

# DERIVING A LEGAL FRAMEWORK TO ADDRESS CLIMATE CHANGE INDUCED MIGRATION IN THE PACIFIC

**COSMIN CORENDEA / TANVI MANI** || The effects of climate change on the people of the Pacific have long been underestimated due to the lack of information and adequate research into the nature of the responses, the adaptability of the communities and the consequences, which have included over time, forced migration. The Pacific Island Communities consider the land to be an integral part of their identity and the loss they face due to the erratic weather patterns and debilitating natural disasters has been significant. This article seeks to address the legal mechanisms available through which the rights of climate migrants can be safeguarded. It propounds a regional, bottom up approach that involves effective stakeholder engagement and a comprehensive understanding of grassroots needs in order to derive constructive responses, durable channels of engagement and sustainable solutions under the overarching umbrella of international law.

## **INTRODUCTION**

The dynamic changes in weather patterns witnessed over the last decade and the far-reaching impact they have on vulnerable communities can no longer be ignored. The Intergovernmental Panel on Climate Change Assessment Report (AR5) within the 19<sup>th</sup> Chapter places a special emphasis on the emerging risk and highlights the key threats in the context of climate change induced migration. The effect of such migration on both sending and receiving regions will be significant and it is therefore imperative that the international community derives steadfast and plausible solutions that are both durable and sustainable in the long run. The response of the international community to climate induced migration must however be contextualized in a plausible framework of international law, one that draws as much from the human rights articulation as it does from the still evolving regime of environmental governance. The Paris Agreement, for instance, has encapsulated within its text the immediacy of

the need to address, minimize and more importantly, avert the loss and damage caused to communities through both extreme weather patterns and slow onset events. In the context of the Pacific Island Countries, it is especially important to situate the mechanisms of addressing climate induced migration in a comprehensive understanding of the legal norms, customs, traditions and cultures that govern the societies within the island nations. It is therefore important to also consider the non-economic losses sustained in the process of migrating due to climate induced disasters. These include the loss of identity as well as the psychological, social, emotional and cultural damages concomitant with this relocation. These disasters have significantly amplified the pre-existing vulnerabilities within the communities affected, often resulting in the complete debilitation of the homes, livelihoods and basic means of sustenance of the poor. The land is thus rendered unable to support its occupants resulting in the forced displacement of its people.

In this context this essay attempts to construct a legal response to address this climate change induced diaspora using the tools encapsulated within various instruments of international law. It advocates for the creation of linkages within the various branches of international law, primarily, human rights, environmental law and refugee law to derive a comprehensive response structure that leaves enough flexibility for nations to derive their own mechanisms while at the same time defining a universal standard of reference. This argument is contextualized in the idea that the law cannot remain static and must evolve to address and effectively respond to the dynamic needs of a constantly changing society. The arguments within this essay also propound a bottom up approach grounded within regionalism, with a view to advance the notion that the most effective strategic interventions are likely to emerge from within the region itself, through the close involvement and consistent deliberation amongst the stakeholders most affected.

### **SAFEGUARDING THE RIGHTS OF CLIMATE MIGRANTS**

According to a recent estimation close to two million people will be displaced in the Pacific Island region in the 21<sup>st</sup> century alone if appropriate responses are not systematically instituted.<sup>1</sup> In 2009, the Pacific church leaders issued a resettlement statement; the Moana Declaration, a farsighted approach to set into motion a planned, well managed and effective relocation process. It called for the institution of scientific measures to identify appropriate and available land that was equipped with enough resources to sustain environmentally displaced communities. It also propagated carrying out community consultations with the islanders affected by rising sea levels and disruptive weather patterns so as to involve them in the development of policy articulations that would protect their right to land, property, food security, livelihood, healthcare and education.<sup>2</sup>

The first part of the declaration is in effect a call to national governments to identify land that can be made available to environmentally displaced persons. This would require the gov-

ernments to work in collaboration with traditional and customary landowners to identify the possibility of accepting migrants within their own country and relocating internally displaced persons. If required, this would also involve resettlement outside the Pacific Island countries – a possibility that could only be manifested through targeted negotiations with host countries.

The second part of the declaration is an acknowledgment that in instances of forced migration, the choice of the islanders is taken away from them and more often than not, they have no other option available. Thus, it is imperative that their human rights be protected through comprehensive policy formulations at a national and regional level. It emphasizes on a participatory process that takes into account the concerns of the islanders and provides them with assurances that seek to protect their culture and identity. The carrying out of these community consultations in vernacular languages and with an appropriate representation from the grassroots level would assuage the concerns of the islanders and prevent them from feeling alienated through what they might otherwise perceive as a foreign process being imposed upon them.

**The success of engagement depends crucially on the consideration of the cultural sensitivities and the traditions of the islanders.**

An effective stakeholder engagement within the Pacific Islands would be successful only if it takes into account the cultural sensitivities and the traditions of the people.<sup>3</sup> For example, communication about resilience building strategies and scientific management of land to facilitate a smooth migration process would be most effective if conveyed in vernacular languages. For any adaptation strategy to be effective and sustainable in the long run the govern-

ments of the Pacific Island countries must take the lead in formulating policies that are viable in their own contexts, thus owning the climate change challenge for themselves and responding to it in their own ways.<sup>4</sup> This would require a reduced dependence on external aid. The effectiveness of foreign aid significantly reduces if it is used to fund adaptation strategies that do not work effectively in the Pacific Island contexts and are simply implemented by the governments at the behest of donor countries because they do not want to risk losing this aid.

The lack of foresight and planning ahead on the part of the Pacific islanders, in this context, has also posed a difficulty to the implementation of effective long-term adaptation strategies.<sup>5</sup> In the face of imminent food scarcity and unreliable weather patterns leading to crop shortages, short-term strategies seem to be most attractive and plans for migration do not fall within this ambit.<sup>6</sup> There is a notable incongruence between the aspirations of the government in addressing climate change and the mobilization of the will of civil society. This is in part driven by the widening gulf between the government agenda of scientifically planned migration and the social resistance to it, rooted in a longstanding need for identity and cultural preservation. An effective migration policy would therefore have to strive towards effectively reconciling scientific solutions with the cultural claims of the islanders.<sup>7</sup>

### **Deriving legal safeguards within International Law**

The Refugee Convention includes within its ambit persons displaced "owing to well-founded fear of persecution for reasons of religion, race, and nationality, membership of a social group or even political opinion". (Convention Relating to the Status of Refugees 1951). However, persons displaced due to environmental adversity or climate refugees are not included within this definition.

The international human rights framework thus falls short of providing a sufficient ambit of protection to these migrants.<sup>8</sup> Additionally, there is no universal definition of "climate refugees" or "environmental migrants".<sup>9</sup> Within the existing literature on arriving at a workable

definition, there has been no substantial distinction drawn between internal, international, voluntary, forced, temporary or permanent climate related migration.<sup>10</sup> The rights based approach to addressing climate change induced migration essentially seeks to outline an international framework for the "recognition, protection and resettlement of climate refugees".<sup>11</sup> One such approach has focused on five guiding notions, namely the principles of planned relocation and resettlement, resettlement instead of temporary asylum, collective rights for local populations, international assistance for domestic measures and international burden sharing.<sup>12</sup> An international funding mechanism was proposed to facilitate the resettlement.<sup>13</sup>

**It lacks a universal definition of "climate refugees" or "environmental migrants" and a sufficient ambit of protection.**

However, these approaches were critiqued on their impracticality. Specifically, the encapsulation of solutions to environmentally induced displacement within an international framework was thought to be limiting as it would not involve any participation of the communities affected and would not reflect their sentiments or desires. Further, a one-fits all solution seemed both unlikely and impossible to implement and therefore insufficient to resolve the humanitarian crises of the thousands displaced.<sup>14</sup>

For the first time, in 2010 the Cancun Agreements called for "measures to enhance understanding, coordination and cooperation in the context of climate change related displacement, migration and planned relocation" (The Cancun Agreements 2010). International Human Rights law has been the strongest foundation from which Courts have drawn to address climate-induced migration. Adverse climate events such as the rise in sea level, storms, droughts and

floods have resulted in the diminishing of certain inalienable rights such as the right to life, the right to work, the right to property, the right to self-determination, the right to development, right to culture and finally, the right to an adequate standard of living.<sup>15</sup>

Drawing on the strength of International Human Rights law to derive effective protections for environmentally displaced persons would require a novel approach of interpretation; one that is rooted in concepts that allow for the encapsulation of a rights based approach within the international legal framework. The living tree doctrine is one such mechanism of legal interpretation that endorses a progressive and broad reading of constitutional doctrines so as to adapt fundamental legal concepts to newer and often unprecedented situations.<sup>16</sup> In addition to this, the idea of policy-oriented jurisprudence emphasizes on the intrinsic features of the context in which the law is considered to be applied and the conflicting claims of various social structures within this context so as to enable effective interventions.<sup>17</sup> The decisions arrived at through this school of jurisprudence take into account factors conditioning the involvement of various stakeholders and the environment influencing the terms on which they engage. This approach gives what might have been a purely legal intervention, a social and humanist aspect and in doing so attempts to enhance the access of all to the most desirable human values.<sup>18</sup>

Both of these doctrines contribute to the progressive interpretation of the law – an approach that has been mirrored by international courts in their attempt to spearhead the evolution of the law and facilitate its adaptation to dynamic contexts. For example, the International Court of Justice agreed to provide its opinion on a matter related to climate change when asked by Palau and later by the General Assembly, thus exhibiting its determination to shape newer and more effective international legal standards.<sup>19</sup> The Fifth Assessment Report of the Intergovernmental Panel on Climate Change<sup>20</sup> and the ever increasing displacement of persons due to adverse environmental events have caused Courts to apply norms of international law to regional contexts. For example,

in the case of *Sigeo Alesana v. New Zealand*, refugee status was granted on humanitarian grounds, albeit on appeal, to a family whose livelihood and home was adversely impacted by the rising sea levels in Tuvalu.<sup>21</sup>

### **The International Governance of Climate Change Induced Migration – A Counter Perspective**

According to Williams, "the unwillingness of States to compromise on the tenets of their sovereignty would render a global agreement on climate displacement unlikely".<sup>22</sup> Similarly, Williams postulates, "the utility and policy consequences of underpinning solutions to climate change induced displacement on a multilateral instrument will not, without a widespread ratification and implementation, address the humanitarian issue, due to the nature of the migration and the desires of the communities affected by it".<sup>23</sup> International organizations have attempted to circumvent the issue by seeking alternatives to migration. The International Organization for Migration (IOM) for example, carried out numerous projects to provide alternatives to migration through building resilience to climate change amongst vulnerable communities, especially in the Asia Pacific region.<sup>24</sup> They developed risk reduction, preparedness and management, rehabilitation and human security and stabilization programs.<sup>25</sup> They also advocated for a policy framework on resilience enhancement while preparing assistance to vulnerable populations affected by natural disasters in Kyrgyzstan, Turkmenistan and Bangladesh. The model of "migration as adaptation" has been favored as an alternative, to avoid migration and use it as a last resort. This has been reflected in the IOM's focus on building resilience and assisting populations face natural disasters as opposed to fulfilling their mandate of facilitating "orderly" and "voluntary" migration

(Constitution of the International Organization for Migration 1953 art 1; IOM 2010). The international deliberation on environmental migration has been reduced to a growing fear amongst Western countries that this would result in a diaspora of environmental refugees from developing countries arriving at the shores of the developed world – a fear that has underpinned the western bias of policy oriented research on environmental migration that often disregards empirical evidence on the ground that highlights an unavoidable need for planned, strategic migration.<sup>26</sup>

### The Hybrid Legal Approach

The hybrid legal approach constitutes a multi-dimensional legal research instrument to facilitate addressing the human security effects of climate change in a holistic manner. This mechanism is rooted in the tripartite functioning of environmental law, human rights and migration law within an international context.

Deriving an international mechanism through the singular lens of hybrid law addresses both the cause and effects of climate change in a multidimensional manner. The cause of the climate change induced adversity is found in environmental law, its effects, in human rights law due to the impact it has on society and its subsidiary consequences, in migration law. Climate induced migration posits itself as an alternative to suffering the adverse impacts of future climatic turmoil. The intuitive response to climate adversity is therefore to find alternatives to improve the situation through either adapting or migrating. Most societies (over 30 %) choose the latter as it presents a more immediate solution than adapting, which would require long term planning and the strategic management of vulnerable resources.<sup>27</sup>

The fundamental advantage of employing a hybrid approach in an international context is that it provides an aspect of clarity in determining exactly which legal instruments can be utilized to address the individual instances of loss and damage caused by climate change. It

simultaneously allows for an amalgamation of principles from all three branches of law to derive an effective response to the impact of such loss and damage and assign responsibility for the protection of its victims. The strength of these principles, whether binding or not binding, can offset each other to facilitate the formulation of persuasive arguments that address particular violations. For example, the polluter pays principle, a cornerstone of environmental law, may vary in the strength of its enforceability across jurisdictions. However, the right to a clean and healthy environment remains an inalienable, fundamental canon of international law that cannot be neglected by courts or governments.

**The hybrid approach enables an enhanced level of protection and a context specific application of international law.**

Moreover, through this hybrid approach the victims of climate change have the advantage of an enhanced level of protection rooted in a threefold legal structure that guarantees a stronger preservation of human security in the face of climate change. Thus, while the 1951 refugee convention does not specifically apply to climate migrants, the underlying principle of "non-refoulement" can be transposed to the environmental law and human rights jurisprudence, under the hybrid approach, and be made applicable to climate change induced migrants.

The majority of international legal instruments are focused on the regulation of adaptation and migration at a global level. However, these seem to fall short of suitably adapting their operation to a regional or local level. The Hybrid law approach could potentially address this shortcoming and herald in a new era of context specific application of international law that lays emphasis on the unique claims of the stakeholders it seeks to protect. It could there-

fore expand beyond being simply a research tool to operating as a regulatory mechanism as well. The facilitation of a hybrid mechanism would therefore require the multilateral cooperation of research networks, international organizations and UN agencies working in the field of environmental, human rights and migration law. Such a planned collaboration could potentially shift the focus to addressing the impacts of climate change at a grassroots level through focused stakeholder engagement and a truly participatory process at the household level. The Paris Agreement also endorses this bottom up approach and would be well in alignment with facilitating the reflection of climate change legislation with a hybrid, multi perspective lens in order to enable the participation of non-state actors, encourage responses to loss and damage at a local level and address the rights of local communities, indigenous people and climate migrants in the most effective manner.

### Migration as Adaptation

Within the International policy-making sphere climate change induced migration is an imminent priority. However, mechanisms that fund adaptation to climate change must also include migration as a means of adapting and enhancing resilience. The initiatives undertaken by the UNFCCC must recognize the links between climate change and migration and should ideally focus on enhancing the resilience of populations in areas vulnerable to climate change, especially in low income countries through mechanisms such as climate-efficient development, sustainable urban planning, emergency preparedness and early warning systems. The adaptive advantages of migration to some communities can be linked to demographic deficits and labor shortages in host nations to make planned migration a more viable and sustainable solution.

### MOVING FROM THE INTERNATIONAL GOVERNANCE OF CLIMATE MIGRATION TOWARDS A REGIONAL APPROACH

The formulation of a universal standard or a global set of norms to govern climate change induced migration, albeit even through a hybrid process seems ambitious at best. A more realistic approach would be to enable and empower regional and sub-regional mechanisms in the form of regional agreements that operate within a guiding international framework.<sup>28</sup> States would be more likely to accept a curtailment of their sovereign rights in the form of a binding regional agreement than an international one.

Regional agreements would be more effective and could address specific groups or vulnerable communities.

Further, this would prove to be more effective than an international agreement that does not hold the strength of enforcement. These regional agreements would also be more focused and address specific groups or vulnerable communities instead of the generalized approach of an international treaty which would club together "environmental migrants" without establishing a concrete definition for them. States would therefore be more inclined to agree upon clearly specified standards focusing on well-defined parameters so that they know the exact extent to which they would be bound or be obligated to act in the regional sphere.

A regional approach may result in the creation of different standards on the rights of migrants. However, these standards would be context specific and would be arrived at in a manner that is both relevant and acceptable to the stakeholders it seeks to protect; as opposed to a universal standard that remains ineffective due to its over generalization. A universal standard would merely rest on the universal aspirations of countries and would be a demonstra-

tion of political capital rather than political will rooted in an actual obligation or responsibility to safeguard the rights of climate migrants in an effective manner.

The response to climate change at a national level has, to a large extent, been dependent on external aid, is predominantly project based and has cultivated on an ad hoc basis. According to an FAO report, this has been due to the lack of effective prioritization, the lack of sustained national level commitment and an extensive dependence on external funding.<sup>29</sup> A top down approach has proven to be ineffective in the efficient channeling of aid to peripheral communities, most affected by climate change.<sup>30</sup>

Most of these communities are governed by traditional leaders and still follow historical hierarchical structures, in some cases informed by traditional laws or *Kastom*. The community leaders therefore need to be made aware of the impending need to plan ahead for climate change induced migration and they need to be made involved in the formal decision making process with respect to the relocation and integration of people displaced due to climate adversity. It is therefore important for international donors to be aware of the decision making process within the islands and instead of relying solely on governments, attempt to engage directly with communities at a grassroots level. This would require a shift in focus from capacity building to empowering the community, understanding their culture and identity and channeling plans to enable effective, planned and voluntary migration through them. The emphasis should also ideally shift from regional financing to community level assistance so as to counterbalance the resistance towards migration. This can be done through the identification and development of sites for communities to relocate to, which would encourage governments to develop long term strategies for planned relocation.

### Regional Agreements – A more effective alternative?

The trend of regional agreements has proven to be more successful than international governance efforts especially in the context of migration. For example, the 2009 *African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa* has made the Guiding Principles on Internal Displacement, which have universally been recognized as soft law, binding within its ambit. A regional approach would therefore, as has been highlighted by scholars, "establish a structural framework wherein good practice can be demonstrated and exchanged between regional groups." International networks, organizations and institutions could even foster such an exchange through the observation and analysis of best practices.

### CONCLUSION

The land within the Pacific Island Countries is predominantly distributed in accordance with a system of customary ownership, inherited across generations of closely intertwined kinship. It thus forms a core component of the identity of the islanders and is integral to their social and cultural heritage. The deep emotional connect the people have with the land is significantly disrupted when they are made to forcibly relocate due to the debilitating impacts of climate change. While the scheme of environmental governance has attempted to impute responsibility, foster preparedness and reduce the impact of such disasters, there is no singular body of law that addresses the post facto situation of thousands of people having been displaced as a result of the systematic destruction of their homes, lives and livelihoods. International Human Rights law as well as International Humanitarian and Refugee Law do not, within their scope, account for the displacement caused due to environmental factors and it is thus within the gaping chasms of these

seemingly interconnected but still separated articulations of international law that the rights of climate migrants seem to be obviated. A regional approach, through the involvement of the affected communities and the integration of their customs within the scheme of policy frameworks would be most beneficial in attempting to secure the rights of these migrants at a domestic level. At an international level, it is the interlinking of laws across sectors in response to the dynamic contexts of their application that could prove to be immensely useful in developing a comprehensive guide which nations would be using to derive their own regional responses. A dual approach of a regional standard encapsulated within an internationally recognized framework could provide greater legitimacy and facilitate more effective interventions while deriving comprehensive solutions to address the plight of climate migrants.

---

**COSMIN CORENDEA**

United Nations University – Institute for Environment and Human Security, Bonn

---

**TANVI MANI**

The Graduate Institute of International and Development Studies, Geneva

---

**ANMERKUNGEN**

- <sup>1</sup> Nicholls, R. J. et al 2011: Sea-level rise and its possible impacts given a "beyond 4 C world" in the twenty-first century. *Philosophical Transactions of the Royal Society of London* 369, 161-181.
- <sup>2</sup> The Moana Declaration 2009, available at <http://www.oikoumene.org/en/resources/documents/wcc-programmes/justice-diakonia-and-responsibility-for-creation/climate-change-water/pacific-church-leaders-statement>, last accessed 1.7.2017.
- <sup>3</sup> Seacrest, S., Kuzelka, R. and Leonard, R. 2000: Global climate change and public perception: the challenge of translation. *Journal of the American Water Resources Association* 36(2), 253-263.
- <sup>4</sup> Nunn, P. D. 2009: Responding to the challenges of climate change in the Pacific Islands: management and technological imperatives. *Climate Research* 40, 211-231.
- <sup>5</sup> Novaczek, I., Mitchell, J. and Veitayaki, J. (eds) 2005: *Pacific Voices: equity and sustainability in Pacific Island fisheries*. Suva: Institute of Pacific Studies, The University of the South Pacific.
- <sup>6</sup> Cf. *ibid.*
- <sup>7</sup> Mertz, O., Halnæs, K., Olesen, J. E. and Rasmussen, K. 2009: Adaptation to climate change in developing countries. *Environmental Management* 43, 743-752.
- <sup>8</sup> Crépeau, F. 2012: The Special Rapporteur on the human rights of migrants, 13 August 2012, Report on the Human Rights of Migrants. UN Document A/67/299.
- <sup>9</sup> Renaud, F. G., Dun, O., Warner, K. and Bogardi, J. 2011: A Decision Framework for Environmentally Induced Migration. *International Migration* 49 (doi: 10.1111/j.1468-2435.2010.00678.x.), e5-e29.
- <sup>10</sup> CRIDEAU 2008: Draft Convention on the International Status of Environmentally-Displaced Persons. *Revue de Droit de l'Université de Sherbrooke* 39, 451, 461-462; CIDCE: Draft Convention on the International Status of Environmentally-Displaced Persons (Second Version – May 2010).
- <sup>11</sup> Docherty, B. and Giannini, T. 2009: Confronting a Rising Tide: A Proposal for a Convention on Climate Change Refugees. *Harvard Environmental Law Review* 33, 349.
- <sup>12</sup> Cf. *ibid.*
- <sup>13</sup> Biermann, F. and Boas, I. J. C. 2010: Preparing for a warmer world: Towards a global governance system to protect climate refugees. *Global Environmental Politics* 10(1), 60-88 (doi: 10.1162/glep.2010.10.1.60.).
- <sup>14</sup> McAdam, J. 2011: Swimming against the Tide: Why a Climate Change Displacement Treaty is Not the Answer. *International Journal of Refugee Law* 23(1), 2.
- <sup>15</sup> Corendea, C. 2016: *Legal Protection of the Sinking Islands Refugees*. Vandepas Publishing, 15.
- <sup>16</sup> Miller, B.W. 2009: Beguiled by Metaphors: The "Living Tree" and Originalist Constitutional Interpretation in Canada, *The Canadian Journal of Law and Jurisprudence* 22, 331.
- <sup>17</sup> Wiessner, S. and Willard, A. R. 1999: Policy-Oriented Jurisprudence and Human Rights Abuses in Internal Conflict: Toward a World Public Order of Human Dignity. *American Journal of International Law* 93, 316.
- <sup>18</sup> Cf. *ibid.*
- <sup>19</sup> Cf. *ibid.*
- <sup>20</sup> Intergovernmental Panel on Climate Change (IPCC). Fifth Assessment Report 2009, <https://www.ipcc.ch/report/ar5/>, last accessed 22.10.2017.



- <sup>21</sup> Climate change part of refugee ruling. Radio New Zealand, 4.8.2014, available at <http://www.radionz.co.nz/news/national/251293/climate-change-part-of-refugee-ruling>, last accessed 22.10.2017.
- <sup>22</sup> Williams, A. 2008: Turning the Tide: Recognizing Climate Change Refugees in International Law. *Law and Policy* 30(4), 502, 517.
- <sup>23</sup> McAdam, J. 2012: *Climate Change, Forced Migration, and International Law*, Oxford, 119-160; Rayfuse, R. 2011: International Law and Disappearing States: Maritime Zones and the Criteria for Statehood. *Enviro Policy and Law* 41, 281.
- <sup>24</sup> Indonesia: IOM 2010: Migration Initiatives Appeal 107, available at [http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published\\_docs/books/Migration-Initiatives-Appeal.pdf](http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/books/Migration-Initiatives-Appeal.pdf), last accessed 22.10.2017.
- <sup>25</sup> International Organization for Migration: Migration Initiatives Appeal 2010, available at <https://publications.iom.int/books/migration-initiatives-appeal-2010>, last accessed 22.10.2017.
- <sup>26</sup> Barnett, J. and Webber, M. 2010: Migration as Adaptation: Opportunities and Limits, in: J. McAdam (ed) 2010: *Climate Change and Displacement: Multidisciplinary Perspectives*, 41; McLeman, R. and Smit, B. 2006: Migration as an Adaptation to Climate Change. *Climatic Change* 76, 31; McLeman, R. and Smit, B. 2011: ADB, *Facing the Challenge of Environmental Migration in Asia and the Pacific*.
- <sup>27</sup> Corendea, C. 2016: Development implications of climate change and migration in the Pacific. *Climate Law and Governance Working Paper Series No 3/2016*, McGill University, Montreal, 35.
- <sup>28</sup> Williams, A. 2008: Turning the Tide: Recognizing Climate Change Refugees in International Law. *Law and Policy* 30(4), 502, 517.
- <sup>29</sup> FAO 2008: *Climate Change and Food Security in Pacific Island Countries*. Food and Agriculture Organization of the United Nations, Rome, Italy.
- <sup>30</sup> Duncan, R. 2008: Cultural and economic tensions in Pacific Islands' futures. *International Journal of Social Economics* 35, 919-929.