

Jane McAdam (ed.), ***Climate Change and Displacement. Multidisciplinary Perspectives***. Oxford and Portland, Oregon: Hart Publishing, 2010. Pp. 274. £45.00. ISBN: 9781849460385

The discourse on environmentally induced migration has now been going on for more than a quarter of a century.¹ Still, to this day there exists no empirical or conceptual clarity regarding the existence and number of environmentally displaced persons, as well as the terminology and legal protection mechanisms that should be applied to them. In recent years, the focus of scholarly and institutional attention has shifted from environmentally induced migration in general to migration induced by climate change, adding further complexity to an already difficult topic. Climate change-induced migration now needs to be distinguished not only from the social, economic, and political factors compelling human movement, but also from the 'background noise' of general environmental change that might cause people to seek a livelihood elsewhere.

Efforts to shed light on the intricate relationship between climate change and displacement are therefore laudable, but they also run the risk of adding to the existing confusion, or even discrediting the subject, if they are based on unsound empirical assumptions or untenable legal extrapolations. The multidisciplinary contributions contained in *Climate Change and Displacement* avoid these pitfalls, providing a careful and detailed analysis of some of the major aspects of climate change-related movement. As the editor, Jane McAdam, explains in her introduction to the volume, the aim of the book is to bring together, in a single place, approaches from a variety of disciplines as a first step in promoting true interdisciplinary research (at 2–3). This aim has been well achieved, in an interesting compilation of nuanced views which dissipate many stereotypes as to the nature of climate change displacement and the appropriate response strategies.

Perhaps to underline the topicality of its approach (cf. at 3), the book contains no separate chapter on the history of the environmental migration debate. Not only for this reason should Stephen Castles' excellent 'Afterword' be read rather as an explanatory preface to the volume. Castles puts the discussion into perspective by giving an overview of the evolution of the environmental migration discourse and the different interests at play in characterizing displaced persons as 'environmental refugees'. He also summarizes the current state of knowledge, masterly interweaving recommendations for a future research and policy agenda with the core findings from each of the book's contributions.

Read in their chronological order, the first three chapters of the book start out by exploring the empirical connection between climate change and migration, thus laying the basis for the following five contributions to discuss the normative and moral implications of climate change-induced displacement. The last two chapters, which deal with public and mental health issues, offer examples of how climate change will affect the provision of social services, both with regard to people who move in response to its impacts, as well as with regard to those who stay behind.

In his contribution on 'Climate Change-Induced Mobility and the Existing Migration Regime in Asia and the Pacific' (Chapter 2), geographer Graeme Hugo identifies 'hot spots' of climate change impacts in Asia and the Pacific that may become the source of population movements. While this is reminiscent of Norman Myers' deductive approach to predicting future climate displacement, Hugo warns against assuming a direct cause-and-effect relationship between climate impacts and migration, given that people's resilience and their potential ability to adapt *in situ* may obviate the need to move. Hugo's conclusions are reinforced in the subsequent chapter by geographers Jon Barnett and Michael Webber. Barnett and Webber classify migration as one of several adaptation strategies to environmental change which might even yield benefits for the

¹ It started with Essam El-Hinnawi's popularization of the notion of 'environmental refugees' in a UNEP publication of 1985. See E. El-Hinnawi, *Environmental Refugees* (1985).

migrants as well as for their communities of origin and destination, under the condition that it occurs 'voluntarily', i.e., while the people still possess a certain degree of agency. Castles identifies this position as being typical for migration specialists as opposed to environmentalists, who tend to portray migration as an inevitable response to climate change in an effort to persuade countries to adopt stronger mitigation commitments (at 241–243). Interestingly, both Hugo and Barnett and Webber emphasize the importance of existing migration channels in absorbing future climate change-induced migration. This may be yet another example of the divide between migration specialists, who focus on practical solutions in their empirical research as well as in their normative proposals,² and environmentalists, who stress the responsibility of large emitter nations for anthropogenic climate change. From an environmentalist's perspective, international solutions, such as a new global regime on climate change-displaced persons, are to be preferred to regional migration mechanisms. Hugo on the other hand cautions against international solutions which would portray climate change-induced migration as a 'phenomenon which is different and totally separate from other forms of mobility' and neglect existing migration patterns (at 31). It seems that a compromise bridging this divide would be to couple regional solutions with a multilateral burden-sharing mechanism.³

Although it features a strong emphasis on the situation of low-lying island states, which appear at least as a reference point in every chapter, the book does not make this emphasis explicit, nor does it focus exclusively on the particular problems of (forced) outmigration from 'disappearing' island states. This sometimes leaves the reader with a somewhat half-hearted impression. The advantages of adopting a more focused approach can be seen in the very instructive contribution by geographer John Campbell (Chapter 4), who delivers a refreshingly precise case study on community relocation in the Pacific. Discussions on this topic often oscillate between rather sensationalist evocations of the 'first climate refugees' having to leave their sinking islands and well-meaning proposals which seem to advocate community relocation as a panacea for the dangers to societal cohesion that the migration process entails. Against this background, Campbell presents the historic examples of in-country relocation from the Carteret Islands to Bougainville in Papua New Guinea and of 'international' relocation (in the colonial period) from Banaba in what today is Kiribati to Rabi, now forming part of Fiji, to illustrate the complexity and difficulties associated with the relocation of Pacific island communities who entertain a particularly intimate relationship with the land they inhabit.

The following chapter by Walter Kälin, Representative of the UN Secretary-General on the Human Rights of Internally Displaced Persons, opens the normative part of the book. Kälin gives an expert's overview of the existing legal instruments involved in different migration scenarios. His sober assessment carries some optimistic overtones, for instance when he concludes that the human rights framework codified in the Guiding Principles on Internal Displacement provides sufficient protection for internally displaced persons (subject to its better implementation by states), or that islanders whose state effectively disappears would not necessarily become stateless. To close the normative gaps that exist with regard to people who cross international borders, Kälin proposes the development of domestic and regional protection regimes which

² See, e.g., McAdam, 'Swimming against the Tide: Why a Climate Change Displacement Treaty is Not the Answer', 23 *Int'l J Refugee L* (2011) 2. Cf. also Williams, 'Turning the Tide: Recognizing Climate Change Refugees in International Law', 30 *L & Policy* (2008) 502. When Williams presented her proposal for a regional migration mechanism under the roof of the UN Framework Convention on Climate Change at the Annual Conference of the British Institute of International and Comparative Law in 2008, she had to face criticism from island state lobbyists who accused her of neglecting the international dimension of responsibility for global climate change.

³ McAdam, in *ibid.*, acknowledges that an international burden-sharing mechanism might be needed to complement regional solutions.

could draw inspiration from existing complementary protection schemes, such as the EU's Temporary Protection Directive. The challenge of conceptualizing climate change-induced displacement is also addressed by forced migration expert Roger Zetter in Chapter 7 of the volume, this time from a rights-based perspective. Zetter briefly discusses the desirability of expanding the 1951 Refugee Convention to include 'environmental refugees'. His conclusion that environmental migration can best be addressed by recourse to existing instruments, rather than the creation of new international protection mechanisms, echoes the sentiment of other authors of the book under review. Perhaps for this reason, the volume does not contain a chapter that synthesizes and evaluates the various institutional and normative proposals to address environmental and climate change displacement that have already been made, which range from the simple streamlining of existing institutional mandates to the revision of existing instruments to the adoption of new freestanding conventions or protocols under the Refugee Convention or the UN Framework Convention on Climate Change. While not necessarily to be expected in a volume that features multidisciplinary perspectives, such a chapter would probably have been welcomed by international lawyers and policymakers, for whom these proposals often form the centre of the debate.⁴

Zetter concludes his chapter with a discussion of the humanitarian and restorative justice considerations that underpin calls for the protection of those displaced by climate change (and equally those who have to stay behind). This subject is taken up by moral philosopher Peter Penz in Chapter 8, who delivers an insightful examination of the international ethical responsibilities that exist with regard to 'climate change refugees' and others harmed by climate change. After a brief *tour d'horizon* of different ethical approaches, Penz focuses on the compensation responsibilities that arise from causing climate change harm. This is where the distinction between environmentally induced migration in general and climate change-related displacement comes to bear. While Kälén maintains that there is no reason why people displaced by environmental events unrelated to climate change should be treated differently from those affected by climate impacts (at 85), Penz's emphasis on corrective justice shows that, at least from this ethical perspective, a difference exists, as the call for compensation responsibilities relies on the anthropogenic nature of global climate change.⁵ This distinction could provide the basis for advocating mandatory compensation for climate change victims, as opposed to the humanitarian aid given in other environmental emergency situations, which is still characterized by states as purely voluntary. However, Penz points out the difficulty of establishing causation and attributing state responsibility for climate change. To overcome these obstacles, he proposes the development of a global insurance mechanism, which he maintains could also apply to damage caused by natural disasters unrelated to climate change in cases of doubt. At this point, a reference to the international insurance pool suggested by the Alliance of Small Island States (AOSIS) early in the climate change negotiation process,⁶ which is now part of its proposal for a comprehensive loss and damage mechanism under the UN Framework Convention on Climate Change, would have been desirable.

Placed between the chapters by Kälén and Zetter is the contribution by the editor, Jane McAdam (Chapter 6), which deals with the legal implications of 'disappearing' island states. McAdam raises many interesting and thus far largely unexplored questions relating to the

⁴ Elsewhere, Jane McAdam has questioned the utility of pinning solutions to climate change-related displacement on a new multilateral instrument: see McAdam, *supra* note 2.

⁵ A different question, also addressed by Penz, is whether the existing gross global inequalities in themselves warrant compensation by the privileged nations. See also McAdam, *supra* note 2, at 14.

⁶ On the insurance mechanism proposed by AOSIS see R. Verheyen, *Climate Change Damage and International Law. Prevention Duties and State Responsibility* (2005), at 50–52.

continued statehood of threatened island nations and the fate of their populations. While she deplores the abstractness with which the topic of 'sinking islands' is sometimes discussed in academic circles, her treatment of the statehood criteria as applied to disappearing island states can in some respects be subjected to the same criticism. McAdam relies heavily on quotations from James Crawford's *The Creation of States in International Law*⁷ which are sometimes taken out of context. For example, she takes the statement that '[i]n many instances the claim to continuity made by the State concerned will be determinative; other States will be content to defer to the position taken', made by Crawford in the context of discussing the legal and political niceties distinguishing state succession from state continuity, to indicate that other states would acquiesce in the claim to continued statehood by an island state that has effectively lost its territorial and personal basis (at 114).⁸ At other times, she could have better explained her ideas. Thus, it is not immediately obvious how the renunciation of independent statehood in favour of becoming a self-governing territory would prolong the life of the island nation (at 126). While the island territory might receive increased adaptation assistance from the metropolis, the main advantage of such an approach seems to lie in the enhanced migration rights it would engender. It is however far from certain that the islanders would survive as a nation in their metropolitan host state, even taking into account their right to internal self-determination. In two other sections of her chapter, McAdam delivers a good discussion of the legal status of island populations whose state has ceased to exist and, complementing Campbell's contribution, of the legal problems associated with their possible relocation.

A contribution by Lorraine Elliott, a political scientist, on the securitization of the climate migration debate (Chapter 9) concludes the normative part of the book. Elliott emphasizes the human security implications of climate change for the people in the Pacific and beyond over the – in her opinion overstated – potential for interstate conflict due to environmentally forced migration. As Castles puts it succinctly, '[d]ecrying potential climate change migration as a threat to the security of developed countries misses the point – analysed so well in Elliott's chapter – that climate-induced displacement is a result of the human insecurity imposed on the South in the current global order' (at 245).

The last two chapters by public health experts Anthony McMichael, Celia McMichael, Helen Berry, and Kathryn Bowen on the health risks of climate-related displacement and possible responses and by Maryanne Loughry on the mental health effects of (anticipated) migration venture the farthest away from the discussions international lawyers are usually exposed to. The conclusion reached by McMichael *et al.* that more interdisciplinary research and intervention are necessary to mitigate the climate change-related health risks encountered before, during, and after displacement reinforces the general tenor of the book, which calls for heightened interdisciplinary work on climate change and human movement. At the same time, Loughry's reference to fieldwork conducted in Kiribati re-emphasizes the volume's strong focus on the situation of low-lying island states.

Climate Change and Displacement is a valuable contribution to the body of literature on climate change-induced migration. While no single book can comprehensively treat this exceedingly complex issue, the volume brings together an array of high-quality contributions which, read on their own, offer in-depth insights into some of its most crucial aspects, and which, taken in their ensemble, provide a solid basis for future interdisciplinary research.

⁷ J. Crawford, *The Creation of States in International Law* (2nd edn, 2006).

⁸ This also runs counter to Crawford's assertions that 'from a legal point of view the issue of continuity only arises . . . when what is in dispute is not the existence of a State at a given time but its identity with a State at another time' (*ibid.*, at 668) and that 'we should treat the determination of identity and continuity as dependent on the basic criteria for statehood. A State may be said to continue as such so long as an identified polity exists with respect to a significant part of a given territory and people' (*ibid.*, at 671).

Individual Contributions

Graeme Hugo, Climate Change-Induced Mobility and the Existing Migration Regime in Asia and the Pacific;

Jon Barnett and Michael Webber, Migration as Adaptation: Opportunities and Limits;

John Campbell, Climate-Induced Community Relocation in the Pacific: The Meaning and Importance of Land;

Walter Kälin, Conceptualising Climate-Induced Displacement;

Jane McAdam, 'Disappearing States', Statelessness and the Boundaries of International Law;

Roger Zetter, Protecting People Displaced by Climate Change: Some Conceptual Challenges;

Peter Penz, International Ethical Responsibilities to 'Climate Change Refugees';

Lorraine Elliott, Climate Migration and Climate Migrants: What Threat, Whose Security?;

Anthony J McMichael, Celia E McMichael, Helen L Berry and Kathryn Bowen, Climate-Related Displacement: Health Risks and Responses;

Maryanne Loughry, Climate Change, Human Movement and the Promotion of Mental Health: What Have We Learnt from Earlier Global Stressors?

Stephen Castles, Afterword: What Now? Climate-Induced Displacement after Copenhagen.

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