

Climate Displacement and Rising Crime: An Overlooked Challenge in Evolving International Law

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Abstract

Environmental disasters and climate change are unpredictable and the damage they cause can scar a territory for years and taking decades for people to get over it. The people displaced may need to seek shelter in another country or region while the situations gets normal and stable.

The factors that lead to additional displacement are caused by global warming which also creates human rights challenges, poverty, unemployment and disputes over scarce resources. The majority of refugees and internally displaced people reside in countries that are ill-equipped to handle these issues and are particularly vulnerable to the consequences of climate change.

People who are displaced by climate change frequently wind up in overcrowded, underserved areas with inadequate resources, where they are more vulnerable to natural catastrophes like heat waves, floods, droughts, and storms. By upsetting livelihoods and limiting access to vital resources like fuel and water, and escalating rivalry with host groups, which can increase the likelihood of conflict and vulnerability forces to step into crimes.

Climate-induced migration is increasingly perceived as a danger to national security and regional instability and unemployment which give rise to criminal minds. South Asia one of the most politically and vulnerable regions for climate disasters. Environmental displacement brought on by floods, sea level rise, and harsh weather make political, ethnic, and territorial problems worse in nations like Bangladesh, India, and Pakistan.

Keywords: Displacement, Degradation, Refugees, Livelihoods, Climate resilience

1. INTRODUCTION

One of the reasons of human displacement in the 21st century is climate change. Extreme weather, sea level rise, rising global temperatures and the slow deterioration of ecosystems are all driving people to flee from their native places in quest of safety and a proper living.

Climate has made frequent displacement where the climate has impacted those communities who are not covered by existing international protection systems in contrast to displacement brought on by armed conflict or persecution. Global security and criminal justice systems, as well as humanitarian and environmental governance, are all significantly impacted by this expanding problem.

The term “**climate refugee**” has become a global issue in public discourse, but it lacks legal force in international law. The main document governing the protection of refugees that is **1951 Convention** relating to the **Status of Refugees and its 1967 Protocol** which defines the notion of “refugee” in

reference to persecution based on specific grounds of race, religion, nationality, membership in a particular social group or political opinion.

This reflects the historical context in which the Convention was developed in post-World War II Europe, where population movements were primarily caused by only war and politically motivated persecution. This legal invisibility results from a faulty distinction between political persecution and the environmental degradation, and it ignores how government initiatives to safeguard the environment amount to persecution.

This article is all about how climate change and environmental displacement intersect with human rights laws and examines regulatory developments promoting recognition of climate displacement and focuses on crimes arising out of it.

Similarly India faces significant climate displacement particularly in drought and cyclone prone regions. Research shows that slow onset hazards like drought and heat can trigger migration from leaving households more vulnerable to exploitation.

2. THE 1951 FRAMEWORK AND IT'S LIMITS

The 1951 Refugee Convention sets out the criteria for protection for refugees are those individuals who flee from their country in fear of being persecuted. The deliberate targeting of individuals with protected characteristics by actions or policies is known as **Persecution**.

It is impersonal and structural, this conventional notion does not apply to environmental harm-Examples of environmental phenomena that are outside the scope of this Convention include desertification, droughts, and sea level rise. Functions as a threat multiplier, aggravating the **lack of resources, escalating conflicts** based on identity, and putting a burden on the ability of the state. Increased border militarization, **anti-immigrant sentiments**, and hostile policy changes result from the framing of cross-border movements as security risks as they become more intense.

Most climate associated displacement happens within national borders which restricts the relevance of the Refugee Convention since it only covers people who cross international boundaries. As a result, the large number of individuals displaced by climate impacts within their own countries are left without sufficient protection under existing refugee law.¹

Since most climate displacement occurs within national borders these affected people are often outside the scope of international refugee protection and may also receive limited assistance from their own governments. **This legal and institutional gap can leave displaced populations without stable income, housing, employment, education or access to basic services.** Continued economic hardship and social marginalization can at some contexts, increase vulnerability to crime, both as victims as well as participants in the informal or illicit economy used as a survival strategy.

3. NEED FOR THE STUDY

Due to rising sea levels and intense weather, droughts, and environmental degradation brought on by global warming, the number of people displaced by climate change is growing quickly. However, the 1951 Refugee Convention and its 1967 Protocol does not acknowledge climate or environmental considerations as causing separate grounds for refugee status. Since the majority of climate displacement takes place

¹ <https://www.unhcr.org/sites/default/files/legacy-pdf/4ca34be29.pdf>

inside national boundaries and those who are impacted are not covered by international refugee protection and frequently do not have enough protection under domestic laws.

This legal gap has always been a major concern when viewed alongside emerging evidence that environmental stress, disrupting economic stability and forced migration may contribute to social tensions, resource conflicts, and increased crime rates. While climate-displaced persons are not inherently linked to criminality because of inadequate legal protection, marginalization, unemployment, and poor governance structures can create conditions that foster insecurity.

Additionally, **abrupt population increases** in already vulnerable **metropolitan areas** can put a pressure on available resources, heighten social unrest, and intensify competition for public services, employment opportunities, and land. These forces might lead to a rise in crime rates if governance mechanisms are poor. This does not imply that migrants who have been displaced by climate change are naturally inclined to commit crimes.

4. LEGAL METHODOLOGY

The **National Crime Records Bureau (NCRB) Crime in India 2022** report provides a detailed overview of crime trends across the country and reflecting both improvements and emerging challenges in India’s criminal justice landscape.

Over **58 lakh cognizable crimes** were registered in **2022**, the overall number of cases **declined by 4.5% compared to 2021**. More significantly, the crime rate per lakh population dropped from 445.9 to 422.2, suggesting a relative reduction when adjusted for population growth. In metropolitan cities like Kolkata retained its position as the safest city for the third consecutive year followed by Pune and Hyderabad.

The report also reveals deep social distress indicators. India recorded over 1.7 lakh suicides in 2022, marking a 4.2% rise from the previous year. Economic and social stressors — including family problems, unemployment, indebtedness, and illness — were leading causes. Daily wage earners, agricultural workers, and unemployed individuals were disproportionately affected, indicating structural vulnerabilities within the economy. The high number of student suicides (over 12,000 cases) further underscores mental health concerns.

Crimes against vulnerable sections show disturbing upward trends. Cases involving Scheduled Castes and Scheduled Tribes increased, with states like Madhya Pradesh and Rajasthan consistently reporting high numbers. **Crimes against women** rose by **4%** which is largely driven by domestic cruelty, abduction, and assault. Similarly, crimes against children increased by **8.7%**, with kidnapping and **POCSO related offences** forming the majority. **Crimes against senior citizens also saw a 9.3% rise** which primarily involves physical harm and financial exploitation.

Overall, while aggregate crime rates show marginal improvement, the data reflects a shift toward technologically driven crimes and persistent social vulnerabilities affecting marginalized groups. The findings call for strengthened cyber infrastructure, targeted welfare interventions, mental health support systems, and improved protection mechanisms for vulnerable communities.

4.1 Comparative Analysis

Category	Key Findings (2022)	Comparison with 2021 / Notes
Overall Cognizable Crimes	Over 58 lakh cases (IPC + SLL)	4.5% decline from 2021
Crime Rate (per lakh population)	422.2	Decreased from 445.9 in 2021

Category	Key Findings (2022)	Comparison with 2021 / Notes
Safest Metropolitan City	Kolkata (3rd consecutive year)	Followed by Pune and Hyderabad
Cyber Crimes	65,893 cases Cyber fraud (64.8%), Extortion (5.5%), Sexual exploitation (5.2%)	24.4% increase from 52,974 (2021) Crime rate rose from 3.9 to 4.8
Suicides (Total Cases)	Over 1.7 lakh	4.2% increase
Suicide Rate	Increased by 3.3%	Per lakh population
Major Causes of Suicide	Family problems, Marriage issues, Bankruptcy, Unemployment, Illness	Economic & social stressors prominent
States with Highest Suicides	Maharashtra (highest), Tamil Nadu, MP, Karnataka, Kerala, Telangana	Consistent trend
Affected Occupations	Daily wage earners (26.4%), Farmers & Agricultural workers	Unemployed (9.2%); Students (12,000 cases)
Crimes Against SC/ST	Overall increase	MP & Rajasthan among top contributors; also Rajasthan, Chhattisgarh, Telangana, Bihar, UP, Odisha, Punjab
Crimes Against Women	4,45,256 cases Cruelty by husband/relatives, Kidnapping, Assault to outrage modesty	4% increase Major categories
Crimes Against Children	8.7% increase	45.7% kidnapping/abduction; 39.7% under POCSO Act
Crimes Against Senior Citizens	28,545 cases Hurt (27.3%), Theft (13.8%), Forgery/Cheating/Fraud (11.2%)	9.3% increase from 26,110 (2021) Major offences

Figure: 1

UNHCR operational data estimates that forced displacement are exceeded 120 million by the end of April 2024. The drastic increase of total forced displacement both within countries and across borders. An estimated forty per cent of all forcibly displaced people at the end of 2023 there children.²

² <https://www.migrationdataportal.org/themes/forced-migration-or-displacement>

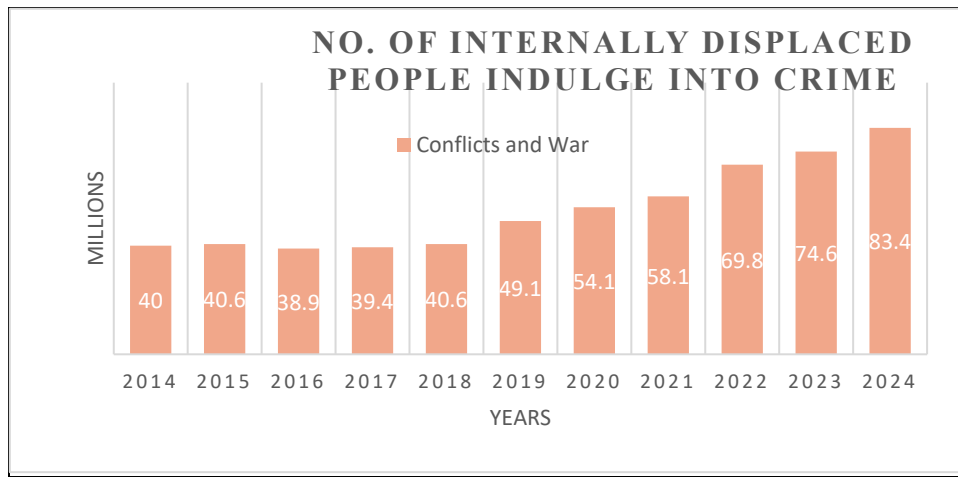


Figure: 2

The bar chart shows the number of internally displaced people due to climatic displacement from 2014 to 2024, measured in millions. Between 2014 and 2018, the figures remain relatively stable at around 38 to 40 million. However, from 2019 onward, there is a noticeable and steady increase in displacement. The number rises to about 49 million in 2019 and continues climbing each year, reaching approximately 70 million in 2022, 75 million in 2023, and peaking at around 83 million in 2024. Overall, the chart highlights a significant upward trend in internal displacement over the decade, especially after 2018.³

Criminologists define crime as acts that violate established laws and are punished by the state but in the context of climate displacement, crime often appears as a survival tactic. Lacking food, shelter, and income, many displaced people resort to illegal activities to meet their basic needs. Some people are easy targets for organized crime syndicates human trafficking networks and extremist groups.

Farmers forced to leave unproductive land may be lured into illegal networks offering money or social status. Similarly, slum dwellers, who are stigmatized by society as criminals, often face harassment by law enforcement, even though they themselves are vulnerable. This paradox leaves them trapped in a cycle of insecurity and isolation.

5. NATIONAL SCENARIO

The silence is even more blatant in India, where environmental displacement is already a reality for millions of people, as there is still no concrete “climate refugee” status or direct solutions for climate refugees.

Although, there are challenges in recognizing climate refugees. Climate change is a broad term that refers to the movement of people who are adversely affected by climate change. This includes a variety of movements, including temporary, permanent, resettlement, planned migration, evacuation, and rescue.

From the Sundarbans along India’s eastern coast to the fragile hills of Uttarakhand in the northern Himalayan foothills, environmental disasters have become a regular part of human existence. In the **Sundarbans, rising sea levels** and repeated cyclones, including **Amphan in 2020** and **Yas in 2021**, have triggered large-scale migration from **West Bengal** to Kolkata’s slums. This movement is not merely temporary displacement but a permanent relocation. However, these people are treated as irregular

³ <https://api.internal-displacement.org/sites/default/files/publications/documents/idmc-grid-2025-global-report-on-internal-displacement.pdf>

workers, squatters, and even illegal trespassers. They have no legal status and with no social security or even easy recognition for their activities. Their tragedy is compounded by their legal invisibility. Post-Amphan, West Bengal Police and NGOs reported **increase in child trafficking and missing minors** from cyclone-affected villages. The term “climate change” has not yet entered and can still be confused with “mobility planning” in transportation planning. Only giving compensation is not enough for these people. **Ridhima Pandey v. Union of India-** A landmark youth-led climate litigation case, Filed in 2017 by a minor petitioner, the case contends that the Union Government’s alleged inaction and inadequate measures to address climate change violate fundamental rights guaranteed under the Constitution of India, particularly the right to life under Article 21, which has been judicially interpreted to include the right to a clean and healthy environment.

The petitioner argues that climate change poses severe threats to present and future generations, invoking principles such as intergenerational equity and the public trust doctrine. As of 2025, the case remains pending in Supreme Court.⁴

5.1 RECENT CLIMATE DISPLACEMENT SITUATIONS IN INDIA

Severe climate-related disasters have increasingly displaced communities across India in recent years. In 2025, heavy monsoon rains triggered **severe flooding and landslides in Himalayan states such as Uttarakhand, Himachal Pradesh, and Jammu & Kashmir**. Rivers breached danger levels, inundating homes and farmland and forcing hundreds of thousands of residents to evacuate to safer areas. Similarly, **Bihar continues to face recurring floods as the Kosi and Ganga rivers frequently overflow**. Over 1.2 million people have been displaced in recent years, particularly affecting districts like Bhagalpur, where crops, homes, and infrastructure have suffered extensive damage.

In 2013 The Uttarakhand Floods (Post-Disaster Crime Cases), Extreme rainfall and glacial lake outburst floods killed over 5,000 people and displaced thousands. Crime cases reported after disaster like looting of abandoned homes and shops, fraud in relief distribution and Illegal land grabbing during reconstruction phase.

Across India and Bangladesh the **Sundarbans** is a cluster of low-lying islands in the Bay of Bengal, famous for its unique mangrove forests. The Indian Sundarbans has 104 islands in total, of which 54 are inhabited by humans. Environmentalists point out that coastal erosion and **rising sea levels** are gradually eating away at the land in the Sundarbans. Many people from the villages are being forced to migrate to cities, like Kolkata, because their fertile land is turning saline with an increasing number of storms and floods.

Geological instability has also contributed to internal displacement. In **2023, land sliding in Thathri town in Jammu & Kashmir** caused a sudden ground collapse, displacing around 300 people and rendering parts of the area uninhabitable. Such events highlight the vulnerability of mountainous regions to both climatic and geological hazards, leaving affected populations with limited relocation options and long-term uncertainty. Extreme weather also linked to the climate change and has further intensified human movement.

The **2025 India–Pakistan heatwave** recorded temperatures **exceeding 48°C**, severely impacting public health, livelihoods, and working conditions, and prompting temporary migration to relatively cooler areas with limited institutional support. Meanwhile, in **Odisha’s Kendrapara district, rising sea levels and coastal erosion have gradually submerged villages such as Satabhaya**. Entire communities have been

⁴ <https://vil.ac.in/climate-change-litigation-in-india-2026/>

compelled to relocate inland to temporary settlements, illustrating the slow but devastating effects of environmental change on vulnerable coastal populations.

6. GOVERNMENT SCHEMES FOR EMPLOYMENT SUPPORT

(Relevant to Climate Refugees/Migrants)

While India does not have a proper or specific “**climate refugee employment policy**”, several employment, livelihood and relief schemes exist which indirectly support displaced, low-income and migrant populations:

National Employment / Livelihood Schemes



Figure: 3

6.1 LOOPHLES IN SCHEMES AND RESULTING CRIMES

Many existing welfare and employment schemes in India were not specifically designed to address climate-induced displacement, creating a mismatch between emerging needs and policy mandates. Programs such as **Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA)** and **Garib Kalyan Rojgar Abhiyaan (GKRA)** primarily target rural poverty or pandemic-related distress rather than long-term climate migration. **National Career Service (NCS)** a portal linking job seekers (including migrants) to skill development and placement opportunities. **Swarna Jayanti Shahari Rozgar Yojana** which is urban employment and self-employment support aimed at urban poor populations where many climate migrants settle. **Prime Minister’s National Relief Fund (PMNRF)** for disaster victims.

As a result, climate-displaced populations, especially those who migrate multiple times or move to urban areas often remain underserved. Moreover, these schemes like **Atmanirbhar Bharat Rojgar Yojana**, **Pradhan Mantri Rojgar Protsahan Yojana (PMRPY)** typically guarantee only **100–125 days of paid work annually**, which is inadequate during prolonged environmental crises when livelihoods require sustained rebuilding and income security.

The absence of a comprehensive urban employment guarantee further deepens vulnerability and as many displaced individuals relocate to cities where no equivalent to rural employment programs exists.

Access to benefits is also hindered by **identification and documentation challenges**, since migrants frequently lack updated residence proof or local registration in their new locations. Additionally, uneven implementation, poor and lack of awareness, and administrative delay particularly in flood or drought-affected regions limit the effectiveness of existing schemes, leaving many eligible households without timely support.

In the first nine months of 2025, India saw a significant rise in loss of life linked to extreme weather, with 4,064 deaths reported a 48 % increase compared to four years earlier, according to a joint report by the

Centre for Science and Environment and Down To Earth. The monsoon season was particularly deadly and accounting for 3,007 of the deaths and Madhya Pradesh recorded the highest number of fatalities. Maharashtra suffered the worst agricultural impact, with 8.4 million hectares of cropped area affected. Overall crop losses from heatwaves, cold waves, lightning, storms, heavy rains, floods, and landslides reached 9.47 million hectares in 2025 — roughly a 400 % increase from the 3.2 million hectares lost in 2024, when there were 3,238 weather-related deaths.⁵

6.2 CRIMES ARISING FROM LOOPHOLES

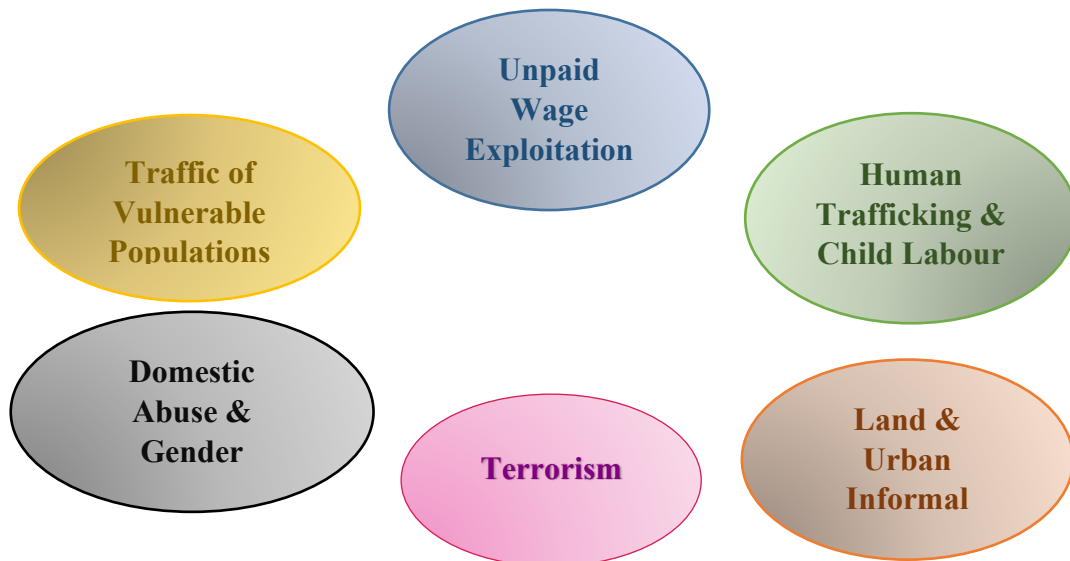


Figure: 4

This **Figure 4** showcases climate causing displacement causes workers to frequently fall into the trap of **underpaid or forced labour**, particularly in informal sectors such as construction, and agriculture. The Supreme Court in **People’s Union for Democratic Rights v. Union of India, (1982)** held that payment of wages below the statutory minimum amounts to “forced labour” under Article 23 of the Constitution, even without physical coercion. Similarly, in **Bandhua Mukti Morcha v. Union of India (1984)**, the Court directed that state authorities has to identify and rehabilitate bonded labourers under the Bonded Labour System (Abolition) Act, 1976.

Sanjeet Roy v. State of Rajasthan Court reiterated that non-payment of minimum wages for drought relief projects violates Article 23. These precedents are often used in high court cases involving rescued forced labourers, such as migrant workers displaced by floods or droughts and trapped in debt extortion trade.

Economic distress among displaced families also highlights the risks of **child labour and human trafficking**. In **M.C. Mehta v. State of Tamil Nadu (1996)**, the Supreme Court laid down detailed

⁵ Centre for Science and Environment & Down To Earth, 2025: <https://www.cseindia.org/india-experienced-extreme-weather-events-on-99-per-cent-of-the-days-in-the-first-nine-months-of-2025-says-cse-and-down-to-earth-s-climate-india-2025-report-an-annual-assessment-of-extreme-weather-events-12940>

guidelines for identifying, withdrawing, and rehabilitating children employed in hazardous industries, reinforcing state accountability under Article 24 and the Child Labour (Prohibition and Regulation) Act. In **Bachpan Bachao Andolan v. Union of India (2011)**, the Court issued nationwide directions for tracing missing children and strengthening anti-trafficking mechanisms, recognising the vulnerability of migrant and impoverished minors. High Courts, including the Guwahati High Court in trafficking-related matters from Assam, have relied on these principles to order victim rehabilitation and strict enforcement under the Immoral Traffic (Prevention) Act and IPC provisions.

6.3 SOCIOECONOMIC REPERCUSSIONS ON PRESENT AND FUTURE GENERATIONS

Climate induced displacement severely disrupts economic stability for affected and vulnerable families. Many displaced households have experience livelihood loss and are pushed into precarious, low wage or informal employment, leading to **chronic underemployment and causing long term financial insecurity**.

This instability often forces children to drop out of school to supplement and support household income, causing educational disruption and limiting future opportunities. Eventually, this cycle of limited education and poverty weakens economic growth across generations and reduces prospects for upward mobility.

Beyond this economic hardships these displacement also creates serious health, social, cultural, and psychological challenges. Climate migrants frequently settle in overcrowded informal urban areas with poor sanitation, limited healthcare access, and inadequate housing conditions or we can say poor quality of living which also indirectly effect the growth of the Nation. Unstable incomes contribute to malnutrition and sensitive health risks, particularly for children, resulting in long-term developmental impacts.⁶

Additionally, the **loss of ancestral lands and traditional livelihoods** such as farming or fishing leads to loss of cultural identity, social networks. Prolonged displacement further increases stress, trauma, and mental health struggles, especially among children who face uncertainty, identity loss, and weakened social support systems.

Relevance: A very recent Supreme Court decision that explicitly frames climate change impacts within constitutional rights, strengthening the legal backdrop against the argument that environmental harm and human rights are separate. In **M.C. Mehta (Taj case)** has ensured Principles linking environmental degradation to constitutional rights.

International Framework and its efficacy

Climate change and forced migration are linked and go hand in hand. Extreme weather events and environmental degradation are shaking the existing humanitarian crises. Increase in climate migrants is more likely to negatively impact developing nations. The problem caused by climate change require a global response. International cooperation and assistance are essential for the effectiveness of efforts to ease its effect.⁷

States are required to work together in compliance with international labour standards the **UN (United Nations) Charter**, the **UNFCCC (United Nations Framework Convention on climate change)**, the **ICESCR (International convention on Economic, Social and Cultural Rights)** and other human rights treaties). In order to attain universal protection and the full implementation of all human rights, this

⁶ <https://api.internal-displacement.org/sites/default/files/publications/documents/idmc-grid-2025-global-report-on-internal-displacement.pdf>

⁷ International Institute for Environment and Development, Climate-induced migration and modern slavery, p 26, <https://www.iied.org/20441g>.

necessitates international collaboration and since the international refugee system's limited protection of international human rights law's universality makes this approach more successful.

In addition to this promoting policy coherence among pertinent stakeholders conducting research to close gaps in operational and policy work and creating initiatives to assist disaster displacement. UNHCR's work includes collaborating with governments to develop a legal approaches to ensure the protection of people displaced by climate change which include of internally displaced people. The use of renewable energy and expanding access clean fuels and cooking technologies are all part of its efforts to lessen the environmental impact of refugee camps.

All of this effort is a component of UNHCR's strategic agenda for climate action, which aims to improve protections for displaced people and lessen the effects of climate change by 2030. In addition to maintaining efforts to lower carbon emissions and guarantee protections for displaced individuals, this entails expanding access to services that support the sustainable and rights-based use of natural resources in host communities.

On May 22 to 26, 2023, the **32nd Session of the Commission on Crime Prevention and Criminal Justice (CCPCJ)** was held, and the UNODC Human Trafficking and Migrant Smuggling Section hosted a side event. In order to investigate the complex and dynamic interconnections between these many migratory patterns and the crimes of human trafficking and migrant smuggling, the event brought together government officials, specialists, and civil society from Africa, Asia, and Latin America.⁸

GLO.ACT 2015-2019 A four-year **Global Action** against Trafficking in Persons and the Smuggling of Migrants Asia and the Middle East (GLO.ACT-Asia and the Middle East) is being carried out by the **European Union (EU)** and the **United Nations Office on Drugs and Crime (UNODC)** in partnership with the International Organization for Migration.

Through the improvement of identification, referral, and protection systems, the project also directly aids vulnerable migrants and victims of human trafficking. The project is totally dedicated to integrating gender equality and human rights into all aspects of its operations. With an emphasis on public safety and protection, the **United Nations Office on Drugs and Crime's (UNODC)** Terrorism Prevention Branch aids Member States in preventing and combating terrorism through inclusive initiatives, laws, and policies.⁹ The Branch supports the UN Secretary General's Common Agenda by advocating for a more robust social compact between governments and their citizens that is based on human rights and upholds fundamental values including equality, accountability, and solidarity.

In the middle of 2025 approx. 117 million people have been displaced by conflict, violence, and persecution Three out of four of them reside in nations where exposure to climate-related risks is high to extreme. There have been almost 250 million internal displacements due to weather-related calamities during the last ten years, or about 70,000 displacements every day. Extreme weather is putting vulnerable communities at risk whether it is record-breaking heat in Kenya and Pakistan, floods sweeping South Sudan and Brazil, or water shortages in Chad and Ethiopia.¹⁰ Events linked to climate change, like hurricanes, floods, and droughts, have resulted in widespread population displacement and increased migration flows. **Human traffickers and smugglers** are more likely to take advantage of migrants, especially those in disadvantaged situations, by taking advantage of their need to find better living

⁸ <https://www.unodc.org/unodc/en/commissions/CCPCJ/index.html>

⁹ GLO.ACT Final Report 2015–2019 (Summary). (2025). UNODC/EU Project Report. Summary of key achievements, legislative outcomes, capacity-building and stakeholder engagement across regions.

¹⁰ <https://www.unodc.org/unodc/en/commissions/CCPCJ/index.html>

conditions. International legal structures that deal with climate displacement are still indirect and dispersed.¹¹

Although the 1951 Refugee Convention and its 1967 Protocol serve as the cornerstone of refugee protection, they do not specifically acknowledge "climate refugees" because refugee status is determined by persecution rather than environmental harm. However, current refugee law may still be applicable in cases where conflict, prejudice, or resource-based persecution are made worse by climate change. The **United Nations High Commissioner for Refugees (UNHCR)** provides guidance on interpreting refugee and human rights law in climate-related contexts, though no formal legal category for climate refugees exists.¹²

The **Kampala Convention** is significant for regional level since it specifically acknowledges internal displacement brought on by climate change and natural disasters. Through concepts like the right to life, dignity, and non refoulement, broader international human rights legislation also provides indirect protection. Research indicates that displaced people are more frequently victims of crime than offender's vulnerabilities resulting from displacement conditions, rather than criminality and explain any observed links between climate migration and crime.

Verein Klima Seniorinnen Schweiz and Others v. Switzerland [2024] ECHR 304 (Grand Chamber) The **European Court of Human Rights (ECHR)** ruled that Switzerland's failure to implement sufficient mitigation measures for climate change violated the European Convention on Human Rights, specifically the rights to private and family life (Article 8), even though the case was not specifically about refugees. Though not a refugee case per se but the **European Court of Human Rights (ECHR)** held that inadequate state action on climate change violated the **European Convention on Human Rights** particularly the rights to private and family life (Article 8) due to Switzerland's failure to take adequate mitigation measures. This case strengthens the argument that **environmental harm can trigger human rights protections** that may apply in asylum.

7. CONCLUSION AND SUGGESTIONS

India's climate-driven displacement is intensifying across flood, heat, drought and coastal erosion contexts, affecting millions and reshaping internal migration patterns. Existing government schemes offer partial livelihood relief and employment generation, but gaps remain in coverage, duration, urban integration, and climate contingency planning. These loopholes contribute to increased vulnerability to crime, social marginalisation, and long-term economic stagnation among displaced families. To mitigate this, policymakers must align climate adaptation strategies with tailored employment guarantees, streamlined social protection, and urban inclusion frameworks to protect future generations from cyclical poverty and instability.

7.1 LEGAL COLLABORATION FOR BETTER GOVERNANCE

It is not always the case that migrants of climate change are criminals instead structural issues like poverty, unemployment, trauma, legal uncertainty, and social isolation make displaced persons more vulnerable to crime, either as victims or, in some situations, as offenders. Governments should enact inclusive, rights-based policies to lessen these dangers. It is particularly crucial to provide timely and equitable legal recognition since persons without legal status are unable to work lawfully and obtain services or engage

¹¹ https://humantraffickingsearch.org/wp-content/uploads/2023/03/22.12.14_Informal_Apparel-PrevalenceBrief.pdf.

¹² <https://www.unodc.org/unodc/en/human-trafficking/glo-act2/Countries/rising-concerns-of-climate--crime-and-exploitation-addressed-at-commission-on-crime-prevention-and-criminal-justice-side-event.html>

with authorities in a safe manner which frequently forces them into exploitative and informal settings where crime is more likely to occur.

Governments should establish protection systems, **issue work permits** promptly, and provide accessible legal aid. Clear documentation not only protects refugees but also allows the state to maintain accurate oversight and social stability.

Access to employment is another critical protective factor. Unemployment and economic marginalization are strongly linked to vulnerability and social instability. Governments can implement skills recognition programs, vocational training, and job-matching initiatives to integrate climate refugees into local labour markets. Public works programs, small business grants, and microfinance schemes can further promote entrepreneurship. When displaced individuals have stable incomes and economic opportunities, the incentive to engage in unlawful activities decreases significantly.

Education plays a particularly important role for young refugees. Children and adolescents who remain out of school for long period are heightened risks of exploitation, gang recruitment, or involvement in informal and illegal economies. Governments should guarantee access to free primary and secondary education regardless of migration status, provide language support, and create after-school programs that foster social inclusion. Vocational training for older youth can also ensure smoother integration into the workforce and reduce long-term vulnerability.

Mental health support must also be prioritized. Climate refugees often experience significant trauma due to disasters, displacement, and loss of livelihoods. Without proper psychosocial support, untreated trauma can manifest in harmful coping mechanisms or increased vulnerability to criminal networks. Governments should invest in community-based **counselling services**, trauma-informed care systems, and mobile mental health units that can reach displaced populations effectively.

Protecting refugees from exploitation is another key preventive strategy. Displaced individuals are frequently targeted by trafficking networks, forced labour schemes, or organized criminal groups. Governments must strengthen anti-trafficking enforcement, establish safe reporting mechanisms, and conduct awareness campaigns that inform refugees of their rights. Protection services for women, children, and other vulnerable groups should be prioritized to reduce exposure to exploitation and abuse.

- Climate refugees are not formally recognized under the 1951 Refugee Convention, but protections can still be strengthened through international human rights law.
- Governments can collaborate with international organizations like UNHCR and IOM for technical support, funding, and policy guidance.
- Domestic laws can be aligned with international frameworks such as the ICCPR and the Global Compact for Migration to promote shared responsibility and inclusive policies.
- Bilateral and regional agreements can address cross-border climate displacement and establish burden-sharing mechanisms.
- Humanitarian visa pathways can provide legal protection for displaced individuals.
- Participation in global climate agreements, including loss and damage financing, can help secure resources to prevent instability.
- Aligning migration, climate, and development policies with international norms supports legal compliance and long-term social stability.
- Regional solutions offer a practical alternative to reforming the 1951 Refugee Convention in addressing climate displacement. South Asia, through platforms such as SAARC (South Asian Association for Regional Cooperation) or BIMSTEC (The Bay of Bengal Initiative for Multi-Sectoral

Technical and Economic Cooperation), could create a regional climate displacement protocol. Climate vulnerable states, including small island nations can adopt legally binding agreements that formally recognize climate-induced displacement and establish relocation procedures that too with temporary protection measures and safe migration pathways.

In India, future emissions, temperatures, and future disasters are all concepts we frequently use when discussing climate change. For climate refugees, however, the present is the future. These people have lost their homes, lands, and means of subsistence. Beyond token gestures, we must start building inclusive legal frameworks that see displaced people as fellow residents of a vulnerable and shared planet rather than as threats or a burden.¹³ In conclusion, inclusive governance rather than tougher law enforcement is the key to preventing criminal activity among climate refugees. The fundamental foundations include community integration, employment, education, mental health care, legal recognition, and protection from exploitation. Both host countries and refugees gain when governments cooperate with international legal organizations and respect human rights norms, enabling displaced people to rebuild their lives in a peaceful and productive manner.

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