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A Path Forward for Climate Migrants: Climate Change and Its Displacement and Migration Impacts

By: Daniel Salazar

At its current pace, climate change is expected to have wide-ranging implications for the world economy, international security, and global governance. But climate change is already having far-reaching impacts on migration and displacement, both within countries and across international borders. While no one event of severe or extreme weather is entirely or solely attributable to climate change, emissions of planet-warming greenhouse gases and their effects are linked to more erratic precipitation patterns, including longer and deeper droughts on one extreme and bouts of flooding on the other. [1] Climate change also contributes to the underlying conditions that lead to natural disasters such as hurricanes and wildfires.[2]

These natural disasters and severe weather events fueled, at least in part, by a changing climate are becoming more frequent and more intense. With this increasing intensity, pressures for people to migrate within their home countries or across international borders become more acute. People leave their homes and communities for a wide array of reasons that often intersect and overlap. But extreme weather events threaten the security and livelihoods of vulnerable populations, which prompts people to seek safety and search for better opportunities elsewhere.[3] Wildly fluctuating growing seasons, which can kill entire harvests through drought or deluge, threaten rural communities and the agricultural livelihoods they depend on.[4] These forces can push populations into other rural areas or into urban centers.

This dynamic is already playing out across different regions of the world. For example:

- In the Sahel, an unpredictable climate and degraded environment are increasingly “endangering the lives of people in remote and impoverished communities” in countries such as Mali, Cameroon, and Burkina Faso[5]
- In Afghanistan, a severe drought threatens to displace thousands of people across the country[6]
- In Latin America, migration from Honduras, El Salvador, and Guatemala has been spurred by hurricanes and flooding
- Elsewhere in the tropics, typhoons have devastated countries such as Yemen and Mozambique in recent years and caused mass displacement
- In East and South Asia, tropical storms and floods last year resulted in more than four million new internal displacements each in China, the Philippines, and Bangladesh[7]
- Parts of India, Pakistan, northwestern Australia, the Red Sea coast, and areas along the Gulf of California in Mexico are seeing combinations of high heat and humidity that, left unabated, could render some areas uninhabitable[8]

Climate change and its effects on the necessities of life such as food and water also have an interwoven relationship with another key driver of migration: armed conflict. Resources stretched by changing climatic patterns can be a source of tension within and between communities of pastoralists and farmers, potentially leading to bloodshed.[9]

Some researchers argue that climate change played a role in rising tensions before the outbreak of the Syrian civil war through a prolonged and intense drought. [10] Conversely, armed factions in various conflicts have been known to weaponize access to water or food as a source of leverage over civilian populations, such as in climate-vulnerable and war-torn Yemen.[11]

Scientists, publications, and policy leaders are now referring to climate change in starker terms as a climate crisis or climate emergency.[12] Experts also worry that, left unabated, climate change will dramatically upend global migration patterns. While displacement from some weather events like droughts or floods may be temporary, rising sea levels and creeping desertification into formerly fertile areas could be permanent and cause irreversible changes that render certain areas uninhabitable.

Natural disasters caused more than 30 million internal displacements worldwide last year alone, according to the Internal Displacement Monitoring Centre.[13] But the future trajectory of climate change could accelerate ongoing displacement trends by exacerbating existing vulnerabilities among states and populations. A World Bank Group report estimates that the worsening impacts of climate change could force more than 140 million people to move within their own countries in Sub-Saharan Africa, Latin America, and South Asia by mid-century.[14] Another study found that the risk of flood-related displacement may increase by more than 50 percent—relative to levels in 2010—for each Celsius degree of global warming.[15]

Current Frameworks for Aiding Climate Migrants

Internationally, climate migrants are not afforded the rights and privileges offered to those people who are granted official refugee or asylee status.[16] Neither the United Nations High Commissioner for Refugees nor the 2018 Global Compact on Refugees allows for climate migrants to obtain refugee status even if they do cross an international border—although UNHCR does provide legal assistance to the “disaster displaced.”[17]

However, the groundwork has been laid for climate change asylum claims in the future. In 2015, an asylum application by Ioane Teitiota was denied in New Zealand, resulting in the deportation of Teitiota and his family back to Kiribati.[18] Teitiota filed a complaint with the UN’s Human Rights Committee, arguing that New Zealand violated his “right to life” as sea level rise in the Pacific Ocean is driving violent land disputes, environmental degradation, and freshwater contamination in Kiribati.[19] While the committee determined that some protections were still in place for Teitiota, the ruling did set forth new standards “that could facilitate the success of future climate change-related asylum claims.”[20]

In the United States, there are several types of blanket relief for those affected by natural disasters that are related to climate change. Blanket relief is relief from removal from the country “that is administered to a group of individuals based on their ties to a foreign country.”[21] This type of protection differs from asylum, which is administered on a case-by-case basis to individuals based on their personal circumstances.

One large blanket relief program—Temporary Protected Status, or TPS—allows nationals of certain vulnerable countries to remain in the United States. TPS is meant to provide relief for nationals who cannot return to their home countries due to armed conflict or environmental disasters. Currently, nationals from 12 countries qualify, including countries hit by hurricanes like Honduras and Nicaragua and other acutely climate-vulnerable states such as Yemen and Somalia.[22] Another designation, Deferred Enforced Departure, serves as a temporary, discretionary, administrative stay of removal to people from designated countries. DED has been used on country-specific bases to provide relief from removal “at the President’s discretion, usually in response to war, civil unrest, or natural disasters.”[23] Currently, DED is only in effect for Liberia and Venezuela. Humanitarian parole is also used to bring people who are otherwise inadmissible into the United States temporarily for an emergency or urgent humanitarian reason.[24] Citizens of the Federated States of Micronesia, the Marshall Islands, and Palau—all Pacific Island nations vulnerable to sea level rise—can also work in the United States indefinitely.[25]

Like underdeveloped international frameworks, U.S. federal law does not have a formal way of resettling climate migrants.[26] While TPS may seem like a potential solution to aiding climate migrants, it is not a sufficiently systemic response for a variety of reasons. [27] Although TPS serves nationals of vulnerable countries hit by the type of weather events that climate change fuels, the program is not necessarily sufficient to encompass all those displaced or to provide adequate relief for the scope of the problem. TPS is only designated to certain countries and is only granted by the Secretary of Homeland Security. Additionally, TPS is intended as a “temporary” designation that does not account for the permanently displaced. Under a recent Supreme Court decision, those who enter the country illegally cannot pursue lawful permanent resident status even if they are approved for TPS.[28] Finally, TPS has also been historically granted in reaction to sudden-onset events, such as major hurricanes or earthquakes. This feature of TPS may not be adequate for more gradual, slow-moving climate-related causes of displacement such as rising sea levels.

Policy Steps to Prepare for the Growing Challenge of Climate Migration

There is a wide gap between the scope of the problem of climate-fueled displacement and the domestic and international frameworks best suited to respond. That gap must be narrowed in order for millions of vulnerable people at risk of climate-related displacement to have a more secure future. First, more research and data from governments and private actors alike into this issue will be critical moving forward. Early warning systems for famine, drought, floods, and other climate-related shocks could go beyond immediate evacuation priorities and focus on resilience measures to avoid forced displacement in the first place.[29]

The United States should officially define and recognize climate-related disasters as a legitimate driver of migration. To that effect, federal agencies should continue to collaborate to further study the causes and occurrences of climate-related displacement, as well as its effects. A definition of climate displacement could be used to craft an immigration status for persons who meet it. All persons who meet the definition should qualify for the status, and granting of the status should not be discretionary. This status must create a pathway for its beneficiaries to secure lawful permanent resident status, and subsequently to obtain citizenship after a reasonable period of time.

Not every person displaced by climate change may pursue a particular status. Indeed, some residents of island states and other countries vulnerable to climate change “do not wish to become climate refugees; they want to be able to stay in their homes, or to move in dignity and through regular channels without abandoning everything behind.”^[30] Coordinated international action to curb emissions and build climate-resilient systems remain important pursuits to prevent the worst effects of climate change. But a more developed framework for serving those displaced by climate change would provide much-needed options for vulnerable persons as their livelihoods and communities are uprooted by climate change. USCRI will continue to follow the pace of climate change and advocate for an immigration status for climate migrants.

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United States Issue Updates

• USCIS Announces Policy Changes to the U-Visa Program

On June 14, 2021, U.S. Citizenship and Immigration Services (USCIS) announced policy manual changes to decrease long waits for work authorizations for U visa applicants with bona fide cases. A case is considered bona fide if it has all of the required evidence, and includes a discretionary component to identify whether the petitioner is a risk to national security and public safety. There is currently a backlog of 268,000 applicants with pending U visas who face severe processing delays of nearly five years. The new policy changes will help mitigate some of the psychological and economic challenges that U-visa petitioners face during the processing time, granting them a more timely path to work authorization and deferred action status. Read the DHS policy alert [here](#).

• Migrant Protection Protocols Program Enters Next Phase of Wind Down

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• Trump-Appointed Head of U.S. Border Patrol Rodney Scott Resigns

On June 23, 2021, U.S. Border Patrol Chief Rodney Scott officially resigned after receiving a letter from the Biden administration ordering him to either resign, retire, or relocate. Scott's removal opens the door for President Biden to appoint a new leader to the agency who is less supportive of the more hardline immigration policies of the Trump era. Until President Biden announces his nomination for the position, Deputy Chief Raul Ortiz will act as the interim head of the agency.

• California Federal Court Strikes Down Trump-Era Rule Tightening EB-5 Visa

On June 22, 2021, U.S. Magistrate Judge Jacqueline Scott Corley struck down a Trump-era rule that raised the minimum investment required to apply for EB-5 visas from \$500,000 to \$900,000. The EB-5 visa program grants foreign citizens a green card who invest a certain, high amount in a qualifying U.S. enterprise that creates 10 American jobs. This is the latest in a string of rules recently struck down issued by the Trump administration requiring immigrants to invest more money in the United States to qualify for green cards. The judge cited the improper appointment of former Homeland Security Secretary Kevin McAleenan by Trump in her ruling, mirroring the decision of several other judges who have [blocked](#) immigration policies enacted by the Trump administration. Read the judge's ruling [here](#).

United States Issue Updates (Cont'd)

• **DHS Whistleblowers Warn of COVID-19 Danger in Immigration Detention Settings**

On June 25, 2021, three DHS medical experts from the Office for Civil Rights and Civil Liberties (CRCL) sent a letter to the House and Senate Homeland Security and Judiciary committees describing the threat that COVID-19 continues to pose on workers and immigrants in ICE detention facilities. The three whistleblowers called on the Biden administration to do more to vaccinate detained immigrants against COVID-19, citing that DHS had not yet addressed any plan to control the spread of COVID-19 in immigration detention facilities, which have had over 18,000 confirmed cases during the pandemic. Having initially raised their concerns to the Biden administration in February and March of 2020, Scott A. Allen, Pamela McPherson, and Josiah Rich decided to report them directly to Congress after being largely ignored for over a year. Read the letter [here](#).

• **Oregon Legislature Passes Bill to Allow Undocumented Immigrants to Qualify for Medicaid**

On June 26, 2021, Oregon's State Senate passed HB 335, expanding Medicaid coverage for about 100,000 Oregon residents whose status as undocumented immigrants made them previously ineligible for Medicaid-funded medical services. The bill passed 37-21 in the House and 17-11 in the Senate, and is expected to be signed by Democratic governor Kate Brown in the coming days. Legislators expressed hope that the bill would help to decrease gaps in health coverage that disproportionately impact communities of color in Oregon. Read the full bill [here](#).

• **Colorado's Governor Signs New Bills to Increase Protections and Benefits for Immigrants**

On June 25, 2021, Colorado Governor Jared Polis signed four more bills supporting immigrants and refugees in the state. HB21-1150 created the Colorado Office of New Americans with the goal of the successful social integration and economic inclusion of immigrants and refugees into the state's communities. HB21-1194 established an immigrant legal defense fund that awards grants to qualifying NGOs that provide legal services to clients in immigration proceedings. SB21-199 removed barriers to eligibility for certain public benefits, including existing provisions that required demonstration of lawful presence in the United States. SB21-131 protects personal identifying information from being shared with ICE unless ordered by a judge. These four bills follow over a dozen others passed this year aimed at improving livelihoods in a state where one in 10 residents are immigrants.

• **Supreme Court Delivers Blow to Returning Deportees in a 6-3 Decision**

On June 29, 2021, the U.S. Supreme Court denied the right to petition for a bond hearing for returning deportees in withholding-only proceedings, ruling that foreign citizens who have been deported and return to the United States for humanitarian protection must remain in immigration detention while their cases are reviewed. The case, known as Johnson v. Guzman Chavez, upholds the government's right to detain immigrants for months, if not years, without the ability to even request bail while they fight their cases, even as many face violent persecution in their home countries. The decision was split between the court's conservative and liberal justices, with the conservative majority citing flight risks as a justification for their verdict. Read the full court case [here](#).

Around the World in International Migration

• Air Strike in Ethiopia's Tigray Kills 64

On June 22, an air strike **hit** a market in Togoga, Tigray, killing as many as 64 people and injuring over 100 others, including children. The **UN** urged Ethiopian authorities to investigate the air strike as well as allegations that ambulances heading to assist the injured were blocked by armed forces. Colonel Getnet Adane, the country's military spokesman, insisted that the strike conducted by the Ethiopian air force only targeted fighters "in civilian clothes." Tigray has witnessed an uptick in violence in the days surrounding the June 21 general election. Rights groups cautioned that 350,000 people in Tigray are at risk of famine, as parts of the region remain closed off to aid workers seeking access.

• EU Approves Funding for Syrian Refugees and Border Management

At the European Union (EU) Summit in Brussels on June 24, leaders **approved** a plan to send an additional \$3.6 billion to Turkey to support Syrian refugees and to help Turkey boost its border control. Turkey currently hosts around 3.7 million refugees as a result of the Syrian war, far more refugees than any European country hosts. The EU, aiming to keep migration flows into their territory low, offered Turkey this additional funding and the possibility of EU membership, a plan that Turkey acknowledged was "to ensure EU's own peace and security." An additional \$2.6 billion will go towards assisting refugees and IDPs in Jordan, Lebanon, and Syria. This marks the first time that EU funding has been earmarked for migration management and border controls. Previous funds went directly towards shelter and education for Syrian refugees.

• UNHCR Urges Countries to Facilitate Access to COVID-19 Vaccines for Refugees

On June 24, the UN High Commissioner for Refugees (UNHCR) **called on** countries to include refugees in their roll-out of vaccine distribution. The requirement to submit identity documents to receive the vaccine in some countries has created a barrier to access for refugees and asylum seekers. Misinformation, language barriers, unstable internet, and lengthy distances to vaccination sites have exacerbated the situation. UNHCR is **particularly** concerned about refugees in sub-Saharan African countries that are currently **experiencing** an uptick in COVID-19 cases and low vaccination rates. COVAX, the UN-backed agency responsible for the worldwide distribution of vaccines, aims to vaccinate 20% of the world's refugees by the end of 2021.

• Rights Group Condemns 'Pushbacks' by the Greek Authorities

On June 23, Amnesty International released a report stating pushbacks and violence against **refugees** and migrants have become the 'de facto' border policy in Greece. The report **documents** around 1,000 cases of people who have experienced torture and maltreatment at the hands of Greek authorities. In violation of human rights obligations under EU and international law, Greek border forces have carried out violent detention of groups of migrants before pushing them back to Turkey by land and by sea. UNHCR has called on Greece to investigate these allegations. In response, Greece has denied conducting forced pushbacks.



Take Action

In service of USCRI's mission, we invite you to join us in advocating on behalf of refugees and immigrants worldwide. Check out the toolkits below for information on USCRI's current advocacy issues, as well as social media and sample messages you can send to your Congressional representatives:

Ending Title 42 - At the beginning of the pandemic, Trump administration officials required the Centers for Disease Control (CDC) to issue an order allowing the government to quickly expel asylum seekers who arrived at the U.S.-Mexico border, without giving them a chance to seek asylum. The Biden Administration has not rescinded this harmful policy. To learn more about Title 42, why we should end it, and how to advocate on behalf of asylees, [click here](#).

Afghan SIVs - The United States has begun moving military personnel out of Afghanistan. Currently, around 18,000 Afghan nationals who have provided service to the U.S. government, and an additional 53,000 of their family members, are stuck in limbo in the special immigrant visa pipeline. The United States has an obligation to assist these Afghan allies immediately before they are subjected to Taliban violence. To learn more about Afghan Special Immigrant Visas and how you can advocate, [click here](#).

Upcoming Meetings & Events

Population Crisis? Panel on Migration, Growth, and Their Impacts- July 7

On July 7 at 12:00 PM EDT, American University's School of International Service will host a panel discussion on the impacts of sustained population growth on health, urban growth, COVID-19, and migration. To learn more and register, [click here](#).

Refugee Health: Research, Care, and Policy- July 21

On July 21 at 1:00 PM EDT, the Center for Life Course and Vulnerable Population Research will hold a symposium on refugee health, with a focus on COVID-19, and refugee and asylum policies in the United States. To learn more and register, [click here](#).

Barriers to Volunteering for People from Refugee & Migrant Communities- July 23

On July 23 at 9:00 AM EDT, the University of Leeds will present research examining barriers, motivations, and reasons people from refugee and migrant backgrounds overwhelmingly volunteer in projects that support refugees and migrants. The research aims to build guidance for more inclusive volunteering. To learn more and register, [click here](#)

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If you have any questions or comments, please contact the Policy and Advocacy Division at policy@uscrimail.org.