potential barriers to membership.

Furthermore, if IOM were to attempt to govern this new form of movement, this would place those needing relocation under the migration regime, which is largely considered voluntary. Adding to the discussion of forced versus voluntary migration, climate change migration is considerably different from climate change displacement, and yet they are treated as one and the same. Choice here is key; to choose to migrate infers that one can also choose not to migrate. Many voluntary migrants choose to do so from a myriad of equally undesirable options; it is not a choice in so much as that if conditions are only going to deteriorate further, it is a matter of go now or go later – but one still has to go. Again, referring to this conceptualization back in Chapter 4, choice also equates to responsibility in that if seen through this lens, it may become more difficult to procure money to assist relocations if done early; regular voluntary migrants pay for their own journeys. Ultimately, climate processes will continue to degrade the ability of many areas to sustain human life, and even early migration can be equated to displacement in that hotspots will not regain their viability. Because of this, it is necessary to equate all movement due to changes in climate with displacement.

This is why labels and definitions matter. Choice of words precipitates governance; without the most accurate conceptions, the development of governance will be inadequate. Even though it has become obvious that globalization of trade and manufacturing has provided uneven community growth, many who have had to move to keep up have been at the losing end of these forces and yet they are considered “voluntary migrants”. International business decisions are far from the control of the many that are affected by them. Economic migration, in this sense, can be very much a form of displacement if one’s place of residence is negatively affected by larger economic forces. But referring to this phenomenon as “migration” instead of “displacement” has shifted the responsibility for such movement from the companies which have changed the economic landscape to the migrants themselves. This, of course, separates consequences from causation, and in doing so assumes that it is the individual’s job to adjust *as if* macroeconomic changes were a natural phenomenon. And this is the hurdle with the terms “climate migrant” or “climate migration”. The nomenclature will associate those being displaced by the climatic effects of GHG emissions with those whose agency has not been compromised by outside forces. It is the difference between the supposed push and pull factor dichotomy which has prevailed in the case of voluntary migration. By using the

displacement label, it is less likely that climate displacees will be equated to voluntary economic migrants and the migration regime. But again, since the majority of those currently being displaced are not members of IOM, much of the previous discussion on conceptualization is moot without a broader membership.

Finally, while IOM has done quite a bit of research on the climate change and migration nexus, much of the work comes from outside academics. Publications written by the IOM bureaucracy tend to focus on how to extend the time people have in their communities, rather than providing migration alternatives. However, with a limited administrative budget for research and a precarious political position, its bureaucracy is much more responsive to the values and desires of its member states than to outside issues. A proactive migration program that takes into account the current needs of those already under climate induced stress may likely come out of IOM's newly minted Migration, Environment and Climate Change Division, but its implementation must be sponsored and paid for by direct project-related funds. This IGO functions specifically for its member states' needs, not for an established goal, as do UNHCR, OCHA, or the WIM under the UNFCCC. Because of this, it is less likely that IOM's projects will move toward assisting migrants due to climate change until its member states believe on their own that investing in projects to govern this type of migration is worthy project.

UN OCHA has a better chance of being the international governance structure that could include those displaced by climate change processes. While OCHA uses soft law, it can still foster compliance through learning and self-regulation. While hard law with working compliance mechanisms is ideal, even refugee law lacks complete compliance mechanisms and ample buy-in into comprehensive international courts for full compliance. Another feature which is helpful, however, is OCHA's broad mandate of responsibility. It necessitates no updates to be able to assist those who are labeled "migrants" or "displacees". Many of those whom it currently assists are at least temporarily living outside of their habitual residence due to generalized violence or the effects of a natural disaster, and thus OCHA is no stranger to dealing with many forms of migration and displacement. If the adverse effects of climate change on human populations are considered a humanitarian issue, this will not be a problem.

OCHA's primary source of funding is also different from the other three. While UNHCR, IOM, and the UNFCCC proper are primarily paid for by the USA, OCHA is primarily funded by Sweden. A consideration of the national culture of Sweden can tell much about the value it places in

humanitarian relief. Sweden and Norway (from 2008–2010, Norway was OCHA's second, fifth, and third leading contributor, respectively) have the most advanced and comprehensive welfare systems across Europe. It is assumed that certain member states often exercise a disproportionate influence over IGOs; additionally, money is often the means of such power. In the case of UNHCR and IOM, it can be argued that this influence comes from the USA, due to its proportional contributions to these organizations; in the case of OCHA, it is the nations of Western Europe, including the European Commission. While the US' contributions have risen proportionally in the past few consecutive years (it was OCHA's fourth leading donor in 2008, third in 2009, and second in 2010), Western Europe still contributes much more as a whole (OCHA, 2010). It is also in Western Europe where interest in this topic is growing. In the summer of 2011, the Norwegian government and foreign ministry held the Nansen Conference on Climate Change and Displacement in the 21st Century. The event included practitioners, policy makers, and high level representatives from each of these IGOs. The initiative has produced regional dialogues around the world to assess the needs related to cross-border displacement and is funded by both Norway and Switzerland. The interest and influence that Western Europe has in OCHA is promising; these countries are less resistant to welfare spending and already have a deep sense of cooperation between them. However, they are also countries which have had significant challenges with immigration and, like the USA, tend to spend money overseas to fix certain foreign policy challenges as a way to prevent migration.

Bridging the gap

Out of the four governance mechanisms evaluated, the one with the most potential to bridge the governance gap is the WIM under the UNFCCC. While the climate regime would seem, at first, unamenable to taking on displacement due to its physical science focus, the development of the adaptation pillar has opened it up to assessing impacts on humanity. Had mitigation efforts been successful, there would be no need to delve into adaptation measures which considered disaster risk reduction and, thus long-term damage. Of the IGOs under consideration, the WIM is the only one which has gone beyond general discussions, expert papers, and broad-based recommendations to outline specific measures to be taken and within what time frame they should be accomplished with any hope that these can be formally institutionalized. To reiterate, the WIM cannot turn its proposed work plan into hard

law by itself, but the fact that it exists in a formal negotiating space with this potential makes it much more capable of being able to do so than the others. The UNFCCC is in essence a treaty-making body, and thus the WIM, as a nested mechanism within such a body, has great potential to address climate induced displacement with formal and binding consequences. While the other three IGO bodies currently manage some forms of migration and displacement, they do so in specific contexts – the WIM has been developed to begin to manage migration and displacement within a context nexus. Additionally, it is able to comprehensively work on this governance without being directly overrun by one large donor. This is not to say that the UNFCCC’s negotiating blocs do not function within this context for their own (sometimes moneyed) interests, but that the WIM has been designed with some balance of representation early on, and this will allow it produce recommendations without being completely stifled. These recommendations will eventually face tough criticism when reported back to the negotiating floor as a whole, but the multi-step nature of the process allows for positive movement within the mechanism first. The UNFCCC, as a workspace for the WIM, also allows for civil society involvement – something the others do not do. Civil society (through NGO workers, students, academics, and activists) has the ability to lobby nations about what should go into negotiating documents and put pressure on nations that are not living up to their commitments. While the WIM does not currently have a compliance mechanism, it is open to public opinion/debate/scrutiny as a function of non-formal compliance. An explanation of the full and formal role that civil society plays at the UNFCCC would necessitate a separate book, but because civil society tends to emphasize concerns before they are fully integrated into the formal negotiations, it is a persuasive sector which has had opportunities to push for strong language regarding safeguards, human rights, and equity.

While the WIM has several advantages over UNHCR, IOM, and UN OCHA, it is only its infancy. It may be a little uneven to compare three fully funded and institutionalized organizations to a newly embedded mechanism, but the WIM would be wholly unnecessary if any of the afore-mentioned IGOs had sought to expand their mandates into the area of climate induced displacement. Therefore, inaction on their part has brought about the development of an alternative.

Where the WIM goes from here will be debated at the COP 21 in Paris, but, minimally, the WIM has a mandate and proposed action items that, if adopted, are poised to actually govern climate induced displacement.

8

Conclusion

Not only is climate induced displacement a real and concerning phenomena, but the future of this migration is also poised to increase. While most movement is still situated in the future, what is happening now needs to be addressed. Whether it be the long struggle of the people of the Carterets for permanent relocation or the most recent cyclone activity in the Pacific, there is an increasing need for the international community to intervene and assist climate induced displacement as it happens. While the leaders of the nations most affected by the latest events (Vanuatu for Cyclone Pam and the Philippines for Typhoon Haiyan) have credited climate change with their severe effects, some atmospheric scientists have been able to substantiate this. Running several models after Cyclone Pam, Dr. Kerry Emanuel, a professor of Atmospheric Science at MIT, was able to assess that, even with some shorter-term data, the results suggest that all of this is consistent with the consensus that the frequency of high level tropical cyclones should increase as the planet gets warmer (Emanuel, 2015). Haiyan hit the Philippines just before the COP 19 in Warsaw. During the talks, the Philippine negotiator, Yeb Sano, began a fast which quickly spread among the civil society participants – especially the youth. “Fast for the climate” became a movement with a meaning that was more than symbolic – if the people of the Philippines were suffering, the participants would not eat until the meeting produced an agreement which provided justice for those harmed and displaced. Cyclone Pam displaced the *entire* island of Tuvalu in March 2015, forcing the relocation of a total of 40% of the whole population, contaminating freshwater supplies, destroying graveyards and the local septic systems (Radio New Zealand, 2015). Civil society leaders are already becoming engaged on the issue, arguing that a range of compensation is needed to handle

these growing disasters. They have also argued that the Paris UNFCCC talks need to make real progress on this issue, because Cyclone Pam is another reminder that the world has reached the era of “Loss and Damage” (Singh, 2015). This language definitely demonstrates a shift from demands on UNHCR to those on the UNFCCC.

As demonstrated in Chapter 3, hyperbole can evoke vivid imagery and fantastical drama, but is not necessarily helpful. In the digital age, these ideas can move speedily through both print and online media, creating an echo chamber which reinforces what it produces – ineffectual language and labels. While it can be argued that drama demands attention until many more people know what is going on and call for action on the matter, “scary” imagery can also lead to the consideration of scary consequences. Those being displaced by climate effects are not necessarily “scary” nor do they pose a threat. Using hyperbolic scenarios to sell the problem infers that the process of displacement will occur much faster than in reality and can create unnecessary alarmism. “Where will all those people go?” is often a question posed as to what will happen if an island “sinks”. However, since EUICs are not sinking, and there is time to negotiate long-term relocation plans, there may never be the need to ask such a question in these circumstances. Additionally, if people assume that everyone from an island nation will need to move at once, it can spark the fear of invasion. With the Maldives’ population estimated at around 400,000, relocating them all appears to be an impossible task; where can the international community put that many people? Adding to the growing list of difficulties is the fact that the Maldives is an Islamic state and much of the developed world is fighting xenophobia toward Muslims from many places. Creating fear in this way can bolster calls for international security measures to prevent “them” from coming “here”. However, this view is purely alarmist. Climate displaces should only pose a traditional security threat if their plight is ignored to the extent where it becomes desperate and they blame the international community for purposely abandoning them. First and foremost are the human security concerns of those left in poor conditions time and time again. There is literature that suggests that environmental scarcity can lead to violence, but the communities being displaced have not yet turned on each other, they are banding together – especially in the Pacific. While there is no way to see into the future to determine exactly how all of these factors will play out, alarmist rhetoric can force a self-fulfilling prophecy. Even some of the academic research cited in this book has actively used terminology which is alarmist and disempowering, but the majority of research does not. It tends to mention hyperbolic imagery in passing to acknowledge that it exists or to quickly dismiss it.

Academic research has been able to embrace the conceptual overlap that persists on this issue, emphasizing climate change as a compounding factor on top of economic and social circumstances. Additionally, it has avoided the issue of direct causation, leaning primarily on the IPCC and on other scientific sources to substantiate any statements that directly connect current displacement caused by large-scale events to climate change. Academics tend to understand that what they say matters and it is important to be overly cautious about the thorniness of certain issues. However, although they attempt to explain such complications, this does not always translate well into the policy arena. Policy makers are not academics and tend to need issues simplified in order to make decisions and facilitate political cooperation. Unfortunately, information in the academic arena can often be so watered down for policy that it leaves much to be desired. This book has analyzed how the “climate refugee” is not possible through two veins of analysis: the opinions of additional academics, and statements directly from UNHCR. And yet, this did not stop the US secretary of state, John Kerry, from warning his fellow ambassadors that “There’ll be climate refugees that all of you will be coping with at some point. If not now, in the not-too-distant future . . . It is a national security threat, it is a health threat, it’s an environmental threat, it’s an economic threat” (Fitzgerald, 2015).

If there are this many threats, as per Kerry, then an IGO will be necessary to address them. It is not that the potential for bilateral or multilateral agreements should be ignored, but that thus far they have not proven to be enough in this area. The governments of Tuvalu and New Zealand have had a migration scheme for years which has allowed a small quota of migrants from Fiji, Tuvalu, Tonga, and Kiribati to settle in New Zealand in order to work. This is often discussed as an environmental migration agreement – although it is not (Gemenne and Shen, 2009). While some people have made their way through some strict conditions, New Zealand is not actively allowing Tuvaluans to stay past their visa expiry date due to the environmental degradation in the homelands. When this happened to Ioane Teitiota, a Tuvaluan living in New Zealand, he made a case of indirect persecution by the industrial nations and attempted to claim “climate refugee” status. His claim was rejected by the migration tribunal, the High Court, and the High Court for appeals. And he is not the first; refugee law scholar Jane McAdam argues that both Australia and New Zealand have refuted 17 such claims in the last 20 years (O’Brien, 2015). Legal challenges are not working, and individual nations are not willing to offer protections along the lines of “refugeehood” on their own. If not an IGO, what is the alternative?

Reevaluation of expansion theories

Considering the IGO evolution described earlier in the book, structure has been much less of a hindrance to expansion than political concerns. Each fully developed IGO (UNHCR, IOM, and OCHA) expanded geographically, from handling a specific locale to eventually reaching around the globe. Whether this expansion was done under a vertical or horizontal management structure appears to be unimportant. Each has also originated their own research, with the WIM in the development stage of this. Only UNHCR has a binding legal framework, but has been pulled into helping beyond its mandate geographically and in situations of generalized violence. It is also the only IGO with a specific mandate versus a broad one, and yet it has broadened its activities over the years. Finally, the increasing displacement due to tensions, either during or after the Cold War, has demonstrated that there has been no threat to the survival of UNHCR, IOM, or OCHA. Thus it has been outside forces which have demanded expansion of all three and then, additionally, the fourth.

UNHCR has experienced the biggest pull toward a theoretical “spillover”. Nations came together on a mutually important and pressing issue and were so successful in addressing it that there has been extensive outside pressure for it to address additional displacees and expand its mandate. However, it has resisted expanding beyond its only formal expansion (the 1967 Protocol) at every turn. While its one-time expansion geographically did reinforce its dominance with displacement as a whole, its next expansion (into IDP assistance) was only a limited effort. This is not to say that UNHCR does not care about those internally displaced (their mandate was built on the ideal of protection), but in offering a soft law instrument instead of offering to expand its legal protections, it has created a hierarchy of displacement. Even staff (and scholars) have bought into the “special” status of those formally persecuted and see other forms of displacement as lesser – the debate in Chapter 4 over whether refugee studies should be housed under forced migration studies in reinforces this. The bureaucratic mythology of the refugee is real, and it has created a protective environment which has continued to be restrictive.

IOM, on the other hand, has also seen a demand to expand, but in a political manner. It can be more clearly related to firm theory in that its activities are a demand by “clients” and in this case, the “clients” are the member states. Its response, as a logistical facilitator, is guided by member state demands and its consistent ethos of management reflects this.

As receiving states prefer to manage migration flows to keep them consistent with their immigration policies, management *is* key. One way to manage flows is to demonstrate what can be done to keep people from migrating; this was seen in the IOM Mauritius report, emphasizing adaptation instead of planned relocations. IOM is also where organizational funding matters most; a firm is responsive to its clients and gives best service to its biggest clients. IOM is not UN affiliated, and as an outside organization it does not have a directive to protect human rights or assist suffering; it is a logistically based IGO and assists other agencies (UNHCR and OCHA) with their more altruistic missions.

An aid agency such as OCHA is tough to evaluate using either neofunctionalism/spillover or firm theory. While OCHA, as a UN agency, does have a macro bias and has been successful in temporarily assisting displacees, there has been no pressure for it to expand in any way to tackle anything other than what it currently does, and so European expansion theories fall flat. There is an awkward nexus between aid and development; temporary assistance and building back better would be the logical step forward for OCHA expansion to assist climate displacement. However, aid and development work in different silos and do not often cross paths. As firm theory explains, it takes major resources to be able to expand. While OCHA can operate around the globe, its operating budget is often small and the IGO can barely respond when it is needed. This is a structural instead of a political constraint, but an important one. As mentioned previously, aid agencies often are flush with contributions right after a disaster, but have a hard time keeping themselves funded between events. Additionally, there are many aid agencies across the globe which all fight for the same funds. Where things become complicated is when individuals are displaced after a disaster and go to the first place they know for help. While OCHA may not be the best or most appropriate IGO to offer assistance, it may not be able to stop being considered a resource of immediate help.¹

Neofunctionalism and spillover is a much more clear fit to describe the expansion of the UNFCCC and to include a function such as a Loss and Damage mechanism. The UNFCCC institutionalized around a common issue that was not controversial in and of itself, but in terms of how it could be fixed. However, it did produce the Kyoto Protocol, a real binding agreement to reduce GHG emissions. While compliance has been less than impressive, it did develop further to tackle adaptation and has expanded impressively faster than the previous three IGOs and into various additional issue areas, as explained in Chapter 7. Furthermore, it has a macro bias and actors have mattered. Entrepreneurs such as AOSIS

and its members and supporters have worked tirelessly to move the Loss and Damage mechanism forward, which has included reconstitution, in some manner, for the eventual displacement of many people and nations. Finally, civil society has a voice here, and like the EU, it is a venue in which individuals get a vote as to its business; NGO observers, academics, and activists alike are able to participate in the process, echoing the demands of the actors in the game. This additional level of involvement has been a successful driving force toward further spillover.

Political time horizons

An additional theoretical frame which has not been considered is the political time horizon. Political actors make decisions based on how they will affect their political careers. Thus, acting on climate change (or climate induced displacement) would assume that the project being proposed can be sold to their constituents in a manner that makes the actor look good. This does not necessarily assume that the constituents benefit directly from the actions of the politician, but that they believe the issue is important to them. This issue is also reflected in literature based on human nature as related to how people handle the future. What is considered the conventional wisdom in this area says that if left to our own devices, humans will satisfy their most urgent urges today and leave the future for another day. However, even biology argues that we humans are capable of short- and long-term thinking. This is based on our connection with our older generations and their tendency to think about their old age and death. The capacity even increases as people age (Princen, 2009). This suggests that political office holders, who are usually at least in their middle age, have the ability to look to the future; the only thing holding them back is a focus on their personal career, which necessitates shifting to a short-term interpretation of policies and politics.

However, the main subject of inquiry in this book has been IGOs, and while their member states are made of political office holders, they do not have this problem directly. While climate displacement may not be on the national agenda in many states, the IGO, as an instrument of international relations, has the ability to provide a space to tackle issues such as these without necessarily being relevant in every nation involved. Additionally, the one IGO where this would be most salient but yet has made the least difference is in the UNFCCC and its subsequent WIM. Its decisions most directly affect countries because it is developing treaties. Nevertheless, most climate migration is a problem situated in the future, which will affect the political careers of those

negotiators and ministers not even in office yet. The leaders who have been arguing that something must be done are the leaders of the nations who will be directly affected. But even some of these leaders do not have to push the issue as of yet, as their tenure will be over when the time comes to move. In places like Tuvalu, the problem is not even salient with the public as a whole; they do not want to leave and have a religious belief system which supports a sense of spiritual optimism when it comes to their plight. They are a highly Christian nation and believe in the promise that God made after the great flood, that he would never do such a thing again (Morris, 2009; Patel, 2006). The leaders in the Pacific are looking to the international community to assist in a solution even when their people hold out religious hope, which suggests that long-term planning beyond political time lines is possible. Even in non-affected nations, the Nansen Conference on Climate Change and Displacement held in Oslo in 2011 brought together many foreign ministries to begin to plot out a direction on this emerging issue. Hosted by Norway, which is not going to face displacement in this way, the conference was a step in the direction of making the issue politically relevant. Since its initiation in 2011, the Nansen Initiative has conducted regional consultations around the globe to assess the needs and vulnerabilities concerning cross-border displacement due to climate processes. The results have been presented as side events at the UNFCCC COP and Intersessional meetings. Political time horizons may play a role in nations where inaction is still the norm, but the focus of this inquiry is the intergovernmental realm. Time horizons are not as relevant at the international level in this case; but considering the nations who are making progress regardless of them, it is not a frame which can explain the lack of expansion at this level of governance.

Implications

Overall, UNHCR and IOM have already conceded this issue to the UNFCCC. With their contributions to the COP 19 related to mobility in the context of loss and damage (2013) and to the Nairobi Work Programme (2014) as part of the Advisory Group on Climate Change and Mobility, it is clear that both of these IGOs have chosen their path forward on the issue. They will advise another IGO's nested mechanism and not expand. OCHA will continue to do what it can as a first responder, but it could not accommodate climate displacement if it wanted to and has not been pressured to do so. As a consequence, the WIM has grown to fill the governance gap that the others have left

open, and it should do so. Within a treaty-making body with membership including all nations, a few territories, the EU, and civil society participation, the WIM is poised to create policy in this area unlike any other. But this does not mean that progress from here on will be easy. It took 22 years from the inception of Loss and Damage until the institutionalization of an actual mechanism. The commitment phase for the next Kyoto (K2) commences in 2015 at the COP 21 in Paris, but will not be implemented until 2020. Therefore, more damage will be done. And this is all the reason for those involved in pushing the agenda of the WIM forward to ensure some solid and binding policies, because climate events will still worsen. Additionally, the issue of “compensation”, which aided the 22-year gap between the need for a mechanism to address irreparable loss and the establishment of the WIM, is back on the table in the latest negotiating document. Until this draft, the word had been taboo in the UNFCCC and with those who either negotiate or advocate at the COPs. It is unclear if this will again hold up the development of the WIM or the larger negotiation as a whole. Also in this latest negotiating text are two other suggested action items of the WIM which will institutionally overlap with IOM and OCHA: (1) to provide support for emergency relief and (2) to assist in providing organized migration and planned relocation. Again, it is unclear whether these functions will be accepted and how they could be implemented. Definition and clarification are necessary to determine whether this mechanism, IOM, or OCHA will be the lead. These items do overlap, and negotiators may create a new mechanism that is doing exactly what others were already built for. However, without direct expansion and participation by these other entities, some overlap in operations will be unavoidable. But there is the possibility that the WIM could evolve into something bigger and more comprehensive. Some individuals in the process of being displaced may choose to move as their livelihoods begin to collapse and may not wait until they are desperate and have suffered. If the WIM can identify communities at risk (by vulnerabilities, hotspots, and similar indicators) and allow for such people to be able to have a fast track through receiving nations’ immigration lines, this can be an effective tool. In choosing to leave before the worst damage or suffering occurs, this subset of people will use their own resources to fund their own migration, which would be much more acceptable to receiving nations. In this way, an immigration status as a proposed outcome of the WIM can be based on the continued deterioration of one’s homeland, but may not offer any protections or assistance. This function can be a starting point that will allow many nations to experience resettlement due to climate change

without the fear of waves of “refugees” imposing on their nations. It also allows for the individual choice of the displacee; one can stay until it is impossible to sustain one’s self or choose to leave before hardship occurs. Those who migrate sooner will be individuals and families which the governments of nations with high emissions do not yet have to fund. Without the WIM, this could only be a direct treaty between nations which are already under climate stress and others willing to take in those who wish to leave; within the WIM, there is more possibility.

However, if the WIM does stall and incidences like Cyclone Pam continue to displace those in the Pacific more often, there will be little that can be done without some sort of emergency measure. If the world is to be serious about this phenomenon, it needs to come together in pre-planning by offering an immigration scheme, as suggested above, and thoroughly developing the WIM’s planned relocation arm with consideration for temporary housing, job training – basically a replication of IOM’s procedures with OCHA’s concerns and consideration to the human security and rights of those being displaced. With conditions likely to worsen, the stakes are high for such preparation. If the WIM is stalled, halted, gutted, or killed, the quote from Kerry mentioned earlier *may* be prophetic. Enabling the WIM to fully plan and prepare for inevitable movements and reconstitution can prevent traditional security concerns in this area. If individuals, communities, and nations are left in limbo with dwindling resources, they could become security threats to neighboring individuals, communities, and nations, thereby causing more global upheaval. This does not have to be the case, but can be. There is no immediate reason to expect that those being displaced will be an existential threat to nearby states. The success of UNHCR (in resettlement), IOM (in logistics and projects), and OCHA (in short-term dislocation) demonstrate this. But it will be vitally important to respect the human security and rights concerns of the displaced. In doing so, not only will the UNFCCC’s WIM show a sense of global goodwill toward the most vulnerable, but prevent a difficult situation from becoming worse.

Further research

This investigation has only begun to evaluate all of the governance structures which have been implicated in assisting this new group of migrants in the past few years. The literature that surrounds humanitarianism is often paired with development. One major criticism of impartial humanitarian efforts is that although they alleviate suffering, they

do nothing to prevent situations that cause suffering in the first place – it is a short-term fix. This comes from the Wilsonian view which seeks to leave those assisted better off than they were before the incident in which the humanitarian aid was needed. This view ties easily into the development literature. Lautze (1996) explains that often the goal of humanitarian assistance is to put the lives of those affected by some sort of disaster back to the levels they were before the incident. However, because climate change will eventually make rebuilding more and more difficult, it will be imperative to investigate the extent to which development mechanisms can be used to rebuild communities in alternate sites or with alternative materials and designs. The literature that connects humanitarian assistance and development is also light and will need to be developed on conceptual and theoretical levels before it will support the addition of climate change. This connection will be an important next step in the advancement of this field. Additionally, development policy may be included in the WIM pre-planning; it will be imperative to evaluate this if it does happen.

On the structural side, further research needs to delve deeper into IGO funding. For the purposes of this project, aggregate budget expenditures and the proportion of funding by certain nations were used. In the future development of governance, earmarked expenditures need to be addressed. Many member states earmark their funds for only specific expenditures – this is especially influential for IOM, as it is directly responsive to member state requests, and this structural component imposes particular constraints. Continuing research needs to take into consideration these earmarked funds and their influence over time on the IGO in a grander international relations context.

A reevaluation of land rights also needs to occur in this context. In a world where every inch of land has been claimed, purchased, or taken by force, resettlement is made very difficult. As the climate continues to change, private property rights may now protect historically illegitimate claims. But it is not only sovereign national land which is vulnerable to new demands; individual land owners and indigenous holdings will also be implicated. The changing climate means that the areas that were once fertile will shift to spaces that are currently used for other purposes; agriculture, coastlines, and wastelands will all realign. Unfortunately, property laws are not necessarily flexible, and many of those who currently own valuable land will see its value drop and yet need to purchase new land. However, falling property values will impoverish many, leaving them unable to afford this. Additionally, changes in land ownership

will mean changes in the ownership of newly valued natural resources, including aquifers and minerals. Land disputes are arguably the biggest cause of war the world has ever seen. Without a new conception of ownership which coincides with a changing public good, more disputes may be on the horizon. This area poses the most concern for traditional security threats due to climate change. It is not the displacement of individuals but the displacement of economic value which should cause alarm.

Another area of research that needs development is integrating the concerns of those becoming displaced. In this book, many elites' voices are used to describe the needs of their people. The former president of the Maldives made his country's eventual displacement a major priority by using his office to make speeches and prepare media appearances (such as his underwater cabinet meeting) to bring attention to his nation's plight. Chapter 2 referenced the views of the former prime minister of Tuvalu, Ielemia, and his desire to sue large carbon emitting nations; even the Nansen Initiative's regional consultations are conducted through discussions with local elites, such as NGO representatives and local leadership. But there is little in the literature about the desires of the individual. One of the first surveys to ask those who will eventually be displaced about their thoughts on the matter was conducted in 2013 in the Maldives (Simonelli, 2014a, 2014b). Semi-structured interviews asked individuals on K. Guraidhoo and Dhuvaafaru (in the South Male and Raa Atoll respectively) about if/where they would go if climate processes necessitated that they leave. The majority – 11 out of 16 respondents on Guraidhoo and 15 out of 18 on Dhuvaafaru – said that they would move if need be, and most of those preferred to do so with their entire communities intact. The preferences of the majority were to move internally to either the capital or its redeveloped neighbor, Hulhulmale, but if prompted to think about it, some did have preferences for international relocation, if necessary.² Thus while many had not yet thought about the need to internationally relocate, their preferences were far from the proposal made by their outspoken previous president. The preferences of the displaced may be explicitly different than those of their national representatives. Ioane Teitiota, in his fight to stay in New Zealand, calls his bid for refugeehood “migrating with dignity” (Weiss, 2015). This phrase has also been used by other civil society groups in the Pacific (Randall, 2014) and the Kiribati government (Reuters, 2014). There is not enough evidence to assume that the view of the EUI leaders is fully representative of the opinions of their people, and more research is necessary to include the preferences of the displaced in displacement policy.

Finally, this research needs to collaborate with that in the field of physical science. Cooperation in this area can lead to the foundation of a better time line for displacement and the identification of hot-spots. Accurate schedules for action can create a frame for appropriate responses which needs to be applied to the most vulnerable areas. Right now those academics who work on migration/displacement issues do not talk across disciplines to those in hydrology, climatology, and so forth. A strong connection will provide a sturdy bridge from science to policy and will connect the knowledge of environmental activity to how it will affect the earth's human inhabitants.

Notes

2 Current State of Affairs

- 1 <https://www.cia.gov/library/publications/the-world-factbook/geos/tv.html>
- 2 CIA World Fact Book.
- 3 CIA World Fact Book.
- 4 Added by Leckie in an interview for the *Financial Times*.

3 Hyperbole versus Fact

- 1 Search performed March 5, 2015.
- 2 Plato mentions that he is using names that are references from his own society to describe similar affiliations in Atlantis.
- 3 Search performed March 6, 2015.
- 4 Search performed March 7, 2015.
- 5 Simonelli's (2014) interviews in the Maldives provide personal experience of many years of discussing rising tides on the island of Kandholhudhoo. One elderly gentleman had to be taken to the hospital on a neighboring island after one particularly bad incident where he passed out trying to bail the thigh-high water out of his house.
- 6 This frame has the potential to be expanded to other areas vulnerable to the same consequences through different climate processes (such as desertification), but for the purposes of this discussion about poor island descriptors, it will remain as is.

4 Academically Understood Context

- 1 Travel and tourism are also a prominent features of voluntary migration. I have omitted a discussion of them here, as it does not add any theoretical insight to the study at hand. A larger discussion about circular/seasonal migration has also been excluded for the same reasons.
- 2 Whether deserving of the status or not.
- 3 This makes it different from the way in which the refugee faces a threat; theirs is a right to security and liberty.
- 4 Article 1, Section B1, Subsection F.

5 Institutional Expansion

- 1 A more detailed explanation of this divide will be provided in chapter 7, in a discussion about the development of the climate regime.

6 Lack of Expansion

- 1 These nations signed during the years 1967 and 1968.
- 2 In order, these are: Food and Agriculture Organization (FAO), UN office for the Coordination of Humanitarian Affairs (OCHA), United Nations Development Program (UNDP), United Nations Population Fund (UNPFA), United Nations Human Settlements Programme (UNHABITAT), United Nations High Commissioner for Refugees (UNHCR), United Nations Children's Fund (UNICEF), World Food Programme (WFP), and the World Health Organization (WHO). Standing invitees include: International Committee of the Red Cross (ICRC), International Council of Voluntary Agencies (ICVA), International Federation of the Red Cross and Red Crescent Societies (IFRC), InterAction, International Organization for Migration (IOM), Office of the High Commissioner for Human Rights (OHCHR), Steering Committee for Humanitarian Response (SCHR), Office of the Special Rapporteur on the Human Rights of Internally Displaced Persons (SR on HR of IDPs), and the World Bank (WB) (IASC.org).
- 3 An IASC typology for climate change-related drivers of migration. Others include: environmental degradation and/or slow onset extreme hazard events, significant permanent losses in state territory as a result of sea level rise, and armed conflict/violence over shrinking natural resources.
- 4 In the week of October 10, 2011, several islands in the South Pacific, including Tuvalu, ran out of clean water due to the compounded effects of sea level rise and La Nina. The UN and Australia were in talks as to how to handle the matter as a humanitarian emergency.

7 Filling the Governance Gap

- 1 A negotiating group consisting of Japan, the USA, Switzerland, Canada, Australia, Norway, and New Zealand. Iceland, Mexico, and the Republic of Korea may also attend JUSSCANNZ meetings.
- 2 This means that there was no formal agreement on this text; it is draft language to be formally agreed upon during the COP session.
- 3 A poor joke coming out of commentaries about this COP (Roberts, 2013).
- 4 Emphasis mine.
- 5 The walkout was tentatively planned when this bloc went into negotiations that evening, as told to me on the evening of the 19th of November 2013 by an anonymous negotiator.
- 6 Version 18, September 11:00.
- 7 The case was presented to me in short form by Nicole DeMoor, a lawyer and refugee scholar at the University of Ghent.
- 8 The states in the UN but not members of IOM are: Andorra, Bahrain, Barbados, Bhutan, Brunei, China, Cuba, Democratic People's Republic of Korea, Dominica, Equatorial Guinea, Ethiopia, Grenada, Indonesia, Iraq, Kiribati, Kuwait, Lao People's Democratic Republic, Lebanon, Liechtenstein, Macedonia, Malaysia, Monaco, Oman, Palau, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, San Marino, Sao Tome and Principe, Saudi Arabia, Singapore, Solomon Islands, South Sudan, Syria, Tonga, Tuvalu, United Arab Emirates, and Uzbekistan.

8 Conclusion

- 1 During the 2011 Nansen Conference in Oslo, one of OCHA's African Bureau Chiefs mentioned that it is often the agency of first response regardless of the situation and voiced the concern that those affected by climate-related disasters would swamp her office and other offices and they would not be able to keep up.
- 2 These included: France, the UK, India, the USA, Sri Lanka, Australia, Macau, and Saudi Arabia.

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