EXPLAINERS & MYTH-BUSTERS

Climate mobility, explained

Plain-language answers to the questions we are asked most often, and to some of the assumptions that can get in the way of good policy.

ABOUT THESE EXPLAINERS

Climate mobility is often discussed through assumptions that the evidence does not fully support. These explainers set out what research, and the practice of governments, suggest, and explain the terms and law that matter most.

Each part can be read on its own.

CONTENTS

A Myths and realities
12 myths

B Key terms
18 terms

C The basics
7 questions

D Who is responsible, and when
5 questions

E Climate mobility and the law
5 questions

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Myths and realities

Institute for
Law and Policy
on Climate Mobility

Climate mobility is often discussed through assumptions that the evidence does not fully support. Here is what research, and the practice of governments, suggest.

MYTH 1

"Climate mobility is mostly about people in developing countries moving to developed economies like the UK."

WHAT THE EVIDENCE SUGGESTS

Most climate mobility is thought to take place within countries, and much of the rest within the same region.

The large majority of people who move in the context of disasters and climate change do not cross an international border. Of those who do, most move to neighbouring countries. Wealthier countries are affected too: close to half a million disaster displacements were recorded in Europe and Central Asia in 2025.

Many of the people most exposed are not able to move at all, because they lack the money, health, documents or networks to do so. Climate mobility policy is as much about them as about people arriving at a border.

EVIDENCE IDMC, *Global Report on Internal Displacement 2026*; Hoffmann et al., *Nature Climate Change* (2020).

MYTH 2

"Supporting a legal framework for climate mobility would move immigration decision-making to international courts and away from the UK."

WHAT THE EVIDENCE SUGGESTS

The Institute's recommendations are for national policy, decided by UK ministers and Parliament and applied by UK decision-makers.

They work through tools the UK already has: adapting existing labour routes, issuing guidance to caseworkers, and deciding when to extend leave for people already here. No international court would decide who enters the UK. The approach also includes helping people to stay safely where they live for as long as that remains possible; it is not only a question of migration.

A framework can give the Government more control over immigration decisions. Without one, decisions tend to be made case by case, can be inconsistent, and may later be tested in the courts. With a framework, ministers can set the rules in advance.

EVIDENCE ICM and IRAP Policy Series 2026, Brief 04 (Home affairs ministries).

MYTH 3

"There's no real evidence climate change is affecting migration patterns."

WHAT THE EVIDENCE SUGGESTS

There is a substantial and growing body of evidence. Disasters displaced people 45.8 million times in 2024, the highest figure on record.

Weather-related hazards such as floods, storms, droughts and wildfires accounted for 99.5% of those displacements. The IPCC finds, with high confidence, that climate and weather extremes are increasingly driving displacement in all regions.

Climate is rarely the only reason a person moves; migration usually has several causes. Climate change can add to existing pressures, such as access to livelihoods, competition over resources and weak governance. For this reason, the Institute's policy briefs suggest assessing risk using published measures of climate vulnerability, rather than trying to establish the cause of each individual move.

EVIDENCE IDMC, GRID 2025; IPCC AR6 Working Group II (2022).

MYTH 4

"Climate mobility is a fringe or future problem, not something governments are already acting on."

WHAT THE EVIDENCE SUGGESTS

Governments in many parts of the world are already legislating, negotiating and funding responses.

Australia and Tuvalu signed the Falepili Union treaty in 2023. It provides a permanent residence pathway for up to 280 Tuvaluans a year, and 8,750 people entered the first ballot. Fiji has national planned relocation guidelines and a dedicated relocation trust fund. The IGAD free movement protocol in East Africa allows people to move "in anticipation of, during or in the aftermath of disaster". Argentina has also proposed a humanitarian visa for people displaced by disasters.

Donors including the EU, Germany, Switzerland and Denmark are funding work to reduce the risk of climate-related displacement. Governments that act early can help to shape the agenda.

EVIDENCE ICM and IRAP Policy Series 2026, Briefs 02, 04 and 05.

MYTH 5

"Managing climate mobility is a humanitarian cause, not a serious policy solution to domestic and international issues."

WHAT THE EVIDENCE SUGGESTS

Climate mobility is linked to the work of several government departments.

Security: displacement that is not well managed can put strain on institutions and create openings for organised crime and smuggling networks. The economy: well-designed labour routes from climate-vulnerable regions can help fill domestic skills gaps, including jobs needed for the UK's green transition. Housing and resilience: in the UK, flood displacement tends to last longer where affordable housing is scarce. Diplomacy: countries that act early can help to shape climate negotiations.

Humanitarian values matter. The case for acting also rests on the national interest.

EVIDENCE ICM and IRAP Policy Series 2026, Briefs 01–05.

MYTH 6

"It is impossible to plan for all environmental factors and the displacement they may cause."

WHAT THE EVIDENCE SUGGESTS

Not every event can be predicted, but the overall pattern of displacement can be anticipated and planned for.

It is already known which places are most exposed to climate events, and which groups are most at risk. Renters, for example, are more likely than homeowners to be displaced. Early warning systems, funding that is released automatically when a forecast crosses a set threshold, and "no-regret" measures such as building affordable homes away from flood plains can all work without knowing exactly when the next disaster will happen.

Anticipatory action, meaning action taken on a forecast before a disaster strikes, reached around 96 million people worldwide in 2025.

EVIDENCE Anticipation Hub (2026); ICM and IRAP Policy Series 2026, Brief 03.

MYTH 7

"Support for greater climate mobility will lead to significant increases in international migration."

WHAT THE EVIDENCE SUGGESTS

The aim is to give people a choice, and for most people the first choice is to stay.

The first pillar of the Institute's policy framework is about helping people to stay safely where they are, through adaptation, resilience and early warning. The second pillar is about mobility. Where people do move across borders, managed routes can bring movement that is already happening into safe, legal and orderly channels. They are designed to manage existing movement rather than to create new demand.

Receiving governments set the numbers. The Falepili Union, for example, has a fixed annual cap. Some measures, such as extending leave for people already in the country, do not change who enters at all.

EVIDENCE ICM and IRAP Policy Series 2026, Briefs 02, 04 and 05.

MYTH 8

"It is a waste of money to invest in anticipatory action to reduce the risk of displacement now."

WHAT THE EVIDENCE SUGGESTS

Waiting is often the more expensive option.

Most disaster funding is released only after an emergency has been officially declared. By then, homes, jobs and harvests may already have been lost, and displacement is more likely to become prolonged or permanent. Research suggests that how long displacement lasts depends to a large extent on how quickly people can be rehoused.

Investing before a disaster, in adaptation, early warning, and housing and services in the places people are likely to move to, can reduce emergency spending later and the number of people left in displacement for months, years or permanently.

EVIDENCE IDMC, *The Duration of Disaster Displacement* (2025); WFP anticipatory action evidence base 2015–2024.

MYTH 9

"Investing in anticipatory action is just another name for foreign aid."

WHAT THE EVIDENCE SUGGESTS

Anticipatory action starts at home, and abroad it can draw on more than aid budgets.

At home, it includes early warning systems, housing and planning decisions, and funding that can be released before a flood or wildfire rather than after one.

Abroad, it can be supported by security and diplomatic budgets and by multilateral climate funds such as the Green Climate Fund, the Adaptation Fund and the Fund for responding to Loss and Damage. Diaspora adaptation finance, including green diaspora bonds and matched remittances directed to adaptation, can also complement public funding. It need not require a new budget line: it can be built into existing programmes.

EVIDENCE ICM and IRAP Policy Series 2026, Briefs 02, 03 and 05.

MYTH 10

"Spending abroad on managing climate mobility diverts money away from managing the impacts at home."

WHAT THE EVIDENCE SUGGESTS

It need not be a choice between home and abroad. The Institute's recommendations cover both.

One of the five policy briefs deals only with displacement within a country: housing, data and funding for UK communities at risk.

Much of the international work is low-cost: guidance for decision-makers, adapting existing routes, diplomatic engagement and use of multilateral funds. Investment in other countries can also reduce pressures that might otherwise reach the UK later, such as irregular migration, supply chain disruption and regional instability.

EVIDENCE ICM and IRAP Policy Series 2026, Briefs 01 and 03.

MYTH 11

"Government policy on climate mobility would not reduce the impact of displacement on the UK."

WHAT THE EVIDENCE SUGGESTS

Policy can make a significant difference to whether movement is orderly.

Where there are no planned routes, people who need to move may have little option but irregular crossings and the asylum system. Where routes exist, the Government can decide who comes, in what numbers and to fill which labour shortages, and process cases through existing systems. Clear guidance can also lead to more consistent decisions and fewer appeals.

At home, housing and planning policy affects how many people UK floods displace, and for how long.

EVIDENCE ICM and IRAP Policy Series 2026, Briefs 03 and 04.

MYTH 12

"Governments should only worry about internal climate displacement."

WHAT THE EVIDENCE SUGGESTS

Internal displacement is the largest share, but it is not the whole picture.

Internal displacement deserves much more attention than it receives, and one of the five policy briefs is dedicated to it. But climate impacts do not stop at borders. Regional crises can affect trade, security and diaspora communities. Some countries of origin may become unsafe to return to, and neighbouring states often end up hosting people.

A complete response involves home, foreign, development and security ministries, alongside domestic departments.

EVIDENCE ICM and IRAP Policy Series 2026, Overview and Briefs 01–05.

Key terms

There is no single, agreed set of legal definitions for human mobility in the context of climate change, disasters and environmental degradation. Different terms describe different forms of movement, and some have no legal status, so it matters that they are used carefully. The definitions below draw on those used by international organisations, notably the International Organization for Migration (IOM), alongside the Institute's own working terms.

"Climate mobility"

An umbrella term for the full range of movement, and lack of movement, caused or influenced by climate events: rapid onset events, such as storms and floods, and slow onset events, such as sea-level rise and desertification. It includes temporary and permanent migration, displacement, planned relocation, and immobility. It is close in meaning to "human mobility" in the context of climate change (below). The Institute uses it as a working term; it has no legal status.

"Human mobility"

"A generic term covering all the different forms of movements of persons", which reflects a wider range of movements than the term "migration" (IOM, 2019). In the context of climate change, the term is used in the work of the UN Framework Convention on Climate Change (UNFCCC), including the Warsaw International Mechanism on Loss and Damage. There it is understood to cover the three forms of "climate change induced" movement named in the 2010 Cancun Agreements: displacement, migration and planned relocation. It is increasingly used because organisations working on different types of movement can share it.

"Habitability"

Whether a place can continue to support a safe and dignified life and livelihoods, having regard to the availability of water, food, shelter, income and services, and to safety from climate events. Habitability is a matter of degree rather than a threshold, and it can decline gradually, long before a place is submerged or abandoned. It is shaped by governance as well as geography: the same flood or drought may be survivable in one place and far more damaging in another, often because of differences in the measures taken to sustain life and livelihoods. The Institute uses habitability as a lens for understanding climate mobility; it is not a legal status. See also section E.

"Climate change"

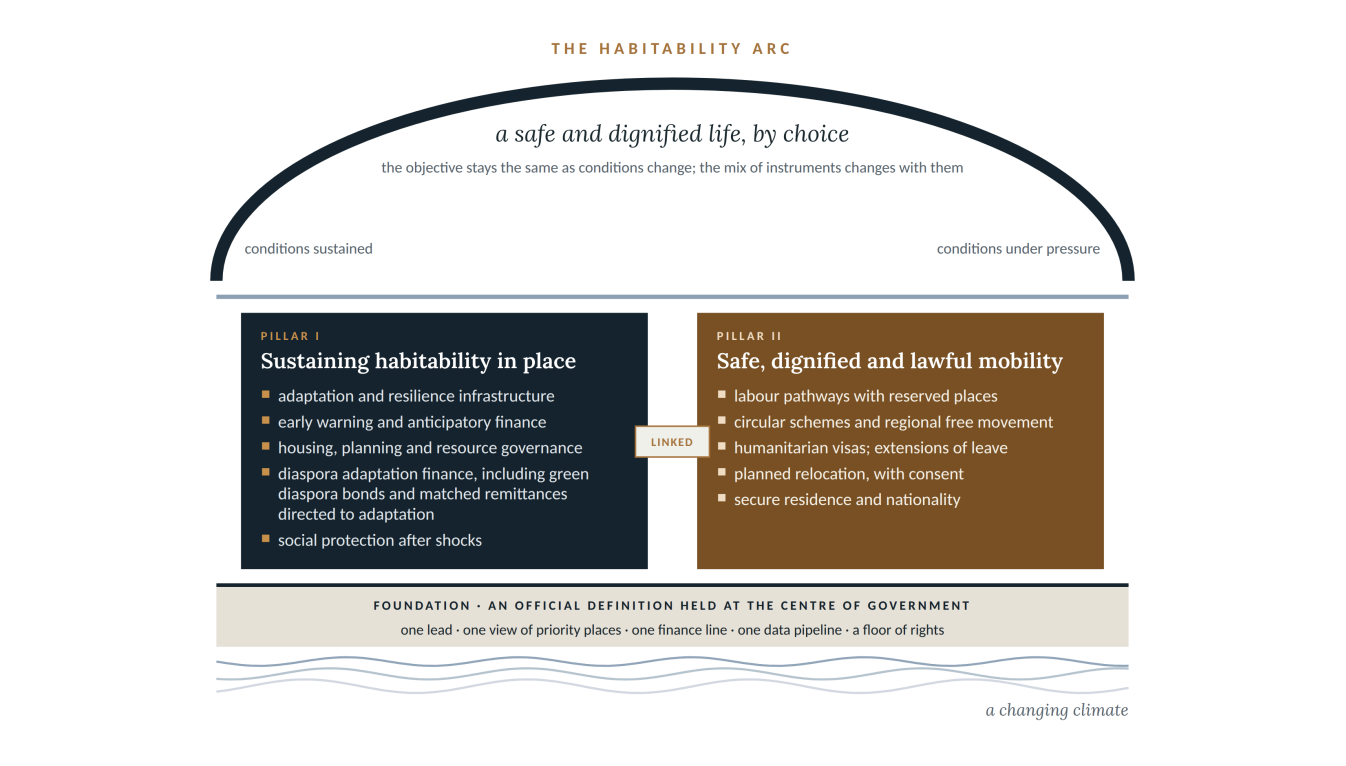
Long-term shifts in temperatures and weather patterns, including changes in how often climate-related hazards happen, how severe they are and how long they last. It is driven mainly by human activities that increase greenhouse gases in the atmosphere.

"Climate event"

In these explainers, both rapid onset events, such as storms and floods, and slow onset events, such as sea-level rise and desertification. The term is used broadly, and also covers environmental changes that cannot necessarily be attributed to climate change, such as land degradation, deforestation, biodiversity loss and resource depletion.

“The habitability arc”

The Institute’s framework for describing the changing relationship between people, places and climate. As conditions come under pressure, the mix of policy responses that people need changes, but the objective stays the same: a safe and dignified life and livelihood, by choice. Within the arc, two pillars of policy instruments operate together. Pillar I sustains habitability in place; Pillar II enables safe, dignified and lawful mobility. Neither is held in reserve for when the other fails.



The habitability arc. Two linked pillars of policy instruments operate together as conditions change, resting on governance that starts with an official central government definition of climate mobility.

“Climate vulnerability”

How exposed and susceptible individuals, communities, livelihoods, territories or ecosystems are to the harmful effects of climate events. It takes account of exposure alongside a community’s capacity to anticipate, cope with, adapt to and recover from those events. Unequal access to resources, services, rights and decision-making all affect vulnerability. Vulnerability belongs at the centre of responses: the most vulnerable may be those who are unable to move, or who do not move (see “Trapped populations”).

“Environmental migration”

“The movement of persons or groups of persons who, predominantly for reasons of sudden or progressive changes in the environment that adversely affect their lives or living conditions, are forced to leave their places of habitual residence, or choose to do so, either temporarily or permanently, and who move within or outside their country of origin or habitual residence” (IOM, 2019).

“Climate migration”

“The movement of a person 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” (IOM, 2019).

Climate migration is a subcategory of environmental migration: it is environmental migration where the change in the environment is due to climate change. It is an IOM working definition, used for analysis and advocacy, and has no specific legal value. The term appears in the Cancun Agreements adopted by Parties to the UNFCCC in 2010, and the World Bank has used it in projecting future movement due to the adverse effects of climate change.

“Disaster”

A serious disruption to the functioning of a community or society, caused when a hazard, such as a flood or storm, affects people who are exposed and vulnerable to it, and leading to human, material, economic or environmental losses. A disaster can exceed a community’s ability to cope using its own resources (UNDRR, 2017).

“Disaster displacement”

Situations where people are “forced or obliged to leave their homes or places of habitual residence as a result of a disaster or in order to avoid the impact of an immediate and foreseeable natural hazard” (Nansen Initiative, 2015). Such displacement happens because people are exposed to a natural hazard at a time when they are too vulnerable, and lack the resilience, to withstand its impacts.

The term is mostly used for forced movement triggered by sudden-onset events. Where people cross into another country, “cross-border disaster displacement” is sometimes used. The Platform on Disaster Displacement uses it as an umbrella term, and the Internal Displacement Monitoring Centre (IDMC) uses it in its annual estimates of new internal displacements linked to disasters.

“Climate-related displacement”

A form of climate mobility in which people are forced or obliged to leave their homes because of rapid onset or slow onset climate events. The Institute uses it as a broader term than “disaster displacement”, which is mostly used for sudden-onset events.

“Internal climate displacement”

Climate-related displacement that takes place within a country’s borders. Most displacement linked to disasters and climate change is internal, and it affects high-income as well as low-income countries. People displaced within their own country are covered by the UN Guiding Principles on Internal Displacement.

“Planned relocation”

“In the context of disasters or environmental degradation, including when due to the effects of climate change, 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).

The term is generally used for relocations carried out within national borders under the authority of the State. It describes a long process, which lasts until relocated people are part of all aspects of life in the new location and no longer have needs or vulnerabilities arising from the relocation (IOM, 2019; Georgetown University, UNHCR and IOM, 2017).

“Trapped populations”

People “who do not migrate, yet are situated in areas under threat, […] at risk of becoming ‘trapped’ or having to stay behind, where they will be more vulnerable to environmental shocks and impoverishment”. The idea applies in particular to poorer households, which may not have the resources to move and whose livelihoods are affected (IOM, 2019).

In the context of climate change, some people may be unable to move because of a lack of resources, disability or social reasons, such as gender. Others may choose not to move for cultural reasons, such as ancestral links with their land.

“Climate adaptation”

In the context of human mobility, measures that help people to stay safely where they are, and mobility measures such as temporary or permanent migration and planned relocation, taken to reduce or manage climate-related risks and impacts.

“Climate migrant” TERM USED WITH CARE

Sometimes used to describe people who move because of climate change or environmental hazards. Some organisations use it, and IOM uses “climate migration” as a working term (above). The Institute generally prefers “climate mobility”, because “climate migrant” does not show whether movement is internal or across borders, temporary or permanent, chosen or forced, and it has no legal definition.

“Climate refugee” TERM TO AVOID · NOT A LEGAL TERM

“Climate refugee” and “environmental refugee” are terms often used in the media and by campaigners to draw attention to the situation and needs of people uprooted by disasters, climate change and environmental degradation. Their situation and needs can be similar to those of refugees, for example where people cross a border after a disaster and need protection and assistance. But people who move for environmental reasons do not fall squarely within any one category of the existing international legal framework, and these terms have no basis in international refugee law. Under the 1951 Refugee Convention, a refugee is someone with a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion.

There is a growing consensus among international agencies, including IOM and UNHCR, that these terms should be avoided. They can be misleading: most environmental migration is internal and not necessarily forced, and using the terms could undermine the international system for protecting refugees. Some people affected by climate events may still qualify as refugees, for example where persecution and climate harm overlap, or under the broader regional definitions used in Africa and Latin America. Everyone who moves in the context of environmental change is protected by international human rights law, and people displaced within their own country are also covered by the UN Guiding Principles on Internal Displacement, to the extent that their country has given effect to them.

The basics

Who is affected, why it matters, and how to tell where risk is highest.

What is “climate immobility”, and who does it affect?

Climate immobility describes people who stay in places exposed to climate risk, either because they cannot leave or because they choose not to.

- **Trapped populations**: people who do not move, yet live in areas under threat, and who are at risk of becoming “trapped” or having to stay behind, where they are more vulnerable to environmental shocks and impoverishment (IOM, 2019). This applies in particular to poorer households, who may lack the money, documents, health or social networks they would need to move. It can include older people, people with disabilities, and people who depend on the land for a living.
- **Voluntary immobility**: people who choose to stay because of their ties to land, culture, community or identity, such as ancestral links with their land, even when the risks are high.

Good policy considers both groups. It makes staying safer through adaptation, and makes moving possible for those who need or want to.

What is the difference between climate mobility and climate migration?

Climate migration is one form of climate mobility.

IOM defines climate migration as the movement of people who, mainly because of sudden or progressive change in the environment due to climate change, are obliged to leave their usual home, or choose to do so, either temporarily or permanently, within a country or across an international border. “Climate mobility” is a broader, umbrella term. Like “human mobility”, it also covers displacement, planned relocation of whole communities, temporary and circular movement, and people who cannot or do not move. The Institute uses “mobility” because policies that look only at migration can miss many of the people affected.

Why does the Institute talk about habitability?

Because framing climate mobility as migration alone can leave out many of the people affected.

Public discussion often presents climate mobility either as a large movement of people across borders, or as a humanitarian emergency to be dealt with once people have been displaced. Both frames focus attention on movement, and on the moment at which it becomes visible. They can leave out people who stay, people who cannot leave, and the communities that receive newcomers.

The Institute therefore approaches climate mobility through the lens of habitability: whether places, and the people in them, can continue to sustain a safe and dignified life and livelihoods as the climate changes. The question for policy becomes: what will it take for people to continue to live a safe and dignified life, whether they stay or move?

Seen this way, climate mobility calls for two linked pillars of policy response that operate together: helping people to stay safely where they are, and making movement safe, lawful and dignified when it happens. Choice is the measure of success: people should be able to remain in safety or move in safety, on terms they have a part in deciding.

Is all climate mobility the same?

No. The Climate Migration Council and others distinguish four situations, each of which may call for a different response.

- **Migration as adaptation**: people move, often temporarily, to reduce risk and, in some cases, to diversify income.
- **Forced displacement**: people are forced or obliged to leave their homes.
- **Trapped populations**: people remain in high-risk places because they cannot move.
- **Politically exploited movement**: movement, or stories about it, used by others for strategic, criminal or political ends.

Why respond to climate mobility?

Because it is already happening, and governments that plan ahead are generally better placed than those that only react.

The main risk is not movement itself, but the strain on the systems that allow people to stay safely, adapt locally or move by choice. Without planning, that strain can fall on housing and services, test social cohesion, and create openings for smuggling and exploitation. Well managed, climate mobility can be a form of adaptation. It can help meet labour shortages, support regional stability and protect lives. Many of the tools governments need already exist, and need coordinating and adjusting rather than reinventing. Acting early can also cost less: studies find that investment in resilience typically returns between two and ten times its cost.

How do you decide what qualifies as a climate-vulnerable country?

One approach is to use published indicators applied to whole countries or regions, rather than detailed assessments of individual people.

Established indices such as the Notre Dame Global Adaptation Initiative (ND-GAIN) Country Index and the EU's INFORM Climate Change Risk Index rank countries on exposure, sensitivity and capacity to adapt, and are updated regularly. Governments can combine these with their own foreign ministry country assessments and with data from national weather and emergency authorities.

Assessing whole countries or regions, rather than each individual, can be quicker, cheaper and more consistent. It also avoids asking people to prove that climate change alone caused them to move, which is very difficult to do.

Can communities refuse relocation?

Planned relocation should be a last resort, carried out with communities rather than imposed on them.

Human rights law protects freedom of movement and choice of residence, and protects people against arbitrary displacement and forced eviction. Under the UN Declaration on the Rights of Indigenous Peoples, Indigenous peoples should not be relocated from their lands without their free, prior and informed consent. Fiji's national guidelines, for example, provide for communities to be consulted and involved throughout.

This is different from a short-term emergency evacuation, where there is an immediate risk to life. Long-term relocation rarely succeeds without the community's agreement, so meaningful participation matters both legally and in practice.

Who is responsible, and when

How responsibility is shared between governments, and how to judge when protection is no longer adequate.

Can climate change make someone stateless?

The legal risk is generally thought to be lower than often feared, but the practical risks are real.

Rising seas have raised questions about the future of low-lying island states. No state has yet ceased to exist because its territory was submerged. Pacific Islands Forum leaders declared in 2023 that statehood and sovereignty will continue despite sea-level rise, Tuvalu has written this into its constitution, and the International Court of Justice's 2025 advisory opinion indicated that a state would not necessarily lose its statehood if one of its elements, such as territory, disappeared.

The more immediate risk is practical. People who lose their identity documents in a disaster may be unable to prove their nationality, and regional free movement agreements often do not cover stateless people and non-nationals. Reissuing documents quickly after a disaster is an important protection.

Who is responsible for climate mobility: national governments, local governments or countries of destination?

All of them, in different ways.

- National governments have the primary responsibility to protect and assist people displaced within their own borders, as reflected in the UN Guiding Principles on Internal Displacement.
- Local and city governments are often the first to respond and the places that host newcomers, so they need funding and plans in place.
- Destination countries are bound by obligations they already have, including not returning people to serious harm, and decide on their own admission routes.
- The international community shares responsibility through climate finance, development cooperation and regional agreements.

Within any one government, responsibility is usually spread across many ministries. For that reason, the Institute recommends that the centre of government (the Cabinet Office or equivalent) adopt a working definition of climate mobility and assign responsibilities across departments, so that each is clear about its role. This is best done early, well before a crisis.

When does government protection become inadequate?

When a state is unable or unwilling to protect people from serious and foreseeable harm.

This can happen suddenly, when a disaster overwhelms the state's ability to respond, or gradually, as slow onset change affects water, food, income or safety. It can also happen selectively, when some groups are left out of protection or adaptation support.

In assessing a person's situation, decision-makers can ask whether the country of origin has provided protection or adaptation support that is meaningful in that person's own circumstances. A national plan on paper may not be enough.

Are there metrics to measure whether a place is habitable?

There is no single agreed measure, but there are useful indicators.

Physical indicators include extreme heat and humidity, freshwater availability and salinisation, how often coastal flooding and erosion happen, and changes in crop yields. Social indicators matter just as much: whether people have access to income, services, housing and safety.

Because habitability is a matter of degree rather than a threshold, no single measure will show when a place has become uninhabitable. For deciding who is eligible for support or a pathway, the Institute suggests that governments use a transparent set of criteria, such as a country falling below a set vulnerability score, or a national climate agency designating an area as facing “serious and reasonably foreseeable uninhabitability”. Waiting until a place has become uninhabitable would be too late.

Can the UK develop frameworks in isolation?

It can start alone, but it can achieve more with partners.

Much of what the Institute recommends is within the UK’s own control: guidance for decision-makers, adapting existing visa routes, domestic housing and funding reform, and building climate mobility into intelligence and development planning.

Results are likely to be stronger with partners, for example through bilateral labour agreements, support for regional free movement agreements, multilateral climate finance and the Platform on Disaster Displacement.

Climate mobility and the law

Institute for
Law and Policy
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There is no single legal category for people who move because of climate events. But that does not mean that no law applies.

If someone moves because of climate change, what law applies — international law or human rights law?

Several bodies of law can apply together, depending on where a person moves and why.

- Domestic immigration law covers visas, leave to remain and temporary protection. This is where most decisions are made.
- International human rights law includes the right to life and the prohibition on returning people to serious harm (non-refoulement), under the International Covenant on Civil and Political Rights (ICCPR) and the European Convention on Human Rights. It protects everyone who moves in the context of environmental change.
- Internal displacement frameworks include the UN Guiding Principles on Internal Displacement, which cover people displaced by disasters, and, in Africa, the binding Kampala Convention.
- Regional and bilateral agreements include free movement protocols and treaties such as the Falepili Union.

Which court would ultimately decide who is a legitimate "climate migrant"?

"Climate migrant" is not a recognised legal term.

A person's right to enter or stay is decided under domestic law. In the UK, the Home Office makes these decisions, subject to appeal to the immigration tribunals and higher courts, as it does now. The question for those courts is whether a person qualifies for leave to enter or remain in the UK under an existing route or form of protection, not whether they are a "climate migrant".

International bodies play a more limited role. The European Court of Human Rights hears individual cases under the European Convention on Human Rights. The views of the UN Human Rights Committee, such as in *Teitiota v New Zealand*, and the International Court of Justice's 2025 advisory opinion are influential, but they are not binding judgments in individual cases.

Does the lack of a legal category mean climate-related displacement has no legal protection?

No. Existing protections still apply, but they are uneven and were not designed with climate change in mind.

In *Teitiota v New Zealand*, the UN Human Rights Committee recognised that the effects of climate change may expose people to a real risk to their right to life, which could prevent a state from returning them. The International Court of Justice indicated in 2025 that non-refoulement obligations can apply in this context.

But the bar is high, slow onset harm is difficult to prove, and protection may come only at a very late stage. For this reason, the Institute recommends clear guidance for decision-makers, and planned routes that do not depend on people reaching a point of crisis.

What legal pathways exist for climate mobility?

More than many people think. Most were not designed for climate mobility, but they can be adapted.

- **Labour migration routes**: potentially one of the most promising tools for safe movement at scale, especially where routes deliberately include people from climate-vulnerable regions.
- **Humanitarian visas**: for example, Argentina's proposed visa for people displaced by disasters.
- **Temporary protection**: for example, US Temporary Protected Status, which has been designated after disasters such as Hurricane Mitch.
- **Free movement agreements**: for example, in the Caribbean, West Africa and East Africa, where eligibility depends on nationality, not on the reason for moving.
- **Bilateral treaties**: for example, the Australia–Tuvalu Falepili Union.

What makes a place “habitable” in law, policy and practice?

“Habitability” has no set definition in law. It is usually understood through human rights.

- **In law**: the question is whether people can enjoy the right to life with dignity, including access to water, food, housing and health. In *Teitiota*, the UN Human Rights Committee accepted that a country could become unfit to live in, and that returning people before that point could still breach their rights.
- **In policy**: governments may use risk criteria, land-use designations such as “no-build” zones, managed retreat decisions and vulnerability indices.
- **In practice**: communities often reach their own conclusions first, as they see water turn salty, harvests fail and homes flood repeatedly. Policy should take account of those signals.

Further reading

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The Institute for Law and Policy on Climate Mobility brings together world-leading experts to research, inform, and advise on rights-based responses to climate mobility. We seek to mainstream climate mobility in legal and policy frameworks as the centrepiece to climate resilient governance structures.

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