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### **Our Moral Responsibility Towards Climate Refugees**

If we zoom into the center of the Pacific Ocean, we find a small, sinking island: Kiribati. Here resides Ioane Teitiota, a 40-year old man who has become the face of climate change: a vulnerable individual facing a problem that he cannot solve. In September 2015, Teitiota's claim for asylum as a 'climate refugee' was denied by the government of New Zealand. Seeing how his family's life as well as his own were under the attack of "sea level rise, overpopulation and salt-water intrusion", he realized that he could not simply give up (Su). Instead, this denial of human rights motivated Teitiota to bring a case against the government of New Zealand at the Human Rights Committee in February 2016. His case gained an incredible amount of momentum, ultimately inspiring the United Nations to adopt a landmark ruling in January 2020 that acknowledges climate refugees, granting them the same rights as political refugees and prohibiting countries from sending those environmentally displaced back home. While this opens the door to safe asylum for future climate refugees, the UN has upheld New Zealand's decision of Teitiota's case due to an inability to "prove that his life was in imminent danger" which leaves his future to remain uncertain (Su). The example of Teitiota illustrates the complex moral issues raised by climate change and climate refugees.

This paper will explore the ethical dilemmas of climate change and the moral responsibility that different nations have in protecting those environmentally displaced. In particular, utilizing the article "UN Ruling Could Be a Game-Changer for Climate Refugees and Climate Action" by Yvonne Su, I will be analyzing climate refugees' violation of justice under the capabilities and well-being theory, I will be addressing the moral responsibility that countries have in helping those

environmentally displaced through the polluter pays and the ability to pay theories, and I will argue that it is currently more important to focus on adaptation than mitigation of climate change. These three sections of the paper will conclude that rich, powerful, and developed nations are the most morally responsible to host refugees in an equitable and humanitarian manner because they are the main contributors to climate change, they have the most resources to help, and they hold the most power to take decisions that will dictate the future.

The issue of climate change is ethically complex because the direct consequences of our everyday actions are invisible to us. This is because there is a spatial and temporal divide between our fragmented actions and their negative consequences, detaching us from any moral guilt and freeing our consciousness. For instance, the daily habits we engage in today will not see their full consequences until years down the lane, potentially affecting a completely different corner of the world in a disproportionate and unequally distributed way. Because “our everyday ethics are tailored to our immediate vicinity” and to what we can see, feel, and understand, we find ourselves morally detached from our personal contribution to climate change (Roser and Seidel 8). At a broader level, this causes nations to feel a lack of guilt and a lack of responsibility to help populations displaced by climate change. However, this spatial and temporal disconnect to the damage we cause to the climate does not free us from our moral obligation to address the following questions: What rights should people displaced by climate change be granted? Who is responsible for helping climate refugees? What is more important: mitigating climate change to help climate refugees in the future or focusing on adaptation to help climate refugees today?

Until January 2020, climate refugees were not recognized under the legal framework of the international community that regulates human rights. Under the Geneva Convention of 1951 and the

Refugee Convention, the contested term “refugee” was defined as “any person who, owing to a 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/her nationality and is unable, or owing to such fear, is unwilling to avail himself/herself of the protection of that country” (Young). This outdated definition was limiting as it did not acknowledge the increasingly important intragenerational justice issue of entire populations being displaced by climate change. As a result, climate refugees were not given the same rights as political refugees, such as the right to safe asylum, freedom of thought, freedom of movement, freedom from torture and degrading treatment, right to medical care, right to schooling, and right to work. Instead, they only used to be able to legally enter and settle in another country if they satisfied their specific domestic immigration laws which are often quite narrow and restrictive (Young). One of the ethical arguments raised by Democratic politician Nancy Pelosi in the 2010 documentary “Climate Refugees” directed by Michael Nash, is that the basis of most conflicts are environmental, making each environmental refugee a political refugee (Nash). In addition, the dangers faced by environmental refugees are often just as serious and life-threatening as the danger that political refugees face. When a population is forced to be internally or externally displaced due to climate change effects, other political, economic, and social pressures surface, putting the refugees’ physical and mental health in grave danger. In this way, climate and political refugees are interrelated and cannot be isolated from each other. This is a perspective that Teitiota mirrors when he expresses, “I am the same as people who are fleeing war. Those who are afraid of dying, [they are] the same as me” (McDonald).

Despite Teitiota not being acknowledged as a climate refugee, his morally impactful case raised worldwide attention, influencing the recent UN Human Rights Committee’s landmark ruling stating

that “without robust national and international efforts, the effects of climate change in receiving states may expose individuals to violations of their rights ... thereby triggering the *non-refoulement*<sup>1</sup> obligations of sending states” (Su). Furthermore, Filippo Grandi, the UN High Commissioner for refugees, elaborates on the ruling stating how it has “confirmed that the recent ruling means those displaced by climate change should be treated like refugees by recipient countries” (Su). This is a significant step as it recognizes the pressing issue of climate displacement and it demonstrates how countries will begin to have more legal obligations to help climate refugees under international law. However, this landmark ruling is not legally binding, meaning that nations are not necessarily obliged to grant climate refugees the same rights as political refugees.

The continued negation of granting basic human rights to the environmentally displaced such as Teitiota and his family depicts a classical failure of justice under both the capabilities and the well-being theory. This violation is evident when powerful, rich, developed nations make decisions that directly and negatively impact developing populations that are most affected by climate change. On the one hand, justice is violated under the capabilities theory because climate refugees are usually not granted the *opportunity* to enjoy a safe and fulfilling life. This was clear prior to the UN’S landmark ruling but it still is in effect today as we can see from Teitiota’s legal case. Despite the landmark ruling stating that climate refugees seeking asylum cannot be returned back to their country, the fact that it is not legally binding provides a significant barrier that prevents climate refugees from being acknowledged and being given the same rights as political refugees. On the other hand, justice is also violated under the well-being theory because most climate refugees do not wind up achieving the *outcome* of a safe and fulfilling life, as we again have seen with Teitiota’s case. In this situation, with the

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<sup>1</sup> Non-refoulement: an international law principle that forbids a country from returning asylum seekers to a country where they would be in danger.

recent change in the UN's landmark ruling, international organizations seem to be working more towards the capabilities theory of justice by treating climate refugees in the same way as political refugees. This opportunity would ideally grant those environmentally displaced the outcome of seeking a safe and fulfilling life. However, as we have seen, this is rarely achieved, signaling that international organizations should start working more towards the well-being theory by holding countries legally accountable. Overall, the actual positive outcome of climate refugees should be more important than the mere ability to reach such an outcome.

The injustice becomes even more apparent when contrasting which countries are the biggest contributors to carbon emissions and which countries face the majority of the negative consequences. When doing so, we can identify a clear discrepancy between developed and developing nations. Overall, developing nations have historically contributed the least towards climate change yet they tend to be the most affected, winding up paying the bulk of the costs. This shows how developed nations that have a culture of over-consumerism flourish at the expense of the well-being of developing nations. This trend is geographically interesting as there is a distinct separation between the Global North, comprising primarily of historically polluting developed nations, and the Global South, comprising of affected developing nations. For instance, in the specific case of environmental displacement, the Global South, particularly Pakistan and Lebanon, host most of the climate refugees of the world. This takes us back to our second moral dilemma: who should be responsible for taking care of climate refugees?

Among the different theories that can help us answer who should take care of climate refugees, I will focus on the following two: the "polluter pays" principle and the "ability-to-pay" principle. The "polluter pays" principle states that those who carry out the greatest injuries should pay the greatest

portion of the cost, either monetarily or by hosting environmental refugees (Roser and Seidel 127).

This theory is quite straightforward as it seems to be ethically reasonable to place most of the responsibility upon those who have contributed the most to the problem. However, this theory is unclear about who exactly should pay: individuals, large industries, or nations? Furthermore, how can one effectively calculate and determine how much one has polluted? In addition, the theory calls upon a sense of responsibility. As we have seen with the ethical implications of climate change, it tends to be difficult for nations and people to have a strong sense of moral responsibility towards the effects and costs of climate change. However, in the case of climate refugees, the effect of climate change is evident and apparent, urging countries to take responsibility and adapt to this adverse effect rather than simply mitigate climate change.

The “ability-to-pay” principle states that adaptation, compensation, and mitigation costs should be “distributed among all individuals in such a way that each person bears all the costs in proportion to his or her own prosperity above the sufficiency threshold” (Roser and Seidel 148). This idea hints at the fact that we are all, to some extent, responsible for the creation and consequences of climate change. As a result, we all have a moral responsibility to pay for its cost in an equitable manner, paying as much as we are able to. Although it is true that we all contribute to climate change, the disproportionate way in which certain powerful nations largely pollute the environment makes this particular theory seem somewhat unjust. For instance, why should countries who are gravely affected by climate change but have barely contributed have to pay a portion of the cost when they are already suffering?

Often, those who are the most capable of paying for the costs of climate change are also the ones who are the most responsible for its negative consequences. Although being somewhat of a

generalization, this suggests that the implementation of either theory would be beneficial to help address environmental displacement in a changing geographical world. Currently, many theories and policies are being discussed but there has been a general lack of transforming ideas into tangible actions. Therefore, addressing some of the intricacies of the theories and pushing to implement either one or a combination of the two, would be an important step forward. Ideally, the world should strive for an international policy that combines the “ability-to-pay” and the “polluter pays” theories. In this way, the costs would be distributed in a way that accounts for the issue of moral responsibility, placing a disproportionate part of the cost on those who both pollute the most and are in the best position to pay.

While looking at the costs of climate refugees, what should be the primary focus: climate change mitigation or adaptation? Since environmental displacement is a conflict of intragenerational justice, adaptation is necessary for the survival of certain populations and cultural identities. Ideally, both mitigation and adaptation actions are needed, however, the focus should arguably be on adaptation as we are seeing the real danger in environmental displacement all over the globe. This increase in climate refugees is important as it is having a wide array of adverse effects. For instance, it is putting the entire culture and future of certain populations, particularly those who are already socio-economically worse-off, in jeopardy. In addition, there is a significant effect on both physical and mental health. When families are separated from each other, their home, and their culture and are placed in an unknown area where they are not granted much protection, there is a great amount of trauma and sense of constant fear. Additionally, when there is environmental internal or external displacement, the increase in population can impact the political and economic pressures of the area.

Overall, these adverse effects of climate change displacement demonstrate how prevalent, overarching, and dangerous this issue truly is, calling for a need to adapt.

In conclusion, Ioane Teitiota's legal case against the government of New Zealand for not granting him safe asylum as a "climate refugee" has changed the future of the environmentally displaced. His case contributed to the United Nations' recent landmark ruling on climate refugees. While not a law, it encourages countries not to send refugees seeking environmental asylum back to their country. This paper utilized the article "UN Ruling Could Be a Game-Changer for Climate Refugees and Climate Action" by Yvonne Su to argue three main points. First, the international community should shift their focus to the well-being theory of justice to ensure the human rights of refugees are being fulfilled. Second, there should be an implementation of either the "polluter pays" principle, the "ability-to-pay" principle or a combination of both to ensure that the distribution of climate refugees is done in an equitable and just way. Last, there should be an urgent focus on the adaptation to the adverse effects of climate change rather than merely mitigating the future effects as environmental displacement is an issue of intragenerational justice. As we think about the ethically complex issue of environmental displacement, it is important to realize that we are all being affected in one way or another and that Teitiota's influence on the UN's landmark ruling is a mere piece in the puzzle to achieve climate justice.



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