

THE FIRST 'CLIMATE REFUGEE': TEITIOTA V. NEW ZEALAND

A STEP FORWARD OR BACKWARD?

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WHO IS THE 'CLIMATE REFUGEE'?

One of the most emblematic examples is people living on 'disappearing islands' in the Pacific, where climate change impacts are threatening habitability of their homelands and eventually forcing **cross-border movements** of people.

At present, 'climate refugees' **lack** an **internationally accepted definition** and **effective international legal protection**.

This ambiguity feeds into **racialisation** and **depoliticisation** towards climate refugees, dually constructed by Global North narratives:

- As **threats** to the national security that justify border securitisation
- As **victim-commodities** that legitimise Western laboratories for research and policy making – as in the recent **Falepili Union**

Repoliticising

THE NEED FOR A PARAGIDM SHIFT

Rehumanising

- From **protection as burden-sharing on states**
- To **protection as responsibility-sharing: a form of acknowledgement for Global North past and present injustices and responsibilities.**

Mobility must be seen as part of the solution, rather than the inherent problem and threat.

Re-reading and **re-thinking** climate induced mobility needs to be grounded in **decolonial thinking** and **kinopolitics**.

Rehistoricising

Responsibilities

Re-thinking the 'Climate Refugee' Beyond Borders

Racialisation

Climate Change

Borders

Colonial Histories

Human Rights

Forced Migration

Refugeehood

IN SEARCH OF PROTECTION: TEITIOTA V. NEW ZEALAND

The Teitiota case, although renowned as a step forward for the protection of the first 'climate refugee', demonstrated:

- The **international legal framework** remains **ill-equipped** to provide adequate protection to 'climate refugees'
- The **improbability** of extending the **1951 Refugee Convention** spectrum to 'climate refugees'
- The **limitations** of the human rights legal framework - the **right to life and principle of non-refoulement**
- The **political vacuum** of the international community to respond to climate mobilities

This is aggravated by the **Eurocentrism** and **coloniality** intrinsically rooted in the international human rights and refugee regimes.

A STEP BACK: AMBIGUITY AS A RACIALISING TROPE

The HRC decision **created further ambiguity and uncertainty** on the extent to which international human rights law may provide a **protection pathway** for 'climate refugees'.

For example:

- What is the **tipping point** at which *non-refoulement* obligations are triggered?
- Is there a requirement of **imminence** of risk to life upon deportation?

This ambiguity originates from a **colonial matrix** of power that contributes to the creation of **othering narratives**, depoliticising and racialising the **unrecognisable** 'climate refugee'.

Constructing the Climate 'Refugee'



Stay in touch!



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