NOVEMBER 9, 2017 / 10:26 AM / 4 DAYS AGO

**Climate migration muddied by legal confusion in Pacific islands**

[Laurie Goering](https://www.reuters.com/journalists/laurie-goering)

LONDON (Thomson Reuters Foundation) - Pacific islanders may be among the first people in the world forced to migrate as a clear result of climate change - but a range of thorny legal obstacles stands in the way of that happening successfully, researchers warned on Thursday.

Addressing those now, and putting in place a regional plan to deal with migration before it picks up speed, will be key to avoiding a future emergency, they said.

“I believe in preparedness rather than humanitarian crisis,” said Cosmin Corendea, a senior legal expert at the United Nations University’s Institute for Environment and Human Security (UNU-EHS) and lead author of a study released on the sidelines of international climate talks in Bonn.

The study, based on household surveys and other research in Fiji and Vanuatu, looks at how human rights, climate change and migration law need to be joined up in the Pacific.

It explores how the region’s unusual hybrid legal systems - built on old traditional law overlaid by modern national law - could be harmonized to deal with migration.

Many Pacific islanders, for instance, consider group rights more important than individual ones. That is a challenge in accepting the importance of the international human rights protections at the core of migration law because those focus on individual rights, Corendea told the Thomson Reuters Foundation.

“They don’t perceive human rights as we see them. They see them as Western values imposed by government,” he said by telephone. “That means they don’t feel very comfortable with a human rights approach.”

Because of such concerns, combined with a lack of time and resources, few countries have put in place any legal framework to guide climate-related migration, either when their own citizens leave or other islanders arrive, he added.

Today that is not a significant problem, as migration flows are relatively small and most islanders have a long history of welcoming migrants, dating back to when people traveled regularly between islands looking for food and other essentials.

But as resources, including land, water, food and jobs, become scarcer on Pacific islands and migration flows bigger, that generosity may start to wear thin, Corendea warned.

“If someone comes and takes your job... people start to not necessarily be so open anymore,” he said.

**MY LAND, YOUR LAND?**

Across the islands, up to 90 percent of land is held in customary tenure by groups rather than individuals, meaning it usually cannot be bought or sold, the study noted.

That suggests finding new land for migrants is likely to be extremely difficult, particularly with 70 percent of people in Vanuatu and 58 percent in Fiji telling researchers they would be unwilling to see outsiders occupy any of their land, even if they were financially compensated.

More than 90 percent of people surveyed in Fiji and Vanuatu also said they do not believe their government has a responsibility to help incoming migrants, the report noted.

They cited competition for land and jobs, alongside cultural differences, as reasons. “From this perspective, forced relocation is extremely problematic,” the report noted.

Wesley Morgan, an international relations expert at the University of the South Pacific, noted that for many island communities with deep ties to land, moving elsewhere “is generally considered an option of last resort”.

Some countries are exploring ways around the roadblocks. Kiribati, one of the lowest-lying and most threatened nations in the region, has bought 20 square kilometers of land on a Fijian island from the Church of England, to use for farming and perhaps eventually to resettle families.

But other early efforts to find land for relocation have been a struggle. Migrant families from the low-lying Carteret Islands, part of Papua New Guinea, spent more than a decade trying to find land and funding to move to Bougainville on the mainland. Some have now relocated.

Other migrants are turning to New Zealand and Australia, the region’s dominant economies. In 2014, a New Zealand judge granted residency to a family from Tuvalu, in part on humanitarian grounds related to climate change.

At U.N. climate talks in Warsaw in 2013, governments established an international mechanism to figure out how to deal with unavoidable losses and damage from climate change, including migration and displacement. But it has made little concrete progress on the issue so far, experts say.

**GROWING URGENCY**

With more than 90 percent of households in Kiribati and Tuvalu already hit by climate-related hazards such as flooding, storms and saltwater intrusion over the last decade, finding better answers to migration questions soon is important, the UNU-EHS study noted.

It urges Pacific island nations to not only work on their own national and customary laws, to ensure they are fit to deal with migration pressures, but also to develop a regional policy that can head off problems such as countries beginning to demand visas for travel among islands.

Creating a regional plan - rather than waiting for any global climate migration deals to come into effect - “will better help the countries preserve their values and traditions”, Corendea said.

Countries should also recognize climate-related migration is a problem that is here to stay, he said.

“We can’t talk about climate change anymore without talking about migration,” he said. “It’s happening.”

1. Why don’t some Pacific Islanders feel comfortable with a Western Human Rights approach to looking at how to treat people?
2. Why is it necessary to find new land on which to place the residents of the Pacific Islanders? What aspects of their culture will complicate this process?
3. How is climate change linked to migration?

**When and how can foreign aid slow migration?**

By Charles Martin-Shields, Steffen Angenendt and Benjamin Schraven November 2

Can foreign aid be used to prevent or slow migration? As the Mediterranean migration crisis continues, some politicians want to tie aid to [anti-migration measures](http://www.dw.com/en/germanys-populist-afd-party-seeks-to-reboot-migrant-fears/a-40176414). They argue that countries that fail to prevent migration or won’t take back failed asylum seekers should be denied development assistance. Underlying this argument is the assumption that receiving countries should use development aid to create jobs within the country — and thus prevent further emigration.

This argument might appeal to some voters in wealthier countries. But it’s based on a misunderstanding of the relationship between development and migration — and, in particular, a phenomenon called the “[migration hump](http://theconversation.com/global-compact-on-migration-should-focus-on-harnessing-its-win-win-benefits-72967).”

Here’s an explanation. The “migration hump” generally describes how migration tends to increase as households move from poor to middle income — and then tapers off as average household incomes increase beyond middle income.

Our recent [policy research](https://www.swp-berlin.org/en/publication/more-development-more-migration/) points out that continued development aid can mitigate forced displacement in very poor countries, while supporting safe, legal migration. This can lead to positive [development and migration outcomes](http://www.world-psi.org/en/psi-symposium-german-philippines-bilateral-agreement-health-workers) in both developed and developing countries. Thus, a better policy approach would be to use development assistance to reduce the drivers of forced migration and displacement, while supporting safe, regular migration.

**Cutting development aid will not stem migration across the Mediterranean**

There are two important details to keep in mind when looking at the relationship between development aid and migration. First, much of the research that informs our understanding of economic migration focuses on people migrating through formal processes. The current crisis in the Mediterranean, by contrast, is driven by irregular “[mixed migration](http://www.mixedmigrationhub.org/member-agencies/what-mixed-migration-is/)” flows where incidents of forced displacement from violence are intertwined with voluntary forms of economic migration.

There is still much scholarly debate about the impact of development aid on migration flows, but recent statistical evidence suggests that we see [decreases in mixed migration](http://cadmus.eui.eu/handle/1814/46124) when development aid increases, particularly in poor countries. This suggests aid can mitigate acute drivers of forced displacement, such as food insecurity or a lack of shelter.

Second, macroeconomic changes often take decades to influence migration patterns. Cuts to development aid in a given year aren’t likely to influence short-term migration trends. Michael Clemens looks at the economics of migration, for instance.

He explains that when a country reaches per capita GDP of about $7,000 to $8,000, regular, legal migration stops increasing — people tend to stay put. Assuming a standard economic growth rate, this means a “[low income](https://datahelpdesk.worldbank.org/knowledgebase/articles/906519-world-bank-country-and-lending-groups)” country such as Niger will take over 100 years to reach the $7,000-per-capita income threshold at which economic migration flattens out, then starts to decrease. In the meantime, the data indicate that mixed emigration from Niger will only increase.

This means changes to the amount of development aid in any single year probably will not lead to noticeable changes in migration from a country like Niger to Europe. Instead, migration trends reflect the fact that people are going to migrate because they feel economically and physically insecure. Punishing a country like Niger for not preventing emigration by withholding aid is unlikely to change those fundamentals, and could make them worse.

**What does the “migration hump” tell us about development and migration policy?**

There’s an important takeaway: When economic growth leads to migration, both the sending and receiving countries can see positive economic effects, especially if migration is organized in an orderly and safe manner.

This was the case for Germany’s [Triple Win arrangement](https://www.giz.de/en/worldwide/41533.html), which started in 2012. Nurses from the Philippines (and later Serbia, and Bosnia and Herzegovina) applied for German work visas through a program organized cooperatively by the German and Philippine governments to mitigate a nursing shortage. The Philippines, a lower-middle-income economy whose per capita GDP grew from $2,581 to $2,951 during the life of the program, had the facilities and capacity to train well-qualified nurses.

The nurses’ migration to Germany temporarily took pressure off the Philippines’ nursing labor market, met a labor need in Germany, and importantly supported skills and financial transfers back to the Philippines.

How does this play out in the African context? Cutting back on development aid to punish countries that don’t stop migration is not likely to slow mixed migration in the Mediterranean region. This is largely because many people are not moving because of increased economic choice. Instead, [they seek safety](http://www.tandfonline.com/doi/abs/10.1080/03050620304597), or leave their homes in response to a total lack of [local economic opportunity.](http://www.fmreview.org/fragilestates/betts.html)

These are the factors that development policy and humanitarian aid are designed to address. In the best case, development aid can mitigate the drivers of forced displacement and mixed migration by reducing the drivers of forced displacement.

If the long-term goal is to reduce forced migration and displacement, and support safe mutually beneficial economic migration, the evidence suggests that increasing development cooperation and humanitarian assistance in Africa is the better way to go.

1. What is the main question in this article?
2. What is the migration hump?
3. How did the Triple Win arrangement help both Germany and the Philippines?