ENVIRONMENTAL REFUGEES: UNDERSTANDING STATE INACTION TO AN EMERGING PROBLEM

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ABSTRACT

The effects of environmental degradation and climate change are likely to prompt a new massive influx of environmental refugees in the near future. As it stands, there is no system in place to deal with this plight. The international refugee regime is dependent on state participation, yet states are reluctant to respond. This paper examines the main barriers to action and looks at the role that norms and norm entrepreneurs could play in addressing the problem.
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INTRODUCTION

In the immediate future, the indiscriminate consequences of environmental degradation and global warming are likely to prompt a large exodus of internally and externally displaced migrants. These migrants will need to find a place in international agreements. But as it stands, response at the international level is subdued and states remain ambivalent towards the problem as they are reluctant to cooperate and to increase their commitment. The international refugee regime is already overwhelmed and is currently unable satisfy the demands of today. Without state cooperation, the regime will be ill-equipped to deal with the threats of tomorrow.

This paper comprises four parts: First, it suggests that norms are important factors that help explain and influence social and political change. Given the impact that norms have, the paper then argues that a normative change for state response to environmental refugees is both necessary and beneficial to states. The third component critically examines why the norm has not successfully emerged given the severity of the situation. How can we explain state inaction towards this emerging and irreparable problem? What are the fundamental reasons for states not responding? The paper proposes three barriers that cause state inaction: First, many aspects of the problem remain too vague for any policies to form. Second, the international refugee regime is too inadequate to effectively respond in its current state. Third, there is a lack of political will to initiate any change.
The final section of the paper considers the possibilities that would help instigate change in states' responsiveness to environmental refugees. It argues that the subtle and complex nature of the problem will require a crisis or a normative shift for any systematic policy change to occur. A crisis is obviously undesirable, so this paper will explore the possibility for a shift in norms as seen in the International Campaign to Ban Landmines (ICBL). By analyzing the successful methods employed in the ICBL campaign, the paper will propose possibilities for creating a normative shift favourable towards environmental refugees.

WHY NORMS MATTER

Norms may serve as the main vehicle for explaining and forming social and political behaviour. The role of norms in international politics has been recognized for over two millennia (Finnemore and Sikkink 1998: 891). Norms can be understood as "a broad class of prescriptive statements - both procedural and substantive that are prescriptions for action in situations of choice, carrying a sense of obligation, a sense that they ought to be followed" (Hurrell in Carlsnaes et al 2002: 143). Norms influence beliefs and "changes in principled beliefs, as well as changes in world views, have a profound impact on political action" (Goldstein and Keohane, 9). The question here is not if norms exist, but rather how much and when. Understanding their emergence and life cycle can help social scientists explain why social phenomena are created, maintained or abolished.

Finnemore and Sikkink discuss three variations of norms. 'Regulative norms' regulate and constrain behaviour. Diplomacy and other norms of behaviour in international
politics are examples of regulative norms; they dictate appropriate behaviour in particular settings. 'Constitutive norms' are identity building norms; they create new actors, interests or categories (Finnemore and Sikkink 1997: 891). The third type of norms is 'prescriptive'. As the title suggests, these norms prescribe behaviour; they look at what ought to be the case. The third category is not as adequately addressed in the literature as the others. Finnemore and Sikkink find this absence unusual since, "it is precisely the prescriptive (or evaluative) quality of 'oughtness' that sets norms apart from other kinds of rules. Because norms involve standards of appropriate or proper behavior, both the inter-subjective and the evaluative dimensions are inescapable when discussing norms" (1997: 890). This paper first applies prescriptive norms to environmental refugees and looks at why states ought to respond. It then looks at how constitutive norms can be successful.

WHY STATES OUGHT TO RESPOND

The success of a norm is largely dependent on states' willingness to respond. States need to recognize the necessity and benefits a norm provides in order for them to adopt and internalize it. This section argues that since the actions of industrialized states have destructive repercussions elsewhere it is both morally and politically necessary that these states respond to the problem that they have largely created. It will also argue that it is in these states' best interests to manage the problem collectively. First, however, this section will illustrate the problem.
The forecasted future

The United Nations’ Intergovernmental Panel on Climate Change (IPCC) released reports in 2001 and in 2007 warning the world that there is the potential for a worldwide exodus of migrants. There are approximately 163 million forcibly displaced people today. Twenty five million of them are displaced due to conflict and human rights abuses. The other one hundred and five million people are displaced due to the effects of climate change with an additional one million per year. Over 645 million people have been displaced by development projects such as the Three Gorges Dam in China and this figure is expected to escalate (IPCC 2007).

Oxford ecologist Norman Myers, one of the most prolific scholars on human migration, suggests that over one hundred and fifty million will seek refuge by 2050 and over 200 million by 2100 - an equivalent to 1.5% of the expected global population (Myers and Kent 2001). Other organizations like Christian Aid and Greenpeace Germany take a more extreme position and suggest that the numbers could reach up to one billion people (Christian Aid Report 2007). Myers argues that the emerging phenomenon of environmental refugees, “promises to rank as one of the foremost human crises of our time” (Myers 1997: 175).

If these estimates are even somewhat accurate, they will have serious repercussions for the international refugee regime, global community and international relations. Those displaced for environmental reasons are unofficially referred to as environmental refugees, or “envirogees”. The nebulous nature of the problem has resulted in the
inability to determine what its magnitude and what should constitute an environmental refugee. Consequentially, this uncertainty has created a divide amongst policy makers and scholars which has created stagnation towards policy formation. For the purpose of this paper, an environmental refugee will be considered any migrant who is involuntarily temporarily or permanently displaced due to environmental disruptions ranging from gradual deterioration to acute disasters – any environment that is ill-equipped for human habitation. While environmentally induced displacement may occur internally (within one’s borders) or externally (outside of one’s borders), the paper will deal only with externally displaced migrants.

Sources for displacement

While the earth naturally heats up and performs glaciations approximately every 100,000 years, there is significant amounts of research that suggest the actions of developed states are chiefly responsible for speeding up the process which has resulted in erratic weather patterns and the extinction of plants, animals and natural resources. Acceptance of these realities is becoming more widespread amongst scholars, the general public and powerful actors worldwide. Studies suggest that desertification, food insecurity, deforestation, soil erosion, drought, warming temperature and sea level rise are among the many factors that will propel this concomitant displacement that will force large quantities of migrants to relocate internally and externally (Suhrke 1994; Myers 2005).

Desertification is the persistent decline of ecosystems. Dr. Adeel at the United Nations University (UNU) in Bonn reported that 41% of the earth’s surface is already degraded
non-arable land and it is increasing dramatically. China's Gobi desert, for example, is increasing 10,000 square kilometres per year. And with a projected 40% decrease in rainfall, Australia may become completely uninhabitable by 2070. Conservative estimates suggest that about 135 million people risk being displaced due to severe and irreparable desertification alone (INCCD 1994).

Food security is also threatened by environmental degradation and climate change which significantly affects human displacement. Productive capabilities for food supply are reduced as emissions force temperature to increase whereby placing more stress on agriculture. Crop production like cereal is reduced. In a study conducted in the Indian subcontinent, Africa, and in Central America, Martin Parry et al. reported that climate change impacts the global production of cereal (Parry et al., 2125). Erratic weather patterns like heat waves, salt water intrusion on crops, droughts and El Nino contribute to a 9-11% decline in cereal production and other types of food supplies.

Fish supplies are also threatened by environmental degradation. King tides, over exploitation, intensifying heat waves, and coral bleaching contribute to the unsustainable depletion of fish stock. In effect, entire breeds of fish are at risk of extinction. Dalhousie University in Halifax released a study in 2006 suggesting that 90% of large fish are extinct in the ocean and by 2048 commercial fish will be completely depleted (Worm et al, 2006). The report argued that our annual consumption has grown to unsustainable proportions. The annual consumption per capita in Japan, for example, was 145.7 pounds (Worm: 787). The fish extracted by less developed countries (LDC) is shipped to supply
North Americans and Europeans. Communities dependent on the revenue of one resource are often vulnerable to change and find difficulty adapting.

The effects are already being felt worldwide. About 800 million people in the developing world alone are reported to have experienced food shortage and 640 million are currently at risk of extreme starvation (Parry et al: 2128). If the temperature would rise even 1.5-2 degrees it could impact 20-30% of all plant and animal life. These temperatures would smother life-giving microscopic plants that are credited with taking more than 100 million tones of carbon dioxide from the atmosphere. It will decrease marine food production and possibly accelerate global warming. Consequentially, 450 million of the poorest people whose lives depend on these natural resources for survival will be negatively affected (Oxfam 2007). It has been suggested that by 2025, Africa will be able to feed only one quarter of its population. These realities are becoming increasingly connected with environmental degradation and global warming.

Deforestation, the unsustainable extraction of timber resources in a particular region, also threatens local inhabitants. Its impact is environmentally, culturally, and economically destabilizing. Deforestation contributes to soil erosion, which is known to exacerbate floods and droughts (Suhrke 1994: 485). While seasonal migration is traditional for indigenous forest communities, the anticipated increase of floods and droughts will consequentially make these inhabitants vulnerable. Deforestation, therefore, threatens the destruction of these communities by which their identity is defined. What is more, those
situated downstream are susceptible to economic loss which may increase the risk of impoverishing the individual.

Finally, sea level rise is arguably one of the most visible, devastating, and irreversible consequences of global warming. The 2001 IPCC report indicated that thermal expansion of the ocean and glacier melting is expected to cause sea levels to rise up to 110 centimetres by 2050. This will affect 360,000 kilometres of coastline worldwide. Major cities like Manhattan, Egypt, Shanghai, Bangladesh and other delta areas risk partial or total submersion (Myers 2003). In fact, Myers reports that about 150 million of the anticipated environmental refugees will originate from the coastal cities and vulnerable Islands in the South Pacific.

These are only a few of the many forecasted consequences that the actions of industrialized states have had on the environment. These realities will compel large amounts of those affected to migrate. There is a strong need for international resolve and for states to respond. While developing states have also contributed to the problem, their actions are not comparable to the practices of developed states.

Status of the norm: Environmental refugees and international law

Despite these projected figures and the obvious implications that could arise, efforts to prevent and manage the exodus at the international level are virtually non existent. There is currently no explicit acknowledgment of environmental refugees in the United Nations' 1951 Status of Refugees Convention and no institution is currently fully
equipped to deal with them. Only victims of political and ethnic persecution receive official status. Article 1A (2) defines a refugee as:

"...[A]ny person who...owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his [or her] nationality and is unable or, owing to such fear, is unwilling to avail himself [or herself] of the protection of that country...".

Gaim Kibreab, at South Bank University, London, points out that, "In international refugee law, environmental conditions do not constitute a basis for international protection" (Kibreab 1997: 21). Jodi Jackson reports that environmental refugees have become "the single largest class of displaced persons in the world" (Aviso 1999: 2). Yet Janos Bogardi, Director of the United Nations University Institute for Environment and Human Security, contends that no mechanism for establishing a definition even exists. Consequentially, the millions of victims that are forced to leave their native lands remain voiceless and without any protection. Instead of the title of refugee, these victims are referred to as involuntary or forced migrants.

Forced migrants are, "those made to leave their homes with very little or no choice in the matter. They leave in order to avoid acute physical dangers such as those posed by war, floods, hurricane or famine, or because their home or land is to be destroyed by large-scale development projects such as dams, roads and plantations" (Christian Aid Report 2007: 4). These involuntary migrants are not entitled to the same rights that political, ethnic or economic refugees receive like protection from forced return, the right to work, to acquire housing and education and the protection from discrimination from the United
Nations High Commissioner for Refugees (UNHCR). It seems as though environmental refugees have fallen between the cracks of the international aid system.¹

Failing those in need

Rising sea levels have recently made the island of Tuvalu the “world’s first case of environmental refugees” (Berzon 2006). Lying only three feet above high tide sea levels, this tiny south Pacific state situated half way between Hawaii and Australia (10°S, 170°E) is slowly being engulfed by the ocean (Berzon 2006).

This state consists of nine atolls, a circular belt of coral enclosing a central lagoon, comprising a total of twenty six square kilometres of land. The atolls sit on top of a sinking volcanic rock and are stabilized by coral reef. The coral dies off and is gradually replaced by new coral reefs that continue to keep the atolls afloat. However, the erratic weather patterns the island has recently been receiving are too drastic for the slow replacement process. With only four metres above sea level as its highest point, Tuvalu is the world’s lowest lying country. The Island’s 11,600 residents will be forced to evacuate their native land by 2050 due to inundation (IPCC 2001). The Vaitupu atoll has already encountered three metres of coastal erosion within the last decade.

Efforts by officials to resettle Tuvaluans have been challenging. Since no international obligation to accept these refugees exists, the international refugee regime does not recognize Tuvaluans as refugees. The issue has been addressed at the international level

¹ For more information about the difference between migrants and refugees, see Amnesty International’s website on refugees: http://web.amnesty.org/pages/refugees-index-eng
on various occasions. In 2005, the UNU proposed these environmental refugees receive refugee status. The Security Council’s 5663rd meeting had also addressed the issue at the first ever debate exploring the relationship between energy, climate and security. Furthermore, the case has been addressed at conferences at the United Nations. But despite these efforts, no international convention has been reached.

The Tuvaluan government has now turned to individual states for assistance. But this route has also encountered considerable difficulty. Australia, its closest neighbour and largest financial donor, has refused Tuvaluan Prime Minister Koloa Talake’s two requests that Australia open its borders to Tuvaluan citizens. New Zealand, on the other hand, passed a controversial law, the 2001 Pacific Access Category, which permits the entry of seventy-five Tuvaluans each year for the next thirty years. Chris Carter, a New Zealand Member of Parliament representing a Tuvaluan community consisting of over 1,000 displaced Tuvaluans in his constituency asks: “How could we not respond?” He was at the forefront for political change. Yet, his efforts were not unchallenged. Minister Pita Paraone of the New Zealand First Party argues that accepting these migrants should not be New Zealand’s responsibility (Berzon 2006). In her view, other, more powerful and bigger states should accept the burden. Yet, without official recognition, immigration remains unofficial and unenforceable.

Responsibility to respond: A moral and political argument

“Hysteria and hypocrisy walk in the footsteps of refugees and migrants. The paranoia of wealthy countries is deeply ironic. We face a ‘homes-for-lifestyles’ scandal, in which people in poor, vulnerable countries pay with their homes for our lifestyles” (Andrew Simms 2003).
It is becoming increasingly indisputable for most that environmental degradation and global warming are largely caused by the actions of western industrialized states. The IPCC report indicates that these states are the largest emitters of carbon dioxide, which is the leading cause of climate change (2001). In 2002 the average American, for example, produced “ten times the amount of carbon dioxide as the average Chinese or Indian” (Castles 2002: 9). And as China and India develop, their increased emissions contribute to the problem. China’s contribution to greenhouse gases has now surpassed that of the USA; Chinese emissions are currently 8% higher than the USA.

Figure 1.1 Global Emissions Report (removed for copyright reasons)

The effects of these Highly Developed States’ (HDS) actions are indiscriminate and tend to affect the less developed states most dramatically. Africa is the lowest contributing continent to greenhouse gases. Yet, it is projected that the continent will incur the most immediate and devastating impacts they lead to large-scale displacement of climate change.

Sir Nicholas Stern, Head of the Government Economic Service and Adviser to the United Kingdom government on the economics of climate change and development, argued in his comprehensive 2006 report that:

The poorest developing countries will be hit earliest and hardest by climate change, even though they have contributed little to causing the problem. Their low incomes make it difficult to finance adaptation. The international community has an obligation to support them in adapting to climate change.
Without such support there is a serious risk that development progress will be undermined.

(Stern Report 2006, Executive Summary: vii)

This interconnectivity should compel states to become more conscientious of their actions, for the sake of their well-being and others. States that enjoy the luxury of cheap resources that come at a cost to developing states have responsibility to respond to those who suffer at their hands both politically and financially (Simms, 2003). There is a sad irony that the global wealth gap was built on an ecological debt, a debt that must now be dealt with by the poorest states. This alone creates a moral obligation on developed states to respond.

Not only is the responsibility moral, it is political also. In April 2000, a revolutionary doctrine called the “Responsibility to Protect” (R2P) doctrine was created. It had reframed the state’s role in humanitarian intervention and it had been heralded by then Secretary General, Kofi Annan, as one of “the UN’s greatest achievements” (De Nesnera 2006). While it was designed to provide a prescription for humanitarian intervention, it can, and should be, extended to include the prevention and protection of environmental refugees. This document operates according to the assumption that human security is an international responsibility. It states that, “There is no longer such a thing as a humanitarian catastrophe occurring in a faraway country of which we know little” (ICISS 2001: 5).
The United Nations recognizes the necessity of managing a crisis like this. Article 55 of the UN Charter suggests that the solutions to the ailments of society must be addressed in order to ensure peace and security worldwide. The Security Council affirms that peace and security are best achieved if the root causes of conflict are addressed (ICISS, 22). The indisputable effects that climate change will produce should compel states to take proactive measures to ensure that the influx of refugees is thwarted. States have a political responsibility to reduce their ecological footprint and contributions to greenhouse gases for the purpose of maintaining world peace and security.

Signatory states are also politically obliged to respond because of an internationally binding protocol, the Kyoto Protocol. Since 1992, 190 states have committed themselves through the UN Framework Convention of Climate Change (UNFCCC) to protect the environment, “on the basis of equity and in accordance with their common but differentiated responsibilities and respective capabilities. Accordingly, the developed country parties should take the lead in combating climate change and the adverse effects thereof” (UNFCCC, Article 3). Signatories to the convention have a financial and political obligation to prevent and to manage the effects that climate change will create.

In addition to the responsibility to the international community, world leaders are responsible for the protection of their citizens. The movement of millions of environmental refugees poses a threat to national security and could lead to widespread disorder. There is a potential for states to be forced to deal with hundreds of thousands of illegal migrants causing clogged borders and social unrest. Leaders are accountable for
the peace and stability within their own borders. By neglecting to confront this issue, they are failing in their responsibilities to their citizens.

Nature of Responsibility

A political commitment to resolving the problem is insufficient; there is also a need for financial compensation by industrialized states to those who are uprooted. There is a need to integrate climate risk factors in the Oxfam's Adaptation Financing Index (2007) outlines how countries should commit financially when dealing with the issue. Like Simms' ecological debt theory (2003), the Index considers a state's responsibility (according to their contribution to carbon emissions) along with its capacity to respond (based on human development index 2004) and determines how much each state should contribute to correct the adverse environmental effects it creates. The monetary contributions by donor states would explicitly go to the UNHCR, the chief body for dealing with refugees.

According to the Index, the United States and Europe should be responsible for 75% of the costs for developing countries to adapt to the effects seen by environmental degradation and climate change (Oxfam 2007: 28).

Some leaders are beginning to recognize this responsibility. Australian Democrat Andrew Bartlett admitted that Australia's 1.4% contribution to global greenhouse gasses, the
highest per capita in the world, should leave them responsible for approximately 1.2 to 1.4 million displaced people (Walker 2007). The Group of Eight (G-8) also made headway during the 2005 Summit in Gleneagles, Scotland. For the first time, the group acknowledged that energy, security, climate change and sustainable development were fundamentally linked (UN DPI 2007). It is time for all states to accept a global responsibility for their actions to prevent and to manage this emerging reality.

*The logic of collective action*

The burden of responding can be lessened if states cooperate and share the responsibility. Indeed, the success of the international refugee regime is dependent on state cooperation and coordination. The former Commissioner for the UNHCR stated that “[responsibility] sharing is a key for the protection of refugees and a resolution to the refugee problem” (Thielemann 2005: 3). This concept was first introduced by scholars in the late 1970s and it incorporates the liberal political ideology that all humans have the inherent right to protection from harm (Suhrke 397).

Currently, states remain reluctant to engage in collective measures in addressing this issue. How can we explain this? One possibility for this disinclination may be because collective action is viewed to reduce the autonomy of states' actions. Realists argue that states strive to maximize their autonomy. If they are correct, why would states be willing to sacrifice the thing they are trying to preserve? There is also the problem of credible commitment: how can compliance be ensured by all states? While it may be mutually beneficial for states to cooperate, the possibility for reneging by states may inundate
cooperating states with their claims. Finally, states may be unwilling to accept the responsibility due to financial and political burdens that may arise.

Refugees are typically viewed as an encumbrance on the system; they will certainly pose significant political, social and economic costs. But refugees will seek refuge as a last resort; states will be forced to respond, whether reactively or proactively. States ought to recognize that burden sharing can offer benefits not possible when acting unilaterally. What is more, states ought to see how inaction may be more costly.

Mancur Olson's "joint-model" principle of economics demonstrates that what may appear as a public good may actually bring private benefits to a country (Thielemann 2005: 4). Reducing transaction costs, increasing state solidarity, norm-setting and insurance are four of the many benefits associated with cooperation and burden-sharing.

Burden sharing would be beneficial to states since it would reduce transaction costs. The political, financial and social costs associated with environmental refugees will be intense for states to deal with the problem unitarily. Forced migrants will seek whatever means possible to achieve refuge somewhere. Cooperation and burden sharing, such as increased financial contributions to the international refugee regime, would ensure that compliant states would not be inundated with all the costs.

By acting according to the principles of equity, or at least not entirely in self interests, states that engage in burden sharing may be endowed with enough credibility to act as
norm entrepreneurs for influencing change, a potentially influential position in international politics. Norm entrepreneurs are successful because they have established themselves as the moral authority to a particular issue. Norm entrepreneurs then have the ability to use their normative clout to assert their norms and values onto other states which could forge new standards of behaviour. The benefits offered by norm entrepreneurship may make it especially desirable for states that cannot flex their military or economic muscles. Middle powers like New Zealand and Canada, for example, could be more influential by taking a moral stand on issues like humanitarian concerns or on the environment. The normative power accumulated from norm entrepreneurship would create a unique advantage for them in the international arena. It would therefore be politically strategic for these states to be at the forefront of new and needed change.

Finally, responsibility-sharing provides a sense of mutual insurance. States are unwilling to deal with environmental refugee claims without the support of the international system. A burden sharing regime would eliminate the risk of non-action by other states; it. Thielemann suggests that states “may rationally prefer to incur a small and predictable protection burden now in order to avoid breeding large, sudden, unpredictable, unwanted, and unstoppable refugee inflows in the future” (Thielemann 8). Communication and improved transportation make migration more feasible. If the benefits of burden sharing are demonstrated by those states that honour their commitments, it may incite further cooperation in reluctant states.
Unless states act collectively to prevent the crisis from emerging, states will be forced to deal with the problem unilaterally. It is not a matter of if, but when. So given the ethical and logical reasons for acting proactively and collectively, how can we understand why states have failed to take action? How can we explain such indifference? The next section examines the most compelling reasons for inaction.

WHY THE NORM HAS FAILED TO EMERGE: UNDERSTANDING INACTION

The concept of environmental refugees is relatively new and the lack of existing literature reflects that. While research into the cause and effects of environmental refugees is scarce, there is notable progress in explaining why states are unable and/or unwilling to respond. Dealing with environmental refugees appropriately and in a timely manner will be highly complicated and extremely expensive. What is more, official recognition of the problem will place heavy obligations onto states. In other words, it is a messy, expensive and undesirable task. Efforts to manage it, however, are necessary and unavoidable. Yet, there are three existing impediments that suppress the norm for collective action from emerging.

The first impediment is the lack of clarity in understanding who should qualify as an environmental refugee. The problem is complex and it requires a systematic, widely accepted version of the sources, intensity and duration of the plight. In other words, any sort of policy will first require environmental refugees to be defined. Jean Lambert stated that, “By recognising environmental refugees you recognise the problem. By recognising the problem you start on the road to accepting responsibility and implementing solutions.”
(Greens MEP 2002). The nebulous nature of environmental refugees, however, creates an inability to define them. States seem to be unable to establish a universally accepted definition of environmental refugees. Locating the sources, classifying the types of refugees and determining the rights to which they are entitled will be difficult and needs to be clarified first.

The inadequacy of the international refugee regime is the second impediment for action. The regime is characterized by over-stretching its capabilities to fulfill its mandate and taking on new challenges it cannot completely solve. Structural barriers such as limited resources, imposed restrictions, and the uncertainty of duration and outcome for each project limit its capabilities. States remain unwilling to invest in the regime while such barriers exist. This section will briefly look at the argument that the regime must be revamped in order to meet the threats of tomorrow.

The third impediment is the complete lack of political will to respond. This new breed of refugees will certainly pose significant costs to states. States seem to be unwilling to shoulder the costs associated with refugee relief. Instead, they are shirking their political and moral obligations. Since no norms or policies have compelled them to act otherwise, the likelihood of state response remains low. The lack of political will significantly challenge the possibility for reaching an international agreement. This section looks at why political will is lacking.
The lack of clarity

The vagueness and uncertain magnitude of the problem encumbers the path to political action. Suhrke argues that states tend to be reluctant to commit to an institutionalized scheme with unknown magnitude and outcomes (1998: 397). The debate on climate change, for example, impeded progress towards dealing with the acute effects of global warming. Climatologists like William Kininmonth and Tim Ball challenged the dominant view that climate change is caused by humans. According to them, global warming is not anthropogenic; it is a natural phenomenon that cannot be reversed. Authoritative voices like these temporarily granted states the permission to delay reacting. But with the work of scholars and civil society in eliminating misperceptions, climate change is now almost a universally accepted phenomenon.

With the climate science now indisputable for many, people are now forced to deal with the consequences. There has been a radical shift in perspective regarding climate change (Raymond and Cialdini 1993). “Going green” has now become the new norm. Newly emerging trends like carbon offsetting as well as the proliferation of coverage in the media suggests that this norm has been embedded into the collective consciousness of society and amongst decision makers. This shift of perception has altered social norms about the environment and how climate change is governed. It may also be the way forward for addressing the plight of refugees. However, the first challenge is eliminating any uncertainty about the problem.
The need for a definition

A definition is an important precondition that must be determined so that states can act. "Once this new class of refugee is defined, the UN experts say, work can begin on providing them with aid" (Lovgren 2005). Yet the lack of clarity in understanding who qualifies as an environmental refugee has caused an inability to establish a definition. For twenty years scholars have battled to establish a universally accepted definition of environmental refugees (Bates 2002). The inability of states to establish a definition has been hindered by a sharp divide in the literature. There are three reasons for such uncertainty: what constitutes a refugee, how to categorize them and when it is most to respond.

Determining who should qualify as an environmental refugee is difficult. The most widely accepted definition was established by El-Hinnawi, Director of the UN Environment Program, who defined refugees as:

Those people who have been forced to leave their traditional habitat, temporarily or permanently, because of a marked environmental disruption (natural and/or triggered by people) that jeopardized their existence and/or seriously affected the quality of their life [sic]. By 'environmental disruption' in this definition is meant any physical, chemical, and/or biological changes in the ecosystem (or resource base) that render it, temporarily or permanently, unsuitable to support human life.

(El-Hinnawi 1985: 4 in Bates 2002: 466)

The UNHCR’s "State of the World's Refugees" conference in 1993 codified this definition and proposed that there ought to be four categories of refugees: political persecution, economic instability, ethnic conflict and environmental degradation. This
will remain impossible unless uncertainty is first reduced. El-Hinnawi’s definition may add clarity to the problem, but it does adequately locate the factors that prompt the migration.

One of the most paralyzing barriers to reducing uncertainty is in *inability to pinpoint the exact reasons that prompt migration*. Humans have a tremendous ability to adapt to their environments. Desertification, sea level rise, drought and deforestation may make an environment inhabitable for some, but it does not necessarily mean that all habitants will seek refuge elsewhere.\(^2\) Migration is a complex issue that is intricately connected with other social realities; political and socio-economic factors must also be incorporated into the equation when understanding the reasons that incite displacement. Collecting accurate statistical data on refugees will prove to be extraordinarily difficult. Understandably, establishing a consensus on the exact causes for this massive exodus is subject to intense debate. While the consequences caused by environmental degradation and climate change are indisputably responsible for erratic environmental patterns, scholars and policy makers are uncertain they are the primary reasons that prompt this migration. “Minimalists” like Black (1998), for instance, insist that environmental degradation be viewed as more of a “push factor” that is a part of a larger picture. Environmental change, demographic change, economic conditions, governmental policies and ethnic tensions may also play a role. So how then can we distinguish between those who deserve protection and the opportunistic ones who are exploiting the issue?

\(^2\) Drought, for instance, has plague parts of the Saharan desert for years yet the people have adapted to their environments. See Suhrke (1994)
In addition to determining what an environmental refugee is, there is a need for determining *how these refugees should be classified*. Are there different types? And if so, should they be entitled to different rights? Diane Bates (Figure 1.3) provides a useful chart that would help classify types of environmental refugees.

*Figure 1.3 Classification of Environmental Refugees (removed for copyright reasons)*

Dealing with situations like victims of expropriation must also be addressed. Expropriation is "the wilful destruction of environment [to make it] unfit for human habitation" (Bates 470). Expropriation disruptions are intentional, anthropogenic and acute and often result in permanent relocation. As Figure 1.3 indicates, the spectrum of expropriation ranges from consequential migration to functional migration. For instance, the construction of the controversial ‘Three Gorges Dams’ project consequently forced displacement of 850,000 Chinese. What is more, the anticipated floods from the project are expected to force 1.3 million Chinese to relocate; some of these people will receive funding, but many of the illegal residents will not (Bates, 472). Here, migration is a consequence of development.

Finally, it is necessary to determine *when it is appropriate to respond*. Should states act pre-emptively or should they wait until a disaster occurs? The effects of environmental deterioration are largely gradual. When is the tipping point at which states should respond? Discussion of these issues seems to be missing or inadequately developed in current literature and should be developed further in order to reduce uncertainty. More
systematic study of the phenomenon and rigorous scholarly work is required for any attempt at resolution.

*A complicated problem for a fatigued regime*

The international refugee regime is a syndicate of all the NGOs and international organizations that deal explicitly with displaced people with the UNHCR as the principle organization. World War Two and the Cold War marked the beginning of the new regime. It became empowered by states and evolved into the central machine to deal with displaced peoples. The mandate of the regime is to identify, classify and provide emergency support to displaced people who suffer from persecution. They offer financial support and rights such as protection from discrimination and the right to work.

However, the history of the international refugee regime is characterized by failure and inadequacy when responding to the burdens of international refugee relief. It is currently overwhelmed by the demands it encounters and it is unprepared and ill-equipped to effectively respond to one of the most pressing threats facing nation-states (Thielemann 2005: 2). Burdened with civil wars, negotiating with guerrilla groups, and attempting to gain credibility with civilians stretch its resources to the limit. Refugee camps are left clogged and hundreds of claims go unprocessed. Without doubt, the existing framework of the regime will be further challenged by the predicted mass exodus. The regime’s inherent structure restricts its capabilities to properly respond to today’s demands.
First, the lack of resources considerably limits its ability to properly respond. The demand for resources currently outweighs the supply. The international refugee regime is understaffed, under-funded, and in some situations it is under-trained (Loescher 1997: 362-366). The limited resources of the regime combined with the extensive mandates leave it struggling to operate at maximum efficiency. Crises such as the Yugoslavian war in the 1990s for example forced the UNCHR to commit “one-quarter of its staff and one-third of its total resources worldwide to providing assistance and protection to nearly four million people” (Loescher 1997: 363). What is more, the regime’s staff is not adequately trained to deal with civilian resistance. Gil Loescher, at the International Institute for Strategic Studies, London, argued that, “Most staff are not recruited or trained to work in situations where local populations view both the displaced and returnees as the enemy and UN assistance as favouring one side to the disadvantage of the other” (366). He continues, “The regime lacks sufficient numbers of senior and middle-ranking professionals to lead emergency responses. Shortage of surplus capacity and tight staffing may make it difficult to respond quickly and effectively to a major new crisis without seriously affecting work in current operations such as Afghanistan” (Loescher 2003).

Second, the success of these missions is largely dependent on voluntary contributions of states. It received a stipend of three percent from the United Nations’ budget for administrative costs (UNCHR 2006). Generally, the commitments undertaken by the UNCHR, for example, are intractable, protracted and have uncertain outcomes (Loescher 1997: 364). The uncertain nature may deter donor states from participating. This dependence on voluntary contributions limits the autonomy and effectiveness of the
UNHCR. The aid provided by donor states is often contingent on external factors, entrenched with political overtones, or not honoured at all (Loescher 363). The unsustainable dependence on these states is considered to be the greatest weakness of the system.

Finally, all of this uncertainty is coupled with a lack of coordination amongst governments, militaries, national and international agencies, and non-governmental organizations (NGOs). This makes responding in a timely and proper manner difficult for the regime (Loescher 1997: 366). Uncertainty about the nature, intensity and duration of the influx inhibits the regime's willingness and capability to address the problem. The millions of people that will be displaced due to environmental degradation will most certainly create a global crisis. Human rights networks, humanitarian relief organizations and conflict resolution organizations, among others, must collaborate in order to reduce uncertainty and to find innovative solutions to this problem.

*The lack of political will*

In 2006, 144 states subscribed to the 'Status of Refugees', a convention which protects externally displaced migrants from political and ethnic persecution. While the protection of refugees is formally pronounced as honourable by signatories of the Geneva Conventions, reality suggests otherwise. States tend to be protectionist in their immigration policies. Refugees are largely viewed as burdens to the system. Indeed, refugees impose considerable financial, political and social costs onto host states. Former UN High Commissioner for Refugees Prince Saddruddin Aga Khan suggested that
developed nations pay $8 billion (US) each year towards refugee relief. This equates to one seventh of the foreign aid supplied to developing countries (Myers 1993). The legal and maintenance costs alone for asylum seekers in the European Asylum system amount to about $10,000 per person (Betts 2006: 150).

It may be that states recognize their responsibility to respond, but it is too expensive and they simply do not want to respond pre-emptively. It could be politically, financially and culturally damaging to permit a large influx of refugees into a nation-state since it would disrupt the social and cultural framework of the state. Second, there is a fear that accepting any form of environmental refugees is an admission of guilt and may lead to an opening of the floodgates. Third, how would states decide what refugees would be permitted in their state?

The lack of salience of the problem amongst powerful leaders also contributes to the lack of political will. In the absence of an international policy, states seem reluctant to prematurely accept the burden of responsibility. However, without political support, policy options are limited. The United Nations serves as a venue where political action can be coordinated. It facilitates dialogue and coordinates action to global problems. It is designed to provide a non-partisan forum where state representatives can discuss pressing issues, express their concern to the world, and pledge their commitment to work towards a solution. The UN, however, is often reactionary, not proactive. Its inherent structure prevents it from effectively and quickly responding to the problems it was set up
to prevent. The effectiveness of the UN is dependent on the will from the states that created it.

The predicament that climate change poses is that its effects are gradual and long term. Coastal erosion, desertification, sea level rise and deforestation, to name a few, occur over decades. Though the effects may be irreparable, they are too subtle to gain salience in the minds of policy makers. The UN’s success is highly dependent on political support, particularly among the five great powers. While there has been a significant shift of perception worldwide amongst political leaders and the mass public regarding climate change and the effects of our actions on the planet, the norms and sense of immediacy have not developed to initiate any form of response.

CAN A NEW NORM STILL EMERGE?

Creating a norm for state response to a problem of this nature will require an unprecedented amount of international cooperation, coordination and a shift of regime behaviour. Yet, the absence of a definition, the unwillingness of states to accept responsibility, and the inadequacy of the regime diminish the possibility for the norm emerging. The prescriptive norm for states’ response is important, but how can it emerge in the face of such challenges?

The intent of this paper is to understand the extent of the problem and why the international community has failed to respond. The explanations provided all contribute to the status quo, but not all of them are equal in stature and some must occur first.
Reducing uncertainty is necessary for policy action. The role of scholars in deciphering the duration, intensity, sources for displacement, types of refugees, etc., will foster more comprehensive policy options. Increasing clarity about who these refugees are and how to respond to them is important, but it is not the underlying problem for stagnation.

The fundamental reason for inaction can be traced to the lack of political will from powerful actors. Resolving the problem is dependent on state participation. Without this, the definition is useless, the regime will remain inadequate, and collective action is unlikely. It is precisely the political will that can overcome this quagmire at the international level. But political priorities and preferences need to be shifted. A shift of this magnitude will require either a crisis or a normative shift in how we govern and perceive these migrants before any attempt to manage the problem is possible.

Crises happen on a daily basis. Human rights are systematically abused, millions of people are on the brink of starvation and millions are dying from disease. But many of these are events are insidious, routine and rarely “touch home”. The Western world has either remained ignorant of these problems or aware but indifferent or too overwhelmed to react. Responding to the environmental problem may require a massive crisis to initiate action. The Indian Ocean tsunami in 2004 devastated affected regions. But it caught the world’s attention; response was swift and generous. Governments increased their foreign aid and an impressive amount of individual contributions for reconstruction efforts showed that the world cares and is capable of reacting. The tsunami was unique: it was sudden and at such a scale that the world could not turn away. Perhaps it may require a
similar crisis of the same proportions that is indisputably linked to human actions for a shift in political action to occur. The problem with the environment is that once the effects are shown, it is likely too late.

The alternative is for a shift in norms at the state level. But what will it take for moral proselytism of this kind? How can the norm shift from non-action to accepting and dealing with the problem collectively? The first step would involve garnering the support of influential actors. World leaders must want to take action, whether because they accept the moral and political responsibility or because they recognize the cost of not acting. At the moment, this perception is not dominant at the international level. Finnemore and Sikkink (1998) argue that a norm is successful if it goes through three stages: norm emergence, norm acceptance and norm internalization (Finnemore and Sikkink 1998).

Norm emergence necessitates an initial "push factor" to initiate action. Finnemore and Sikkink suggest that, "In order to develop, transmit, and promote norms, a force must be dedicated to changing the meaning ascribed to certain material practices within the relevant community" (1998: 895). The force may involve efforts from civil society, international bureaucrats and powerful actors. These agents of norm creation are referred to as "norm entrepreneurs". Their success lies in identifying and committing to the norm, creating coalitions by engaging in naming and shaming methods, and defying contrary norms. They do so by mobilizing political support and popular opinion, creating coalitions of like-minded states or organizations and stigmatizing others into following
suit (Finnemore and Sikkink 1998: 896). The influence that norms play is evident in the campaign to ban landmines.

In Dec 1997, 122 states signed the Convention on the Prohibition of the Use, Stockpiling, Productions and Transfer of Anti-Personnel Mines and on their Destruction. This is currently the most comprehensive international instrument for ridding the world of anti-personnel landmines and the quickest to enter into force (Lawson 1998). The treaty transformed the perception and treatment of landmines.

The work of the International Campaign to Ban Landmines (ICBL) is significant because it demonstrates how a group of trans-national non state actors can influence states by changing the norms on which they operate. Their campaign was successful since it incorporated the framework of norm success outlined by Finnemore and Sikkink. The ICBL strived to implant a new norm onto an existing one. It did so by framing the issue by firmly identifying the necessity and benefits of the norm. This is important since states must want to accept the norm. Second, the ICBL gained momentum by lobbying like-minded, non-state actors to “jump on board” through a deed of commitment. They then raised awareness among the general public. Finally, once they had enough momentum, these NGOs engaged in a naming and shaming method that professors Dan Kahan and Eric Posner describe as a “process by which citizens publicly and self consciously draw attention to the bad dispositions or actions of an offender, as a way of

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3 The treaty obliges states to never acquire, stockpile or retail anti-personnel mines. It also calls for the destruction of all stockpiles within ten years of its enactment. Burkina Faso’s signature brought it into force six months later and it became binding under international law in Oslo on January 3rd, 1999 under resolution 52/38/A (Lawson 1998).
punishing him for having those dispositions or engaging in those actions" (Finnemore and Sikkink 1998: 897).

The power of persuasion also played a key role in the success of the ICBL. The campaign showed landmine victims working with high profile spokesmen; this effectively changed how landmines are perceived – it essentially stripped them of their legitimacy. The campaign also shifted a political issue into the humanitarian domain. They played the “political morality” card. Finally, the campaign was successful because it collaborated with military to reinforce the idea that the utility of landmines is limited (Price 1998).

By employing the same methods used by the ICBL, it should be possible to develop a norm of responding to the problem of environmental refugees. The barriers that prevent progress are surmountable provided that the actors are willing to commit themselves and mimic the mechanisms the ICBL applied. Most importantly, the campaign to increase political will must incorporate methods that will get states to either accept the moral and political responsibility, or recognize the necessity of managing the problem. Through these strategies, the force of norm entrepreneurs can help forge the creation of prescriptive norms. The ICBL could serve as a template for changing the norms regarding response to environmental refugees, determining the “push force” is the next step.
The response by New Zealand to the Tuvalu crisis could make New Zealand the agent or the necessary "force" for a norm adjustment. The creation of its Pacific Access Category law garnered attention from both the United Nations and international media. The acceptance of Tuvaluan refugees granted the New Zealand the moral authority and credibility on refuge issues. New Zealand now has the opportunity to exploit their position and act as the necessary leader or norm entrepreneur that will create the normative shift in international politics.

If New Zealand adopts the methods applied by the ICBL, they may act as the needed force that would generate impetus towards substantial change. Through methods of naming, shaming and lobbying, influential actors like New Zealand Member of Parliament Chris Carter, may mobilize the necessary normative shift towards international response. The role that norms play should not be overlooked; indeed they may serve as the only desirable catalyst for initiating action. But further research is needed that suggests how such a task could be possible, what actors should be involved and what campaign strategy would be most effective.

**CONCLUSION**

This paper has sought to illustrate the magnitude of the environmental refugee problem, locate the responsibility to industrialized states and understand the sources for state inaction. It has also argued that there are two possible situations that will incite political response: a crisis or a normative shift. A crisis is obviously undesirable but it may be the case if something does not change. The alternative is for a shift in norms at the state and
international level. This is only possible if the norm is viewed as necessary and beneficial. In other words, powerful actors must want to accept the norm. The moral and political responsibility of industrialized states makes it a necessary norm; the act of burden sharing makes it a beneficial norm. The task now is for states to realize and internalize this concept.

Hundreds of millions of people will be displaced due to uninhabitable environmental conditions and the international community needs to know how to properly respond. The problem will need to be dealt with one way or another; it is not going to disappear. The lack of clarity, the inadequacy of the existing refugee regime, and the lack of political therefore, need to be addressed.

There is a strong need for more systematic and intensive research to be conducted. The scope of the crisis is far too vast and complex that fully exhausting this issue is an impossible task for such a short paper. This effort will require commitment from various actors. The collective work of scholars, policy makers, the media, norm entrepreneurs and world leaders, to name a few, will help eradicate the hurdles that impede action. Further study would eliminate any uncertainty. Policy makers need to provide feasible policy options for action. And world leaders need to demonstrate the leadership to oversee the plight. We must now manage the problem before it manages us. Norm entrepreneurs like New Zealand may be the guiding force that incites such a task.
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