

The World's Forgotten Victims: With Special Reference to Climate Change

Lakshmi Chebolu*

Abstract

One of the biggest concerns in today's society is climate change. Billions of people all over the globe are impacted by human-caused climate change. Environmental threats, such as air pollution, overfishing in the oceans, hazardous garbage, and deforestation, are common examples of "problems without passports", or difficulties that cut across national boundaries. No country is immune, and without international collaboration, no country can resolve these problems on its own. An estimated 41 individuals are forced to leave their households every minute as a result of extreme weather, further as temperatures rise, the most defenceless people in the world will suffer the most. This study aims to emphasise on consequences of ecological conversion on the status of individuals, International legal protection and State's responsibility, and necessary suggestions to improve the status of displaced individuals as the result of climate change.

Keywords: Climate change, displacement, human rights protection, vulnerable communities, international community

INTRODUCTION

"Both the natural and artificial elements of man's immediate surroundings are essential to his welfare and the enjoyment of fundamental human rights, including the right to life itself."

—United Nations, Stockholm, 1972.

All people are born free, with the same rights and respect [1]. This is well acknowledged by the community since the notion of human privileges or natural rights had been advocated. Conversely, the human community fails to acknowledge its duties toward nature. According to our scripture, "Vruksho Rakshati Rakshitah", one who protects trees is protected, implying that one who preserves nature benefits from it and that one who abuses it slowly but definitely embarks on the path of self-destruction. Human rights are being infringed upon as a result of an unsustainable natural system. Environmental change is expected to have an impact on every country on the planet, but not all areas will experience its impacts equally, and some will fare worse than others due to a number of issues. Generally speaking, developed nations and countries with greater economic levels have more resources to combat the unavoidable effects of climate change. Low-income countries do not, though. Emerging nations, areas

of severe destitution, and nations with dysfunctional administrations occasionally meet the biggest dangers from environmental change and are often unprepared to discern efficient ways to combat the ecological issues. Weather change is expected to worsen the frequency, severity, and outcomes of several extreme weather occurrences. The problem is enormous: 90% of megacities globally are vulnerable to increasing sea levels, and two out of every five people on the planet live within 100 km of the shore. Flooding is displacing millions of climate refugees from their homes and ruining

*Author for Correspondence

Lakshmi Chebolu
E-mail: chlakshmi197@dsnu.ac.in

Assistant Professor, Faculty of Law, Damodaram Sanjivayya
National Law University, Anapapalli, Andhra Pradesh, India

Received Date: September 04, 2023

Accepted Date: September 24, 2023

Published Date: October 05, 2023

Citation: Lakshmi Chebolu. The World's Forgotten Victims: With Special Reference to Climate Change. National Journal of Environmental Law. 2023; 6(2): 34-42p.

infrastructure worth billions of dollars. Rapid urban population growth is forcing people closer to the water, raising housing costs to unaffordable levels, and displacing the poorest households because there is nowhere to expand. It is abundantly clear that the climate problem is both the biggest environmental challenge the entire world is currently confronting and a significant poverty multiplier.

CLIMATE CHANGE: CAUSES AND CONSEQUENCES

Rapid urban population growth is forcing people closer to the water, raising housing costs to unaffordable levels, and displacing the poorest households because there is nowhere to expand. On occasion, climate change can increase the vulnerability of water sources to droughts while sea level rise intensifies the effects of coastal storms. It is abundantly clear that the climate problem is both the biggest environmental challenge the entire world is currently confronting and a significant poverty multiplier [2]. Climate change is the long-term alteration of temperature and weather patterns. These changes might occur from adjustments in the solar cycle or from innovations in technology. The formation of greenhouse gases causes the heat from the sun to be trapped on Earth. Examples of greenhouse gas emissions that are causing climate change include carbon dioxide, methane, and carbon monoxide. For instance, they are created while burning coal or gasoline to heat a building or power a vehicle. Additionally, the removal of forests and other land can emit carbon dioxide.

Waste dumps are the main source of methane emissions. Energy, industry, transportation, buildings, agriculture, and land use are some of the main emitters [3]. Global warming and climate change are the results of human-caused greenhouse gas emissions and the worldwide changes in weather patterns that follow. Although there have been periods of climate change in the past, since the middle of the 20th century, humans have had an unmatched influence on the Earth's climate system and have contributed to change on a worldwide scale. It might make weather patterns less predictable. Unpredictable weather patterns can be particularly difficult for countries like India, whose economies are strongly reliant on agriculture. Additionally, it regularly causes natural disasters like cyclones, storms, and floods. Global warming is mostly caused by greenhouse gas emissions, of which carbon dioxide (CO₂) and methane account for more than 90%. The largest source of these emissions, along with minor quantities from manufacturing, agriculture, and deforestation, is the burning of fossil fuels (coal, oil, and natural gas) for energy. Changes to the land and ocean carbon sinks, the disappearance of snow and ice cover that reflects sunlight, a rise in water vapour (a greenhouse gas in and of itself), and other causes are all examples of climate feedback. Due to the almost twice-as-high increase in land temperatures as compared to the global average, the desert has expanded and the frequency of heat waves and wildfires has increased. Temperature rise is also accelerated in the Arctic, where it has caused permafrost thawing, glacier retreat, and sea ice loss. Warmer temperatures cause higher rates of evaporation, which intensifies storms and worsens weather. As the ecosystem around them changes, many species could be pushed to move or even become extinct, most notably in coral reefs, mountains, and the Arctic. Rising sea levels, rising ocean temperatures, ocean acidification, threats to those without access to food and water, flooding, infectious diseases, extremely high temperatures, economic losses, and displacement will all persist for centuries even if efforts to reduce future warming are successful. Global society began to worry about climate change and how it will impact the exercise of human rights over time. In the 21st century, migration has been significantly influenced by climate change in addition to social, economic, and political factors. Climate change poses an urgent and serious threat to global communities and individuals, and it also has an impact on how fully one can exercise one's fundamental rights. More those who are concentrated in regions at greater risk, the world's poor are more vulnerable to the effects of climate change, and they often have less ability to adapt. A number of climate change-related effects, both directly and indirectly, have an impact on how effectively human rights, such as the right to life, the right to adequate food, the right to the best possible health, the right to adequate housing, the right to self-determination, and human rights obligations related to access to clean water and sanitation, are enjoyed [4].

AMBIGUITY TO DETERMINE THE LOCUS OF VICTIMS

Some of the terminologies that are used in worldwide media are "environmental migrants or refugees", "climate change-induced migrants or refugees", and "environmentally displaced individuals". It is crucial

to understand that refugees from climate change are not migrants, nevertheless. With the possibility to migrate back to their nation of origin, pull incentives for migrants include greater economic opportunities and friendlier sociocultural or political conditions. However, owing to push factors like armed conflict or the fear of ferocity, it is almost impossible for a refugee to return to their own country. Like cyclones, sea level rise, intense heat waves, and desertification, climate change events also act as push factors with long-lasting effects, including the loss of livelihoods, biodiversity, food, and water. As a result, it is permissible to refer to them as "Climate Refugees" in order to reduce their suffering on a worldwide scale. According to the definition, a "Climate Refugee" is someone who was "primarily forced to leave their home due to causes of environmental degradation or climate conversion".

However, international law safeguards the rights of those who are expelled from their country of nationality because they are unable or unwilling to benefit from that nation's fortification due to their race, creed, nationality, membership in a particular social group, or political opinion, or if they lack a nationality and are outside of the nation of their former customary dwelling [5]. They frequently had to run away taking only what they were wearing on their torsos and leaving everything, sometime including loved ones. People who have crossed boundaries in pursuit of safety in another country require international protection. Due to this, the Status of those in similar circumstances was also acknowledged, and they gained the right to apply for asylum in order to avoid persecution in other countries [6]. Additionally, it was mandated that no State can send forcibly any individual or individuals, to his, her, or their home State where there is a persecution to their life [7]. The International Convention for the Protection of All Persons from Enforced Disappearance (ICEPD) and the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (CAT) both expressly recognized the principle of non-refoulement. Human rights laws have long recognised people's rights when their country poses a threat to their safety on a social or political level. However, the Refugee Convention does not be appropriate to everyone who might otherwise fit the definition of a refugee. More than 870,000 Rohingya refugees from Myanmar are now experiencing more frequent and severe cyclones and flooding in Bangladesh after fleeing violence there [8]. As of mid-2020, the United Nations High Commissioner for Refugees (UNHCR) estimates that more than 2.6 million Afghans were internally displaced and another 2.7 million were refugees, mainly in Pakistan and Iran [9]. Since 2010, weather-related disasters have, on average, compelled 21.5 million people each year to relocate. According to UNHCR, nearly 90% of refugees originated from counties that are the most vulnerable to the adverse effects of global warming and have no capacity to espouse any measures to mitigate the ecological impact. The UNHCR cited Afghanistan as an example, noting that virtually all of its 34 provinces have experienced at least one disaster in the previous 30 years, making it one of the world's most disaster-prone nations. Environmental dilapidation and conversion have a significant influence on a Nation's fundamental duty to safeguard its citizens and their capacity to bargain on a global scale, notwithstanding international legal systems to protect climate refugees.

A RULING THAT PERMITS THE SUBMISSION OF REFUGEE PETITIONS

Small Pacific Island States Inhabitants in New Zealand: A First Case on Climate Refugees

Ioane Teitiota's asylum request in New Zealand was turned down in 2015, and he was sent back to Kiribati with his wife and kids. He complained to the United Nations Human Rights Committee. The United Nations Human Rights Committee (HRC) released its views on the matter of *Ioane Teitiota v. New Zealand* [10] on October 24, 2019. He claimed that New Zealand had infringed his right to life by deporting him. According to Mr. Teitiota, Kiribati has become uninhabitable for all of its population as a result of the rising sea level and other effects of climate change. Habitable land was getting harder to find, which led to violent land disputes. Subsistence farming was challenging due to environmental degradation, and freshwater supplies were tainted by seawater. The Committee determined that in Mr. Teitiota's specific case, New Zealand's courts were not infringing on his liberty to live at the time of the facts because it was found that, despite the precarious situation in Kiribati, enough safeguards were put in place after a thorough and meticulous analysis of his testimony and other pertinent data. Yuval Shany, a Committee expert, stated that despite this, the decision "sets forth new standards that could facilitate

the success of future asylum claims related to climate change". It was determined that when contesting the return of migrants to their countries of origin, national courts and others must consider this. According to the ruling, individuals whose right to life is being violated by climate change cannot be returned to their state of origin.

The UN has regularly considered and recognised how climate change may affect the exercise of human rights. The Conference of the Parties to the United Nations Framework Convention on Climate Change (COP UNFCCC) and the UN Human Rights Council have both acknowledged that a number of rights that are universally acknowledged are in danger due to climate change effects like rising sea levels and more frequent and severe extreme weather events. Natural disasters, droughts, and other weather-related calamities are forcing more people to abandon their homes as the global climate situation worsens. These folks are sometimes referred to as "climate refugees".

INDIVIDUALS' EXPOSURE TO CLIMATE CHANGE

People are denied their fundamental rights because of climate change, and some prefer to leave before things get worse, while others will be uprooted by disasters with quick onsets, like cyclones, or gradual ones, like drought. Despite the national and international legal framework, it is estimated that pollution causes one in six premature deaths and that climate change is responsible for tens of millions of displaced people. Because of the decline in biodiversity, ecosystems as a whole are in danger of collapsing. States that are primarily coastal and a few small islands States, developing nations, and countries with low-lying coastal regions, dry, semi-arid, or regions prone to flooding, drought, and desertification, are particularly vulnerable to the negative effects of climate change. There are numerous ways that climate change affects people. Their ability to generate food, their safety, their employment, and their shelter, all suffer. Small island developing nations' citizens are already more susceptible to weather conversions. Whole towns have been compelled to evacuate as a result of causes like rising waters and saltwater intrusion. The poor, women and girls, indigenous peoples, people with disabilities, and children are disproportionately impacted by environmental degradation [11].

Since 1980, the number of people residing in coastal areas at imminent danger of sea level rise has risen from 160 million to 260 million. 90% of them are citizens of underdeveloped countries and small island states. The Intergovernmental Panel on Climate Change (IPCC) report's prediction that sea levels surrounding India will rise by 2050 is consistent with the Ministry of Earth Sciences' finding that sea levels have been rising in the North Indian Ocean at an accelerated rate of 3.3 mm/year from 1993 to 2017. According to new research on the impacts of sea level rise on coastal Indian cities, several significant properties and road networks in Mumbai, Kochi, Mangalore, Chennai, Vishakhapatnam, and Thiruvananthapuram would be submerged [12]. According to estimates, 17% of Bangladesh will be submerged by the year 2050 as a result of sea level rise, uprooting 20 million people and destroying their homes. The Philippines is particularly susceptible to the impacts of climate change, including rising sea levels, more frequent instances of extreme weather, rising temperatures, and heavy rains. It is the result of its long coastlines, where the bulk of its people and all of its major cities are situated, significant exposure to natural hazards, dependence on climatically sensitive natural resources, etc. [13]. Cooperation between China and the United States is considered as important to global efforts to avert the worst effects of climate change as the two nations with the biggest greenhouse gas emissions in the world. Many people in underdeveloped countries are currently being deprived of daily food and other requirements due to droughts and windstorms that are occurring on a scale that has never been seen before. We can still clearly recall the migration into Mexico in November 2021 as people fled the devastation caused by two big hurricanes in Honduras, Guatemala, and El Salvador and headed for the border with the United States.

INTERNATIONAL LEGAL REGIME FOR CLIMATE PROTECTION

Since the last decades of the 21st century, countries have been debating how to prevent climate change and protect environment. The first environmental agreement that served as a template for

subsequent environmental diplomacy was the 1987 Montreal Protocol. This convention required the production of ozone-depleting chemicals, such as chlorofluorocarbons, by the member states (CFCs). This Protocol was somewhat successful in getting rid of 99% of these ozone-depleting chemicals early on. To reduce hazardous anthropogenic interference with the climate system and maintain atmospheric greenhouse gas concentrations, international community agreed to reduce the production of Hydro Fluorocarbons (HFCs), powerful greenhouse gases, through the Kigali Amendment, 2016 [14]. The essential legal framework and regulatory values for global weather conversion cooperation were generated by the United Nations Framework Convention on Climate Change (UNFCCC), which was founded in 1992. To improve the UNFCCC's effectiveness since 1992, the Kyoto Protocol was approved in December 1997. It obliged developed countries and those transitioning to a market economy to achieve specific emissions reduction goals for a set of six GHGs. The Kyoto Protocol's initial commitment phase lasted from 2008 to 2012. The 2012 Doha Amendment created the second commitment term, which lasted from 2013 to 2020. All parties must decide, plan, and subsequently report on their nationally determined contributions (NDCs) to climate change mitigation, according to the Paris Agreement, which was approved in December 2015. Every five years, the parties review their cumulative work on mitigation, adaptation, and means of implementation during the Global Stocktake. The nastiest influences of weather transformation and its upshot on human rights violations are still being felt worldwide, despite increased diplomatic efforts and widespread international consensus.

One of the biggest issues in today's globe is climate change. Nature is significantly impacted by State growth, either directly or indirectly. The lives of billions of people around the world are being impacted by dangerous and widespread disruptions in nature brought on by human-induced climate change [15]. The Conference of the Parties (COP) of the United Nations Framework Convention on Climate Change was held from 6 November to 20 November, 2022 in Sharm El Sheikh, Egypt. There it was observed that climate refugees are increasing in India. Further discussed in coastal areas, where 80% of inhabitatns are at risk of severe hydro-meteorological disasters and extremely vulnerable to climate change. By 2050, it is predicted that 5 crore Indians will be internally displaced due to climate change. The United Nations High Commissioner for Refugees (UNHCR) estimates that in 2021, natural catastrophes and climate change forced nearly 50 lakh Indians to flee their homes [16]. India is one of the nations identified in both national and Intergovernmental Panel on Climate Change (IPCC) studies as global hotspots due to its geographic and socioeconomic vulnerabilities [17]. Over the course of the next 30 years, the climate catastrophe may cause the internal displacement of 143 million people or slightly more than the total population of the state of Maharashtra. By 2050, the drought is expected to have forced 44 million people out of their houses. While drought and other effects begin more slowly in interior areas, floods, cyclones, and other weather-related disasters are rising rapidly in the Coastal States [18].

According to a 2021 evaluation by the Council for Energy, Environment and Water, over 74% of India's districts are susceptible to extreme weather occurrences, which also affect 27 states and union territories. The five states most susceptible to cyclones, floods, and droughts are Assam, Andhra Pradesh, Maharashtra, Karnataka, and Bihar. Everyone is aware that conventional methods of surviving are challenging due to extreme heat, drought, floods, unforeseeable rain patterns, and other indicators of a climatically unstable system [19]. The term "refugee" has been applied to those who have moved because of climate change, despite how highly politicized it is. Governments all across the world are concerned that if they give the problem a formal name, they would be held responsible for this most recent humanitarian crisis. This dialogue is urgently needed as more and more people are forced to relocate due to the effects of climate change. In its 2018 Global Compact on Refugees, the UN noted that "climate, environmental degradation, and disasters increasingly interact with the drivers of refugee movements". When the UNHCR released data in April 2021 showing that the number of people displaced by climate change-related disasters since 2010 has increased to 21.5 million, it noted that "in addition to sudden disasters, climate change is a complex cause of food and water shortages, as well as difficulties in accessing natural resources". Certain people "may have a viable claim for refugee status", the UNHCR acknowledged".

NEED FOR INTERNATIONAL PROTECTION

In view of Filippo Grandi, UN High Commissioner for Refugees, "Disaster cannot be avoided by watching it unfold. We must make preparation investments now in order to reduce future protection requirements and halt additional climate-related displacement". International human rights law is also relevant to climate change in three different ways, albeit vaguely, even if the international legal system remains silent on climate refugees.

Meteorological conditions on Human Rights

When formulating human rights policies, climate change must be taken into account. It could influence how individuals exercise their rights to, among other things, life, health, food, liveable quality of life, property, and cultural growth. When States are confronted with the negative effects of climate change, an effort to promote adaptation may be seen as a way to protect the human rights of those who reside under their control.

Nation's Responsibility to Respect Human Rights Policies

States' commitments to respect and preserve human rights may also be understood to include obligations to restrict greenhouse gas (GhG) emissions within their boundaries as grounds for taking action to mitigate climate change. It does, however, require a significant extension of the conceptual framework on the protection of human rights because the majority of the effects of GhG emissions occur outside of the location where these emissions occur. It is debatable whether a State's control over GHG emissions that take place on its territory or under its jurisdiction is enough to establish control over these GHG emissions' far-reaching effects because a State's duty to respect and protect human rights has typically been understood to apply to any situation that is effectively under its control. Although effective climate change mitigation measures are provided under International law, however, the current human rights institutions are not well-suited to deal with issues that arise from global activities that have a wide range of repercussions.

Nation's Policies: Human Rights Violation

The evaluation of the results of corrective actions has a more direct bearing on human rights. Projects aimed at mitigating or adapting to climate change could unintentionally backfire. For instance, a hydroelectric dam could improve water management and provide a clean source of electricity, but it typically requires moving people that are already based in the region where the reservoir will be built. Responses to climate change must not infringe on the human rights of affected populations.

AGENDA OF THE STATE

In the Barcelona Traction case [20], the World Court (ICJ) said that there are two separate sorts of State responsibility: Obligations *erga omnes*, and State-to-State duties.

Later, the International Law Commission (ILC) defined the concepts of State liability in the 2001 Articles on the liability of States for Internationally Wrongful Acts (ARSIWA [21]). This leads to the conclusion that "every internationally wrongful act of a State entails that State's international responsibility [22]."

"Internationally Wrongful Act" is defined as an act or omission that is [23]:

- a. Perceptible to the State, and
- b. Violates State's international obligation.

The essential concept of state responsibility is that the sovereign equality of states forbids complete freedom from damage and total freedom of action. Considering this, no nation can evade its responsibility to protect both environment and people.

However, the international community should not let the semantic differences between words used to characterise the status of individuals migrating as a result of climate change divert their focus. We

must recognise the problem, come up with effective solutions, and assist people who have been displaced due to climate change. As a result, unlike the Kyoto Protocol, which primarily indebted wealthy countries to mitigate emanations, the Paris Agreement acknowledged that environment transformation is a collective concern and alerted all nations to establish emanation areas. It is challenging to judge whether the international community and nations are taking sufficient action to address climate refugees given the severity of the problem. Recent data visualizations show in what way the environment calamity integrates with other enormities for compulsory relocation and increase the vulnerability of those who have already been left their hometowns [24]. Extreme heatwaves, a drought, and catastrophic flooding in 2022 affected millions of people and cost billions of dollars [25]. The areas with the lowest rates of economic growth will undoubtedly be the ones to fully bear the consequences, in part because of their physical location.

Climate refugees are neither covered by Refugees Convention nor by their own state due to their unique social, economic, and technological characteristics. Due to the lack of government data on them, they are referred to as the "forgotten victims of climate change". Aside from soft regulations to limit GHG emissions, there is no formal law connected to State Responsibility to safeguard people in the event that their rights are violated due to climate change. Climate refugees are a growing problem, even though they have not been explicitly acknowledged by international administration. According to the UNHRC statement from 2018, citing Article 6 of the International Covenant on Civil and Political Rights (ICCPR)1966, "environmental degradation can be considered a violation of the natural rights of individual to live". This was one of the most significant rulings in the "climate refugees" statute. At the Conference of the Parties (COP) 21 in Paris, the term "climate migrants" was acknowledged in the preamble to the agreement, giving the topic significant impetus. Nations like France have begun developing legislation for climate refugees as they realise the potential danger of them entering Europe. South Asian countries, however, lag far behind in recognising the problem as a result of a lack of information, resources, or both [26]. International human rights legislation must now take into account the vulnerable circumstances of climate refugees and expand its scope to cover uninvolved victims of the elements. However, when there are human rights breaches, State accountability can be increased by drawing conclusions about universal truths and developing new legal grounds. According to the no-harm principle, states have a duty to respect one another and are severely liable for any harm that they may cause to the human community. One must also take precautions to mitigate the effects of climate change. States have shared and numerous tasks as well as a common but differentiated duty.

CONCLUSION

Air pollution, ocean overfishing, hazardous waste, and deforestation are some communal examples of "problems without passports", or challenges that transcend national borders. It is well acknowledged that *no country is risk-free, no country is immune*, and further in the absence of international cooperation, *no country can handle these challenges*. Hundreds of millions of people will undoubtedly become more susceptible to increasing environmental threats as a result of climate change, which will drive many of them to relocate and migrate. While the disaster or climate change process itself will not amount to "persecution" in and of itself, it might create an environment in which harms that do fall under the purview of current international protection regimes emerge, as it is perpetrated by State [27]. However, to encounter the significant shortages at global level, it would require certain necessary measures to ensure the lives of millions of individuals. Such as:

1. The international community has not yet recognized this new wave of migrants. There is no consensus on what constitutes a "climate refugee" and what their legal status is because the word "refugee" has a very particular meaning in international law.
2. There is a need to acknowledge how climate change is affecting global human migration so that the right actions may be made to solve their problems.
3. There is a necessity to reach a collective pact in directive State's obligation in order to protect and aid climate refugees.

4. As a cornerstone of international law, they must uphold the non-refoulment principle and apply it to persons whose lives or way of life will be severely affected by the negative effects of natural calamities.
5. Nations shall adopt 4p's Policy. Such as: Public, Private, People, Partnership to meet certain environmental exigencies in human life.

In view of UNHRC, not to provide asylum or forcibly send individuals where there is a life-threatening danger due to climate change is an illegal act of nation. There might be a growing consensus that these individuals should be classified as climate refugees under international law and that the necessary institutional structures should be developed to address their problem. Nearby is a ray of hope for the forgotten victims in light of this.

REFERENCES

1. United Nations. Universal Declaration of Human Rights: United Nations (Article 1). [Online]. United Nations. United Nations; 2023 [cited 2023 Sep 25]. Available from: <https://www.un.org/en/about-us/universal-declaration-of-human-rights#:~:text=Article%201,in%20a%20spirit%20of%20brotherhood.>
2. United Nations. (2023). Causes and Effects of Climate Change. [Online]. United Nations. [cited 2023 Sep 25]. Available from: <https://www.un.org/en/climatechange/science/causes-effects-climate-change>
3. United Nations. (2023). Key Findings: United Nations. [Online]. United Nations. [cited 2023 Sep 25]. Available from: <https://www.un.org/en/climatechange/science/key-findings>
4. Human Rights Council. Tenth Session: Resolution 10/4, Human rights and climate change. [Online]. Available from: https://ap.ohchr.org/documents/E/HRC/resolutions/A_HRC_RES_10_4.pdf
5. OHCHR. (2023). Convention relating to the Status of Refugees [Online]. [cited 2023 Sep 25]. Available from: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-relating-status-refugees#:~:>
6. United Nations. (2023). Universal Declaration of Human Rights: United Nations (Article 14). [Online]. United Nations. [cited 2023 Sep 25]. Available from: <https://www.un.org/en/about-us/universal-declaration-of-human-rights#:~:text=Article%2014,principles%20of%20the%20United%20Nations.>
7. OHCHR. The principle of non-refoulement under international human rights law. [Online]. Available from: <https://www.ohchr.org/sites/default/files/Documents/Issues/Migration/GlobalCompactMigration/ThePrincipleNon-RefoulementUnderInternationalHumanRightsLaw.pdf>
8. UNHCR. (2021). Climate change link to displacement of most vulnerable is clear: [Online]. UN News. [cited 2023 Sep 25]. Available from: <https://news.un.org/en/story/2021/04/1090432>
9. Ibid.
10. Human Rights Committee (HRC). Case *Ieoane Teitiota v New Zealand*, Communication No 2728/2016 Views of 24 October 2019.
11. Koshy J. (2022 May 18). Pollution caused one in six deaths worldwide in 2019, finds study [Online]. The Hindu. [cited 2023 Sep 25]. Available from: <https://www.thehindu.com/sci-tech/energy-and-environment/pollution-caused-one-in-six-deaths-worldwide-in-2019-finds-study/article65423561.ece>
12. DH Web Desk. (2022 Apr 8). India's coastal cities may be inundated by 2050: Report. [Online]. Deccan Herald. [cited 2023 Sep 25]. Available from: <https://www.deccanherald.com/india/indias-coastal-cities-may-be-inundated-by-2050-report-1098840.html>
13. PAGASA. (2023). Climate change in the Philippines. [Online]. Dost.gov.ph. [cited 2023 Sep 25]. Available from: <https://www.pagasa.dost.gov.ph/information/climate-change-in-the-philippines#:~:text=The%20country's%20coastal%20resources%20are,permanent%20inundation%20in%20the%20future.>
14. Lindsay Maizland. (2020). Global Climate Agreements: Successes and Failures. [Online]. Council on Foreign Relations. [cited 2023 Sep 25]. Available from: <https://www.cfr.org/backgrounder/paris-global-climate-change-agreements>

15. Ibid
16. All Indians Matter. (2023). India will have 5 crore internal climate refugees by 2050. [Online]. All Indians matter. [cited 2023 Sep 25]. Available from: <https://www.allindiansmatter.in/india-will-have-5-crore-internal-climate-refugees-by-2050/>
17. WCS. (2022). IPCC Climate Change Report 2022 and its Implications for India. [Online]. WCS. [cited 2023 Sep 25]. Available from: https://india.wcs.org/Newsroom/Blog/ID/17734/IPCC-Climate-Change-Report-2022-and-its-Implications-for-India?gclid=Cj0KCQiAveebBhD_ARIsAFaAvrEummwJFwX1WC-z6HCxE_-8FsLgz_UAU2zuTtSqsYl5eH8S3WjkUV4aAiuHEALw_wcB
18. Plano R, Amli Tower. (2022 Jun 8). New proposal to address climate migration protection gap as India hit hard. [Online]. Climate Refugees. [cited 2023 Sep 25]. Available from: <https://www.climate-refugees.org/spotlight/2022/06/08/india/legal>
19. Owen-Burge C. (2021 Jun 21). Climate refugees: the world's forgotten victims. [Online]. Climate Champions. 2021 [cited 2023 Sep 25]. Available from: https://climatechampions.unfccc.int/climate-refugees-the-worlds-forgotten-victims/?gclid=Cj0KCQiA99ybBhD9ARIsALvZavV_6
20. Barcelona Traction, Light and Power Company, Limited (Belg. v Spain), Second Phase, Judgment, 1970 I.C.J. Rep., 33 (Feb. 5).
21. G.A. Res. 56/83, Annex (Dec. 12, 2001) [hereinafter ARSIWA].
22. United Nations. (2001). Responsibility of States for Internationally Wrongful Acts. [Online]. Available from: https://legal.un.org/ilc/texts/instruments/english/draft_articles/9_6_2001.pdf
23. Ibid.
24. UNHCR US. (2021). Data reveals impacts of climate emergency on displacement. [Online]. UNHCR US [cited 2023 Sep 25]. Available from: <https://www.unhcr.org/us/news/stories/data-reveals-impacts-climate-emergency-displacement>
25. WMO. (2023). WMO annual report highlights continuous advance of climate change. [Online]. World Meteorological Organization. [cited 2023 Sep 25]. Available from: <https://public.wmo.int/en/media/press-release/wmo-annual-report-highlights-continuous-advance-of-climate-change#:~:text=Global%20mean%20temperature%20in%202022,or%206th%20warmest%20year>
26. Surbhi Arul. (2022 Jun 3). India needs to recognise the rights of climate refugees. [Online]. India Development Review. [cited 2023 Sep 25]. Available from: <https://idronline.org/article/climate-emergency/india-needs-to-recognise-the-rights-of-climate-refugees/>
27. Disaster Displacement. (2019). Sydney Declaration of Principles on the Protection of Persons Displaced in the Context of Sea Level Rise. [Online]. Disaster Displacement. [cited 2023 Sep 25]. Available from: <https://disasterdisplacement.org/portfolio-item/sydney-declaration/>