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The European Union's Approach to Climate  
Mobility: A Decolonial Climate Justice  
Analysis

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## Abstract

*The nexus between climate change and human mobility has received growing academic, legal, and policy attention in recent years and represents a significant governance challenge for the international community and the EU. While there has been significant policy development internationally, a legal protection gap for climate migrants remains. This thesis specifically investigates climate mobility governance in the EU. Given the legacy of European colonialism and the EU's disproportionate contribution to climate change, it analyses in what ways the EU's approach to climate mobility can be reimagined through a decolonial climate justice lens. It finds that a decolonial climate justice framework conceptualises climate migrants as rights holders to whom the EU owes reparations. Analysing the EU's legal and policy framework of climate mobility, the thesis finds that the international policy developments have not translated to EU level. Furthermore, amidst a predominant discourse of climate migrants as a national security threat, no comprehensive legal or policy measures to protect climate migrants have materialised thus far. The collective right to self-determination of affected Indigenous and local communities has so far been neglected. The findings emphasise the urgent need for the EU to establish a comprehensive framework that incorporates Indigenous and local knowledges and centres around affected Indigenous and local communities. The EU has to take accountability for its historical and ongoing contributions to the climate crisis by offering reparations to climate migrants in the form of emissions reduction, financial and practical support, providing the opportunity to immigrate or covering the costs of relocation, and, most contentiously, providing land to accommodate affected communities in cases of total territory loss.*

Keywords: Climate Change, Climate Justice, Climate Migrants, Climate Mobility, Decoloniality, EU Law, International Law

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## List of Abbreviations

<b>APP</b>	Ability to Pay Principle
<b>CBDR-RC</b>	Common but differentiated responsibilities and respective capabilities
<b>CCPR</b>	United Nations Human Rights Committee
<b>CEAS</b>	Common European Asylum System
<b>CFR</b>	Charter of Fundamental Rights of the European Union
<b>CJEU</b>	Court of Justice of the European Union
<b>COP</b>	Conference of the Parties
<b>EC</b>	European Commission
<b>ECHR</b>	European Convention of Human Rights
<b>ECTHR</b>	European Court of Human Rights
<b>EP</b>	European Parliament
<b>GCM</b>	Global Compact for Safe, Orderly and Regular Migration
<b>GHG</b>	Greenhouse gases
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>IOM</b>	International Organization for Migration
<b>IPCC</b>	Intergovernmental Panel on Climate Change
<b>Nansen Initiative</b>	Nansen Initiative on Disaster-Induced Cross-Border Displacement
<b>PPP</b>	Polluter Pays Principle
<b>Protection Agenda</b>	Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change
<b>QD</b>	Qualification Directive
<b>RD</b>	Return Directive
<b>Sendai Framework</b>	Sendai Framework for Disaster Risk Reduction 2015–2030
<b>TPD</b>	Temporary Protection Directive
<b>UUSC</b>	Unitarian Universalist Service Committee
<b>UN</b>	United Nations
<b>UNEP</b>	United Nations Environment Programme
<b>UNFCCC</b>	United Nations Framework Convention on Climate Change
<b>UNGA</b>	United Nations General Assembly
<b>UNHRC</b>	United Nations Human Rights Council
<b>WIM</b>	Warsaw International Mechanism for Loss and Damage

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## I. Introduction

### A. Topic and Background

Humanity finds itself at a pivotal juncture, a choice between breakdown or breakthrough (United Nations [UN], 2023), as our planet faces multiple anthropogenic crises, including climate change<sup>1</sup>, pollution, and biodiversity loss<sup>2</sup> (Climate Governance Commission, 2023; Intergovernmental Panel on Climate Change [IPCC], 2023; UN, 2023). Climate change is already affecting weather and climate extremes across the globe, leading to significant harm to people and nature — crucially, with every slight increase of global warming, impacts become more severe (IPCC, 2023). To prevent the worst consequences, urgent and unprecedented action is needed to substantially reduce greenhouse gas (GHG) emissions within the next decade (UN, 2023; United Nations Environment Programme [UNEP], 2023). Yet, current measures are insufficient. GHG emissions keep accelerating — particularly in high-income and high-emitting countries (UNEP, 2023). Under present circumstances, temperatures are forecast to rise to 2.7°C by 2100 and continue to increase thereafter (<https://climateactiontracker.org/global/cat-thermometer>), surpassing the Paris Agreement (2015) goal of limiting the rise in global surface temperature to well below 2°C. With six out of nine planetary boundaries already surpassed (Richardson et al., 2023) and five climate tipping points<sup>3</sup> at risk of collapse (Niranjan, 2023), the Earth system<sup>4</sup> is increasingly destabilised and vulnerable to irreversible changes (Rockström et al., 2023).

As a stable and resilient Earth system is essential for the effective enjoyment of human rights (Richardson et al., 2023), the climate crisis profoundly undermines them. This now well-established link is reflected in numerous reports and resolutions, *inter alia*, the United

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<sup>1</sup> ‘Climate change’ is the “change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods” (United Nations Framework Convention on Climate Change, 1992, Art. 1(2)). Next to this term, this thesis uses ‘climate crisis’ to reflect the “gravity, urgency and systemic nature of the situation” (Ramanujam & Asri, 2021, p. 11). This terminology aligns with the evolving language used by climate movements and progressive news outlets (e.g., Zeldin-O’Neill, 2019).

<sup>2</sup> These three interlinked challenges are commonly referred to as the ‘triple planetary crisis’ (<https://unfccc.int/news/what-is-the-triple-planetary-crisis>). This thesis focuses on climate change.

<sup>3</sup> The IPCC (2018) defines ‘tipping points’ as critical thresholds in “system properties beyond which a system reorganizes, often abruptly, and does not return to the initial state even if the drivers of the change are abated” (p. 559). The specific risks associated with tipping points are uncertain, as crossing them may create feedback loops that further heat the planet or alter weather patterns in ways that trigger other tipping points (Niranjan, 2023).

<sup>4</sup> The ‘Earth system’ can be defined as the “suite of interlinked physical, chemical, biological and human processes that cycle (transport and transform) materials and energy in complex, dynamic ways within the system” (Steffen et al., 2004, as cited in Steffen et al., 2020, p. 57).

Nations Human Rights Council's (UNHRC) Resolution 10/4 (2009), which notes that climate change poses direct and indirect threats to human rights, including the right to life, food, health, housing, and self-determination, and that its impacts “will be felt most acutely by those segments of the population who are already in vulnerable situations owing to factors such as geography, poverty, gender, age, indigenous or minority status and disability” (p. 1). Indeed, while the Global North<sup>5</sup> is responsible for the majority of historical and ongoing GHG emissions (see Figure 1), the impacts of climate change are highly unevenly distributed. Countries of the Global South and marginalised persons and communities worldwide, who have contributed the least to climate change, are most affected, as it interacts with and reinforces existing vulnerabilities (IPCC, 2023; Sultana, 2022; UNEP, 2023). Subsequent resolutions have reiterated the link between climate change and human rights, leading to a recognition of the “right to a clean, healthy, and sustainable environment as human right” in UNHRC Resolution 48/13 (2021)<sup>6</sup>, which further emphasises the detrimental effects of climate change on the “effective enjoyment of *all* [emphasis added] human rights” (p. 2).

There is also growing recognition that climate change impacts human mobility, with extensive academic, legal, and policy discussion on how to manage this relationship (Fornalé, 2020; Scott, 2023). While human well-being and survival have always depended on the ability to adapt to environmental changes (Scissa, 2024; Yumagulova et al., 2023), climate change is profoundly reshaping human mobility. UNHRC Resolution 35/20 (2017), for instance, notes that climate change is increasing the frequency and intensity of sudden-onset (e.g., floods, hurricanes, and wildfires) and slow-onset disasters<sup>7</sup> (e.g., drought, desertification, land degradation, and sea-level rise), and highlights the urgency of protecting

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<sup>5</sup> This thesis understands the ‘West’ or ‘Global North’ as the ‘richer’, ‘developed’ countries primarily in the northern hemisphere, that is, “Europe and her former colonies in North America” (Appiah, 2016, para. 6). In contrast, the ‘non-Western’ ‘Global South’ is defined as the ‘poorer’, ‘developing’ countries around the tropics and southern hemisphere. It goes without saying that this categorisation has faced extensive criticism. Appiah (2016) argues, for instance, that such terms overgeneralise diverse societies; “[t]his way of talking notices the whole world, but lumps a whole lot of extremely different societies together, while delicately carving around Australians and New Zealanders and white South Africans, so that ‘western’ here can look simply like a euphemism for white” (para. 6). Other authors, such as Roy and Hanaček (2023), emphasise the influence of colonialism and capitalism in shaping the concept of a ‘Global South’.

<sup>6</sup> Subsequently, the United Nations General Assembly also recognised the right to a clean, healthy and sustainable environment as a human right (2022).

<sup>7</sup> The United Nations Office for Disaster Risk Reduction (<https://www.undrr.org/terminology/disaster>) defines disasters as “serious [disruptions] of the functioning of a community or a society at any scale due to hazardous events interacting with conditions of exposure, vulnerability and capacity, leading to one or more of the following: human, material, economic and environmental losses and impacts”. While ‘sudden-onset disasters’ are triggered by events that emerge “quickly or unexpectedly”, ‘slow-onset disasters are events that emerge “gradually over time”. Non-climate related events, such as earthquakes and volcanic activity or industrial pollution and chemical spills also impact human mobility, but are not considered here.

and promoting the human rights of those moving across international borders in this context, as the scale of movement is expected to rise significantly (e.g., Dumont, 2017; International Organization for Migration [IOM], 2021; IPCC, 2023). Recent examples include Storm Daniel in Libya, which caused over 11,000 deaths and displaced at least 30,000 people in September 2023 (Al Jazeera, 2023), severe floods in Rio Grande do Sul, Brazil, resulting in over 150 fatalities and displacing around half a million people (Canofre, 2024), and the four-decade long drought in Somalia, which continues to cause massive displacement (United Nations High Commissioner for Refugees, 2023a).

Individual responses to climate change will vary greatly due to a range of factors — they are “socially mediated” (Lama, Hamza, & Wester, 2020, p. 329), as climate change interacts with existing, intersecting cultural, economic, environmental, political, and social forces. Structural factors, like infrastructure or local and national policies, may influence a decision to move, as well as “household-level characteristics”, including financial resources and personal attributes such as age, disability, education, or gender (Hahn & Fessler, 2023; Schewel, 2023; Zickgraf, 2023, para. 16). While the relationship between slow-onset disasters and human movement is often indirect and nonlinear, interwoven with other migration drivers like economic incentives, sudden-onset disasters have a more direct connection with movement. Yet, even in the face of sudden-onset disasters, some individuals may face specific vulnerabilities that prevent them from moving or hinder their ability or willingness to return. Consequently, it can be challenging to determine the extent of the influence of climate change on mobility (e.g., IOM, 2021; Jolly & Ahmad, 2019; Lama et al., 2020). It has, however, been established that most affected persons are either unable<sup>8</sup> or unwilling<sup>9</sup> to move, will remain near the disaster area, move short distances to less affected or more resilient areas, or longer distances within a country, particularly from rural to urban spaces. Only a minority will move internationally (e.g., Ionesco, 2019; Scott, 2014; Zickgraf, 2023). In 2023, approximately 26.4 million people were internally displaced due to disasters (Internal Displacement Monitoring Centre, 2024a). Notably, “[n]early 90 percent of those uprooted from their homes [in the wake of climate change] live in low- and middle-income countries” (United Nations General Assembly, 2023, para. 5).

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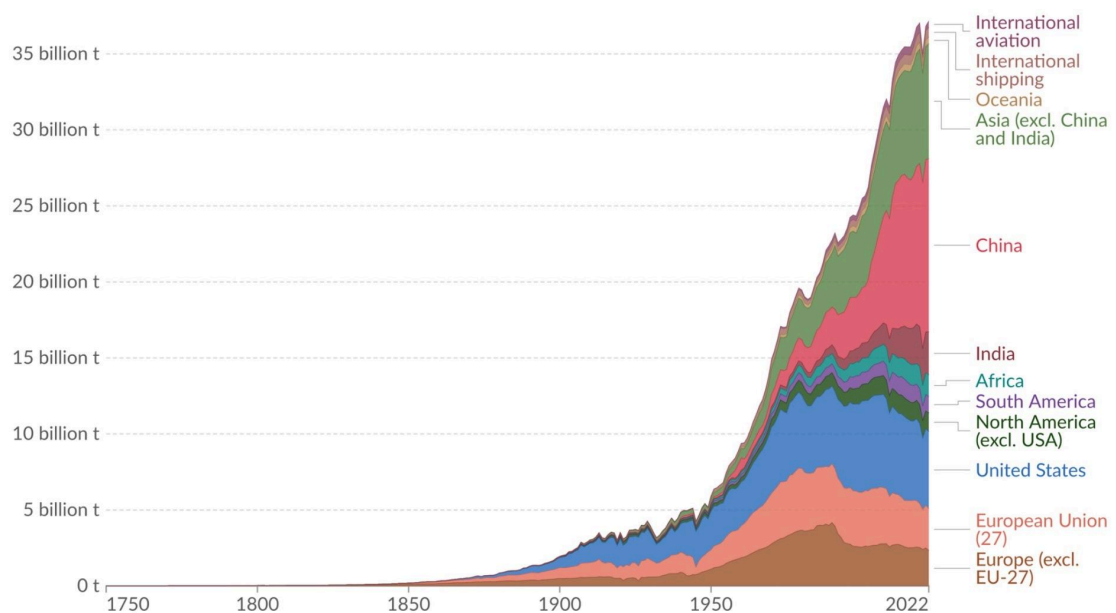
<sup>8</sup> Persons or groups of persons who need and want to move but are unable to have increasingly been referred to as ‘trapped populations’ (Zickgraf, 2023).

<sup>9</sup> For instance, due to attachment to the homeland for cultural, economic, political, social, or spiritual reasons (Zickgraf, 2023).

Looking ahead, alarming numbers of ‘climate refugees’ have been suggested, with influential estimates ranging between 200 million and one billion affected people by 2050 (Clement et al., 2021; Henley, 2020). These figures have been criticised, for instance, for highlighting worst-case scenarios to inspire climate action, lacking precision due to the complexity of factors influencing human movement, or neglecting the potential for adaptation (e.g., Hahn & Fessler, 2023; Schewel, 2023). But despite potentially exaggerated numbers, many scholars have pointed to the substantial protection gap concerning climate mobility, noting that movement “will be on a scale the world is currently ill-equipped to efficiently address” (e.g., Apap & Harju, 2023; Jolly & Ahmad, 2019, p. 5; Kent & Behrman, 2023).

### Figure 1

#### *Annual CO<sub>2</sub> Emissions by World Region*



*Note.* This figure includes emissions from fossil fuels and industry, but excludes land-use change emissions. Adapted from *Annual CO<sub>2</sub> Emissions by World Region*, by Our World in Data, 2024 (<https://ourworldindata.org/grapher/annual-co-emissions-by-region>). Copyright 2024 by Our World in Data.

### B. Focus and Scope of Research

Given the scope of this thesis, certain delimitations are necessary. Firstly, while providing a broad overview of international legal and policy responses to climate mobility, this thesis focuses on the EU. Secondly, as will be further illustrated in chapter IV, there is no agreed,

common definition of the nexus between human mobility and the climate crisis (e.g., Schewel, 2023; Scissa, 2024). In academia and policy, various terms have been adopted, each carrying distinct meanings and implications. As perhaps noticed, for this thesis, the term ‘climate mobility’ was chosen to encompass all forms of human movement driven primarily by climate change, including displacement<sup>10</sup>, migration<sup>11</sup>, and interventions that relocate persons or groups of persons either in the short-term (e.g., evacuations<sup>12</sup>) or the long-term (e.g., planned relocation<sup>13</sup>). Following Yumagulova et al. (2023), movements are understood along a spectrum rather than through binary distinctions, including dimensions of distance (short-distance–long-distance; internal–international), duration (temporary–permanent), governance (administrated–non-administrated), agency (proactive–reactive; voluntary–forced), type of disaster (sudden-onset–slow-onset), coping capacity (vulnerability–resilience)<sup>14</sup>, and scale (individual–collective) (p. 2). When addressing affected persons or groups of persons, the thesis adopts the term ‘climate migrants’ in its broadest sense to refer to all those who leave their habitual place of residence primarily for reasons of change in the environment due to climate change<sup>15</sup>.

This definition aligns with various papers and reports considered in this research (e.g., Hahn & Fessler, 2023; Scissa, 2024; Yumagulova et al., 2023). It is also in line with the language used in the Global Compact for Safe, Orderly and Regular Migration (GCM), which “addresses the issue of human mobility in all its forms” (Kälin, 2018), as well as the notion of “migration and displacement in the context of [climate change]” adopted by the European Commission (EC; 2022) and European Migration Network (2023)<sup>16</sup>, which includes two of

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<sup>10</sup> The IOM (2019) defines ‘displacement’ as “[t]he movement of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence [...]” (p. 55). Notably, there exists no internationally agreed definition of a ‘displaced person’ (Apap & Harju, 2023).

<sup>11</sup> The IOM (2019) defines ‘migration’ as “[t]he movement of persons away from their places of usual residence [...]” (p. 137). Apap and Harju (2023) note that, as opposed to ‘displacement’, the term ‘migration’ implies some choice in the decision to move.

<sup>12</sup> The “[f]acilitation or organization of [temporary] transfer of individuals or groups from one area/ locality to another in order to ensure their security, safety and well-being” (IOM, 2019, p. 65).

<sup>13</sup> A “planned process in which persons or groups of persons move or are assisted to move away from their homes or place of temporary residence, are settled in a new location, and provided with the conditions for rebuilding their lives” (IOM, 2019, p. 157). It is also often referred to as (planned) ‘resettlement’.

<sup>14</sup> This indicates that movement related to the climate crisis “can amplify existing vulnerabilities, but it can also allow people to build resilience” (IOM, n.d., para. 5).

<sup>15</sup> This definition is, thus, somewhat broader than the IOM’s (2019) definition of climate migrants as “[persons] or groups of persons who, predominantly for reasons of sudden or progressive change in the environment due to climate change, are obliged to leave their habitual place of residence, or choose to do so, either temporarily or permanently, within a State or across an international border” (p. 31).

<sup>16</sup> More specifically, the European Commission (2022) and the European Migration Network (2023) use the term “displacement and migration related to disasters, climate change and environmental degradation”, encompassing

the three traditional mobility patterns previously mentioned. Importantly, the term ‘climate mobility’ does not assume monocausality, that is, it does not understand climate change as the sole cause of movement. Instead, it embraces the widely accepted view that movement is multicausal and socially mediated (e.g., Lama et al., 2020).

The chosen definition is intentionally broad, yet, it specifically focuses on the influence of climate change on mobility. In this, it differs from ‘environmentally induced migration’ and ‘environmentally induced displacement’, terms previously adopted in studies by the European Parliament (EP; Kraler, Cernei, & Noack, 2011; Kraler, Katsiaficas, & Wagner, 2020) or documents of the EC (2013), as well as other notions addressing mobility primarily driven by environmental change. Climate mobility is then a subcategory of environmental mobility, where the changes in the environment can be attributed to climate change (see definition of ‘climate migrants’).

Any approach to climate mobility ought to be comprehensive, addressing the various mobility patterns linked to climate change (Schewel, 2023). A broad term like ‘climate mobility’ may be counterproductive then, and should instead serve as an umbrella term with various subcategories, each requiring different legal and policy responses (Schewel, 2023). However, this thesis rather focuses on the underlying framings of climate mobility that shape these responses, and argues for a legal and policy framework that imposes obligations on the EU and centres the self-determination of those affected by climate change.<sup>17</sup> Thus, a broad definition is appropriate for this thesis.

### **C. Relevance of the Research**

This research is relevant for several reasons. Firstly, an explanation of its focus on Europe is warranted. The EU’s considerable geographical reach, resources, and status as a leading example of supranational governance provide it with a unique position and decisive opportunity to shape responses to climate mobility (Blocher, 2015; Hahn & Fessler, 2023). It can endorse a common asylum policy across its member states and, facilitated by its active participation in international bodies and partnerships related to human mobility<sup>18</sup>, exert

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mobility driven by various environmental changes. This thesis focuses specifically on changes related to the climate crisis, as discussed in the paragraph below.

<sup>17</sup> This also warrants a focus on climate mobility rather than environmental mobility, although from a protection perspective, it may be less justifiable to distinguish between the two (Kolmannskog & Myrstad, 2009).

<sup>18</sup> For instance, the EU has a longstanding partnership with the IOM — according to the IOM Regional Office Brussels (<https://eea.iom.int/iom-and-eu>), the EU and its member states are the biggest contributors to its budget

considerable influence over international migration governance (Blocher, 2015). Furthermore, the EU's significant contribution to global emissions<sup>19</sup> underscores its obligation to take action, making it a key actor to examine in this context. Additionally, the EU is evidently a destination for people migrating due to climate change (Scott, 2023). Despite growing interest in the climate-mobility nexus in Europe (Blocher, 2015; Scott, 2023), cross-border climate mobility into Europe has received comparatively little academic and policy attention (Scott, 2023), with research and EU policies concentrating on the Global South (Hahn & Fessler, 2023; Piguet, Kaenzig, & Guélat, 2018; Scott, 2023).

Secondly, authors like Buxton (2019), Eckersley (2015), and Saad (2017) have noted the neglect of a justice framework in the academic debate on climate mobility, which focuses on the obligations of those causing the climate crisis toward those displaced by it. Furthermore, Roy and Hanaček (2023) observe that engagement with decolonial thought within climate justice scholarship remains limited, particularly in research on climate mobility (Gonzalez, 2020). While climate justice scholars have revealed the power relations inherent in global migration governance, a decolonial perspective can complement this understanding by elucidating the colonial origins of global power structures today and how they are distributed along colonial lines. Further, to avoid perpetuating harms and injustices and identify more effective and just solutions, concepts such as climate justice must be contextualised to accommodate the diverse lived experiences, knowledges, and demands of those most affected by the climate crisis. In this respect, scholars identify a broad neglect of perspectives of Indigenous peoples<sup>20</sup> and other climate-vulnerable communities in the literature on climate mobility (e.g., Roy & Hanaček, 2023; Yumagulova et al., 2023) and in decision-making processes on climate mitigation and adaptation (e.g., Prior & Heinämäki, 2017; Tormos-Aponte, 2021; Whyte, 2017). Hence, a decolonial climate justice perspective on EU approaches to climate mobility constitutes a gap in academia. Addressing this gap is pivotal to make explicit the knowledges and demands of the most climate-vulnerable communities and the EU's obligation toward them, and highlight adequate legal and policy responses to climate mobility.

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— and has chaired the Platform on Disaster Displacement for 18 months until January 2024 (<https://www.eeas.europa.eu/delegations/un-geneva/eu-hands-over-chair-platform-disaster-displacement-kenya>).

<sup>19</sup> According to the International Energy Agency (<https://www.iea.org/regions/europe/emissions>), in 2021 Europe was the second largest emitter of CO<sub>2</sub> from fuel combustion after China, accounting for 22.3% of global emissions. Germany, Italy, and Poland were the highest polluting EU countries.

<sup>20</sup> Indigenous Peoples are widely understood to encompass the approximately 370 million persons across 70 countries worldwide#, whose ancestors inhabited a country or region before a period of “conquest, occupation, settlement or other means” (United Nations Permanent Forum on Indigenous Issues, n.d., p. 1).

#### D. Research Question and Objectives

The thesis addresses the following overarching question: **In what ways can the EU's approach to climate mobility be reimaged through a decolonial climate justice lens?** It does so in three parts, by:

- 1) Elucidating how a decolonial climate justice lens would conceptualise climate migrants;
- 2) Analysing the current legal and policy frameworks governing climate mobility in the EU;
- 3) Based on these insights, discussing alternative approaches to climate mobility governance in the EU.

All parts are guided by a respective research question. These are as follows:

- 1) How would a decolonial climate justice lens conceptualise climate migrants?
- 2) How do current legal and policy frameworks in the EU address climate mobility and what are their limitations?
- 3) What implications would a decolonial climate justice approach have for climate mobility governance in the EU?

#### E. Structure

The thesis consists of five chapters. **Chapter I** has set the stage by briefly introducing the topic and outlining the research question and objectives. In **chapter II**, the author discusses her positionality and the chosen research methods. **Chapter III** addresses the first subquestion, and thereby establishes a theoretical framework of the thesis. It expands on climate mobility, introduces the concepts of decoloniality and climate justice, and explores their connections. **Chapter IV** first scrutinises the legal and policy framework governing climate mobility in the EU (**IV.A**), and proceeds to suggest alternative approaches grounded in climate justice and decoloniality (**IV.B**). The thesis concludes in **chapter V** with a summary of the research, a reflection on its limitations, and a future outlook.

## II. Methodology

This thesis examines climate mobility within the context of deeply embedded colonial power structures. Given that the practice of research itself “does not operate in a vacuum, but in fields of power and ongoing histories of social differentiation” (Catungal & Dowling, 2021, p. 25), mediated by the researcher's consciousness (Rose, 1997), one ought to acknowledge

and question the influence of power and difference in one's research. Hence, in the following chapter, the author briefly deliberates her positionality — the particular cultural, economic, historical, political, and social contexts that situate her and act upon her understanding of the subject (Takacs, 2003) — to contextualise the knowledge produced by this research, “avoiding the false neutrality and universality of so much academic knowledge” (Rose, 1997, p. 306). Afterwards, the methods are discussed.

### **A. Positionality**

Following Catungal and Dowling (2021), the author applied the ‘Flower Power exercise’ to consider her positionality in relation to “various axes of social differences” (p. 27), such as race, gender, and class (see Figure 2). The author is a White, non-Indigenous, cis female, able-bodied German citizen in her twenties. She enjoys socioeconomic stability and is currently enrolled in a European higher education institution, with her academic background exclusively rooted in European institutions. Importantly, Rose (1997) cautions that merely disclosing one's identity as an act of reflexivity is but the initial step; true reflexivity demands further reflection on how this positionality materially shapes the practice of research. In that respect, it is crucial to highlight that universities — institutions rooted in and still profiting from colonial pasts (Enslin & Hedge, 2023) — are “spaces of both privilege and inequality”, and the experience of being within a university is profoundly shaped by identity markers such as race, gender, class, and ability (Catungal & Dowling, 2021, p. 21).

The author's positionality grants the privilege to research topics like climate mobility without sharing the affected persons' lived experiences, *inter alia*, of uproot from their homes and perilous journeys to safety. Further, Western voices are privileged over those of historically marginalised communities, including Black, Indigenous, and other racialised communities<sup>21</sup> (Catungal & Dowling, 2021; Simpson, 2017; Todd, 2016), who are often positioned as research subjects rather than recognised as theorists or thinkers (Simpson, 2017; Todd, 2016). Particularly with respect to the climate crisis, colonial mindsets and practices persist (Wilkens & Datchoua-Tirvaudey, 2022). Indigenous peoples and their knowledge systems<sup>22</sup> are often

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<sup>21</sup> Following Ramanujam and Asri (2021), the term ‘racialised communities’ is used here instead of common alternatives such as ‘communities of colour’ to “denote that racialisation is something that is done to communities by others and given meaning in this way, instead of being an inherent characteristic such as black and brown skin tones” (p. 11).

<sup>22</sup> ‘Knowledges’, ‘knowledge systems’, or ‘ways of knowing’ can be defined as complex sets of “interacting ‘agents, practices and institutions that organise the production, transfer and use of knowledge’” (Cornell et al., 2013, as cited in Orlove et al., 2022, p. 13).

erased from discourses and their foundational ideas “[filtered] through white intermediaries” (Todd, 2016, p. 7). Similarly, research on climate mobility, while focused on countries of the Global South, tends to originate from Europe and North America (Piguet et al., 2018). This expresses itself in legal and policy responses that perpetuate harms and injustices, often prioritising the interests of the Global North while neglecting the knowledges and demands of those most affected by the climate crisis (Gonzalez, 2020; Tormos-Aponte, 2021; Yumagulova et al., 2023).

**Figure 2**

*The ‘Flower Power Exercise’*



*Note.* This figure highlights the identity markers most relevant to this research.

To Tsang (2021), confronting the power dynamics within which research is embedded is an indispensable starting point in the process of decolonising both higher education institutions and ourselves. In this thesis, the author approaches these concerns using a decolonial climate

justice perspective to analyse emerging legal and policy responses to climate mobility. Further, the analysis draws upon Indigenous-led research to highlight that they are not just research subjects but “Rights and Responsibility Holders” (Yumagulova et al., 2023, p. 2). The following section provides a more detailed discussion of the literature used in this research.

## **B. Methods**

This thesis employs document analysis<sup>23</sup>. To address the legislative dimension of the research question — analysing in what ways current and emerging legal and policy frameworks in Europe address climate mobility — primary literature, particularly international legal documents, along with legal academic sources were consulted. Other dimensions of the research draw from scholarly works on climate mobility and literature spanning International Relations, focusing on environmental politics, migration studies, and decolonial/ postcolonial studies. Grey literature (news media and reports and web pages produced by prominent actors such as the IOM or the Platform on Disaster Displacement) was incorporated to address the rapidly changing policy landscape of the research topic.

The search for scientific publications was carried out in two phases<sup>24</sup>. First, a search was conducted using Google Scholar. To establish the theoretical framework, searches were conducted using keywords like ‘climate mobility’ and various related terms, reflecting the diverse vocabulary used to articulate the nexus between the climate crisis and human mobility, as well as ‘decoloniality’/ ‘postcolonialism’ and ‘climate justice’, along with closely related terms. For the analysis, combined searches using the Boolean AND operator were conducted to identify literature relevant to a decolonial/ postcolonial perspective on climate mobility, a climate justice perspective on climate mobility, and overall to climate mobility within the European context (a comprehensive list of search terms can be found in Appendix 1). The titles and abstracts of the search results were then scanned for relevance and quality. Subsequently, the full texts of identified sources were obtained and scanned to further assess their relevance and determine if they should be included in the review. In the second phase, the bibliographies of key sources identified in the initial search were examined to locate any additional relevant publications. Overall, the review aimed to identify the most

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<sup>23</sup> Tight (2019) defines document analysis as a systematic method for reviewing or analysing documents.

<sup>24</sup> It should be noted that the search was limited to English publications, potentially resulting in the omission of key non-English sources.

pertinent research on the topic, prioritising peer-reviewed journal articles and incorporating other types of publications, such as legal documents and reports, where appropriate.

### III. Theoretical Framework and Literature Review

This chapter develops the theoretical framework that guides the analysis. It illuminates why a decolonial climate justice perspective on climate mobility is necessary, and how it would conceptualise climate migrants. After defining the main concepts of climate mobility, climate justice, and decoloniality, the existing literature exploring the links between these concepts is reviewed.

#### A. Main Concepts

##### 1. *Climate Mobility*

Returning to the subject of climate mobility, this section examines its international legal and policy framework. The global governance of climate mobility has been described as a “gaping legal hole<sup>25</sup>” (Kent & Behrman, 2023, p. 3), with international refugee law, human rights law, and climate law all failing to explicitly extend a right to enter or remain to climate migrants. Furthermore, the adoption of numerous non-binding agreements, policies, agendas, and action plans has led to a fragmented architecture (Hahn & Fessler, 2023). While these instruments have all acknowledged climate change as a significant driver of human mobility (IOM, 2021; Kälin & Weerasinghe, 2017; Kent & Behrman, 2023), most have focused on the root causes of climate mobility to prevent large numbers of climate migrants, rather than addressing the protection gap. Moreover, their implementation in Europe remains limited (Apap & Harju, 2023; Hahn & Fessler, 2023; Scissa, 2024; Scott, 2023).

##### a) **International Refugee Law**

International refugee law governs only political refugees — those fleeing persecution — and does not extend to those fleeing climate change (e.g., Kolmannskog & Myrstad, 2009; Scissa, 2024; Scott, 2023). Article 1(A) of the Refugee Convention, as amended by its 1967 Protocol, defines a refugee as a person who:

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<sup>25</sup> This may be attributed to the absence of a common definition of the climate-mobility nexus, as mentioned in the introduction, which has arguably obstructed the formulation of adequate policies or legal pathways to protect climate migrants (Schewel, 2023).

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 nationality* [emphasis added] and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

Accordingly, climate change is not a ground in and of itself for the granting of refugee status, unless there is a *well-founded fear of persecution* and the person is *outside the country of their nationality*. As was pointed out in the introduction to this thesis, most climate migrants do not cross an international border, and are thus not covered by the definition. However, climate change might give rise to substantial grounds for a fear of persecution: when it causes or exacerbates conflict and violence, rendering a government unable or unwilling to protect the victims and exposing them to persecution; when environmental defenders, activists, or journalists are persecuted for defending, conserving, or reporting on climate change; or when a government intentionally withholds resources or assistance from people belonging to a particular social group before or after a climate change-related disaster (United Nations High Commissioner for Refugees, 2023b). For individuals who do not meet the refugee criteria, international human rights law may apply based on the principle of *non-refoulement*. This is discussed in the next section.

#### **b) International Human Rights Law**

*Non-refoulement* is a central principle of international refugee and human rights law. The latter extends states' legal obligations beyond the scope of international refugee law, applying to persons regardless of their migration status. Under international human rights law, this principle then guarantees that no one, irrespective of their status, is transferred to a country where there are "substantial grounds for believing that there is a real risk of irreparable harm" (United Nations Human Rights Committee [CCPR], 2004, para. 12)<sup>26</sup>. It is considered an integral component of the prohibition of torture or other forms of cruel, inhuman or degrading treatment or punishment.

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<sup>26</sup> This applies to any form of transfer or removal (CCPR, 2004).

In 2020, in what has been celebrated as a “ground-breaking” decision (Delval, 2020, para. 1), the CCPR ruled for the first time on a communication by an individual seeking protection from the adverse effects of climate change in *Ioane Teitiota v. New Zealand*. Teitiota, a Kiribati national, had argued that climate change and rising sea levels had forced him to seek asylum in New Zealand (CCPR, 2020, paras. 2.5–2.6), and his 2015 removal to Kiribati breached his right to life. The Committee concluded that the impacts of climate change could violate rights under Articles 6 (right to life) or 7 (prohibition of torture or cruel, inhuman, or degrading treatment or punishment) of the International Covenant on Civil and Political Rights (ICCPR), thereby triggering the *non-refoulement* obligations of sending states (para. 9.11). Hence, climate migrants, under international human rights law, have the right not to be returned to a country where they would face a real risk of irreparable harm under Articles 6 or 7 ICCPR. It also acknowledged that sea level rise is likely to render Kiribati uninhabitable in the future (para. 9.12) and that the severity of the “risk of an entire country becoming submerged under water” implies that “the conditions of life in such a country may become incompatible with the right to life with dignity before the risk is realized” (para. 9.11). According to Sendut (2020), it thereby recognised that the right to life encompasses a right to life with dignity and, thus, “access to basic economic and social entitlements” (para. 11).

However, the Committee specified that a risk of irreparable harm derives from general conditions in the receiving state only in the “most extreme cases” (paras. 9.3 & 9.7), and that there is a high threshold for evidence to establish a “real risk of irreparable harm” (9.3) in the receiving country; Sendut (2020) argues that the Committee invoked a ‘foreseeability standard’, meaning there must be a ‘reasonably foreseeable’ risk to the right to life to trigger the *non-refoulement* obligation. In this case, it focused on the time left for Kiribati authorities and the international community to “take affirmative measures to protect and, where necessary, relocate its population” (CCPR, 2020, para. 9.12). Accordingly, it ultimately upheld New Zealand’s decision to remove Teitiota. A dissenting opinion argued that the threshold of risk applied in the judgement was too high. It claimed that Teitiota’s situation in Kiribati should meet the threshold, as it already violated standards of dignity and waiting for frequent deaths “would be counter-intuitive to the protection of life” (Annex I, para. 5). Delval (2020) further argues that it is “hard to see how the time frame of ten to fifteen years [...] would be enough to deal with an entire country that is going to be completely drowned” (para. 20).

In sum, *non-refoulement* may offer limited protection as a “minimum standard” (Delval, 2020, para. 9) to climate migrants, preventing return but not guaranteeing refugee status and associated rights. The ruling highlights application challenges, especially a high risk and associated evidence threshold. While it has placed important foundations in its comments that may facilitate the success of future cases (Kent & Behrman, 2023), it remains ambiguous how severe conditions must be before protection under *non-refoulement* applies.

### **c) International Climate Law**

International efforts to address climate change have traditionally centred on government-led negotiations within the United Nations Framework Convention on Climate Change (UNFCCC) (Widerberg, 2017). This treaty, established during the 1992 Rio Conference on Environment and Development, aims to “stabilize [GHG] concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system [...]” (Art. 2). Today, it has near-universal membership with 197 countries having ratified it. Rather than setting specific targets itself, the treaty provides a framework for international climate negotiations, under which specific legal instruments (protocols to the convention) like the Kyoto Protocol (1997) or the Paris Agreement (2015) are developed. The Conference of the Parties (COP), consisting of the state parties to the treaty, serves as the decision-making body and offers an annual space to discuss, review national implementation efforts, and make decisions necessary to meet the objectives of the UNFCCC (Arora, 2024; Kumar, 2020).

The UNFCCC does not explicitly address the climate-mobility nexus, but COP decisions have increasingly done so. It was first recognised within the context of adaptation in the 2010 Cancun Agreements, as Paragraph 14(f) called for “[m]easures to enhance understanding, coordination and cooperation with regard to climate change induced displacement, migration and planned relocation” (UNFCCC, 2011). Although non-binding, this paragraph has become pivotal in international law on climate mobility, initiating various further declarations and establishing an institutional home for climate mobility within the UNFCCC (Kent & Behrman, 2023). In 2013, COP19 marked another significant step with the creation of the Warsaw International Mechanism for Loss and Damage (WIM), which addresses climate change-related loss and damage, including extreme and slow-onset events, in climate-vulnerable developing countries (UNFCCC, 2013). The Paris Agreement (2015), adopted at COP21, encourages parties in its Preamble to consider their obligations towards migrants when taking action to address climate change. In its decision text, COP21 also

affirmed the continuation of the WIM (UNFCCC, 2016, para. 47) and established a Task Force on Displacement under the WIM to “develop recommendations for integrated approaches to avert, minimize and address [climate change-related] displacement” (para. 49). In 2022, the Sharm el-Sheikh Implementation Plan of COP27 recognised forced displacement and human mobility in the context of climate change as forms of loss (UNFCCC, 2023a, para. 25). Moreover, the defining achievement of COP27 was the agreement to establish a multilateral loss and damage fund to assist developing countries that are particularly vulnerable to climate change in responding to climate-related loss and damage (UNFCCC, 2023b, paras. 2–3).

At COP28, the Loss and Damage Fund was operationalised on the first day (Arora, 2024), encompassing climate mobility in its scope: “The Fund will provide finance for addressing a variety of challenges associated with the adverse effects of climate change, such as [...] displacement, relocation, [and] migration [...]” (UNFCCC, 2024a, para. 6). This facilitates the financial support of climate-vulnerable countries in implementing measures related to climate mobility, “promoting equitable, safe and dignified human mobility in the form of displacement, relocation and migration in cases of temporary and permanent loss and damage” (para. 9). Nevertheless, current financial commitments to the fund are insufficient; more ambitious contributions from developed countries are necessary to ensure its full functionality (Baillat, 2023). Additionally, the first global stocktake — a five-year assessment of global progress on climate action — was concluded at COP28 (UNFCCC, 2023c). In Paragraph 131, it calls on state parties and relevant institutions to advance efforts to “[avert, minimise, and address] loss and damage in a coherent and effective manner”, including through measures related to displacement, planned relocation, and migration.

As Kent and Behrman (2023) observe, the UNFCCC’s approach to climate mobility remains merely declarative. However, the outcomes of COP28 signify a growing emphasis on climate mobility within the UNFCCC framework, and the establishment of a loss and damage fund that explicitly includes climate mobility is promising; yet, the Fund’s success ultimately relies on the ambition of states’ contributions (Baillat, 2023; Kent & Behrman, 2023).

#### **d) Other Instruments**

As noted above, various other initiatives have addressed the climate-mobility nexus in recent years. To provide a comprehensive overview, key initiatives are listed in the table below.

Notably, the 2018 GCM is an important development and is expected to play a pivotal role in shaping future discussions and actions concerning human mobility in the context of disasters, climate change, and environmental degradation (Kälin, 2018). However, its effective implementation as a non-binding instrument relies significantly on “systematic efforts by States and other relevant stakeholders to keep it high up on the international agenda” (p. 667). So far, implementation in Europe remains scarce (Scissa, 2024). Continued efforts are crucial to ensure that these (mutually reinforcing) frameworks translate into meaningful actions and protections for climate migrants worldwide.

**Table 1***Overview of Key International Initiatives Relating to Climate Mobility*

Year	Instrument	Description
2012–2015	<b>Nansen Initiative on Disaster-Induced Cross-Border Displacement (Nansen Initiative)</b>	The <i>Nansen Initiative</i> was launched by the Governments of Switzerland and Norway in 2012. Built on paragraph 14(f) of the Cancun Agreements, it aimed to “identify effective practices and build consensus on key principles and elements to address the protection and assistance needs of persons displaced across borders in the context of disasters, including the adverse effects of climate change” (Nansen Initiative, 2015, p. 6). Apap and Harju (2023) describe it as the “[f]irst milestone for the recognition and the protection of people externally displaced by climate-related events” (p. 9).
2015	<b>Sendai Framework for Disaster Risk Reduction 2015–2030 (Sendai Framework)</b>	The <i>Sendai Framework</i> was adopted at the Third UN World Conference on Disaster Risk Reduction in Sendai, Japan, in 2015, and subsequently endorsed by the United Nations General Assembly (UNGA). It recognises, <i>inter alia</i> , the need to strengthen disaster risk governance, build resilience, and reduce disaster risk, including displacement risk (para. 28(d)).
2015	<b>Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change (Protection Agenda)</b>	In 2015, after a series of state-led consultations under the Nansen Initiative, 109 states endorsed the non-binding outcome document known as the <i>Protection Agenda</i> . This document compiles the findings of the Nansen Initiative and outlines “effective practices” (Nansen Initiative, 2015, p. 7) for states and organisations to integrate into their own normative frameworks.
2016	<b>Platform on Disaster Displacement</b>	The <i>Platform on Disaster Displacement</i> ( <a href="https://disasterdisplacement.org/">https://disasterdisplacement.org/</a> ) was launched during the World Humanitarian Summit in Istanbul in 2016 as a follow-up mechanism of the Nansen Initiative. Its primary goal is to implement the Protection Agenda, by filling gaps in data and knowledge, encouraging policy consistency, and improving the use of effective practices.
2016	<b>New York Declaration for Refugees and Migrants</b>	The <i>New York Declaration for Refugees and Migrants</i> (UNGA, 2016) expresses a willingness to assist persons in disaster-affected countries, but neglects the needs of those compelled to leave such countries (Kälin, 2018). Yet, it set the stage for the adoption of the GCM.
2018	<b>Global Compact for Safe, Orderly and Regular Migration (GCM)</b>	Building on the commitments of the New York Declaration for Refugees and Migrants (UNGA, 2019, para. 7), the <i>GCM</i> explicitly recognises the nexus between migration and natural disasters, climate change, and environmental degradation (Kälin, 2018); yet, it does not define the legal status of those migrating due to these factors. Climate mobility is specifically addressed in Paragraph 18 of Objective 2 on minimising the root causes that compel cross-border movement, setting a thematic cluster on “natural disasters, the adverse effects of climate change, and environmental degradation”. The cluster highlights the importance of collaborative efforts to understand and address environmental mobility, and to develop comprehensive resilience and adaptation strategies. Furthermore, Paragraph 21 of Objective 5 seeks to expand and diversify pathways for regular migration, including labour mobility, academic mobility, and humanitarian protection, and Paragraph 37 of Objective 21 focuses on cooperation to facilitate safe and dignified return and readmission, as well as sustainable reintegration. The GCM also initiated the <i>International Migration Review Forum</i> , requiring states to convene every four years to discuss and report on the progress of the GCM’s interpretation (para. 49).

## 2. Climate Justice

It is increasingly evident that historical and ongoing emissions<sup>27</sup> are “highly unequally distributed within and among countries” (UNEP, 2023, p. V). Nearly 80 per cent of historical CO<sub>2</sub> emissions came from G20 countries, particularly China, the EU, and the US, while the least developed countries accounted for only 4 per cent (UNEP, 2023). And as Figure 5 illustrates, although China is now the world’s largest annual emitter of GHG, the Global North still has much higher per capita emissions compared to the Global South (Gonzalez, 2020). Crucially, the emissions of GHG have also predominantly brought economic benefits to the Global North (Eckersley, 2016; Gonzalez, 2020).

**Table 2**

*Disproportionate Contributions to Climate Change in Per Capita CO<sub>2</sub> Emissions*

EU Country	2021	Climate-Vulnerable Country	2021
Luxembourg	13.824	Syria	1.320
Estonia	11.492	Bangladesh	.623
Czechia	9.187	Yemen	.390
Netherlands	8.524	(Sudan &) South Sudan	.360
Poland	8.476	Afghanistan	.215
Romania	4.081	Chad	.132
Malta	4.003	Ethiopia	.166
Latvia	3.846	Central African Republic	.055
Sweden	3.820	Somalia	.046
Portugal	3.798	Democratic Republic of Congo	.036

*Note.* This figure contrasts the five EU states with the highest and five with the lowest per capita emissions against ten countries particularly vulnerable to climate change. It includes emissions from fossil fuels and industry, but excludes land-use change emissions, and is measured in tons of CO<sub>2</sub> per capita per year. The list of ten most climate-vulnerable countries is from “10 Countries at Risk of Climate Disaster”, by International Rescue Committee, 2023 (<https://www.rescue.org/uk/article/10-countries-risk-climate-disaster>). Copyright 2023 by International Rescue Committee. The data is from *CO<sub>2</sub> Emissions of All World Countries* –

<sup>27</sup> As emissions are cumulative, both historical and ongoing emissions are relevant when allocating responsibility (Malm, 2016).

*JRC/IEA/PBL 2022 Report*, by Joint Research Centre, 2022, European Union (<https://doi.org/10.2760/07904>). Copyright 2022 by European Union.

On the other hand, the Global South and marginalised persons and communities in both North and South are especially susceptible to the impacts of the climate crisis, as it interacts with and reinforces existing vulnerabilities (IPCC, 2023; Sultana, 2022; UNEP, 2023). They are particularly exposed because of their geographic locations and have been “*rendered socially and economically vulnerable [...] by the North’s economic and military interventions*” (Gonzalez, 2020, p. 117), including colonial policy, Cold War politics, and neoliberal economic reforms (Saad, 2017), as well as the ‘offshoring’<sup>28</sup> of emissions-intensive industries to the Global South (Eckersley, 2015). Such interventions have hampered the capacity of the Global South to adapt to climate change, for instance, undermining the development of climate-resilient public infrastructure, creating mass displacement, and depriving them of resources for adaptation, disaster risk reduction, and disaster response (Ahmed, 2018; Gonzalez, 2020). These dynamics are captured by the concept of ‘ecologically unequal exchange’, which highlights the asymmetric flows of energy and materials from the Global South to the Global North, serving the latter at the expense of the former. In sum, the climate crisis disproportionately affects the world’s least developed and most vulnerable, exacerbating the number of deaths and displacements across frontline communities that have contributed the least to the crisis (Sultana, 2022).

The concept of climate justice has emerged as a pivotal framework for illuminating and redressing this “historically and spatially produced” (Sultana, 2022, p. 120) inequitable distribution of environmental benefits and harms (Roy & Hanaček, 2023). According to Saad (2017), it focuses on actors’ duties grounded in their responsibility for contributing to the climate crisis and their capacity to address it. This sentiment of ‘common but differentiated responsibilities and respective capabilities’ (CBDR-RC) was enshrined in the UNFCCC, which notes in its Preamble:

[T]he largest share of historical and current global emissions of greenhouse gases has originated in developed countries, [...] per capita emissions in developing countries are

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<sup>28</sup> This ‘offshoring’ again benefits consumers in the Global North, who enjoy emissions-intensive goods without facing the negative impacts of production or the responsibility for emissions, which are attributed to the producing countries (Eckersley, 2015).

still relatively low and [...] the share of global emissions originating in developing countries will grow to meet their social and development needs.

It hence assigns higher climate change mitigation and adaptation burdens to those states most responsible for emissions. Article 3(1) articulates CBDR-RC as follows:

The Parties should protect the climate system for the benefit of present and future generations of humankind, 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.

The Paris Agreement (2015) reaffirms in its Article 2(2) the UNFCCC's clear commitment to "reflect equity and the principle of common but differentiated responsibilities and respective capabilities, in the light of different national circumstances".

Climate justice builds upon the environmental justice movement, which originated in the US in the early 1980s as a civil rights strategy to resist hazardous waste facilities in neighbourhoods of poor and racialised communities (Gonzalez, 2019; Martinez-Alier, 2016; Vanderheiden, 2016). According to Gonzalez (2019), the climate justice movement emerged internationally as a "coalition of environmental justice, religious, policy, and advocacy groups" (p. 371) in COPs under the umbrella of the UNFCCC. The prominence of climate justice in global climate governance<sup>29</sup> is hence a testament to the efforts of Indigenous peoples, Black people and other racialised communities, and environmental movements, rooted in the historical and ongoing struggles for equity and human rights (Wilkens & Datchoua-Tirvaudey, 2022). Further, the concept of climate justice has since been used by climate-vulnerable states and communities to hold affluent states with high historical and current GHG emissions accountable (Gonzalez, 2020).

Yet, climate justice ought to be understood as more than just a matter of state responsibility; it must also address disparities among individuals. Applying Iris Marion Young's social connection model of responsibility to climate change, Eckersley (2016) characterises climate change as a systemic injustice "produced through recurrent social practices" (p. 347). They highlight the responsibility of non-state actors who participate in these practices to confront

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<sup>29</sup> Global climate (change) governance can be broadly defined as the sum of "purposeful mechanisms and measures aimed at steering social systems towards preventing, mitigating, or adapting to the risks posed by climate change, established and implemented by states or other authorities" (Jagers & Stripple, 2003, as cited in Coen, Kreienkamp, & Pergamon, 2020, pp. 4–5), centred around the UNFCCC.

and transform the structures that systematically make injustices. There is substantial scholarly debate on responsibility in the context of climate change, owing to its transboundary consequences (Eckersley, 2016). This section did not seek to delve deeply into these discussions (they will be revisited in section III.B.1), but to emphasise that climate justice fundamentally is about recognising how the climate crisis impacts countries, communities, and individuals differently and disproportionately. Further, the responsibility to redress these injustices falls not only on states but also on non-state actors.

To conclude, a climate justice framework identifies “the moral dimensions of climate change and the duties they create for actors” (Saad, 2017, p. 2); that is, it acknowledges the deep-rooted inequities of climate change and highlights the need to redress them according to the principle of CBDR-RC. Furthermore, it demands inclusive decision making that involves communities disproportionately affected by climate change. These communities are often erased from discourses while uniquely knowledgeable about its impacts (Aliozi, 2021; Arcaya & Gribkoff, 2022). Their knowledges and demands should hence be integral to developing effective and just solutions to climate change.

### **3. *Decoloniality***

Both decoloniality and postcolonialism are grounded in the recognition that “the West imposed a ‘universal’ model of ‘modernity’ on other parts of the world through imperial invasion and colonial governance” (Tsang, 2021, para. 7). They reveal how a colonial world order continues to privilege ‘Eurocentric’ knowledge production over other ways of knowing and being in the world (Asher & Ramamurthy, 2020; Bhambra, 2014) (this was already touched upon in chapter II.A on the author’s positionality). Yet, they differ, most importantly in their focus in terms of time period and geographical orientation (Bhambra, 2014). While postcolonialism focuses on 19th and 20th century Western imperialism in Africa, the Middle East, South Asia, decoloniality refers particularly to European imperialism in South America. Importantly, Asher and Ramamurthy (2020) caution against an overly simplistic binary understanding of postcolonial and decolonial approaches. Instead, they advocate for a comprehensive approach that considers the complexities and nuances of both frameworks to deepen the understanding of ongoing colonial legacies. Tsang (2021) also advocates an understanding of decoloniality and postcolonialism as “different perspectives that could be used as tools to facilitate our analyses” (para. 8).

As thorough discussion of both traditions of thought is not feasible (and perhaps not necessary) here, the focus of this thesis lies on decoloniality, which, while deeply aware of colonial pasts (Paradies, 2020), presents a forward-looking, solution-oriented approach grounded in “non-Eurocentric/ indigenous ideas/ practices” (Asher & Ramamurthy, 2020, p. 545). It suggests a ‘delinking’ from the Eurocentric paradigm of knowledge, and a reconstitution of one’s ways of knowing and being in the world (Tsang, 2021). This is crucial for the development of more effective and just approaches to climate mobility. The following elucidates the concept of ‘modernity/ coloniality/ decoloniality’ as a framework for understanding the decolonial perspective.

‘Modernity/ coloniality/ decoloniality’ presents one complex concept, the slash symbolising both the distinction and interdependence of the terms (Mignolo & Walsh, 2018). That is, modernity and coloniality are “intimately, intricately, explicitly, and complicitly entwined” (p. 4). There is no coloniality without modernity, and vice versa (Mignolo & Walsh, 2018; Paradies, 2020). Further, decoloniality must be understood in the context of modernity/ coloniality, as otherwise, “there would be no need for decoloniality, because there would be nothing to decolonize” (Mignolo & Walsh, 2018, p. 109). To clarify the meaning of the three terms, they shall be examined consecutively.

***Coloniality:*** *the enduring colonial structures of power in contemporary society that originated with the early colonisation of what is now Latin America in the fifteenth century.* The European conquests of the lands now known as Latin America created vertical power relations (subordination–domination) between conquerors/ colonisers and conquered/ colonised, structured primarily around the idea of race (Maldonado-Torres, 2007; Mignolo & Walsh, 2018; Quijano, 2007). According to Mignolo and Walsh (2018), the conqueror/ coloniser “posited himself as master of the universe and succeeded in setting himself apart from other men/ humans (racism), [as well as] from women/ humans (sexism), from nature (humanism), from non-Europe (Eurocentrism), and from ‘past’ and ‘traditional’ civilizations (modernity)” (p. 163). Today, these power structures cover “the whole planet” (Quijano, 2007, p. 168). They are encapsulated in the concept of ‘coloniality’, a term coined by Anibal Quijano in his pioneering essay on the *Coloniality of Power* (2000). Coloniality then differs from ‘colonialism’, which is defined as the “political and economic relation in which the sovereignty of a nation or a people rests on the power of another nation, which makes such nation an empire” (Maldonado-Torres, 2007, p. 243). Even after independence, the

hierarchical orders created by colonialism persist — “coloniality survives colonialism” (p. 243).

*Modernity: in the decolonial sense*<sup>30</sup>, a “set of self-serving narratives” that are deeply intertwined with European colonial domination over the rest of the world and form an epistemological framework that renders coloniality invisible (Bhambra, 2014; Mignolo & Walsh, 2018, p. 110; Paradies, 2020). The concept of ‘modernity/ coloniality’ (the colonial matrix of power) was first articulated by Quijano in his essay *Coloniality and Modernity/ Rationality*, published in English in 2007. It expresses the inseparability of modernity from coloniality, as it provides an epistemological framework that substantiates colonial power structures, while rendering them invisible. Modernity relies on the notion that knowledge, like property, is a “relation between an individual and something else” (Quijano, 2007, p. 173) — a subject-object relation, where the subject is different and separated from the object — rather than an “intersubjective relation for the purpose of something” (Bhambra, 2014, p. 118). The European identity emerges through a differentiation from other cultures, with only European culture being able to contain rational ‘subjects’. Other cultures are different, “they are unequal, in fact inferior, by nature [...] [and] can only be ‘objects’ of knowledge and/ or of domination practices” (Quijano, 2007, p. 174). Consequently, “the relation between European culture and the other cultures was established and has been maintained, as a relation between ‘subject’ and ‘object’” (p. 174). European knowledge production is positioned as superior, and thus universal, marginalising other cultures and knowledge systems (the coloniality of knowledge). Yet, Europeans rarely acknowledge how other cultures underpin their self-realisation (Bhambra, 2014). For instance, Gonzalez (2020) illustrates how Europe’s industrialisation was deeply intertwined with colonisation and slavery, drawing on labour and resources extracted from colonies, such as cotton and energy-rich foods. This transition to fossil energy facilitated exponential economic growth, but also ignited conflicts over energy supplies and led to unprecedented environmental degradation and climate change, with GHG emissions continually rising. Today the world’s resources are concentrated “under the control and for the benefit of a small European minority” (Quijano, 2007, p. 168), and to the detriment of the rest of the world. In sum, understanding coloniality through the lens of modernity exposes the epistemological foundations for colonial power structures and the processes that hide coloniality. In turn,

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<sup>30</sup> While ‘modernity’ is not a decolonial concept in itself, ‘modernity/ coloniality’ is.

viewing modernity through the lens of coloniality reveals how colonial histories continue to shape contemporary societies, emphasising the need for decolonial approaches to confront these persistent inequities.

***Decoloniality:** a forward-looking, solution-oriented approach grounded in non-Eurocentric practices that suggests a delinking from the Eurocentric paradigm of knowledge and a reconstitution of one's ways of knowing and being in the world (Asher & Ramamurthy, 2020; Tsang, 2021).* Lastly, decoloniality is the approach that makes visible coloniality as the “darker and hidden side of modernity” (Mignolo & Walsh, 2018, p. 140) through delinking from the illusions of modernity (Mignolo & Walsh, 2018; Tsang, 2021). Decoloniality is then an active undertaking — led by colonised and racialised persons and communities — against the colonial matrix of power. According to Paradies (2020), it necessitates (1) understanding the past wrongs of modernity, (2) understanding the present and future wrongs of modernity, and (3) “acting to prevent this in ways that are more than merely metaphorical” (p. 439). The latter entails a critical questioning of the sources and locations of knowledge, while at the same time affirming those other cultures and knowledge systems that have been denied by modernity. It seeks to “displace Western rationality as the only framework and possibility of existence, analysis, and thought” (Mignolo & Walsh, 2018, p. 17), and calls for multiple ways of knowing and being to coexist as viable alternatives, rather than one dominating the others.

## **B. Linking the Concepts**

### **1. Linking Climate Mobility and Climate Justice**

Amidst extensive debates on state responsibility for climate mitigation and adaptation, scholars have highlighted a neglect of the question of state responsibility for climate mobility — one that focuses on the obligations of those causing the climate crisis toward those moving in response (Buxton, 2019; Eckersley, 2015; Saad, 2017). Eckersley (2015) argues that, owing to limitations set by political feasibility — the gap between what climate justice demands for climate migrants and what the wealthiest, highest historical emitters are likely to offer — state responsibilities for financially and technically supporting climate migrants should be distinguished from their responsibility to receive them. While the former is a “differentiated responsibility” based on the capability of states, or the Ability to Pay Principle (APP), the latter is a “common responsibility” based on every state's contribution to the climate crisis (p. 481). Eckersley (2015) concludes their paper by calling on parties to the

UNFCCC to compensate climate migrants through financial support to the WIM. Ultimately, they advocate the establishment of a “Climate Superfund” (p. 498) that climate-vulnerable countries can draw from. This approach has essentially been realised with the establishment of the new Loss and Damage Fund at COP28<sup>31</sup>, which, as Gibson (2023) notes “‘invites’ developed nations to ‘take the lead’ in providing finance and support” (para. 8). Yet, it lacks details on scale, financial targets, or funding mechanisms. And as mentioned, the current financial targets remain too low, a recurring issue seen in other funds, such as the Green Climate Fund (<https://www.greenclimate.fund/>), which were also significantly underfunded from the start (Gibson, 2023). Hence, a voluntarist approach based on the APP may not have the necessary impact unless states voluntarily increase their contributions.

By contrast, Buxton (2019) convincingly makes a case for the Polluter Pays Principle (PPP). They critique discussions on climate justice for climate migrants for focusing almost exclusively on compensation, that is, the transfer of resources to restore people’s status before a certain accidental harm has occurred, and assert that compensation is inadequate from a justice standpoint. Instead, they call for a shift toward the language of reparation, that is, a transfer of resources to redress injustices in accordance with the PPP. Crucially, while compensation can come from a third party, reparations can only be provided by those responsible for the harm in question. A reparation approach reframes support from high-emitting states toward climate migrants and climate-vulnerable countries as more than mere acts of “charity or philanthropy” (Sultana, 2022, p. 121). It demands acceptance of “responsibility of historical and contemporary harms and injustices” (p. 121) and understands such actions as a form of accountability for the loss and damage caused by high emitters. Accordingly, this thesis argues that a climate justice framing would “conceptualize climate [migrants] as owed reparation” (Saad, 2017, p. 1) by high-polluting states, that is, according to the PPP<sup>32</sup>.

Questions then arise as to how reparative responsibilities can be assigned and how reparations can be paid. Given the collective nature of climate change, the former is an inherently complex task. Nevertheless, it is counterintuitive to suggest that this *common*

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<sup>31</sup> However, the Fund averts the language of *compensation*. Decision 1/CP.28 (UNFCCC, 2024b) instead highlights that “funding arrangements, including a fund, for responding to loss and damage are based on *cooperation* and *facilitation* [emphasis added] and do not involve liability or compensation” (p. 2).

<sup>32</sup> For a more detailed discussion of the three central principles of justice related to responsibility and climate change — namely, the APP, the PPP, and the Beneficiary Pays Principle (BPP) — refer, for instance, to Buxton (2019).

responsibility absolves a state of its *individual* responsibility for emissions originating within its territory, and various approaches to identifying specific state responsibilities for climate migrants have been proposed. For instance, drawing upon the principle of CBDR-RC, Scott (2014) focuses on Annex II of the UNFCCC, which lists developed countries obligated to financially assist economies in transition and developing countries to mitigate and adapt to the adverse effects of climate change. It includes the EU member states of Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, and Sweden. 194 states have ratified the UNFCCC, underscoring a global consensus that Annex II countries are the primary contributors to historical and current GHG emissions and carry particular obligations. Alternatively, Ahmed (2018) calculates the share of migrants countries should accept under consideration of the factors of climate pollution and resource consumption (based on PPP), as well as economic status and human development rankings (based on APP). They find, *inter alia*, that Germany is responsible for accepting six percent of the world's climate migrants, while Poland and Italy should each take in five percent, and France four percent. Despite varying approaches in determining responsibilities among individual countries, both Scott's (2014) and Ahmed's (2018) results underscore the significant collective responsibility of the EU towards climate migrants. It appears reasonable to invoke the established principle of CBDR-RC when assigning reparative responsibilities.

Regarding the payment of reparations, a climate justice perspective would firstly emphasise the obligations of high-emitting states to take a range of measures to significantly reduce their own GHG emissions, for instance, by increasing investments in decarbonisation (Gonzalez, 2020; Sultana, 2022). Buxton (2019) further notes that both corrective justice and restorative justice should be part of reparations. The former seeks to restore the *status quo ante*, whereas the latter seeks to restore relationships, focusing on the experiences and needs of victims, yet balancing the reasonableness of their demands. While Buxton (2019) focuses on permanent displacement in the face of total territory loss, this can arguably be extended to all forms of mobility driven by climate change. Moreover, Buxton (2019) argues that reparations should be provided in the "most appropriate" manner, and proceeds to evaluate various potential forms of reparation. Financial and technical compensation may be insufficient, as they may not necessarily avert the need to relocate. In cases of permanent territory loss, they fail to address the loss of self-determination and cultural heritage (Buxton, 2019). If relocation is inevitable, high-emitting countries should offer climate migrants the opportunity to

immigrate, respecting the choice of climate migrants themselves. If climate migrants decide to relocate to a country with low historical and current emissions, Gonzalez (2020) argues that the relocation costs should be borne by high emitters. However, Buxton (2019) argues that this option still neglects the collective issue at hand, that is, the community's right to stay together to maintain its distinctive culture and right to self-determination. By contrast, the provision of new land as reparation acknowledges the importance of the collective and aligns more closely with the experienced losses, although it presents a complex endeavour (Buxton, 2019), which is not further discussed in this thesis. In cases of temporary displacement, the focus should lie on financial and technical support and temporary humanitarian measures, such as "humanitarian visas or other exceptional migration measures" (Nansen Initiative, 2015, pp. 25–26), rather than new territory. Ultimately, Buxton emphasises the importance of listening to those most affected, noting that they have not caused the significant challenges they face. While perfect reparations may be impossible, there remains an obligation to aim for the most appropriate solutions. As Buxton (2019) poignantly concludes, "we still have an obligation to shoot the arrow as close to the target as we can" (p. 219).

## **2. Linking Climate Mobility and Decoloniality**

This section now turns to the question of how to link climate mobility and decoloniality. Applying Paradies' (2020) three-part approach, it first demands acknowledging the past wrongs of modernity. This has been touched upon, but may be encapsulated as the "multiple forms of displacement, such as physical, cultural, economic, and spiritual" (Yumagulova et al., p. 1), that colonialism has inflicted on Indigenous Peoples, as well as the imposition of a Western world order over other ways of knowing and being. Furthermore, decoloniality exposes how interconnected systems of oppression, such as capitalism, colonialism, and racism, have contributed to historical and systemic climate injustices.

Secondly, the present and future wrongs of modernity ought to be addressed. Climate injustices today commonly intersect with colonial and racial injustices (Roy & Hanaček, 2023; Sultana, 2022), rendering the Global South and marginalised communities worldwide especially susceptible to the worsening impacts of the climate crisis. Furthermore, scholars have linked the dominance of Western knowledge to climate mobility, highlighting how the figure of the climate migrant has been dehumanised as the 'Other of climate change' through the racial tropes of *naturalisation*, *loss of political status*, and *recognition* (Baldwin, 2022; Rosignoli, 2024). **Naturalisation**: Explaining migration in terms of 'nature', solely caused by

climate change, risks dehistoricising it, that is, it erases the historical conditions that have created vulnerabilities exposing people to climate change, and disregards the complex causes and motivations behind migration (Baldwin, 2022; Dewan, 2023). Climate change loss and damage may then be perceived as “largely unavoidable and unpredictable”, neglecting factors like poor governance (Dewan, 2023, p. 2341)<sup>33</sup>. **Loss of political status**: Climate migrants then face a protection gap. Deprived of their legal status, they find themselves in a “legal non-space” (Baldwin, 2022). **Recognition**: What appears to be a neutral concept that has been central to climate mobility discourse becomes a way for the Global North to govern the Other, who is first rendered “unrecognisable”, and then made “recognisable”, or acknowledged in international law and policies, on terms established by the West. This process ultimately reinforces colonial power structures between those who recognise and those who lack recognition, and places the demands of climate-vulnerable persons and communities at the margins, with policies continuing to perpetuate harms and injustices<sup>34</sup> (Tormos-Aponte, 2021; Whyte, 2019).

Lastly, the third step of Paradies’ approach means acting to prevent the harms of modernity. Without accommodating and addressing the distinct lived experiences and knowledges of those most affected by the climate crisis, “restorative measures will ultimately fail, collapsing under the weight of their own inequality” (Sultana, 2022, p. 122). This involves challenging the hegemony of the Western knowledge system over alternative ones, which calls for an exploration of what exactly these systems encompass. As noted before, this thesis understands ‘knowledges’, ‘knowledge systems’, or ‘ways of knowing’ as complex sets of “interacting ‘agents, practices and institutions that organise the production, transfer and use of knowledge’” (Cornell et al., 2013, as cited in Orlove et al., 2022, p. 13). They are socially constructed and dynamic, continuously evolving through interactions with other knowledge systems. Despite profound differences, communication between different systems is possible as they all draw on shared human capabilities for perception, cognition, and language, and relate to our common home, the Earth (Orlove et al., 2022).

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<sup>33</sup> For instance, the deaths and displacement following Storm Daniel in Libya cannot be attributed solely to climate change, when the reason the flooding was so devastating was largely due to years of conflict and underfunded infrastructure (Internal Displacement Monitoring Centre, 2024b). Placing the blame only on climate change would hinder the discussion of long-term political solutions that address the root causes of this disaster.

<sup>34</sup> For instance, through “displacement, land dispossession, unfair payment schemes and employment practices, exclusion from markets, or denial of indigenous agency in planning and leadership” (Whyte, 2019, pp. 2–3).

In the context of climate change, it is generally distinguished between scientific (Western)<sup>35</sup>, Indigenous, and local knowledges, with scientific knowledge holding epistemological authority within the wider global climate governance framework (Orlove et al., 2022). Policymakers' understanding of anthropogenic climate change has mainly come from natural science research originating in Europe, North America, and Asia, with fewer case studies conducted in developing countries (Piguet et al., 2018). Piguet et al. (2018) similarly find that research on climate mobility stems mostly from Europe and North America, yet predominantly focuses on countries of the Global South. According to Orlove et al. (2022), natural science research relies heavily on extensive weather and climate records, as well as modelling techniques for data-deficient regions and future projections. Other fields, such as social sciences, have been integrated into climate change research, for instance, through the incorporation of economic, demographic, and social data into models. This data is reliable, *inter alia*, due to the robust infrastructure that generates it, and the ongoing reevaluation it undergoes. Yet, as discussed in the section on decoloniality (III.A.3), scholars have pointed out that it is embedded in colonial power structures, which position humans as distinct from and inherently superior to nature, and elevate the Western scientist as a 'rational subject of knowledge', as opposed to an 'irrational' Other that is merely an 'object of knowledge' (Kymlicka, 2022; Mignolo & Walsh, 2018; Quijano, 2007; Rose, 1997). Scientific knowledge has then been criticised for its "largely linear, reductionist worldview" (Raygorodetsky, 2017, para. 1), which uses limited quantitative metrics that tend to neglect the lived experiences of affected persons and communities. As their knowledge systems shape their understanding of and reactions to climate change, they are critical to understanding the nuanced local impacts of climate change (Orlove et al., 2022).

Having broadly addressed Western or scientific knowledge, the following paragraphs turn to Indigenous and local knowledge systems. There is no official definition of 'Indigenous Peoples' or ('Indigenous knowledges'), with the UN understanding relying on self-identification. Despite their immense diversity, Indigenous groups commonly share distinct cultural, economic, legal, historical, political, and social characteristics, such as maintaining profound spiritual and cultural ties to their land (Garnett et al., 2018) and common struggles, like navigating colonial legacies (Whyte, 2016). Over millennia, Indigenous Peoples across the world have prepared for and managed ever-changing

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<sup>35</sup> In the following, the terms 'scientific knowledge' and 'Western knowledge' are used interchangeably.

environments, which has given rise to what is now known as Indigenous knowledges (Yumagulova et al., 2023). These, too, are vastly diverse<sup>36</sup> (Orlove et al., 2022), yet share commonalities. Importantly, they are grounded in extensive, multigenerational observations of natural cycles and ecological processes, “transmitted orally or through imitation and demonstration” from generation to generation (Mistry & Berardi, 2016, p. 1274).

Indigenous Peoples understand societies and relationships as encompassing beings and entities beyond the human world (Whyte, 2019), which is reflected in their perception of knowledge as both subjective, derived from “intuition, feelings, spirituality, and energy” (Orlove et al., 2022, p. 21), as well as relational, intrinsically connected to the more-than-human world. From this appreciation for the interconnectedness of humans and nature stem a broader array of shared values, including “respect for the cultural and biological diversity of the planet, care for the community, and ethical care for sustainability and planetary future” (p. 22), which guide decision making across various aspects of life, from daily activities to long-term governance matters. For everyday life, these values tend to manifest in responsible and reciprocal relationships with the environment, rather than a life superior to nature. In sum, Indigenous knowledges emphasise the interconnectedness of humans and nature and the importance of mutual respect and care. Local knowledge systems significantly overlap with Indigenous knowledges, but are distinct as they are grounded in the cultures and practices of non-Indigenous communities. They are also “collective, intergenerational, [and] place-based”, yet are not embedded in a broader cultural framework. Like Indigenous knowledges, they are politically marginalised (Orlove et al., 2022), but crucial for climate mobility governance.

Returning to Paradies (2020) and undoing the harms of modernity, scholars have highlighted the need to move beyond mere integration of multiple knowledges to meaningful participation of leaders and experts from climate-vulnerable communities in decision-making processes at all levels, empowering them to “lead and co-govern” the formulation, implementation, and monitoring of mitigation and adaptation measures (e.g., Raffel, 2016; Unitarian Universalist Service Committee [UUSC], 2018; Yumagulova et al., 2023). According to Yumagulova et al., (2023), decolonial climate mobility literature, which understands climate-vulnerable persons and communities as leaders and experts in their own

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<sup>36</sup> That is why this thesis uses the term ‘Indigenous knowledges’ instead of ‘Indigenous Knowledge’.

rights and advocates their inclusion in climate mobility governance, is gradually emerging. It has particularly emphasised the right to self-determination, which is increasingly advocated by countries and peoples of the Global South in the context of climate mobility governance (UUSC, 2018). The right to self-determination is rooted in international law and various UN declarations, *inter alia*, in the 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples, in common Article 1 of the ICCPR and the International Covenant on Economic, Social and Cultural Rights, and in Article 3 of the United Nations Declaration on the Rights of Indigenous Peoples (Daes, 2008). Across these instruments, it is defined as the right of all peoples to “freely determine their political status and freely pursue their economic, social and cultural development”. In the context of the climate crisis, this can be interpreted to entail “holistic, place-based and responsive” solutions that honour Indigenous and local knowledges and centre Indigenous and local communities in decision making (Yumagulova et al., 2023, p. 3).

In conclusion, linking climate mobility and decoloniality involves exploring how enduring colonial power structures shape our understanding of and responses to the climate-mobility nexus. It emphasises including diverse knowledge systems in climate mobility governance, and empowering affected Indigenous and local communities to lead and co-govern according to the right to self-determination.

### **3. Linking Climate Justice and Decoloniality**

Emphasising and engaging with decoloniality in climate justice scholarship is crucial for developing more nuanced understandings of climate justice (Sultana, 2022). Similar to what the last section has highlighted, linking climate justice and decoloniality means acknowledging and dismantling the colonial power structures perpetuating climate injustices (Ramanujam & Asri, 2021; Sultana, 2022). It particularly means questioning the dominance of Western knowledge in the field of climate justice, and requires contextualising the concept of climate justice along the diverse lived experiences, knowledges, and demands of those most affected by the climate crisis, and embracing diverse ways of knowing (Gonzalez, 2020; Roy & Hanaček, 2023; Sultana, 2022; Yumagulova et al., 2023). This objective is integral to the field of decolonial environmental justice, which has emerged over recent years. Confronting the “hegemonic theories of Western environmental justice scholarship”, it advocates “newer ones from the margins as an important intent to resist coloniality [...] of knowledge” (Roy & Hanaček, 2023, p. 307). Indigenous scholars in particular have made

significant contributions to this field, critically examining the reliance on Western perspectives on justice and the human-nature relationship, the limited focus on distributional injustices, and the predominantly state-centric perspective (Rosignoli, 2024; Wilkens & Datchoua-Tirvaudey, 2022). Regarding the meaningful participation of leaders and experts from climate-vulnerable communities, this also means highlighting and funding research on climate justice led by Indigenous and local communities (Piguet et al., 2018).

### **C. Filling the Gap**

This chapter has shown that the concepts of climate mobility (III.A.1), climate justice (III.A.2), and decoloniality (III.A.3) are interconnected. Although scholarship exploring these connections is emerging (e.g., Gonzalez, 2019; Gonzalez, 2020; Yumagulova et al., 2023), a comprehensive integration of these three concepts is largely absent in current academic literature. By providing a decolonial climate justice analysis of the EU's approach to climate mobility, this thesis seeks to address this gap in the literature (see Figure 3 for an overview).

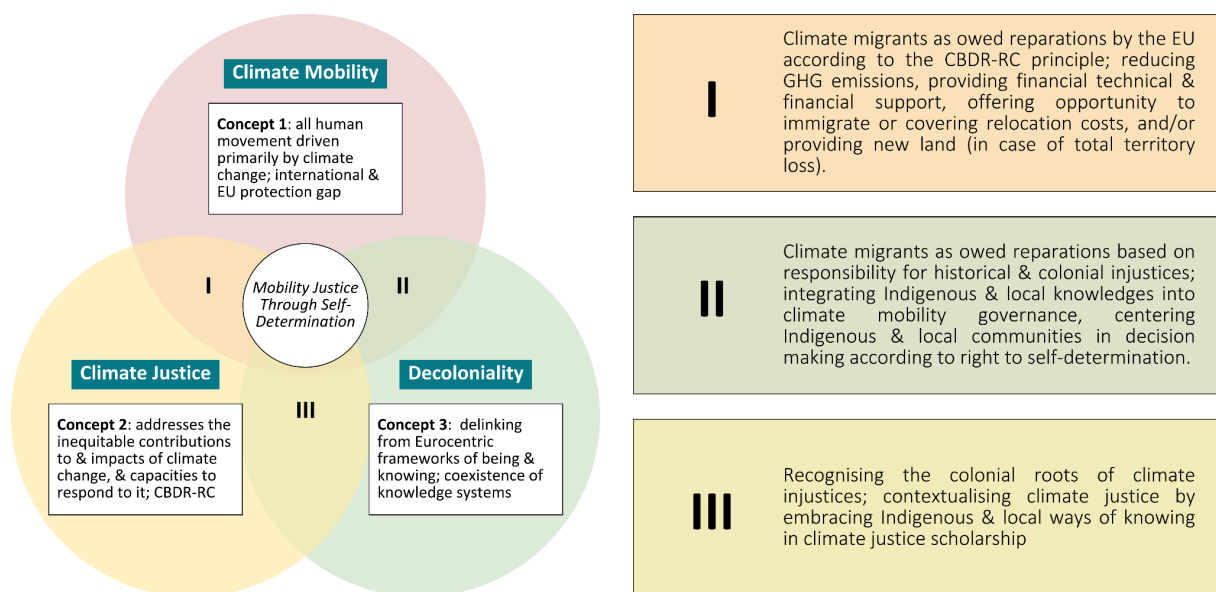
A *climate justice* framework conceptualises climate migrants as owed reparations from those causing the climate crisis, according to the CBDR-RC principle. Given the EU's disproportionately high emissions, it then ought to take accountability by offering appropriate reparations, with a focus on reducing GHG emissions; other reparations may include providing financial and technical support, offering climate migrants the opportunity to immigrate or covering their relocation costs to other countries of the migrants' choice, or, in cases of total territory loss, allocating new land. Ultimately, the focus should lie on identifying the most appropriate solutions by listening to the demands of climate migrants.

A *decolonial* framework complements the latter. First, it reveals the colonial roots of climate injustices. Accordingly, climate migrants are also owed reparations based on the EU's responsibility for historical and ongoing harms and injustices of coloniality. Secondly, it elucidates how coloniality shapes our understanding of and responses to climate mobility. Thereby, it clarifies that listening to the demands of climate migrants means including diverse knowledge systems in both climate justice scholarship and climate mobility governance, and empowering affected Indigenous and local communities to lead and co-govern according to the right to self-determination.

Overall, a *decolonial climate justice* framework conceptualises climate migrants as leaders and experts, as owed reparations by the EU as accountability for its disproportionate contribution to the climate crisis and the historical and ongoing harms and injustices of coloniality. Climate migrants are then rights holders.

**Figure 3**

*Theoretical Framework*



*Note.* This figure summarises the finding of the literature review and presents a concept map of the theoretical framework.

## IV. Analysis

This chapter is divided into two parts. The first part addresses the thesis' second subquestion: *How do current legal and policy frameworks in the EU address climate mobility and what are their limitations?* The second part explores the third subquestion: *What implications would a decolonial climate justice approach (as formulated in the previous chapter) have for climate mobility governance in the EU?*

### A. Current Climate Mobility Governance in the EU

This section begins with an overview of the EU's approach to climate mobility. Then, it briefly analyses the dominant discourse surrounding the climate-mobility nexus within the EU, which views climate migrants as a national security threat. Here, discourse is understood

as a frame of thought reflected in language use, which facilitates the organisation of knowledge and experience, and thus a particular understanding of reality (Hennink, Hutter, & Bailey, 2020). It is important to address the dominance of this discourse, as it has direct consequences on legal and policy responses to climate mobility (Nash, 2024; Saad, 2017). Next, the EU's legal framework is analysed in greater detail — given its binding nature and resilience to political fluctuations compared to policies, it could arguably provide more enduring protection (Fellendorf & Immer, 2015). The section focuses on the protection afforded by the Common European Asylum System (CEAS) to climate migrants seeking entry into the EU. Additionally, to assess the protection of climate migrants resisting expulsion to disaster-affected countries, the next section addresses the principle of *non-refoulement*, taking into consideration relevant jurisprudence of the European Court of Human Rights (ECtHR).

### **1. Overview**

As touched upon in the introduction, the EU plays a pivotal role in shaping responses to climate mobility. In recent years, it has placed greater emphasis on climate change and human mobility, reflected in its actions on climate, migration, development, and humanitarian aid (Blocher, 2015; Hahn & Fessler, 2023; Kraler et al., 2020). But a protection gap for climate migrants remains in the absence of a common EU protection status addressing the climate-mobility nexus. Despite considerable international policy activity, there has been relatively little policy development in Europe, mostly limited to declarative references across a number of policy areas (Nash, 2024). This is, for instance, reflected in documents of the EC and the EP. While increasingly addressing the influence of climate change on human mobility, they have fallen short of implementing comprehensive measures to address these interconnected challenges (Scissa, 2022).

The EC's *Commission staff working document on climate change, environmental degradation, and migration* (2013) acknowledged the challenges and opportunities of environmentally induced migration and advocated better coordination of existing measures to form a comprehensive response. It particularly emphasised the need for greater knowledge, dialogue, and cooperation on the climate-mobility nexus. More recently, the EP commissioned a study (Kraler et al., 2020) that examined legal and policy challenges and responses to environmentally induced migration, calling for a “multi-sectoral approach that addresses both root causes and consequences of the [climate-mobility nexus]” (p. 15). It

recommended, *inter alia*, enhancing conceptual clarity through better data collection and analysis and adopting a common EU position on the climate-mobility nexus, developing a coherent EU policy for addressing environmentally induced migration both internally and externally, and strengthening support for climate-vulnerable countries. Finally, in 2022, the EC published a new staff working document focusing on displacement and migration related to disasters, climate change, and environmental degradation. It reiterated the call for a comprehensive approach, and recommended strengthening existing humanitarian and development efforts. Across these documents, there is a consistent emphasis on cooperation with climate-vulnerable countries, and development and humanitarian aid policies (the external dimension of the EU's migration and asylum policy) are prioritised over establishing legal pathways for climate migrants into the EU (the internal dimension). Additionally, all the documents highlight the need for greater policy coherence within the EU.

Scholars have similarly pointed out the EU's emphasis on state security and its policy efforts to mitigate the causes of (cross-border) movement through development and humanitarian initiatives in climate-vulnerable countries (e.g., Blocher, 2015; Scissa, 2022; Scissa, 2024), as well as policy incoherence both within the EU and across member states (e.g., Hahn & Fessler, 2023; Nash, 2024; Scissa, 2024). Notably, the EU is a leading donor of development and humanitarian aid related to climate change<sup>37</sup> and disaster relief (Hahn & Fessler, 2023; Kraler et al., 2020). Yet, the existing external policy framework scarcely addresses the climate-mobility nexus, although climate change is consistently recognised as a factor driving migration (Kraler et al., 2020).

Furthermore, scholars have suggested that while the EU focuses on initiatives in climate-vulnerable countries, it lacks the political “[commitment] to the same course of action at home” (e.g., Scissa, 2024; Scott, 2023, p. 54), which is particularly evident in the limited implementation of international instruments addressing climate mobility (Apap & Harju, 2023; Scissa, 2024; Scott, 2023). Scott (2023) argues that the Protection Agenda has been poorly implemented; while the EU and its member states promote effective practices in the Global South, the adoption of best practices<sup>38</sup> within the EU itself remains scarce.

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<sup>37</sup> For instance, it contributed around €5.2 billion to climate change-related development projects in 2021 (Hahn & Fessler, 2023).

<sup>38</sup> Relevant practices highlighted in the Protection Agenda encompass, for instance, the granting of temporary entry and stay for climate migrants through humanitarian visas or other exceptional migration measures, and the harmonisation of such discretionary humanitarian protection measures at the EU level (Nansen Initiative, 2015, pp. 25–26).

Furthermore, application of the GCM within the EU is weak; member states have made some progress on Objective 2 (minimising the adverse drivers and structural factors that compel cross-border movement), but comparatively less on Objective 5 (enhancing availability and flexibility of pathways for regular migration) (Hahn & Fessler, 2023; Scissa, 2024).

The EU's policy incoherence is underscored by its siloed approach to climate change and human mobility, illustrated by the recent adoption of two distinct sets of regulations and policies: the European Green Deal, approved in 2020, and the New Pact on Migration and Asylum, approved in 2024 (Scissa, 2022), separately address the issues of climate change and mobility. On the one hand, the Green Deal "is a new growth strategy that aims to transform the EU into a fair and prosperous society, with a modern, resource-efficient and competitive economy where there are no net emissions of greenhouse gases in 2050 and where economic growth is decoupled from resource use" (EC, 2019, p. 2). The climate-mobility nexus is only touched upon, noting that the EU will work to increase environmental and climate resilience to prevent displacement and migration (p. 21). On the other hand, the New Pact on Migration and Asylum introduces a set of rules managing migration at EU level. It aims to provide a "comprehensive approach, bringing together policy in the areas of migration, asylum, integration and border management" (EC, 2020a, p. 2). While listing climate change among the key societal challenges that will characterise present and future migration flows (p. 1), the New Pact "does not address climate change as a recognised reason for migration or list it as a fair motive for seeking asylum" (Apap & Harju, 2023, p. 11).

This incoherence at EU level translates to inconsistent approaches across member states. Nash (2024) and Scissa (2024) argue that the absence of a common EU protection status for climate migrants leads to fragmentation and renders national protection vulnerable to political shifts. While individual member states have implemented tools to safeguard climate migrants in the past, they remain limited, lacking coordination and harmonisation (Scissa, 2024). Beyond *ad hoc* and temporary measures, few countries provide explicit protection for environmental reasons. For instance, while both Finland and Sweden had previously included provisions for protection due to natural disasters in their domestic laws, these never resulted in the granting of international protection and were repealed in 2016 and 2021<sup>39</sup>, respectively. Currently, only Cyprus and Italy offer protection on environmental grounds. Cyprus has

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<sup>39</sup> Hence, in the wake of the high numbers of arrivals of migrants and asylum seekers in 2015–2016 (Kraler et al., 2020).

prohibited the deportation of refugees or persons with subsidiary protection status to countries where they risk being subjected to torture or inhuman or degrading treatment or punishment or persecution, including for “environmental destruction”, in Article 29(4) of the Refugee Law of 2000. Italy is the only EU member state that offers explicit and multiple protection statuses to persons displaced by environmental factors (Nash, 2024; Scissa, 2024).

## **2. *Climate Mobility as a National Security Threat***

As previously noted, the EU has largely focused its attention on state security through initiatives in the Global South aimed at preventing cross-border movement. This ‘state security’ framing has arguably shaped its legal and policy responses to climate mobility. Comparing policy discourses on the climate-mobility nexus across the EU, Nash (2024) identifies the predominant discourse as a racialised, Eurocentric framing of climate migrants focused around national security. Climate migrants are positioned as ‘Others’ — typically imagined by the Western gaze as poor, “disorderly, disruptive, [and] dark-skinned” peasants of the Global South (Gonzalez, 2020, p. 127; Piguet et al., 2018) — and Europe is positioned as their ultimate destination, with mass migration of climate migrants posing a looming threat to the public order (Gonzalez, 2020; Hahn & Fessler, 2023). This narrative contradicts research on human movement, which reveals that it is mostly internal or restricted to neighbouring countries in the Global South<sup>40</sup> (e.g., Internal Displacement Monitoring Centre, 2024a; Nash, 2024; Scott, 2023). The framing of climate migrants as a national security threat leads to policies aimed at preventing migration and deterring migrants (Nash, 2024) — an approach Scott (2023) terms the EU’s “deterrence paradigm”. This paradigm is evidenced by rising human rights violations against migrants amidst the increasing criminalisation of migration and the militarisation of European borders (Amnesty International, 2024b; Gonzalez, 2020; Scott, 2023; UNHRC, 2022). In Gonzalez’ (2020) words, such policies result in “state-sanctioned premature death — in detention camps, on the high seas, and in desolate and dangerous border crossings” (p. 123). Since 2014, more than 23,000 people have died at the EU’s borders (Scott, 2023). Ultimately, this framing as a security threat hinders the EU’s ability to respond to climate mobility more effectively and justly (Hahn & Fessler, 2023; Scissa, 2024).

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<sup>40</sup> The Global South is currently home to 85 percent of the world’s refugee population (Scott, 2023).

### 3. *The Protection of Climate Migrants under the CEAS*

International protection within the EU is governed by various EU regulations, directives<sup>41</sup>, and other instruments, collectively referred to as the CEAS. While the CEAS does not specifically address protection in the context of climate change, existing instruments could potentially offer protection to climate migrants. Several scholars have highlighted the advantages of leveraging these existing avenues, as negotiations to amend or create new instruments can be avoided (e.g., Kolmannskog & Myrstad, 2009; Scissa, 2022). Thus, this section examines the three most promising EU Directives in this regard, namely, the Directive 2011/95/EU of the European Parliament and of the Council (Qualification Directive, QD), Council Directive 2001/55/EC (Temporary Protection Directive, TPD), and Directive 2008/115/EC of the European Parliament and of the Council (Return Directive, RD). It argues that EU political institutions should significantly broaden their application in today's context of climate mobility, particularly through a decolonial climate justice perspective, to enhance protection for climate migrants.

#### a) QD

The QD seeks to establish common standards across EU member states for the “qualification of third-country nationals or stateless persons as beneficiaries of international protection” (Art. 1). According to Article 2(a) QD, international protection encompasses both refugee status and subsidiary protection status. Article 2(d) QD incorporates the refugee definition from the 1951 Refugee Convention into EU legislation into EU law. As Chapter III has demonstrated, international refugee law offers very limited protection to climate migrants, which then also extends to the QD. Under Article 2(f) QD, a person who does not qualify for refugee status may still be eligible for subsidiary protection status, which also grants various rights, such as a renewable residence permit for at least one year (Art. 24), access to employment (Art. 26), access to education (Art. 27), or social welfare (Art. 29). Subsidiary protection is granted if “substantial grounds have been shown for believing that the person concerned, if returned to [their] country of origin [...] [or] former habitual residence, would face a real risk of suffering serious harm as defined in Article 15 [...]” (Art. 2(f)). Article 15 QD then defines serious harm as including:

- (a) the death penalty or execution; or

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<sup>41</sup> While *regulations* are binding legislation that directly applies across the EU, directives are legislation that is not directly applicable in all member states, but provides general guidelines, which member states must adopt into their domestic legal order (<https://european-union.europa.eu/institutions-law-budget/law/types-legislation>).

- (b) torture or inhuman or degrading treatment or punishment of an applicant in the country of origin<sup>42</sup>; or
- (c) serious and individual threat to a civilian's life or person by reason of indiscriminate violence in situations of international or internal armed conflict.

Article 15(a) and (c) QD arguably do not apply to climate change-related harm, as it neither involves death sentences or executions, nor amounts to international or internal armed conflict. However, as discussed in the section on protection for climate migrants under the Refugee Convention (III.A.1.a), climate change may cause or exacerbate conflict and violence. In such cases, and if refugee status is not granted, Article 15(c) QD may be applicable. Article 15(b) QD, on the other hand, has been argued to allow member states some discretion to grant subsidiary protection to climate migrants on a case-by-case basis (e.g., Kolmannskog & Myrstad, 2009; Scissa, 2022; Scissa, 2024), as confirmed by several national rulings in Italy and Austria (Scissa, 2024). In sum, the provisions of Article 15(b) QD may offer some degree of protection for certain claims related to climate change. Importantly, as of June 2024, a new regulation has entered into force under the new Pact on Migration and Asylum, which will replace the QD once it enters into application on 1 July 2026 (EP, 2024). However, it does not amend the components of serious harm, so the protection of climate migrants remains difficult to achieve (Scissa, 2022).

## **b) TPD**

The TPD sets minimum standards for providing temporary protection in events of a mass influx of third country nationals or stateless persons who cannot return to their country of origin (Art. 1). Article 2(c) TPD clarifies that the Directive applies “*in particular* [emphasis added]” to displaced persons who have fled “armed conflict or endemic violence” or are at serious risk of “systematic or generalised violations of their human rights”. As noted in the introduction of this thesis, the connection between climate change and human rights violations has been clearly established; thus, the latter category could apply to climate migrants. Furthermore, the words ‘in particular’ suggest that the Directive’s scope could be expanded to cover other causes of displacement, such as climate change-related disasters. Hence, scholars have suggested that instances of displacement linked to climate change could

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<sup>42</sup> Article 15(b) QD is “borrowed” (Scissa, 2022, p. 10) from Article 4 (prohibition of torture and inhuman or degrading treatment or punishment) of the Charter of Fundamental Rights of the European Union, which is equivalent to Article 3 (prohibition of torture) of the European Convention on Human Rights.

fall under this Directive (e.g., Kraler et al., 2020; Scissa, 2022; Scissa, 2024). Notably, Kolmannskog and Myrstad (2009) state that during the negotiations of the TPD, the Finish delegation advocated for a phrase recognising persons displaced by natural disasters, but it was ultimately not included.

Several shortcomings that limit the potential applicability of the TPD have, however, been highlighted (e.g., Kolmannskog & Myrstad, 2009; Kraler et al., 2020; Scissa, 2022; Scissa, 2024). Firstly, it applies only to cases of mass influx, which Article 2(d) TPD defines as the “arrival of a large number of displaced persons, who come from a specific country or geographical area [...]”. Therefore, it may apply to sudden-onset disasters that result in widespread displacement. But, since it does not extend protection to individual climate migrants, it is less relevant for slow-onset disasters. Secondly, the term ‘mass influx’ is very broadly defined. Article 5(1) TPD specifies that the existence of a mass influx of displaced persons shall ultimately be established on a case-by-case basis by a “Council Decision adopted by a qualified majority on a proposal from the Commission [...]”. Hence, invoking the directive requires political consensus, setting a high political threshold (Kolmannskog & Myrstad, 2009). In fact, since its adoption in 2001, the TPD has been invoked only once, in response to the Russian invasion of Ukraine on 24 February 2022 (Scissa, 2022). Thirdly, the Directive does not accommodate persons who need to stay longer or permanently. While it grants a range of rights to its beneficiaries, such as a residence permit for the duration of protection (Art. 8), access to employment (Art. 12), and suitable accommodation or housing (Art. 13), protection can only last from one to three years. The Directive also contains provisions for the return after the end of temporary protection: “In cases of enforced return, Member States shall consider any compelling humanitarian reasons which may make return impossible or unreasonable in specific cases” (Art. 22(2)). However, it does not specify the type of status that individuals in this situation should be granted by member states. Finally, the EC intends to revoke this Directive under the new Pact on Migration and Asylum and replace it with a “crisis management mechanism”, which fails to address the climate-mobility nexus (EC, 2020b; Scissa, 2022, p. 12). The new Pact, hence, might further limit protection options for climate migrants (Scissa, 2022; Scissa, 2024).

### **c) RD**

The RD regulates the return of third-country nationals who do not, or no longer, fulfil the conditions for entry, stay or residence in a EU member state (Recital 5). When implementing

the Directive, member states must uphold the principle of *non-refoulement* (Art. 4 & 5). Additionally, they must consider the returnee's family life and health conditions, as well as the best interests of the child (Art. 5). According to Article 9(1) RD, removal must be postponed "when it would violate the principle of non-refoulement". Furthermore, Article 9(2) RD grants member states the discretion to "postpone removal for an appropriate period taking into account the specific circumstances of the individual case", such as physical state, mental capacity, or technical obstacles. Hence, in principle, member states can invoke Article 9(2) RD to postpone the removal of climate migrants. But even if member states broadly interpreted the exceptions to removal, including climate change-related factors in their considerations to strengthen the protection of climate migrants, this Directive could only offer minimal protection to climate migrants, preventing return without ensuring international protection or associated rights. Furthermore, according to Article 7(3) RD, if a removal is postponed under the RD, obligations can be placed on the protection seeker to avoid the risk of absconding, including regular reporting to authorities or the submission of documents.

#### **4. The Protection of Climate Migrants under the Principle of Non-Refoulement in Europe**

Kraler et al. (2020) highlight that the jurisprudence of the ECtHR is crucial for understanding whether in the absence of international protection, that is, refugee or subsidiary protection status, the principle of *non-refoulement* could extend a basic form of protection to climate migrants in Europe. The principle is enshrined within Article 19(2) of the Charter of Fundamental Rights of the European Union (CFR), which states that "no one may be removed, expelled or extradited to a State where there is a serious risk that he or she would be subjected to the death penalty, torture or other inhuman or degrading treatment or punishment". It is also part of provisions concerning the prohibition of torture and inhuman or degrading treatment, as articulated in Article 3 of the European Convention of Human Rights (ECHR). As this thesis focuses on the EU, it should be acknowledged that the ECtHR is the court of the Council of Europe — a different international organisation — and oversees compliance with the ECHR. All EU member states are also members of the Council of Europe and parties to the Convention, which thus constitutes part of their legal framework. Therefore, the case law of the ECtHR is also examined here.

Delval (2020) argues that, since the 2020 CCPR ruling in *Ioane Teitiota v. New Zealand* was based on the binding ICCPR, its reasoning could potentially be adopted by the ECtHR, which has not yet considered *non-refoulement* for climate migrants. Hence, to analyse protection of

individuals resisting transfer from a European host state to a receiving state due to adverse climate impacts, it is necessary to review existing jurisprudence from similar cases, which mostly concern the violation of economic, social, and cultural rights.

The ECHR does not explicitly address environmental issues, but the growing impact of the triple planetary crisis on human rights has led to a rise in related cases before the ECtHR, a trend expected to continue (Amnesty International, 2024a; Scott, 2014). In this context, this section examines the current scope of protection under the principle of *non-refoulement* at the ECtHR, particularly under Article 3 ECHR, which has the greatest potential for protecting climate migrants due to the well-established jurisprudence for its extraterritorial application (Scott, 2014; Schloss, 2021). Following Scott (2014), it argues that while the Court has increasingly allowed the invocation of Article 3 ECHR based on socio-economic rights, a high threshold remains, and the scope for protection for climate migrants under *non-refoulement* remains limited.

Article 3 ECHR provides: “No one shall be subjected to torture or to inhuman or degrading treatment or punishment”. In the jurisprudence of the ECtHR, two factors have crystallised as relevant for determining the extent of *non-refoulement* under Article 3 ECHR: the severity of harm, and the real risk that such harm would occur if the person were transferred (Flegar, 2016). To analyse protection for climate refugees, Scott (2014) distinguishes three categories within the case law on *non-refoulement* under Article 3 ECHR, with the threshold at which harm triggers a *non-refoulement* obligation varying among them (p. 412):

- Cases where harm in the receiving state is “directly and intentionally [inflicted]” (*lower threshold*);
- Cases where harm results from “‘purely’ naturally occurring phenomena” (*‘very exceptional’ threshold*);
- Cases where “actors in the receiving state are seen as being the predominant cause of a humanitarian crisis” (*intermediate threshold*).

Cases of transfer in the context of climate change are unlikely to fit into the first category of directly and intentionally inflicted harm. This category is exemplified by *Soering v. The United Kingdom* (1989), the case of a German national who was pending extradition to the US by the UK on murder charges. Soering argued that if he were convicted and sentenced to death in the US, he would experience the “death row phenomenon” (para. 76), constituting a breach of Article 3 ECHR. The Court ultimately held that by extraditing Soering, the UK

would violate Article 3 ECHR. It thereby established an absolute prohibition on transferring individuals to countries where they face a real risk of torture or other ill-treatment inflicted by state or non-state actors, not allowing any balancing of the host state's interests against the individual's right to freedom from torture (Scott, 2014). Since this landmark case, the ECtHR has consistently interpreted the principle of *non-refoulement* as implicit in Article 3 ECHR (Flegar, 2016).

Climate change-related cases are more likely to be categorised under the second category of 'purely' naturally occurring phenomena. However, such cases only trigger *non-refoulement* under 'very exceptional' circumstances. In *D. v. The United Kingdom* (1997), the Court ruled that the deportation of a person in the advanced stage of AIDS to St. Kitts, where adequate medical treatment was unavailable, would "expose him to a real risk of dying under most distressing circumstances and would thus amount to inhuman treatment [in violation of Article 3 ECHR]" (para. 53). It thereby established that deportation could breach Article 3 ECHR even when the risk arises from factors not directly or indirectly attributable to the public authorities (para. 49), such as the deprivation of socio-economic rights. However, the Court noted that such cases require "rigorous scrutiny" (para. 49) of the surrounding circumstances and emphasised the "very exceptional circumstances" and "compelling humanitarian considerations" (para. 54) of this particular case, thus setting a significantly higher threshold than in cases of directly and intentionally inflicted harm.

This restrictive approach to Article 3 ECHR protection for socio-economic rights was upheld in subsequent cases, such as *Bensaid v. The United Kingdom* (2001). In this case, the Court held that the expulsion of a person with schizophrenia to Algeria, where their current medication would be unavailable (para. 36) but other treatments were accessible (para. 38), would not violate Article 3 ECHR. The risk of a deterioration of their condition was deemed "to a large extent speculative" (para. 39), the risk of irreparable harm not "sufficiently real" (para. 40). Furthermore, in *N. v. The United Kingdom* (2008), the Court ruled that expelling a Ugandan woman living with a less advanced stage of HIV than D. (para. 36) would not violate Article 3 ECHR since it might lead to a rapid deterioration of her condition, but not imminent death (para. 47). The Court further noted that her future conditions involved speculations (para. 50). Hence, her circumstances were not deemed 'very exceptional'. Scott (2014) argues that the Court's reasoning, balancing the "general interests of the community [against] [...] the individual's fundamental rights" (para. 44), reflects a concern for a

“floodgates” scenario of widespread medical immigration in case of a ruling in favor of the applicant (p. 414). They suggest that similar concerns can be expected to arise in climate-related transfer cases. Thus, while success in such cases is possible, the circumstances would have to pass the ‘very exceptional’ circumstances test.

Future climate change-related cases might also fit into the third category of cases, where the actions of state or non-state actors in the receiving state are deemed the predominant cause of a crisis. For instance, in *M.S.S. v. Belgium and Greece* (2011), the Court determined that Belgium’s expulsion of an Afghan national to Greece constituted a violation of Article 3 by both countries, acknowledging the applicant’s living conditions of “extreme material poverty” (para. 252) to fall within the scope of Article 3. The applicant’s situation in Greece was considered “particularly serious”, as he was “unable to cater for his most basic needs: food, hygiene and [shelter]”, vulnerable to ill-treatment, and his situation had no prospect of improvement (para. 254). Flegar (2016) argues that in this case, the Court employed a lower harm threshold than in preceding cases surrounding violation of socio-economic rights, not relying on ‘very exceptional’ circumstances.

In *Sufi and Elmi v. The United Kingdom* (2011), the Court ruled that removing both applicants to Somalia would violate their rights under Article 3 in light of a humanitarian crisis “predominantly due to the direct and indirect actions of the parties to the conflict” (para. 282). This decision reaffirmed the lower harm threshold set in *M.S.S. v. Belgium* and confirmed that poor living conditions can violate Article 3 ECHR. With regard to this third category of cases, Flegar (2016) observes that the ECtHR has increasingly recognised vulnerability as a relevant criterion, potentially replacing the previous standard of ‘very exceptional’ circumstances. The focus seems to have shifted from the individual circumstances of the applicant to the general environment and situation in the country of origin. Concerning climate migrants, if there is substantial evidence that human actors are predominant contributors to the humanitarian crisis in question, this lower threshold might apply.

In addition to Article 3 ECHR, Scott (2014) holds that Article 8 ECHR (right to respect for private and family life) could be invoked in cases where the applicant resists transfer owing partly to fears of adverse environmental conditions in the receiving state. It stipulates:

1. Everyone has the right to respect for his private and family life [...].

2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

In immigration cases, Article 8 ECHR may protect individuals with established private and family life ties in the host country. The case of *Berrehab v. The Netherlands* (1988) was the first to invoke Article 8 ECHR in the context of expulsion. The Court highlighted the importance of Article 8(2) ECHR, asserting that expulsion must be necessary in a democratic society, and argued that ‘necessity’ implies the interference must meet a “pressing social need” and be “proportionate” (para. 28). This proportionality assessment seeks to balance individual and state interests. A critical factor is the impact of the transfer on the claimant’s family, such as a spouse or minor children, including the severity of the challenges they may face in the receiving state. In *Bensaid v. The United Kingdom* (2001), the Court found no breach of Article 3 ECHR, but acknowledged that Article 8 ECHR where there are “sufficiently adverse effects on physical and moral integrity” (para. 46). However, it concluded that Article 8 ECHR was not breached as the evidence did not demonstrate a more than hypothetical risk of harm. This judgement highlights that while the Court recognises the potential impact of expulsion on an individual’s ‘physical and moral integrity’ under Article 8 ECHR, the threshold for establishing a breach remains high, especially when the feared harm occurs outside the host state’s territory.

To sum up, the ECtHR has yet to examine cases of transfer in the context of climate change. Although not impossible, particularly given its extensive interpretation of Article 3 ECHR, the threshold for protection under *non-refoulement* remains high. With regards to the Court of Justice of the European Union (CJEU), it has also never considered *non-refoulement* in climate change-related cases, but it has been argued that Article 15 QD corresponds closely to Article 3 ECHR (Delval, 2020). In *Meki Elgafaji, Noor Elgafaji v Staatssecretaris van Justitie* (2009), the CJEU clarified the connection, but noted that its content is different and must be interpreted independently (para. 28). In *Mohamed M’Bodj v État belge* (2014), a ruling which concerned the scope of protection under EU law to protection seekers suffering from serious illness, the CJEU importantly noted that serious harm, as considered under

Article 15 QD, must come from a third party, rather than a “general shortcoming in the health system of the country of origin” (para. 35):

Article 15(b) [...] must be interpreted as meaning that serious harm [...] does not cover a situation in which inhuman or degrading treatment [...] to which an applicant suffering from a serious illness may be subjected if returned to his country of origin, is the result of the fact that appropriate treatment is not available in that country, unless such an applicant is intentionally deprived of health care. (para. 41)

In sum, the case law of the CJEU has established a high threshold for subsidiary protection (Scissa, 2022), making climate change-related harms very unlikely to be considered under EU law, even under Article 15(b) QD (Delval, 2020).

## **5. Conclusion**

While there is increasing recognition in the EU of the climate-mobility nexus, there has been little policy development. International instruments are implemented scarcely. The legal gap for climate migrants that had been widely recognised internationally also extends to the EU, as a common protection status for climate migrants is lacking. Furthermore, amidst a predominant discourse of climate migrants representing a national security threat, no comprehensive legal or policy measures to protect climate migrants have materialised thus far. Focus lies on development and humanitarian aid initiatives in developing countries. Current instruments, even if extensively interpreted by courts and political institutions, do not provide far-reaching mechanisms to ensure justice for individual climate migrants, resulting in fragmented approaches across EU member states.

### **B. Alternative Approaches to Climate Mobility Governance in the EU**

The last section scrutinised current policy and legal responses to climate mobility in the EU and the main discourse underpinning them, finding that climate migrants are predominantly viewed as a national security threat, and current responses, while leaving room for protection in some individual cases of climate migration into the EU, are not sufficient and comprehensive. This section shifts focus to a decolonial justice framing of climate mobility and how it could inform climate mobility governance in the EU.

As discussed in chapter III, a decolonial climate justice framework conceptualises climate migrants as leaders and experts, who are owed reparations by the EU as accountability for its disproportionate contribution to the climate crisis and the historical and ongoing harms and injustices of coloniality. Reparations should be provided in the most appropriate way, centred around the unique lived experiences and knowledges of those at the frontlines of the climate crisis. Firstly, this section discusses how justice for individual climate migrants may be achieved in the EU. Then, it elaborates how self-determination, an approach to climate mobility increasingly advocated by countries and peoples of the Global South (UUSC, 2018), can inform climate mobility governance in practice, focusing on planned relocations.

### **1. Justice in Cases of Individual Movement**

Firstly, achieving justice for individual climate migrants arguably requires the EU to extensively apply existing policy instruments, such as the GCM and the Protection Agenda. Further, it requires the CJEU to extensively interpret existing law. The next paragraphs briefly address the jurisprudence of the ECtHR within the context of climate change, arguing that the threshold should be lowered. The same argument could then also be applied to the CJEU, which bases its high threshold on subsidiary protection under the QD on the fact that harm should come from a third party. With climate change, it can increasingly be proven that a third party, perhaps even the host state in question, is indeed responsible for the harm inflicted, which should be taken into consideration.

A decolonial climate justice perspective on the jurisprudence of the ECtHR reveals that climate migration does not align with the categories identified by Scott (2014) in the case law on *non-refoulement* — category I (direct and intentional infliction), category II (purely naturally occurring), or category III (predominant cause). Climate migrants resisting expulsion cannot return to their home country safely because of climate change, exacerbated in part by emissions from the host state. Acknowledging the host state's role in climate change implies the need for a new category of cases where harm in the receiving state is indirectly inflicted by the host state. Scott (2014) proposes that this category requires a slightly higher threshold compared to domestic cases where harm is directly caused by the state, considering the collective responsibility for climate change among states and the occurrence of harm outside the host state's territorial boundaries.

Notably, a significant challenge in strategic litigation related to climate migration is proving a causal link between the host state's actions and the applicant's situation, which, while extremely challenging, is not unattainable (Kent & Behrman, 2023; Scott, 2014). Firstly, there is scientific consensus that “[h]uman activities, principally through emissions of greenhouse gases, have unequivocally caused global warming” (IPCC, 2023, A.1). Secondly, with advancements in science, particularly attribution science, it is increasingly possible to establish direct links between climate change and particular sudden- or slow-onset disasters (Kent & Behrman, 2023). Lastly, regarding the link between a country's emissions and climate change, as mentioned above, the developed countries listed in Annex II of the UNFCCC are the main contributors to historical and current GHG emissions. Additionally, the collective nature of climate change does not absolve a state of its individual responsibility for emissions originating within its territory, as demonstrated, for instance, in *Urgenda Foundation v. State of the Netherlands* (2019), where the Supreme Court of the Netherlands recognised that responsibility is partial and proportional to the state's emissions (para. 5.7.5).

With regards to Article 8 ECHR, Scott (2014) suggests that the high threshold should also be reconsidered in light of the climate crisis. The ECtHR, in its proportionality assessment, balancing individual rights and state interests, should consider the host state's responsibility in contributing to the climate crisis when assessing the case of a climate migrant who resists being expelled to circumstances exacerbated by the host state. For instance, in the recent judgement on the case *Verein KlimaSeniorinnen Schweiz and Others v. Switzerland* (2024), the Court found a violation of Article 8 ECHR. While not a case related to climate mobility, it presents a significant milestone, as it marks the first case addressing government inaction on climate change (Niranjan, 2024). This ruling could increase judicial pressure on governments to combat climate change and may indicate the ECtHR's evolving role in climate-related litigation (Stavros, 2024). It potentially signals the Court's readiness to address contemporary legal challenges, including those related to climate mobility.

In sum, considering climate justice considerations and the principle of CBDR-RC, both the ECtHR and the CJEU should more extensively interpret existing legislation to extend protection to climate migrants seeking entry into the EU. Moreover, aligning with the principles of decolonial climate justice, the EU owes reparations to climate migrants that respect their demands. High-emitting countries should fulfil these obligations by facilitating entry for individual climate migrants. Proposed mechanisms include humanitarian visas for

temporary stays and, in cases requiring permanent relocation, the issuance of passports allowing climate migrants to choose their resettlement destination (Gonzalez, 2020; Nash, 2023). All countries should accept these passport holders and allow them to become naturalised citizens — high-income, high-emitting states should then cover the relocation costs in cases where climate migrants wish to relocate to a country that is either not responsible under the PPP or not capable to pay under the APP.

## **2. Justice in Cases of Collective Movement**

Climate-vulnerable states and communities — particularly those in the Pacific and Indian Oceans<sup>43</sup> facing imminent land loss from sea level rise — are increasingly invoking self-determination to migrate with dignity should their territories become uninhabitable due to climate change (Gonzalez, 2020; McNamara & Gibson, 2009; UUSC, 2018). That is, they are advocating for continued “rights and benefits of sovereignty amongst the family of nation states” (Burkett, 2011, p. 346) outside their states’ original territories — a concept known, *inter alia*, as “ex-situ nationhood” (Burkett, 2011). This development is, for instance, reflected in Paragraph 12 and 13 of the Pacific Islands Forum’s *2023 Declaration on the Continuity of Statehood and the Protection of Persons in the Fact of Climate Change-Related Sea-level Rise*, which affirm that “international law supports a presumption of continuity of statehood [...] in the context of climate change-related sea-level rise” and that, in this context, “the statehood and sovereignty of Members of the Pacific Islands Forum will continue, and the rights and duties inherent thereto will be maintained”.

It has been widely acknowledged that most affected communities want to stay in their traditional lands (Burkett, 2011; Gonzalez, 2020; McNamara & Gibson, 2009; UUSC, 2018; Yumagulova et al., 2023). This must be understood against the backdrop of a problematic history of planned relocations (Gonzalez, 2020; Mbiyozo, 2021; Yumagulova et al., 2023), which have often exacerbated socio-economic conditions for the relocated due to poor top-down planning, communication, and implementation (Mbiyozo, 2021). As discussed in chapter III, local communities, and particularly Indigenous Peoples, have a deep connection to and dependence on their lands, extending the cost of displacement beyond economic value, which Yumagulova et al. (2023) identify as a predominant concern in Western approaches to

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<sup>43</sup> While sea level rise is commonly experienced across these regions, the degree of vulnerability varies among states, with some having higher-elevated islands and more abundant freshwater supplies (McNamara & Gibson, 2009).

climate mobility. When Indigenous communities are forced to leave their home lands, they often struggle to maintain their knowledges and traditions (Yumagulova et al., 2023).

Affected communities, hence, urge states and international institutions to uphold climate-vulnerable peoples' right to remain and facilitate adaptation measures *in situ* until relocation becomes inevitable (Farbotko et al., 2020; UUSC, 2018). Yet, Mbiyozo (2021) notes that planned relocation “has far better outcomes than forced displacements in emergency situations” (para. 5). Hence, while relocation must be a last resort, it should be an option for inhabitants of threatened regions (Mbiyozo, 2021; Schewel, 2023). Ultimately, with respect to planned relocation, the right to self-determination demands that states allow affected communities to decide for themselves whether, when, and how they relocate. Notably, the right to self-determination in regards to planned relocation is also reflected in Article 10 of the United Nations Declaration on the Rights of Indigenous Peoples (UN, 2007):

Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

Thus, planned relocation necessitates extensive participatory engagement and communication, with leadership and expertise coming from within the communities themselves (Mbiyozo, 2021; UUSC, 2018; Yumagulova et al., 2023). This also entails that relocation planning and policies take into consideration voluntary immobility (Farbotko et al., 2020).

The following will illustrate what the right to self-determination means in practice, critically analysing the Australia-Tuvalu Falepili Union Treaty. This treaty was chosen because, to date, there are few instances of planned climate-related relocation (Farbotko et al., 2020). Notably, the Falepili Union Treaty is the world's first “climate resettlement treaty” (Guilfoyle & Green, 2023, para. 1), allowing migration in anticipation of climate-related disasters. While other programmes facilitating mobility exist in the region<sup>44</sup>, they are typically tied to

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<sup>44</sup> For instance, in the Pacific, New Zealand's “Pacific Access Category Resident Visa” and “Samoan Quota Resident Visa” (<https://www.immigration.govt.nz/about-us/media-centre/news-notifications/2024-pacific-access-category-and-samoan-quota-ballots>) enable up to 2,950 people to move from the Pacific to New Zealand on a permanent basis

labour mobility and do not specifically reference climate change as the primary rationale for visas (Hattem, 2023). The analysis will evaluate whether the Treaty respects self-determination by examining (1) the continuity of Tuvalu's statehood and sovereignty, (2) consideration of voluntary immobility, and (3) the decision-making process, as far as available information allows. Thereby, it aims to inform policies regarding planned relocation (or resettlement) in the EU, as authors call for similar climate adaptation projects (Grare & Reuter, 2023). Importantly, the EU currently only operates ad hoc resettlement schemes, providing safe, legal pathways for third-country nationals and stateless persons in need of international protection ([https://home-affairs.ec.europa.eu/policies/migration-and-asylum/legal-migration-and-integration/resettlement-and-other-pathways-protection\\_en](https://home-affairs.ec.europa.eu/policies/migration-and-asylum/legal-migration-and-integration/resettlement-and-other-pathways-protection_en)). The 2016 EC proposal for an EU Resettlement Framework does not mention climate change-related mobility. According to Kraler et al. (2020), although it is unlikely to become a specific protection tool for climate migrants, it could still provide a solution for refugees needing resettlement due to adverse environmental changes in their current country of asylum.

Tuvalu, a small Pacific Island State of around 11,000 inhabitants, is severely threatened by sea level rise (Guilfoyle & Green, 2023). The Falepili Union Treaty grants Tuvalu's citizens a "special human mobility pathway" (Art. 1), that is, a "special visa arrangement" (Grare & Reuter, 2023, para. 1), enabling them to "live, study and work in Australia" and "access Australian education, health, and key income and family support on arrival" (Art. 3(1)). Importantly, Treaty Article 2(2)(b) recognises that "the statehood and sovereignty of Tuvalu will continue, and the rights and duties inherent thereto will be maintained, notwithstanding the impact of climate change-related sea-level rise". This means that if Tuvalu becomes uninhabitable, its "statehood would be secured relative to Australia" (Guilfoyle & Green, 2023, para. 7). Further, the Treaty appears to go beyond merely reducing Tuvaluans' physical exposure to climate change, offering socio-economic support to Tuvaluans upon relocation. Nevertheless, it remains uncertain whether their cultural integrity and community cohesion will be preserved. A yearly migration cap to Australia suggests that relocation is based on

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every year. Similarly, Australia's new permanent resident "Pacific Engagement Visa" (<https://www.dfat.gov.au/geo/pacific/people-connections/people-connections-in-the-pacific/pacific-engagement-visa>) for countries across the Pacific and Timor-Leste allows up to 3,000 people to move to Australia every year. Another example is the US, which offers eligible citizens of the Republic of the Marshall Islands, Federated States of Micronesia, and Palau to live and work in the US indefinitely (<https://www.uscis.gov/i-9-central/complete-correct-form-i-9/federated-states-of-micronesia-republic-of-the-marshall-islands-and-palau>).

individual or family-level concepts of land ownership, which may not align with the needs of a Tuvaluan society that is centred around the concepts of *olaga fakafenua* (communal living system), *kaitasi* (shared responsibility), and *fale-pili* (being a good neighbour) (United Nations Office for Disaster Risk Reduction, 2022). On the contrary, the Treaty seems to risk dispersing Tuvaluans in Australia and compromising traditional cultural practices tied to their communities.

Other authors criticise the Treaty as employing mere “rhetoric around respecting sovereignty” (Kitara & Farbotko, 2023, para. 6), while in fact eroding Tuvalu’s sovereignty in its foreign relations — Article 4 on “cooperation for security and stability” states:

Tuvalu shall mutually agree with Australia any partnership, arrangement or engagement with any other State or entity on security and defence-related matters. Such matters include but are not limited to defence, policing, border protection, cyber security and critical infrastructure, including ports, telecommunications and energy infrastructure. (Art. 4(4))

This has been interpreted as reflecting Australia’s security interests in the Pacific amidst increasing Chinese influence in the region (Guilfoyle & Green, 2023).

Treaty Article 2(2)(a) acknowledges the “desire of Tuvalu’s people to continue to live in their territory where possible and Tuvalu’s deep, ancestral connections to land and sea”. Further, Article 2(3) commits Australia to “help the citizens of Tuvalu to stay in their homes with safety and dignity” and promote Tuvalu’s climate adaptation interests “to other countries, including through regional and international forums”. Hence, voluntary immobility is explicitly recognised in the Treaty. Yet, upholding Tuvaluans’ right to remain not only entails adaptation measures *in situ*, but also necessitates climate change mitigation measures. Industrialised countries should consider relocation a last resort, rather than an alternative to curbing GHG emissions (Kitara & Farbotko, 2023; McNamara & Gibson, 2009). Indeed, the Falepili Union Treaty has faced criticism in light of Australia’s contentious history with its Pacific neighbours and its significant contribution to the climate crisis as a major fossil fuel exporter (Guilfoyle & Green, 2023).

Lastly, the Treaty itself does not reveal much about the decision-making process. It is hence not clear whether affected communities were able to develop, participate, and engage fully in

relocation decision making. But Kitara and Farbotko (2023) argue that the Union does not deliver climate justice for Tuvaluan people:

If Australia really understood *fale pili*, Tuvaluans would have been offered a migration opportunity with no expectation that Australia would gain geopolitically. This purported solution for Tuvaluans, presented to the casual observer to be some form of climate justice, we see as an insidious form of colonialism. This is not the model of climate mobility that Tuvaluans, or others in climate-vulnerable places, deserve. (para. 7)

In summary, although the Treaty offers a necessary solution to the inhabitants of disappearing islands, the primary motivation appears to be geopolitical considerations rather than Australia's acknowledgment of its historical and ongoing contributions to climate injustices.

## V. Conclusion

### A. Overarching Findings

Given the legacy of European colonialism and the EU's disproportionate contribution to climate change, this thesis has addressed the overarching question in what ways the EU's approach to climate mobility can be reimagined through a decolonial climate justice lens. It has done so by (1) elucidating how a decolonial climate justice lens would conceptualise climate migrants; (2) analysing the current legal and policy frameworks governing climate mobility in the EU; and (3) based on these insights, discussing alternative approaches to climate mobility governance in the EU. It has found that a decolonial climate justice framework conceptualises climate migrants as rights holders to whom the EU owes reparations. Analysing the EU's legal and policy framework of climate mobility, the thesis found that the international policy developments have not translated to EU level. Furthermore, amidst a predominant discourse of climate migrants as a national security threat, no comprehensive legal or policy measures to protect climate migrants have materialised thus far. The collective right to self-determination of affected Indigenous and local communities has so far been neglected. The findings emphasise the urgent need for the EU to establish a comprehensive framework that incorporates Indigenous and local knowledges and centres around affected Indigenous and local communities. The EU has to take accountability for its historical and ongoing contributions to the climate crisis by offering reparations to climate migrants in the form of emissions reduction, financial and practical support, providing the opportunity to immigrate or covering the costs of relocation,

and, most contentiously, providing land to accommodate affected communities in cases of total territory loss.

## **B. Limitations and Suggestions for Future Research**

This thesis has offered a broad discussion of the complex and evolving landscape of European migration and asylum policy. A more thorough analysis of the many existing tools potentially relevant to climate mobility, such as European funding mechanisms for climate mobility (e.g., Hahn & Fessler, 2023) or the numerous EU laws, policies, and programmes associated with development and humanitarian aid, were beyond the scope of this study. Particularly following the recent adoption of the new Pact on Migration and Asylum, new tools like the Resettlement and Humanitarian Admission Framework have been introduced, whose implications for climate mobility governance will become apparent in the months and years ahead. As policy attention on this matter increases, the landscape is likely to evolve, necessitating ongoing research to evaluate its implications. Additionally, the thesis did not examine the national legislation and practice of EU member states in great detail; previous studies have conducted more comprehensive analyses already. Italian legislation and case law, in particular, have been thoroughly considered (e.g., Fornalé, 2020; Scissa, 2022) and their potential for the EU's climate mobility efforts highlighted (Scissa, 2022). Such national developments also deserve continued scrutiny.

Additionally, some proposals aligned with a decolonial climate justice perspective, such as passports for climate migrants allowing them to freely choose a host state, or the obligation to provide land for collective community relocation, have been suggested but not thoroughly explored in this thesis. Further research is needed to examine how these proposals could be implemented. Nash (2023), for instance, has conducted notable research on the discourses surrounding the rejected 'climate passport' proposal of the German Green Party, which was intended for individuals likely to be displaced by climate change. This could provide a foundation for future studies.

Furthermore, it is important to note that the thesis has adopted a state-centric perspective, which has been criticised as "outdated" (e.g., Rosignoli, 2024, p. 4) in the context of the climate crisis, which transcends political borders. Besides, climate change is driven by human activities like "unsustainable energy use, land use and land-use change, lifestyles and patterns of consumption and production" (IPCC, 2023, A.1). Therefore, non-state actors, such as

economic actors, civil society and social movements, and local governments, also bear responsibility in confronting and transforming the structures that perpetuate harms and injustices. Future research could investigate responsibilities of non-state actors in addressing climate mobility, as well as mechanisms for holding these actors accountable.

Finally, implementation of the suggestions outlined in this thesis poses significant challenges. While the thesis did not seek to analyse in-depth the feasibility of its proposals, it is important to acknowledge the substantial obstacles posed by deeply ingrained colonial power structures and a European political environment that increasingly accommodates right-wing parties, reflecting a shift towards nationalism and populism (Broder, 2024). As human rights violations at Europe's borders rise amidst the increasing criminalisation of migration and the militarisation of borders (Amnesty International, 2024b; Gonzalez, 2020; Scott, 2023; UNHRC, 2022), the prospects for a EU approach to climate mobility guided by (decolonial) climate justice diminish. Scott (2023), for instance, points out the scant evidence of states in the Global North moving towards a "migration as reparation model" (p. 58). However, this does not absolve them of the obligation to do so. Rather than offering technocratic solutions, which are detailed in various other works (e.g., Schewel, 2023; Scott, 2023), this thesis has advocated reforms grounded in decolonial climate justice. Future research could concentrate on identifying key stakeholders to engage and the procedural changes necessary to overcome political resistance to these proposals. Moreover, numerous scholars have pointed out that engagement with climate justice and decolonial thought within climate mobility research remains limited, as do the perspectives of Indigenous Peoples and other climate-vulnerable communities. To develop just and effective solutions, it is imperative that these communities take the lead and shape the research on climate mobility.

### **C. Future Outlook**

The growing academic, legal, and policy focus on the climate-mobility nexus, both internationally and within the EU, suggests significant advancements in climate mobility governance in the upcoming years. Particularly the global rise in climate litigation, but also particularly before the ECtHR, is a key development to monitor (Kent & Behrman, 2023). This current global momentum presents a pivotal opportunity to integrate a decolonial climate justice perspective into public and scholarly discourse, shaping a more just and equitable approach to climate mobility.

## Bibliography

### Cases

CJEU, 17 February 2009, *Meki Elgafaji, Noor Elgafaji v Staatssecretaris van Justitie*, C-465/07.

CJEU, 18 December 2014, *Mohamed M'Bodj v État belge*, C-542/13.

ECtHR, 6 May 2001, *Bensaid v. The United Kingdom*, application no. 44599/98.

ECtHR, 21 June 1988, *Berrehab v. The Netherlands*, application no. 10730/84.

ECtHR, 2 May 1997, *D. v. The United Kingdom*, application no. 30240/96.

ECtHR (GC), 21 February 2011, *M.S.S. v. Belgium and Greece*, application no. 30696/09.

ECtHR (GC), 27 May 2008, *N. v. The United Kingdom*, application no. 26565/05.

ECtHR (GC), 13 December 2016, *Paposhvili v. Belgium*, application no. 41738/10.

ECtHR, 7 July 1989, *Soering v. The United Kingdom*, application no. 14038/88.

ECtHR, 28 June 2011, *Sufi and Elmi v. The United Kingdom*, application nos. 8319/07 and 1149/07.

ECtHR, 9 April 2024, *Verein KlimaSeniorinnen Schweiz and Others v. Switzerland*, application no. 53600/20.

United Nations Human Rights Committee, 23 September 2020, *Ioane Teitiota v. New Zealand*, application no. 2728/2016.

### Legislation

Australia-Tuvalu Falepili Union, signed on November 9, 2023.

Charter of Fundamental Rights of the European Union, signed in Nice, France, on December 7, 2000.

Convention Relating to the Status of Refugees, signed in Geneva, Switzerland, on July 28, 1951.

Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, signed in Brussels, Belgium, on July 20, 2001.

Cyprus: Refugee Law of 2000, signed in Cyprus, on January 28, 2000.

Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals, signed in Strasbourg, France, on December 16, 2008.

Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast), signed in Strasbourg, France, on December 13, 2011.

European Convention on Human Rights, signed in Rome, Italy, on November 4, 1950.

Paris Agreement to the United Nations Framework Convention on Climate Change, signed in Paris, France, on April 22, 2015.

Supreme Court of the Netherlands, 20 December 2019, *Urgenda Foundation v. State of the Netherlands*, application no. 19/00135.

United Nations Framework Convention on Climate Change, signed in Rio de Janeiro, Brazil, between 1992–1993.

### **Other Sources**

Ahmed, B. (2018). Who takes responsibility for the climate refugees? *International Journal of Climate Change Strategies and Management*, 10(1), 5–26.  
<https://doi.org/10.1108/IJCCSM-10-2016-0149>

Aliozi, Z. (2021). *Climate justice and human rights, in a world in climate emergency*. Global Campus Europe.

<https://repository.gchumanrights.org/server/api/core/bitstreams/2eba3de1-1427-481b-a2d6-07818e00a53b/content>

*Al Jazeera*. (2023, September 17). Photos: Search continues for Libya's missing; aid arrives for survivors.

<https://www.aljazeera.com/gallery/2023/9/17/photos-one-week-after-libya-flood-aid-arrive-s-for-survivors>

Amnesty International. (2024a). *Call for the adoption of an additional Protocol to the European Convention on Human Rights on the right to a clean, healthy, and sustainable environment*.

[https://www.amnesty.eu/wp-content/uploads/2024/03/ENG\\_-\\_Call-for-the-adoption-of-an-additional-Protocol-to-the-European-Convention-on-Human-Rights-on-the-right-to-a-clean-healthy-and-sustainable-environment-2.pdf](https://www.amnesty.eu/wp-content/uploads/2024/03/ENG_-_Call-for-the-adoption-of-an-additional-Protocol-to-the-European-Convention-on-Human-Rights-on-the-right-to-a-clean-healthy-and-sustainable-environment-2.pdf)

*Amnesty International*. (2024b, April 4). EU: Migration and asylum pact reforms will put people at heightened risk of human rights violations.

<https://www.amnesty.org/en/latest/news/2024/04/eu-migration-asylum-pact-put-people-at-risk-human-rights-violations/>

Apap, J., & Harju, S. J. (2023). *The concept of 'climate refugee': Towards a possible definition*. European Parliamentary Research Service.

[https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/698753/EPRS\\_BRI\(2021\)698753\\_EN.pdf#page20](https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/698753/EPRS_BRI(2021)698753_EN.pdf#page20)

Appiah, K. A. (2016, November 9). There is no such thing as western civilisation. *The Guardian*.

<https://www.theguardian.com/world/2016/nov/09/western-civilisation-appiah-reith-lecture>

- Arcaya, M., & Gribkoff, E. (2022, March 14). *Climate justice*. MIT Climate Portal. <https://climate.mit.edu/explainers/climate-justice>
- Arora, P. (2024). COP28: Ambitions, realities, and future. *Environmental Sustainability*, 7, 107–113. <https://doi.org/10.1007/s42398-024-00304-0>
- Asher, K., & Ramamurthy, P. (2020). Rethinking decolonial and postcolonial knowledges beyond regions to imagine transnational solidarity. *Hypatia*, 35(3), 542–547. <https://doi.org/10.1017/hyp.2020.16>
- Atapattu, S. (2018, September 12). “Climate refugees” and the role of international law. *Oxford Research Group*. [https://lse-atom.arkivum.net/uploads/r/politics-economics-and-social-science-collections/5/0/f/50f93ce55625d9e420c37efa3e3e75ee61ada32a51ced342aa1d884476ce9c90/f7e983e7-d8ab-4f5a-b89b-8d2860ed36b1-Climate\\_Refugees\\_and\\_the\\_Role\\_of\\_International\\_Law\\_\\_Oxford\\_Research\\_Group.pdf#page78](https://lse-atom.arkivum.net/uploads/r/politics-economics-and-social-science-collections/5/0/f/50f93ce55625d9e420c37efa3e3e75ee61ada32a51ced342aa1d884476ce9c90/f7e983e7-d8ab-4f5a-b89b-8d2860ed36b1-Climate_Refugees_and_the_Role_of_International_Law__Oxford_Research_Group.pdf#page78)
- Baillat, A. (2023, December 13). COP28: What did it say about displacement and climate change? *Internal Displacement Monitoring Centre*. <https://www.internal-displacement.org/policy-analysis/cop28-what-did-it-say-about-displacement-and-climate-change/>
- Baldwin, A. [Connected Sociologies]. (2022). *Climate change, migration, race: Dr Andrew Baldwin* [Video]. YouTube. [https://youtu.be/W2IS07a8xuo?si=I6N\\_bvyh4HI5vaNC](https://youtu.be/W2IS07a8xuo?si=I6N_bvyh4HI5vaNC)
- Bhambra, G. K. (2014). Postcolonial and decolonial dialogues. *Postcolonial Studies*, 17(2), 115–121. <https://doi.org/10.1080/13688790.2014.966414>
- Blocher, J. (2015). Climate change and environment related migration in the European Union policy: An organizational shift towards adaptation and development. In K. Rosenau-Williams & F. Gemenne (Eds.), *Organizational perspectives on environmental migration* (pp. 38–56). Taylor & Francis. <https://doi.org/10.4324/9781315674803>

- Broder, D. (2024, June 11). Europas Mitte bleibt stabil — indem sie die Rechte integriert. *Jacobin*. <https://www.jacobin.de/artikel/le-pen-meloni-rechts-europawahl-macron>
- Burkett, M. (2011). The nation *ex-situ*: On climate change, deterritorialized nationhood and the post-climate era. *Climate Law*, 2(3), 345–374. <https://doi.org/10.3233/CL-2011-040>
- Buxton, R. (2019). Reparative justice for climate refugees. *Philosophy*, 94(2), 193–219. <https://doi.org/10.1017/S0031819119000019>
- Canofre, F. (2024, May 24). ‘I’ve seen things no one should go through’: The overwhelming scale of loss in Brazil’s floods. *The Guardian*. <https://www.theguardian.com/global-development/article/2024/may/24/brazil-floods>
- Catungal, J. P., & Dowling, R. (2021). Power, subjectivity, and ethics in qualitative research. In I. Hay & M. Cope (Eds.), *Qualitative research methods in human geography* (5th ed., pp. 18–39). Oxford University Press.
- Clement, V., Rigaud, K. K., de Sherbinin, A., Jones, B., Adamo, S., Schewe, J., Sadiq, N., & Shabahat, E. (2021). *Groundswell: Acting on internal climate migration part II*. World Bank Group. <https://openknowledge.worldbank.org/server/api/core/bitstreams/158b2f56-a4db-5a2d-93b9-0070068fa084/content>
- Coen, D., Kreienkamp, J., & Pergamon, T. (2020). *Global climate governance*. Cambridge University Press.
- Daes, E.-I. A. (2008). An overview of the history of Indigenous peoples: Self-determination and the United Nations. *Cambridge Review of International Affairs*, 21(1), 7–26. <https://doi.org/10.1080/09557570701828386>
- Delval, E. (2020, April 8). From the U.N. Human Rights Committee to European courts: Which protection for climate-induced displaced persons under European law? *EU Immigration and Asylum Law and Policy*.

<https://eumigrationlawblog.eu/from-the-u-n-human-rights-committee-to-european-courts-which-protection-for-climate-induced-displaced-persons-under-european-law/>

- Dewan, C. (2023). Climate refugees or labour migrants? Climate reductive translations of women's migration from coastal Bangladesh. *The Journal of Peasant Studies*, 50(6), 2339–2360. <https://doi.org/10.1080/03066150.2023.2195555>
- Dumont, M. (2017, October 20). Rising climate-related displacement highlights the need for a human rights-based approach to protecting migrants. *Center for International Environmental Law*.  
<https://www.ciel.org/rising-climate-related-displacement-highlights-need-human-rights-based-approach-protecting-migrants/>
- Eckersley, R. (2015). The common but differentiated responsibilities of states to assist and receive 'climate refugees'. *European Journal of Political Theory*, 14(4), 481–500. <https://doi.org/10.1177/1474885115584830>
- Eckersley, R. (2016). Responsibility for climate change as a structural injustice. In T. Gabrielson, C. Hall, J. M. Meyer, & D. Schlosberg (Eds.), *The Oxford handbook of environmental political theory* (pp. 346–361). Oxford University Press.
- Enslin, P., & Hedge, N. (2023). Decolonizing higher education: The university in the new age of Empire. *Journal of Philosophy of Education*, 0(0), 1–15. <https://doi.org/10.1093/jopedu/qhad052>
- European Commission. (2013). *Commission staff working document: Climate change, environmental degradation, and migration*. European Union. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52013SC0138#page34>
- European Commission. (2016). *Proposal for a regulation of the European Parliament and of the Council on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or*

*for persons eligible for subsidiary protection and for the content of the protection granted and amending Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents.* European Union.  
[https://eur-lex.europa.eu/resource.html?uri=cellar:6d976705-4a95-11e6-9c64-01aa75ed71a1.0001.02/DOC\\_1&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:6d976705-4a95-11e6-9c64-01aa75ed71a1.0001.02/DOC_1&format=PDF)

European Commission. (2019). *Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions: The European Green Deal.* European Union.  
[https://eur-lex.europa.eu/resource.html?uri=cellar:b828d165-1c22-11ea-8c1f-01aa75ed71a1.0002.02/DOC\\_1&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:b828d165-1c22-11ea-8c1f-01aa75ed71a1.0002.02/DOC_1&format=PDF)

European Commission. (2020a). *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on a New Pact on Migration and Asylum.* European Union.  
[https://eur-lex.europa.eu/resource.html?uri=cellar:85ff8b4f-ff13-11ea-b44f-01aa75ed71a1.0002.02/DOC\\_3&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:85ff8b4f-ff13-11ea-b44f-01aa75ed71a1.0002.02/DOC_3&format=PDF)

European Commission. (2020b). *Proposal for a regulation of the European Parliament and of the Council addressing situations of crisis and force majeure in the field of migration and asylum.* European Union.  
<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020PC0613&from=EN>

European Commission. (2022). *Commission staff working document: Addressing displacement and migration related to disasters, climate change and environmental degradation.* European Union.

- [https://ec.europa.eu/echo/files/policies/sectoral/swd\\_2022\\_displacement\\_and\\_migration\\_related\\_to\\_disasters\\_climate\\_change\\_and\\_environmental\\_degradation.pdf](https://ec.europa.eu/echo/files/policies/sectoral/swd_2022_displacement_and_migration_related_to_disasters_climate_change_and_environmental_degradation.pdf)
- European Migration Network. (2023). *Displacement and migration related to disasters, climate change and environmental degradation*. European Migration Network Inform. [https://home-affairs.ec.europa.eu/system/files/2023-05/EMN\\_Inform\\_climate\\_related\\_migration\\_final\\_May2023\\_090523.pdf](https://home-affairs.ec.europa.eu/system/files/2023-05/EMN_Inform_climate_related_migration_final_May2023_090523.pdf)
- European Parliament. (2024). *Reform of the Qualification Directive*. European Union. [https://www.europarl.europa.eu/RegData/etudes/BRIE/2017/603914/EPRS\\_BRI\(2017\)603914\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2017/603914/EPRS_BRI(2017)603914_EN.pdf)
- Farbotko, C., Dun, O., Thornton, F., McNamara, K. E., & McMichael, C. (2020). Relocation planning must address voluntary immobility. *Nature Climate Change*, 10, 702–704. <https://doi.org/10.1038/s41558-020-0829-6>
- Fellendorf, A., & Immer, D. (2015, August 22). The EU's responsibility to protect environmentally displaced people. *E-International Relations*. <https://www.e-ir.info/pdf/57963>
- Flegar, V. (2016). Vulnerability and the principle of non-refoulement in the European Court of Human Rights: Towards an increased scope of protection for persons fleeing from extreme poverty? *Contemporary Readings in Law and Social Justice*, 8(2), 148–169. <https://doi.org/10.22381/CRLSJ8220166>
- Fornalé, E. (2020). A l'envers: Setting the stage for a protective environment to deal with 'climate refugees' in Europe. *European Journal of Migration and Law*, 22(4), 518–540. <https://doi.org/10.1163/15718166-12340088>
- Garnett, S. T., Burgess, N. D., Fa, J. E., Fernández-Llamazares, Á., Molnár, Z., Robinson, C. J., Watson, J. E. M., Zander, K. K., Austin, B., Brondizio, E. S., Collier, N. F., Duncan, T., Ellis, E., Geyle, H., Jackson, M. V., Jonas, H., Malmer, P., McGowan, B., Sivongxay, A.,

- & Leiper, I. (2018). A spatial overview of the global importance of Indigenous lands for conservation. *Nature Sustainability*, *1*(7), 369–374. <https://doi.org/10.1038/s41893-018-0100-6>
- Gibson, S. (2023, December 6). Don't applaud the COP28 climate summit's loss and damage fund deal just yet — here's what's missing. *The Conversation*. <https://theconversation.com/dont-applaud-the-cop28-climate-summits-loss-and-damage-fund-deal-just-yet-heres-whats-missing-218093>
- Gonzalez, C. G. (2019). Climate justice and climate displacement: Evaluating the emerging legal and policy responses. *Wisconsin International Law Journal*, *36*(2), 366–396. [https://wilj.law.wisc.edu/wp-content/uploads/sites/1270/2020/01/36.2\\_366-396\\_Gonzalez.pdf](https://wilj.law.wisc.edu/wp-content/uploads/sites/1270/2020/01/36.2_366-396_Gonzalez.pdf)
- Gonzalez, C. G. (2020). Climate change, race, and migration. *Journal of Law and Political Economy*, *1*(1), 109–146. <https://doi.org/10.5070/LP61146501>
- Grare, F., & Reuter, M. (2023, December 6). More than just a climate deal: The Australia-Tuvalu Falepili Union treaty and the EU's potential contribution to the Pacific. *European Council on Foreign Relations*. <https://ecfr.eu/article/more-than-just-a-climate-deal-the-australia-tuvalu-falepili-union-treaty-and-the-eus-potential-contribution-to-the-pacific/>
- Guilfoyle, D., & Green, A. (2023, November 28). The Australia-Tuvalu Falepili Union Treaty: Security in the face of climate change... and China? *EJIL:Talk!*. <https://www.ejiltalk.org/the-australia-tuvalu-falepili-union-treaty-security-in-the-face-of-climate-change-and-china/>
- Hahn, H., & Fessler, M. (2023). *The EU's approach to climate mobility: Which way forward?* European Policy Centre & European Investment Bank. [https://epc.eu/content/PDF/2023/Climate\\_Mobility\\_DP\\_v8.pdf](https://epc.eu/content/PDF/2023/Climate_Mobility_DP_v8.pdf)

- Hattem, J. (Host). (2023, November 29). What exactly is climate migration? [Audio podcast episode]. In *Changing Climate, Changing Migration*. Migration Policy Institute. <https://mpichangingclimatechangingmigration.podbean.com/e/what-exactly-is-climate-migration/>
- Henley, J. (2020, September 9). Climate crisis could displace 1.2bn people by 2050, report warns. *The Guardian*. <https://www.theguardian.com/environment/2020/sep/09/climate-crisis-could-displace-12bn-people-by-2050-report-warns>
- Hennink, M., Hutter, I., & Bailey, A. (2020). *Qualitative research methods* (2nd ed.). SAGE Publications Ltd.
- Intergovernmental Panel on Climate Change. (2023). Summary for policymakers. In Core Writing Team, H. Lee, & J. Romero (Eds.), *Climate Change 2023: Synthesis Report* (pp. 1–34). Intergovernmental Panel on Climate Change. <https://doi.org/10.59327/IPCC/AR6-9789291691647.001>
- Internal Displacement Monitoring Centre. (2024a). *Global report on internal displacement*. <https://api.internal-displacement.org/sites/default/files/publications/documents/IDMC-GRI-D-2024-Global-Report-on-Internal-Displacement.pdf>
- Internal Displacement Monitoring Centre. (2024b, May 14). Libya — Years of conflict and weakened infrastructure compound Derna flood impact. <https://www.internal-displacement.org/spotlights/Libya-Years-of-conflict-and-weakened-infrastructure-compound-Derna-flood-impact/>
- International Organization for Migration. (n.d.). *Environmental migration*. [https://environmentalmigration.iom.int/environmental-migration#:~:text=Climate migration refers to “the,a State or across an](https://environmentalmigration.iom.int/environmental-migration#:~:text=Climate migration refers to%20the,a State or across an)

International Organization for Migration. (2019). *International migration law: Glossary on migration*.

[https://environmentalmigration.iom.int/sites/g/files/tmzbd11411/files/iml\\_34\\_glossary.pdf#page43](https://environmentalmigration.iom.int/sites/g/files/tmzbd11411/files/iml_34_glossary.pdf#page43)

International Organization for Migration. (2021). *Institutional strategy on migration, environment and climate change 2021–2030: For a comprehensive, evidence and rights-based approach to migration in the context of environmental degradation, climate change and disasters, for the benefit of migrants and societies*.

[https://environmentalmigration.iom.int/sites/g/files/tmzbd11411/files/documents/IOM-Institutional-Strategy-MECCC\\_0.pdf](https://environmentalmigration.iom.int/sites/g/files/tmzbd11411/files/documents/IOM-Institutional-Strategy-MECCC_0.pdf)

Ionesco, D. (2019, June 6). Let's talk about climate migrants, not climate refugees. *United Nations*.

<https://www.un.org/sustainabledevelopment/blog/2019/06/lets-talk-about-climate-migrants-not-climate-refugees/>

Joint Research Centre. (2022). *CO2 emissions of all world countries – JRC/IEA/PBL 2022 report*. European Union. <https://doi.org/10.2760/07904>

Jolly, S., & Ahmad, N. (2019). Introduction. In *Climate refugees in South Asia: Protection under international legal standards and state practice in South Asia* (pp. 1–14). Springer.

<https://doi.org/10.1007/978-981-13-3137-4>

Kälin, W. (2018). The Global Compact on Migration: A ray of hope for disaster-displaced persons. *International Journal of Refugee Law*, 30(4), 664–667.

<https://doi.org/10.1093/ijrl/eev047>

Kälin, W., & Weerasinghe, S. (2017). *Environmental migrants and global governance: Facts, policies and practices*. International Organization for Migration.

[https://publications.iom.int/system/files/pdf/environmental\\_migrants.pdf](https://publications.iom.int/system/files/pdf/environmental_migrants.pdf)

- Kent, A., & Behrman, S. (2023). Strategic climate litigation and its impact on the governance of climate migration. *Revista Catalana De Dret Ambiental*, 14(1), 1–33. <https://doi.org/10.17345/rcda3583>
- Kitara, T., & Farbotko, C. (2023, November 13). This is not climate justice: The Australia-Tuvalu Falepili Union. *Toda Peace Institute*. <https://toda.org/global-outlook/2023/this-is-not-climate-justice-the-australia-tuvalu-falepili-union.html>
- Kolmannskog, V., & Myrstad, F. (2009). Environmental displacement in European asylum law. *European Journal of Migration and Law*, 11(4), 313–326. <https://doi.org/10.1163/157181609789804321>
- Kraler, A., Cernei, T., & Noack, M. (2011). “Climate refugees”: Legal and policy responses to environmentally induced migration. European Parliament. [https://www.europarl.europa.eu/RegData/etudes/etudes/join/2011/462422/IPOL-LIBE\\_ET\(2011\)462422\\_EN.pdf#page17](https://www.europarl.europa.eu/RegData/etudes/etudes/join/2011/462422/IPOL-LIBE_ET(2011)462422_EN.pdf#page17)
- Kraler, A., Katsiaficas, C., & Wagner, M. (2020). *Climate change and migration: Legal and policy challenges and responses to environmentally induced migration*. European Parliament. [https://www.europarl.europa.eu/RegData/etudes/STUD/2020/655591/IPOL\\_STU\(2020\)65591\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2020/655591/IPOL_STU(2020)65591_EN.pdf)
- Kumar, R. (2020). The United Nations and global environmental governance. *Strategic Analysis*, 44(5), 479–489. <https://doi.org/10.1080/09700161.2020.1824462>
- Kymlicka, W. (2024). Rethinking human rights for a more-than-human world. In C. Rodríguez-Garavito (Ed.), *More than human rights: An ecology of law, thought, and narrative for earthly flourishing* (pp. 55–81). NYU Law.

- Lama, P., Hamza, M., & Wester, M. (2020). Gendered dimensions of migration in relation to climate change. *Climate and Development*, 13(4), 326–336. <https://doi.org/10.1080/17565529.2020.1772708>
- Maldonado-Torres, N. (2007). On the coloniality of being. *Cultural Studies*, 21(2–3), 240–270. <https://doi.org/10.1080/09502380601162548>
- Malm, A. (2016). *Fossil capital: The rise of steam power and the roots of global warming*. Verso Books.
- Martinez-Alier, J. (2016). Global environmental justice and the environmentalism of the poor. In Gabrielson, T., Hall, C., Meyer, J. M., & Schlosberg, D. (Eds.), *The Oxford handbook of environmental political theory* (pp. 547–562). Oxford University Press.
- Mbiyozo, A.-N. (2021, November 10). Planned relocation: A hard but vital part of climate adaptation. *ISS Today*. <https://issafrica.org/iss-today/planned-relocation-a-hard-but-vital-part-of-climate-adaptation>
- McNamara, K. E., & Gibson, C. (2009). ‘We do not want to leave our land’: Pacific ambassadors at the United Nations resist the category of ‘climate refugees’. *Geoforum*, 40(3), 475–483. <https://doi.org/10.1016/j.geoforum.2009.03.006>
- Méndez, J. C. (2024). The Americas, a region committed to better protect the human rights of people displaced in the context of disasters and climate change. *Platform on Disaster Displacement*. <https://disasterdisplacement.org/perspectives/better-protect-the-human-rights-of-people-displaced-in-the-context-of-disasters-and-climate-change/>
- Mignolo, W. D., & Walsh, C. E. (2018). *On decoloniality: Concepts, analytics, praxis*. Duke University Press.

- Mistry, J., & Berardi, A. (2016). Bridging Indigenous and scientific knowledge. *Science*, 352(6291), 1274–1275. <https://doi.org/10.1126/science.aaf1160>
- Nansen Initiative. (2015). *Agenda for the protection of cross-border displaced persons in the context of disasters and climate change*. <https://disasterdisplacement.org/wp-content/uploads/2015/02/PROTECTION-AGENDA-VOLUME-1.pdf>
- Nash, S. L. (2023). The perfect (shit)storm: Discourses around the proposal to introduce a ‘climate passport’ in Germany. *Environment and Planning C: Politics and Space*, 0(0), 1–17. <https://doi.org/10.1177/23996544231216015>
- Nash, S. L. (2024). Climate protection for migration prevention: Comparison of policy discourses on climate change and migration in Austria, Germany, Denmark, and Sweden. *Journal of Comparative Policy Analysis*, 0(0), 1–29. <https://doi.org/10.1080/13876988.2024.2304835>
- Niranjan, A. (2023, December 6). Earth on verge of five catastrophic climate tipping points, scientists warn. *The Guardian*. <https://www.theguardian.com/environment/2023/dec/06/earth-on-verge-of-five-catastrophic-tipping-points-scientists-warn>
- Niranjan, A. (2024, April 9). Human rights violated by Switzerland inaction on climate, ECHR rules in landmark case. *The Guardian*. <https://www.theguardian.com/environment/2024/apr/09/human-rights-violated-inaction-climate-echr-rules-landmark-case>
- Orlove, B., Dawson, N., Sherpa, P., Adelekan, I., Alangui, W., Carmona, R., Coen, D., Nelson, M., Reyes-Garcia, V., Rubis, J., Sanago, G., Wilson, A. (2022). *White paper I: Intangible cultural heritage, diverse knowledge systems and climate change*. International

- Co-Sponsored Meeting on Culture, Heritage and Climate Change.  
<https://openarchive.icomos.org/id/eprint/2717/>
- Our World in Data. (2024). *Annual CO<sub>2</sub> emissions by world region*.  
<https://ourworldindata.org/grapher/annual-co-emissions-by-region>
- Pacific Islands Forum. (2023). *2023 declaration on the continuity of statehood and the protection of persons in the face of climate change-related sea-level rise*.  
<https://forumsec.org/sites/default/files/2024-05/2023%20Declaration%20on%20the%20Continuity%20of%20Statehood%20and%20the%20Protection%20of%20Persons.pdf>
- Paradies, Y. (2020). Unsettling truths: Modernity, (de-)coloniality and Indigenous futures. *Postcolonial Studies*, 23(4), 438–456. <https://doi.org/10.1080/13688790.2020.1809069>
- Piguet, E., Kaenzig, R., & Guélat, J. (2018). The uneven geography of research on “environmental migration”. *Population and Environment*, 39(2), 357–383.  
<https://doi.org/10.1007/s11111-018-0296-4>
- Prior, T. L., & Heinämäki, L. (2017). The rights and role of Indigenous women in the climate change regime. *Arctic Review on Law and Politics*, 8, 193–221.  
<https://doi.org/10.23865/arctic.v8.901>
- Quijano, A. (2007). Coloniality and modernity/ rationality. *Cultural Studies*, 21(2), 168–178.  
<https://doi.org/10.1080/09502380601164353>
- Raffel, S. (2016). Climate communication and the exclusion of Indigenous Knowledge. *IEEE International Professional Communication Conference (IPCC)*, 1–5.  
<https://doi.org/10.1109/IPCC.2016.7740496>
- Ramanujam, A., & Asri, N. (2021). *The climate crisis is a (neo)colonial capitalist crisis: Experiences, responses and steps towards decolonising climate action*. European Network Against Racism.  
[https://www.enar-eu.org/wp-content/uploads/2022\\_report-climatechangeandrace\\_final.pdf](https://www.enar-eu.org/wp-content/uploads/2022_report-climatechangeandrace_final.pdf)

Raygorodetsky, G. (2017, December 21). Braiding science together with Indigenous Knowledge. *Scientific American*.

<https://www.scientificamerican.com/blog/observations/braiding-science-together-with-indigenous-knowledge/>

*Request for an advisory opinion on the climate emergency and human rights submitted to the Inter-American Court of Human Rights by the Republic of Columbia and the Republic of Chile.* (2023). [https://www.corteidh.or.cr/docs/opiniones/soc\\_1\\_2023\\_en.pdf](https://www.corteidh.or.cr/docs/opiniones/soc_1_2023_en.pdf)

Richardson, K., Steffen, W., Lucht, W., Bendtsen, J., Cornell, S. E., Donges, J. F., Drüke, M., Fetzer, I., Bala, G., von Bloh, W., Feulner, G., Fiedler, S., Gerten, D., Gleeson, T., Hofmann, M., Huiskamp, W., Kummu, M., Mohan, C., Nogues-Bravo, D. (...), & Rockström, J. (2023). Earth beyond six of nine planetary boundaries. *Science Advances*, 9(37), 1–16. <https://doi.org/10.1126/sciadv.adh2458>

Rockström, J., Gupta, J., Qin, D., Lade, S. J., Abrams, J. F., Andersen, L. S., Armstrong McKay, D. I., Bai, X., Bala, G., Bunn, S. E., Ciobanu, D., DeClerck, F., Ebi, K., Gifford, L., Gordon, C., Hasan, S., Kanie, N., Lenton, T. M., Loriani, S. (...), & Zhang, X. (2023). Safe and just Earth system boundaries. *Nature*, 619, 102–111. <https://doi.org/10.1038/s41586-023-06083-8>

Rose, G. (1997). Situating knowledges: Positionality, reflexivities and other tactics. *Progress in Human Geography*, 21(3), 305–320. <https://doi.org/10.1191/030913297673302122>

Rosignoli, F. (2024). Decolonizing refugeehood: The rise of climate refugees as a new legal subjectivity. *Journal of Political Ecology*, 31(1). <https://doi.org/10.2458/jpe.5658>

Roy, B. & Hanaček, K. (2023). From the environmentalism of the poor and the Indigenous toward decolonial environmental justice. In S. Villamayor-Tomas and Muradian, R. (Eds.), *The Barcelona school of ecological economics and political ecology* (pp. 305–315). Springer.

- Saad, A. (2017). Toward a justice framework for understanding and responding to climate migration and displacement. *Environmental Justice*, 0(0), 1–4. <https://doi.org/10.1089/env.2016.0033>
- Schewel, K. (2023, July 20). Who counts as a climate migrant? *Migration Policy Institute*. <https://www.migrationpolicy.org/article/who-is-a-climate-migrant>
- Schloss, C. (2021, March 3). Climate migrants: How German courts take the environment into account when considering non-refoulement. *Völkerrechtsblog*. <https://voelkerrechtsblog.org/climate-migrants/>
- Scissa, C. (2022). The climate changes, should EU migration law change as well? Insights from Italy. *European Journal of Legal Studies*, 14(1), 5–23. <https://doi.org/10.2924/EJLS.2022.011>
- Scissa, C. (2024). *Human mobility in the context of disasters, climate change and environmental degradation in the Euro-Mediterranean region: Challenges and insights*. EuroMed Rights. [https://reliefweb.int/attachments/0ee75eab-93a7-4757-87fa-55a03b936247/Human mobility in the context of disasters%2C climate change and environmental degradation in the Euro-Mediterranean region - Challenges and insights.pdf](https://reliefweb.int/attachments/0ee75eab-93a7-4757-87fa-55a03b936247/Human%20mobility%20in%20the%20context%20of%20disasters%20climate%20change%20and%20environmental%20degradation%20in%20the%20Euro-Mediterranean%20region%20-%20Challenges%20and%20insights.pdf)
- Scott, M. (2014). Natural disasters, climate change and *non-refoulement*: What scope for resisting expulsion under articles 3 and 8 of the European Convention on Human Rights? *International Journal of Refugee Law*, 26(3), 404–432. <https://doi.org/10.1093/ijrl/eeu036>
- Scott, M. (2023). Adapting to climate-related human mobility into Europe: Between the protection agenda and the deterrence paradigm, or beyond? *European Journal of Migration and Law*, 25(1), 54–82. <https://doi.org/10.1163/15718166-12340144>
- Sendai framework for disaster risk reduction 2015–2030*. (2015). UN Doc A/CONF.224/CRP.1.

- [https://reliefweb.int/attachments/bb2977f8-e075-3835-a81b-efd59a5ead61/Sendai\\_Frame\\_work\\_for\\_Disaster\\_Risk\\_Reduction\\_2015-2030.pdf](https://reliefweb.int/attachments/bb2977f8-e075-3835-a81b-efd59a5ead61/Sendai_Frame_work_for_Disaster_Risk_Reduction_2015-2030.pdf)
- Sendut, J. H. (2020, February 6). Climate change as a trigger of non-refoulement obligations under international human rights law. *EJIL:Talk!*.  
<https://www.ejiltalk.org/climate-change-as-a-trigger-of-non-refoulement-obligations-under-international-human-rights-law/>
- Simpson, L. B. (2017). *As we have always done: Indigenous freedom through radical resistance*. University of Minnesota Press.
- Stavros, S. (2024, April 15). Climate change in Strasbourg: a big victory for the human-rights agenda through the rigorous application of international human-rights law. *Oxford Human Rights Hub*.  
<https://ohrh.law.ox.ac.uk/climate-change-in-strasbourg-a-big-victory-for-the-human-rights-agenda-through-the-rigorous-application-of-international-human-rights-law/>
- Steffen, W., Richardson, K., Rockström, J., Schellnhuber, H. J., Dube, O. P., Dutreuil, S., Lenton, T. M., & Lubchenco, J. (2020). The emergence and evolution of earth system science. *Nature Reviews Earth & Environment*, *1*, 54–63.  
<https://doi.org/10.1038/s43017-019-0005-6>
- Sultana, F. (2022). Critical climate justice. *The Geographical Journal*, *188*(1), 118–124.  
<https://doi.org/10.1111/geoj.12417>
- Takacs, D. (2003). How does your positionality bias your epistemology? *Thought & Action*, *27*, 27–38. [http://repository.uchastings.edu/faculty\\_scholarship/1264](http://repository.uchastings.edu/faculty_scholarship/1264)
- Tight, M. (2019). *Documentary research in the social sciences*. Sage Publications.
- Todd, Z. (2016). An Indigenous feminist’s take on the ontological turn: ‘Ontology’ is just another word for colonialism. *Journal of Historical Sociology*, *29*(1), 4–22.  
<https://doi.org/10.1111/johs.12124>

- Tormos-Aponte, F. (2021). The influence of Indigenous Peoples in global climate governance. *Current Opinion in Environmental Sustainability*, 52, 125–131. <https://doi.org/10.1016/j.cosust.2021.10.001>
- Tsang, M. (2021, January 21). Decolonial? Postcolonial? What does it mean to decolonise ourselves? *Decolonising Modern Languages and Cultures*. <https://blogs.ncl.ac.uk/decolonisesml/2021/01/21/decolonial-postcolonial-what-does-it-mean-to-decolonise-ourselves/>
- United Nations. (2023). Summary. In *Our common agenda: Report of the Secretary-General*. [https://www.un.org/en/content/common-agenda-report/assets/pdf/Common\\_Agenda\\_Summary\\_English.pdf](https://www.un.org/en/content/common-agenda-report/assets/pdf/Common_Agenda_Summary_English.pdf)
- United Nations Environment Programme. (2023). Executive summary. In *Emissions gap report 2023: Broken record*. <https://doi.org/10.59117/20.500.11822/43922>
- United Nations Framework Convention on Climate Change. (2011). *Decision 1/CP.16: The Cancun agreements: Outcome of the work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention*, UN Doc FCCC/CP/2010/7/Add.1. <https://unfccc.int/resource/docs/2010/cop16/eng/07a01.pdf>
- United Nations Framework Convention on Climate Change. (2013). *Decision 2/CP.19: Warsaw international mechanism for loss and damage associated with climate change impacts*, UN Doc FCCC/CP/2013/10/Add.1. <https://unfccc.int/resource/docs/2013/cop19/eng/10a01.pdf#page=6>
- United Nations Framework Convention on Climate Change. (2016). *Decision 1/CP.21: Adoption of the Paris agreement*, UN Doc FCCC/CP/2015/10/Add.1. <https://unfccc.int/resource/docs/2015/cop21/eng/10a01.pdf>

United Nations Framework Convention on Climate Change. (2023a). *Decision 1/CP.27: Sharm el-Sheikh implementation plan*, UN Doc FCCC/CP/2022/10/Add.1.  
[https://unfccc.int/sites/default/files/resource/cp2022\\_10a01\\_E.pdf#page11](https://unfccc.int/sites/default/files/resource/cp2022_10a01_E.pdf#page11)

United Nations Framework Convention on Climate Change. (2023b). *Decision 2/CP.27: Funding arrangements for responding to loss and damage associated with the adverse effects of climate change, including a focus on addressing loss and damage*, UN Doc FCCC/CP/2022/10/Add.1.  
[https://unfccc.int/sites/default/files/resource/cp2022\\_10a01\\_E.pdf#page11](https://unfccc.int/sites/default/files/resource/cp2022_10a01_E.pdf#page11)

United Nations Framework Convention on Climate Change. (2023c). *First global stocktake*, UN Doc FCCC/PA/CMA/2023/L.17.  
[https://unfccc.int/sites/default/files/resource/cma2023\\_L17\\_adv.pdf](https://unfccc.int/sites/default/files/resource/cma2023_L17_adv.pdf)

United Nations Framework Convention on Climate Change. (2024a). Annex I. In *Decision 1/CP.28: Operationalization of the new funding arrangements, including a fund, for responding to loss and damage referred to in paragraphs 2–3 of decisions 2/CP.27 and 2/CMA.4* (pp. 6–15), UN Doc FCCC/CP/2023/11/Add.1.  
[https://unfccc.int/sites/default/files/resource/cp2023\\_11a01E.pdf](https://unfccc.int/sites/default/files/resource/cp2023_11a01E.pdf)

United Nations Framework Convention on Climate Change. (2024b). *Decision 1/CP.28: Operationalization of the new funding arrangements, including a fund, for responding to loss and damage referred to in paragraphs 2–3 of decisions 2/CP.27 and 2/CMA.4*, UN Doc FCCC/CP/2023/11/Add.1.  
[https://unfccc.int/sites/default/files/resource/cp2023\\_11a01E.pdf](https://unfccc.int/sites/default/files/resource/cp2023_11a01E.pdf)

United Nations General Assembly. (1960). *Declaration on the granting of independence to colonial countries and peoples*, UN Doc A/RES/1514(XV).  
<https://www.refworld.org/legal/resolution/unga/1960/en/7290>

United Nations General Assembly. (2007). *United Nations declaration on the rights of Indigenous Peoples*, UN Doc A/RES/61/295.

<https://documents.un.org/doc/undoc/gen/n06/512/07/pdf/n0651207.pdf?token=yrdjEEbexyXDbFm6KH&fe=true>

United Nations General Assembly. (2016). *Resolution 71/1: New York declaration for refugees and migrants*, UN Doc A/RES/71/1.

[https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A\\_RES\\_71\\_1.pdf](https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_71_1.pdf)

United Nations General Assembly. (2019). *Resolution 73/195: Global compact for safe, orderly and regular migration*, UN Doc A/RES/73/195.

<https://documents.un.org/doc/undoc/gen/n18/451/99/pdf/n1845199.pdf?token=OjTAWxn mNTbTqutpYH&fe=true>

United Nations General Assembly. (2022). *The human right to a clean, healthy and sustainable environment*, UN Doc A/76/L.75.

[https://digitallibrary.un.org/nanna/record/3982508/files/A\\_76\\_L.75-EN.pdf?withWatermark=0&withMetadata=0&version=1&registerDownload=1](https://digitallibrary.un.org/nanna/record/3982508/files/A_76_L.75-EN.pdf?withWatermark=0&withMetadata=0&version=1&registerDownload=1)

United Nations General Assembly. (2023, October 31). With conflicts, climate change pushing displacement to record levels, Third Committee highlights need to ramp up refugee funding, address root causes. *Meetings Coverage and Press Releases*.

<https://press.un.org/en/2023/gashc4395.doc.htm>

United Nations High Commissioner for Refugees. (2023a, May 24). Over 1 million people internally displaced in Somalia in record time.

<https://www.unhcr.org/news/press-releases/over-1-million-people-internally-displaced-somalia-record-time#:~:text=A%20toxic%20mix%20of%20conflict,of%20displacement%20for%20the%20country>

United Nations High Commissioner for Refugees. (2023b). *Climate change impacts and cross-border displacement: International refugee law and UNHCR's mandate*.

<https://www.unhcr.org/sites/default/files/2023-12/UNHCR%20note%20on%20climate%20change%20international%20protection%20UNHCRs%20mandate%20Dec%202023.pdf>

United Nations Human Rights Committee. (2004). *General comment no. 31: The nature of the general legal obligation imposed on states parties to the covenant*, UN Doc CCPR/C/21/Rev.1/Add.13.

[https://digitallibrary.un.org/nanna/record/533996/files/CCPR\\_C\\_21\\_Rev.1\\_Add.13-EN.pdf?withWatermark=0&withMetadata=0&version=1&registerDownload=1](https://digitallibrary.un.org/nanna/record/533996/files/CCPR_C_21_Rev.1_Add.13-EN.pdf?withWatermark=0&withMetadata=0&version=1&registerDownload=1)

United Nations Human Rights Council. (2009). *Resolution 10/4: Human rights and climate change*, UN Doc A/HRC/RES/10/4.

[https://ap.ohchr.org/documents/E/HRC/resolutions/A\\_HRC\\_RES\\_10\\_4.pdf](https://ap.ohchr.org/documents/E/HRC/resolutions/A_HRC_RES_10_4.pdf)

United Nations Human Rights Council. (2017). *Resolution 35/20: Human rights and climate change*, UN Doc A/HRC/RES/35/20.

<https://documents.un.org/doc/undoc/gen/g17/184/52/pdf/g1718452.pdf?token=M3gQShhp eCkkukeB64&fe=true>

United Nations Human Rights Council. (2021). *Resolution 48/13: The human right to a clean, healthy and sustainable environment*, UN Doc A/HRC/RES/48/13.

<https://documents.un.org/doc/undoc/gen/g21/289/50/pdf/g2128950.pdf?token=MAtp4ITj9 5t1gwL7Jr&fe=true>

United Nations Human Rights Council. (2022). *Human rights violations at international borders: Trends, prevention and accountability: Report of the Special Rapporteur on the human rights of migrants, Felipe González Morales*, UN Doc A/HRC/50/31.

<https://documents.un.org/doc/undoc/gen/g22/328/57/pdf/g2232857.pdf?token=tK5KSYQ Kdusd88tRPe&fe=true>

United Nations Office for Disaster Risk Reduction. (2022, February 9). Fale-pili: Australia and Tuvalu build disaster-resilient classrooms.

<https://www.undrr.org/news/fale-pili-australia-and-tuvalu-build-disaster-resilient-classrooms>

United Nations Permanent Forum on Indigenous Issues. (n.d.). *Indigenous Peoples, indigenous voices: Factsheet*. United Nations.

[https://www.un.org/esa/socdev/unpfii/documents/5session\\_factsheet1.pdf](https://www.un.org/esa/socdev/unpfii/documents/5session_factsheet1.pdf)

Unitarian Universalist Service Committee. (2018). *One story: A report of the first peoples convening on climate-forced displacement*.

[https://www.uusc.org/wp-content/uploads/2019/04/UUSC\\_Report\\_ALASKA\\_web\\_2april.pdf](https://www.uusc.org/wp-content/uploads/2019/04/UUSC_Report_ALASKA_web_2april.pdf)

Vanderheiden, S. (2016). Environmental and climate justice. In T. Gabrielson, C. Hall, J. M. Meyer, & D. Schlosberg (Eds.), *The Oxford handbook of environmental political theory* (pp. 321–332). Oxford University Press.

Whyte, K. (2016). Indigenous environmental movements and the function of governance institutions. In Gabrielson, T., Hall, C., Meyer, J. M., & Schlosberg, D. (Eds.), *The Oxford handbook of environmental political theory* (pp. 563–579). Oxford University Press.

Whyte, K. (2017). Indigenous climate change studies: Indigenizing futures, decolonizing the Anthropocene. *English Language Notes*, 55(1–2), 153–162.

<https://doi.org/10.1215/00138282-55.1-2.153>

Whyte, K. (2019). Too late for Indigenous climate justice: Ecological and relational tipping points. *WIREs Climate Change*, 11(e603), 1–7. <https://doi.org/10.1002/wcc.603>

Yumagulova, L., Parsons, M., Yellow Old Woman-Munro, D., Dicken, E., Lambert, S., Vergustina, N., Scott, J. C., Michell, P., & Black, W. (2023). Indigenous perspectives on

- climate mobility justice and displacement-mobility-immobility continuum. *Climate and Development*, 1–18. <https://doi.org/10.1080/17565529.2023.222715>
- Widerberg, O. E. (2017). *Making the connections: Exploring structure, performance and coordination in a fragmented global climate governance system*. [PhD thesis, Vrije Universiteit Amsterdam]. VU Research Portal. <https://research.vu.nl/ws/portalfiles/portal/42790847/complete+dissertation.pdf>
- Wilkins, J., & Datchoua-Tirvaudey, A. R. C. (2022). Researching climate justice: A decolonial approach to global climate governance. *International Affairs*, 98(1), 125–143. <https://doi.org/10.1093/ia/iab209>
- Zeldin-O'Neill, S. (2019). 'It's a crisis, not a change': The six Guardian language changes on climate matters. *The Guardian*. <https://www.theguardian.com/environment/2019/oct/16/guardian-language-changes-climate-environment>
- Zickgraf, C. (2023, October 4). Where are all the climate migrants? Explaining immobility amid environmental change. *Migration Policy Institute*. <https://www.migrationpolicy.org/article/immobility-environmental-change>

## Appendix 1

**Table 3**

*The Literature Review Process*

Topic	First search words	AND	AND	(AND)
Analysis of Climate Mobility Governance				
... in Europe	Climate OR Climate-Induced OR Climate-Related OR Climate Change-C OR Climate Change-Related OR Environmental OR Environmentally OR Disaster OR Disaster-Induced OR Disaster-Related	Mobility OR Migration OR Migrant OR Refugee OR Displacement OR Displaced	Europe OR European OR EU OR Euro	
... through a climate justice lens	Climate Justice	Climate OR Climate-Induced OR Climate-Related OR Climate Change-Induced OR Climate Change-Related OR Environmental OR Environmentally OR Disaster OR Disaster-Induced OR Disaster-Related	Mobility OR Migration OR Migrant OR Refugee OR Displacement OR Displaced	Europe OR European OR EU OR Euro
... through a decolonial/ postcolonial lens	Decolonisation OR Decolonial OR Decolonising OR Decoloniality OR Postcolonialism OR Postcolonial OR Indigenous OR Indigeneity	Climate OR Climate-Induced OR Climate-Related OR Climate Change-Induced OR Climate Change-Related OR Environmental OR Environmentally OR Disaster OR Disaster-Induced OR Disaster-Related	Mobility OR Migration OR Migrant OR Refugee OR Displacement OR Displaced	Europe OR European OR EU OR Euro

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