

ESSAY

Climate migrations as a subject of the American national security policy

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Abstract

This article draws attention to the growing importance of climate migration as a subject of national security. The United States of America (USA) was cited as a global leader upon which the international community places its hopes in combating climate change. With this in mind, an analysis was conducted on the institutional and normative actions of the American administration during the presidency of Joe Biden, which were a direct response to the effects of the climate crisis. These actions show the increased involvement of the USA administration in trying to define climate migration as a serious national security problem. In the article, we argue that with the change in the presidency in 2021, there was an increased commitment to climate migrants accompanied by a growing awareness of climate change. In the analysis of the cognitive problem, research methods characteristic of the following sciences were used: political (decision-making method), legal (dogmatic method), and historical sciences. The article is descriptive and explanatory.

Keywords

climate change, migration, national security, USA

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Introduction

Past research has shown that climate change is an important element causing the relocation of people¹ and its role as a migration factor will continue to increase.² The effects of climate change and its uncertainty create “liquid fears”³ that influence migration decisions. The institutional perspective shows that climate migrations have become a significant global challenge.⁴ In 2022, the top 10 migration issues were drought and famine that struck East Africa and climate disasters such as floods.⁵ The former affected internal and external displacement in Somalia and Ethiopia. The latter in turn was characteristic of Pakistan, Nigeria, and South Sudan.⁶ Drought also affected Syria in 2006–2010 and 2017–2018, and other regions of Asia.⁷ Forecasts of these trends can be found a few years earlier in the World Bank’s 2018 report entitled ‘Groundswell: Preparing for Internal Climate Migration’,⁸ which presents scenarios of population movements in response to global warming. According to research if urgent action to solve the problems related to climate change are not taken, up to 140 million people may be forced to relocate in Sub-Saharan Africa, South Asia, and Latin America. Moreover, the frequency of climate crises will intensify due to the low probability of significantly reducing greenhouse gas emissions. This will be accompanied by dystopian scenarios predicting social inequalities, conflicts and wars. Thus, climate migrations are seriously challenging national and international security. The World Bank report from 2023 indicated that 40% of the world’s population lives in places that are very

¹ R. Hoffmann, B. Šedová and K. Vinke, “Improving the evidence base: a methodological review of the quantitative climate migration literature,” *Global Environmental Change* no. 71 (2021), <https://doi.org/10.1016/j.gloenvcha.2021.102367>.

² E. Ferris, “Research on climate change and migration where are we and where are we going?,” *Migration Studies* 8, no. 4 (2020): 612–625, <https://doi.org/10.1093/migration/mnaa028>.

³ Z. Bauman, *Płynny lęk* (Kraków: Wydawnictwo Literackie, 2007).

⁴ “Climate Change 2022: Impacts, Adaptation, and Vulnerability. Working Group II Contribution to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change,” in eds. H.O. Pörtner *et al.* (Cambridge, New York: Cambridge University Press, 2022), https://report.ipcc.ch/ar6/wg2/IPCC_AR6_WGII_FullReport.pdf.

⁵ “Top 10 Migration Issues of 2022,” *Migration Information Source*, accessed November 4, 2022, <https://www.migrationpolicy.org/programs/migration-information-source/top-10-migration-issues-2022>.

⁶ “Top 10 Migration Issues,” <https://www.migrationpolicy.org/programs/migration-information-source/top-10-migration-issues-2022>.

⁷ W. Erian, “Drought Vulnerability In The Arab Region. Case Study - Drought in Syria Ten Years of Scarce Water (2000 – 2010),” Damascus, 2011, https://www.unisdr.org/files/23905_droughtsyriasmall.pdf; “Climate change made the deadly heatwaves that hit millions of highly vulnerable people across Asia more frequent and extreme,” Word Weather Attribution, May 14, 2024, <https://www.worldweatherattribution.org/climate-change-made-the-deadly-heatwaves-that-hit-millions-of-highly-vulnerable-people-across-asia-more-frequent-and-extreme/>.

⁸ “Groundswell: Preparing for Internal Climate Migration,” World Bank, March 19, 2018, <https://www.world-bank.org/en/news/infographic/2018/03/19/groundswell---preparing-for-internal-climate-migration>.

vulnerable to climate change.⁹ It was and is largely responsible for internal and later international migrations. Forecasts show that in 2050, internal displacement will affect from 44 to 216 million people.¹⁰

In the national and international arena, climate change and its impact are often presented as a serious threat to global security, causing chaos, conflict and destabilising countries. However, this approach has not led to taking exceptional measures to combat climate change. Research shows that, on the one hand, there is a justification for presenting climate migration with reference to security, defined as the process by which non-traditional security issues (such as climate change or migration) are discussed and/or considered in terms of security and thus drawn into the security domain.¹¹ At the same time, however, it is pointed out that security language may or may not help increase the urgency of climate action, especially if it is perceived as strategic.¹²

The aim of the article is to analyse the United States of America (USA) policy in relation to climate migration during the presidency of Joe Biden. We propose that with the change in the presidency in 2021, there was an increased commitment to climate migrants accompanied by a growing awareness of climate change. In order to test the aforementioned assumption, attempts were made to answer the following questions: What political and legal actions did the J. Biden administration take to address the climate crisis? How do climate migration issues relate to international and national security? What are the interconnections between climate migration and national and global security?

The article has been divided into three sections each addressing the following criteria: the political determinants of the USA leadership in creating institutional and legal solutions to complex problems of climate migration, and the introduction of migration into the international regime of climate change as a significant challenge for national and international security. In the analysis of the cognitive problem, research methods characteristic of the following sciences were used: political (decision-making method), legal (dogmatic method), and historical sciences. The article is descriptive and explanatory.

Climate migrations as a subject of the American national security policy

Considering the issue of responsibility for global carbon dioxide (CO₂) emissions, it should be stated that the largest emitter was the USA. Between 1751 and 2017, this

⁹ "Migrants, Refugees and Societies," World Bank, Washington, 2023, 78, <https://www.worldbank.org/en/publication/wdr2023>.

¹⁰ "Migrants, Refugees," <https://www.worldbank.org/en/publication/wdr2023>.

¹¹ I. Boas, *Climate Migration and Security. Securitisation as a Strategy in Climate Change Politics* (New York and London: Routledge, 2017).

¹² J. Warner and I. Boas, "Securitization of climate change: How invoking global dangers for instrumental ends can backfire," *EPC: Politics and Space* 37, no. 8 (2019): 1471, 1483.

country emitted 25% of total carbon dioxide emissions (399 billion tons), which was twice as much as the world's third largest country, China (12.7%, 200 billion tons). In turn, the contribution of countries from Africa or Oceania, which are most affected by climate change, was small. They emitted, 3% and 1.2% CO₂ respectively.¹³ Thus, it is the United States' moral responsibility to lead on issues related to climate change and climate change-induced migration.

In 2010, the USA Department of Defence recognised climate change as harmful to the security of the state and its geopolitical environment intensifying; poverty, disease, environmental degradation, government instability, conflicts, food and water shortages and migration.¹⁴ According to Michael Klare, the interest of the military on this issue results from the realisation that climate change reduces the US army's operational capability and readiness for potential conflicts, including China (considered the greatest threat to USA'S national security). Moreover, the adverse effects of climate change disrupt military response to other global emergencies.¹⁵

The awareness of the adverse phenomena resulted in the adoption of Executive Orders 13653 in November 2013 and 13677 in September 2014, which established the basis for coordinated action to introduce climate change issues into federal and international policies.¹⁶ On the basis of the former act, the Council for Climate Change Preparedness and Resilience was established. Whereas, based on the latter one – the Working Group on Climate-Resilient International Development, operates within the framework of the aforementioned Council. Subsequently, the discussed issue was referred to in the 'FY 2014–2017 Department of State and USAID Strategic Plan'. One of the key goals highlighted in this document was “promoting the transition to a low-emission, climate-resilient world while expanding global access to sustainable energy”.¹⁷

The 2015 Quadrennial Diplomacy and Development Review called upon the Department of State and the United States Agency for International Development

¹³ H. Ritchie and M. Roser, “CO₂ emissions,” Our World in Data, accessed November 25, 2022, <https://our-worldindata.org/co2-emissions>.

¹⁴ Department of Defense, United States of America, “Quadrennial Defense Review Report,” February, 2010, 84, 85, <https://history.defense.gov/Portals/70/Documents/quadrennial/QDR2010.pdf?ver=2014-08-24-144223-573>.

¹⁵ “Michael Klare on the Pentagons view of Climate Change and the Risks of State Collapse,” July 30, 2021, <https://futureoflife.org/podcast/michael-klare-on-the-pentagons-view-of-climate-change-and-the-risks-of-state-collapse>.

¹⁶ “Executive Order 13653 Preparing the United States for the Impacts of Climate Change,” November 1, 2013, <https://www.wbdg.org/FFC/FED/EO/eo13653.pdf>; “Executive Order 13677 Climate-Resilient International Development,” September 23, 2014, <https://obamawhitehouse.archives.gov/the-press-office/2014/09/23/executive-order-climate-resilient-international-development>.

¹⁷ United States Department of State, “Strategic Plan FY 2014–2017,” United States Agency for International Development, March, 2014, 25–29, https://2012-2017.usaid.gov/sites/default/files/documents/1868/State_USAID_Joint_Strategic_Plan_2014-04-02.pdf.

(USAID) to mitigate the effects of climate change by gaining resilience.¹⁸ It was noted that climate change increases the vulnerabilities of states, and multiplies threats resulting from resource shortages and conflicts, which leads to migrations and humanitarian crises. These factors, combined with the USA's exposure to the effects of extreme weather events, compelled the authorities to take active measures within the country, as part of international partnership and climate diplomacy.¹⁹

Comments on climate change were also included in the national security strategy of 2015. It confirmed the impact of climate change on the threat to national security and the intensification of natural disasters, an increased influx of refugees and conflicts over food and water.²⁰ A similar approach can be found in the presidential memorandum of 2016, led the relevant institutions to develop comprehensive approaches, including implementation plans related to the threats resulting from climate change to state security and human mobility. This document established the Climate and National Security Working Group and set its tasks (sections 4a, 4c).²¹ However, this document was repealed soon after in March 2017. The same fate befell the above-mentioned Executive Order 13653 of 2013.²² This took place during the presidency of Donald Trump, who showed significantly less interest in the issues of climate than that of his predecessor. At that time, budget expenditures for these purposes were reduced, and the impact of climate change on security was not included in the national security strategy of 2017. This issue was also not addressed in the 'Joint Strategic Plan FY 2018–2022 of the U.S. Department of State, U.S. Agency for International Development'.²³ During D. Trump's presidency, the USA ceased to be an active participant in the Platform for Catastrophic Displacements. In addition, in the summer of 2017, the USA withdrew from signing the Paris Agreement, and in December of the same year, it also withdrew from negotiations on the Global Pact on Migration. Americans stopped

¹⁸ "Enduring Leadership in a Dynamic World," Quadrennial Diplomacy and Development Review (Washington, 2015), <https://2012-2017.usaid.gov/sites/default/files/documents/1870/QDDR2015.pdf>.

¹⁹ "Enduring Leadership," 11, 12, 43, 44.

²⁰ "National Security Strategy," February, 2015, 12, https://obamawhitehouse.archives.gov/sites/default/files/docs/2015_national_security_strategy_2.pdf.

²¹ "Presidential Memorandum - Climate Change and National Security," September 21, 2016, <https://obamawhitehouse.archives.gov/the-press-office/2016/09/21/presidential-memorandum-climate-change-and-national-security>.

²² "Executive Order 13783. Promoting Energy Independence and Economic Growth," March 28, 2017, <https://www.federalregister.gov/documents/2017/03/31/2017-06576/promoting-energy-independence-and-economic-growth>.

²³ "Climate Change. Activities of Selected Agencies to Address Potential Impact on Global Migration;" Report to Congressional Requesters, United States Government Accountability Office, January, 2019, 10, 11, <https://www.gao.gov/assets/gao-19-166.pdf>; U.S. Department of State, "Joint Strategic Plan FY 2018–2022," U.S. Agency for International Development, February, 2018, <https://www.state.gov/wp-content/uploads/2018/12/Joint-Strategic-Plan-FY-2018-2022.pdf>.

being donors of many climate-related projects, which meant that organisations implementing programmes in this area had to fight for funds. Until D. Trump took over the presidency, the USA was financially involved in activities related to climate and migration issues. For example, American authorities provided funds for 1) the Intergovernmental Panel on Climate Change (USD 2 million annually in fiscal years 2014–2016), 2) the International Organization for Migration (IOM) initiative, Migrants in Countries in Crisis Initiative (USD 4 million in fiscal years 2014–2018), and 3) Initiatives for Global Climate Change (USD 78 million in fiscal years 2014–2017 for eight projects).²⁴ In turn, starting from January 2017, they did not transfer funds to the Green Climate Fund and reduced USAID spending on climate initiatives in the 2019 budget plan by 70% compared to spending during Obama’s presidency.²⁵ In addition, the State Department’s Bureau of Population, Refugees, and Migration (PRM) allegedly put pressure on the United Nations (UN) International Organisation for Migration to remove climate change-related content from its documents, threatening a potential loss of USA funding if they failed to comply. The PRM was of the opinion that “documents related to their programme activities financed by it” could not be in conflict with the policy of the American government.²⁶ Moreover, during D. Trump’s presidency foreign food aid to Central America was reduced (Guatemala, Honduras). This action was taken despite the fact that Customs and Border Protection identified crop shortages and food insecurity as a significant cause for migration to the USA in September 2018.²⁷

Climate change issues have gained significant importance following Joe Biden’s presidency.²⁸ He made climate policy a key element of his political agenda. Regional and international cooperation in this area was a priority for him, as demonstrated by the USA’s adoption of the Paris Agreement on 20 January 2021.²⁹

The climate crisis as a priority for the J. Biden administration

A collection of the latest J. Biden administration documents - intelligence reports on the impact of climate change on global security, of the Department of Defence

²⁴ “Climate Change,” 21.

²⁵ N. Meade, “Trump’s Cuts In Climate-Change Research Spark a Global Scramble For Funds,” *The New Yorker*, June 7, 2018, <https://www.newyorker.com/news/news-desk/trumps-cuts-in-climate-change-research-spark-a-global-scramble-for-funds>.

²⁶ “Letter from Senator Edward J. Markey to Secretary of State Michael R. Pompeo,” September 27, 2019, [https://www.markey.senate.gov/imo/media/doc/Pompeo re PRM-IOM Climate Censorship 09.27.19.pdf](https://www.markey.senate.gov/imo/media/doc/Pompeo%20re%20PRM-IOM%20Climate%20Censorship%2009.27.19.pdf).

²⁷ “Letter from Senator Edward J. Markey to US President Donald J. Trump,” September 25, 2019, [https://www.markey.senate.gov/imo/media/doc/Letter to POTUS on C America Migration and Climate.pdf](https://www.markey.senate.gov/imo/media/doc/Letter%20to%20POTUS%20on%20C%20America%20Migration%20and%20Climate.pdf).

²⁸ Department of Defense, “List of statutes, executive orders and documents of the Department of Defense,” in *Climate Risk Analysis*, October, 2021, annex 1, 17, <https://media.defense.gov/2021/Oct/21/2002877353/-1/-1/0/DOD-CLIMATE-RISK-ANALYSIS-FINAL.PDF>.

²⁹ “Paris Climate Agreement,” January 20, 2021, <https://www.whitehouse.gov/briefing-room/statements-releases/2021/01/20/paris-climate-agreement>.

on its repercussions for military plans, of the Department of Homeland Security and the National Security Council confirm the fact that the USA's priority is to reduce the negative impact of climate change on national security.³⁰

The president signed the first executive regulation on resolving the climate crisis in January 2021.³¹ According to this document, this crisis was placed at the centre of the USA foreign policy and national security, becoming an important area of cooperation with other countries. The regulation reinstated the president's memorandum on the implications climate change could have on national security, originally issued on 21 September 2016.³² In it, president B. Obama stated that climate change could cause domestic and international migrations, conflicts, and crises in regions already affected by instability.

In response to Executive Order 14008 (Part I, Section 103b), the Director of the National Intelligence Council prepared a report on the short and medium-term geopolitical consequences of climate change for national and economic security. It stated that this change would exacerbate political tensions (border disputes, internal conflicts) leading to increased instability and a greater demand for humanitarian aid. The report finished with the authors claiming how the effects of climate change will intensify in the second half of the 21st century.³³ This will be the most felt in Pakistan, the Mekong basin, Middle East, and North African countries where increased tensions are expected due to water supply shortages, bringing about cross-border migrations, droughts, cyclones, and floods. Bangladesh and the island states will be exposed to environmental migrations, which according to the report will demand changes in international law in the field of refugees, including climate refugees.³⁴ The document also asserts that uncontrolled migrations from dysfunctional countries are expected in the years 2030–2040. In total, 11 countries and two regions with a large accumulation of threats resulting from climate change were identified.³⁵

Another legal act addressing the discussed issue was the Executive Order of 4 February 2021, in which the USA president described state policy as "(...) a beacon

³⁰ M.A. Piotrowski, "Zmiany klimatu jako priorytet i kwestia bezpieczeństwa narodowego dla administracji Bidena," *Biuletyn PISM* no. 198 (November 24, 2021): 1.

³¹ "Executive Order 14008 on Tackling the Climate Crisis at Home and Abroad," January 27, 2021, <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.

³² "Presidential Climate."

³³ "National Intelligence Estimate, Climate Change and International Responses Increasing Challenges to US National Security Through 2040," March, 2021, ii, https://www.dni.gov/files/ODNI/documents/assessments/NIE_Climate_Change_and_National_Security.pdf.

³⁴ "National Intelligence Estimate, Climate Change," 10, https://www.dni.gov/files/ODNI/documents/assessments/NIE_Climate_Change_and_National_Security.pdf.

³⁵ Afghanistan, Myanmar, India, Pakistan, North Korea, Guatemala, Haiti, Honduras, Nicaragua, Colombia and Iraq, two regions – Central Africa, the Pacific region – small island states.

of hope for persecuted people around the world”.³⁶ Recognising the importance of environmental degradation, this act announced the preparation and presentation to the president (within 180 days from the date of issuing this regulation) of a report on climate change and its impact on migration, including forced migration, internal displacement and planned relocations.³⁷ In response to the above regulation, ‘The Report on the Impact of Climate Change on Migration’ was published in November 2021.³⁸ The document stated that by 2050, nearly 3% of the population in Sub-Saharan Africa, South Asia, and Latin America will be internally migrating.³⁹ As a consequence, the cross-border movement will also be expected to increase. In connection to this, American financial assistance was considered one of the ways to respond to climate migration (in 2020, it donated USD 10.5 billion)⁴⁰ in order to support the protection of migrating people, for instance through activity and coordination in international initiatives and organisations.⁴¹ The report outlines the political, social, and economic repercussions of climate migration. It can be considered the basis for future political action at national and international levels. Despite receiving positive feedback, the document was criticised by Amali Tower the Executive Director of Climate Refugees. In her opinion its subject matter did put forward new ideas, but repeated old content. In addition, Kayly Ober the Climate Resettlement Program Manager at Refugees International, stated that the report was overwhelmingly descriptive, with few proposals for a way out of the predicament.⁴² Their surprise and disappointment was related to the submission of recommendations on climate migrant policy to government agencies ahead of the report’s scheduled release. Among them A. Tower proposed the following measures: 1) Organizing training courses for government institutions to enhance their understanding in relation to the region, country, climate change risks and migration; 2) Reforming the temporary protection programme (Temporary Protected Status, TPS); 3) Establishing a new path of protection for climate migrants and

³⁶ “Executive Order 14013 on Rebuilding and Enhancing Programs to Resettle Refugees and Planning for the Impact of Climate Change on Migration,” Section 1, February 4, 2021, <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/02/04/executive-order-on-rebuilding-and-enhancing-programs-to-resettle-refugees-and-planning-for-the-impact-of-climate-change-on-migration/>.

³⁷ “Executive Order 14013,” Section 6.

³⁸ “Report on the Impact of Climate Change on Migration,” *Report by the White House*, October, 2021, <https://www.whitehouse.gov/wp-content/uploads/2021/10/Report-on-the-Impact-of-Climate-Change-on-Migration.pdf>.

³⁹ “Report on the Impact,” 4.

⁴⁰ “Report on the Impact,” 13.

⁴¹ “Report on the Impact,” 5, 6.

⁴² M.P. Rubiano and A. Mahoney, “Disappointing: The US’s first climate migration report falls flat,” November 25, 2021, <https://grist.org/climate/disappointing-the-uss-first-climate-migration-report-falls-flat/>.

defining a separate number of people at risk of climate change by the president and Congress; and 4) Implementing legal regulation of the status of climate migrants.⁴³

On 29 July 2021, the administration released the American Strategy for Addressing the Root Causes of Migration from Central America, which includes a dedicated line of action focused on building resilience to climate change and food insecurity.⁴⁴ The strategy is based on the five pillars, with the first one focused on economic insecurity and inequality that stem from climate change impacts. The document highlights the correlation between climate change and illegal immigration, as leads to pauperisation, lowers food security and corruption, all of which align with the push factors identified in Everette Lee's migration theory.⁴⁵ Supporting developing countries and their citizens in their efforts to adapt and manage climate change is also included in the goals of the implementation of the climate initiative called 'The president's J. Biden's Emergency Plan for Adaptation and Resilience (PREPARE)'. They were announced in November 2021.⁴⁶ By 2030, through PREPARE, USAID is to allocate funds for African, central American, and other 'vulnerable' countries coping with natural disasters and extreme weather events. In total, half a billion people will be supported. USAID's involvement in the implementation of the president's initiative is related to the climate strategy for 2022–2030 adopted by this institution. Among many priorities, USAID focuses on strengthening the resistance to the effects of climate change of people exposed to it, as this situation is one of the reasons of migration.⁴⁷ It also envisages working with communities and immigrants to reduce their relocation and "support safer and more productive migration".⁴⁸

In order to strengthen regional cooperation on migration, in June 2019, non-governmental organisations (NGOs) from the Americas and Refugees International established the Coalition for Human Mobility.⁴⁹ Among their priorities was to guarantee, in accordance with international law and the principle of

⁴³ A. Tower, "Climate Refugees Policy Recommendations to US Government Agencies on Climate Displacement," *Policy Briefs*, June 14, 2021, <https://www.climate-refugees.org/reports/usagency-policybrief-climatedisplacement>.

⁴⁴ National Security Council, "U.S. Strategy for Addressing the Root Causes of Migration in Central America," Washington, June, 2021, <https://www.whitehouse.gov/wp-content/uploads/2021/07/Root-Causes-Strategy.pdf>.

⁴⁵ A. Adamczyk, *Spoleczno-polityczne implikacje imigracji do Polski w latach 1989–2007* (Poznań: Wydawnictwo Naukowe WNPiD UAM, 2012), 38.

⁴⁶ "USAID Announces Robust Targets to Advance President Biden's PREPARE Climate Initiative," November 1, 2021, <https://www.usaid.gov/news-information/press-releases/nov-1-2021-usaid-announces-robust-targets-advance-president-biden-prepare-climate-initiative>.

⁴⁷ "Climate Strategy 2022–2030," USAID, April, 2022, 17, <https://www.usaid.gov/sites/default/files/documents/USAID-Climate-Strategy-2022-2030.pdf>.

⁴⁸ "Climate Strategy," 17, 34, 35, 43.

⁴⁹ "Statement Refugees International Proudly Joins Coalition on Human Mobility in the Americas," Highlighting Priorities for the OAS, June 26, 2019, <https://www.refugeesinternational.org/reports/2019/6/26/refugees-international-proudly-joins-coalition-on-human-mobility-in-the-americas-highlighting-priorities-for-the-oas>.

non-discrimination, the right of everyone to leave their country, seek international protection, and facilitate mechanisms to regulate migration. In addition, the coalition demanded guarantees of human rights for people at the border, in transit, returned to their country of origin, internally displaced and present in host communities. Although there was explicit reference to climate migrants, the guarantee of the above rights applies to all migrants. In November 2021, the coalition proposed the preparation of a Convention on the Mobility of People in the Americas. The proposal was made at the 51st Assembly of the Organisation of American States.⁵⁰ Its aim is to enhance the development of national and regional policies concerning migration and forcibly displaced people, whilst establishing co-responsibility for the challenges posed by migration and its causes.

Recognising the difficult situation in the region, the J. Biden administration planned to allocate more resources for resettlement from Central America in FY2022,⁵¹ particularly for citizens of El Salvador, Guatemala, and Honduras.⁵² In September 2022, representatives of American non-governmental organisations dealing with refugees proposed to include citizens of the last two countries in Priority 2 (P-2) granting them access to the United States Refugee Admission Programme (USRAP).⁵³ This was related to, among others, ecological disasters and climate change. In addition to citizens of Guatemala and Honduras, they also asked for priority to be given to the resettlement of the Rohingya people from Bangladesh and refugees from South Sudan and Ethiopia facing genocide, persecution and threats due to climate change (floods, droughts causing food insecurity).⁵⁴

⁵⁰ “Intervention of the Coalition before the Assembly of the OEA,” November 9, 2021, <https://codhes.wordpress.com/2021/11/09/coalicion-de-movilidad-humana-de-las-americas-solicita-ante-the-oea-creation-of-a-convention-for-migrants-and-refugees/>.

⁵¹ “U.S. Foreign Assistance to Latin America and the Caribbean: FY2022,” March 31, 2022, <https://sgp.fas.org/crs/row/R47028.pdf>; “Proposed Refugee Admissions for Fiscal Year 2022. Report to the Congress Submitted on Behalf of the President of the United States to the Committees on the Judiciary United States Senate and United States House of Representatives,” <https://www.state.gov/wp-content/uploads/2021/09/Proposed-Refugee-Admissions-for-FY22-Report-to-Congress.pdf>.

⁵² “Proposed Refugee,” 31.

⁵³ In the USA, people of “special humanitarian importance” are identified through a system of priorities. And thus, the following are distinguished 1) priority 1 (P-1), i.e. people whose situation is considered individually and are directed by appropriate entities, such as the US Embassy or non-governmental organisations, UNHCR due to their situation and the need for resettlement; 2) priority 2 (P-2) “special needs groups” identified by the Department of State due to their situation and need for resettlement; 3) priority 3 (P-3) people wishing to reunite with family already residing in the U.S. “U.S. Refugee Admissions Program Priority 2 Designation for Afghan Nationals,” Office of the Spokesperson, August 2, 2021, <https://www.state.gov/u-s-refugee-admissions-program-priority-2-designation-for-afghan-nationals/>. In FY 2022, priorities were expanded by adding P-4, that is, “*Individual cases from all nationalities who have been referred by private sponsors in the United States, and who receive post-arrival support and services from those sponsors*”. This was also maintained for the 2023 tax year. “Proposed Refugee,” 12.

⁵⁴ “Letter: Leaders of Refugee, Policy Organizations Call on Biden Administration to Prioritize Climate Impacted Populations for Resettlement,” Refugees International, September 8, 2022, <https://www.refugeesinternational.org/reports/2022/9/8/letter-leaders-of-refugee-policy-organizations-call-on-biden-administration-to-prioritize-climate-impacted-populations-for-resettlement>.

However, they did not receive a reply. Subsequently Ama Francis, an expert on climate migration at the International Refugee Assistance Project, stated that the president's activity was disappointing. The J. Biden administration "is staying in an exploratory phase, rather than doing something".⁵⁵

In November 2022, President J. Biden, announced new initiatives at the UN climate conference (COP27), emphasising that supporting migrants exposed to the effects of climate change is fundamental. Furthermore, Biden announced the transfer of USD 5 million to the Migration Multi-Partner Trust Fund.⁵⁶ He also raised the issue of climate migration during other meetings and initiatives. For example, J. Biden announced summoning a regional meeting of the leaders of El Salvador, Guatemala, Honduras, Mexico, and Canada to discuss migration drivers and resettlement solutions.⁵⁷ They also fostered cooperation with Central American countries to counteract the effects of the climate crisis and increasing migration.⁵⁸ In addition, the Ninth Summit of the Americas organised in June 2022 provided an opportunity to further discuss these issues. Its theme was 'Building a Sustainable, Resilient, and Equitable Future'.⁵⁹ Among the many problems addressed was the migration of people expelled from their homelands due to natural disasters and climate emergencies.⁶⁰ The summit resulted in the Los Angeles Declaration on Migration and Protection, which supports national and regional efforts towards safe, humane, and legal migration.⁶¹ In doing so, the USA committed itself to 1) financial humanitarian assistance for those on the move; and 2) increasing the legal path of immigration to the USA, including the number of refugees. Those who signed the document considered it important to strengthen the protection systems for migrants, ensure fair and effective refugee procedures, and develop new legal solutions in the field of temporary protection. Although this document is not legally binding, its endorsement by the USA and other countries creates opportunities for cooperation and dialogue on the subject.

⁵⁵ J. Watson, "After raising hope, Biden Still Lacks Climate Migration Plan," *AP NEWS*, October 19, 2022, <https://apnews.com/article/biden-science-national-security-droughts-climate-and-environment-a168993c37a8be94767799cdfb63ea64>.

⁵⁶ The White House, "Fact Sheet: President Biden Announces New Initiatives at COP27 to Strengthen U.S. Leadership in Tackling Climate Change," November 11, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/11/11/fact-sheet-president-biden-announces-new-initiatives-at-cop27-to-strengthen-u-s-leadership-in-tackling-climate-change/>.

⁵⁷ "The Biden Plan for Securing Our Values as a Nation of Immigrants," accessed December 16, 2022, <https://joebiden.com/immigration/#/>.

⁵⁸ "The Biden Plan to Build Security and Prosperity in Partnership with the People of Central America," accessed December 16, 2022, <https://joebiden.com/centralamerica/>.

⁵⁹ "A Region Divided: What Did the Summit of the Americas Accomplish?," June 10, 2022, <https://www.cfr.org/councilofcouncils/global-memos/region-divided-what-did-summit-americas-accomplish>.

⁶⁰ "A Region Divided: What Did the Summit," <https://www.cfr.org/councilofcouncils/global-memos/region-divided-what-did-summit-americas-accomplish>.

⁶¹ "Los Angeles Declaration on Migration and Protection Lima Ministerial Meeting," November 6, 2022, <https://www.state.gov/los-angeles-declaration-on-migration-and-protection-lima-ministerial-meeting/>.

The USA also played an active role in the Annual Tripartite Consultation on Resettlement, which they started to co-chair with the United Nations High Commissioner for Refugees (UNHCR) in July 2021. Additionally, since 2014, the USA was among the friends of the Nansen Initiative.⁶² This initiative started a dialogue between countries on migration of people in the context of climate change and disasters. It was implemented in the years 2012–2015 and financed by the governments of Switzerland, Norway, Germany, the European Commission and the McArthur Foundation. Its objective was a bottom-up consultation process involving 109 countries, with the aim of reaching a consensus and developing effective practices on key issues addressing protection and assistance needs of people displaced across borders in the context of disasters and climate change. It was initiated by the governments of Norway and Switzerland with the support of the steering group which also included Australia, Bangladesh, Costa Rica, Germany, Kenya, Mexico, Philippines, UNHCR, and IOM. As part of the initiative, in 2015, the ‘Agenda for the Protection of Cross-Border Displaced Persons in the Context of Natural Disasters and Climate Change’ was prepared. The initiative is continued by the Catastrophic Displacement Platform, which commenced its operations in July 2016.

Legislation and climate migrations

In the years 1953–1980, under the Refugee Relief Act of 1953, the possibility of applying for refugee status was introduced as part of the natural disaster (natural calamity)⁶³ proviso. Subsequently, when amending the Immigration and Nationality Act in 1965, a quota system was established for people migrating due to “catastrophic natural disasters” who could not return to their place of residence.⁶⁴ According to Janet L. Parker, it was very difficult to exercise this right because: 1) the application for conditional entry status to the USA due to a natural disaster had to be submitted in a specific country (Austria, Belgium, France, Germany, Greece, Lebanon, Hong Kong, or Italy), requiring the applicant to be outside his place of permanent residence and present in one of the mentioned countries; and 2) the concept of “catastrophic natural disaster” was not defined.⁶⁵ The possibility to invoke a natural disaster disappeared from the law under the Refugee Act of 1980. Between 1965 and 1980 this reason was not utilised when granting refugee status.⁶⁶

⁶² U.S. Department of State, “2014 Climate Change Adaptation Plan,” (Appendix of 2014 Agency Sustainability Plan), accessed August 16, 2023, <https://2009-2017.state.gov/documents/organization/233779.pdf>.

⁶³ Refugee Relief Act of 1953, Sec. 2a, accessed August 16, 2023, <https://loveman.sdsu.edu/docs/1953RefugeeReliefAct.pdf>.

⁶⁴ J.L. Parker, “Victims of Natural Disasters in U.S. Refugee Law and Policy,” *Michigan Journal of International Law* 3, no. 1 (1982): 139.

⁶⁵ Parker, “Victims of Natural Disasters,” 140.

⁶⁶ J. McAdam, “As Biden Seeks Answers on Climate’s Impact on Migration, Sydney Declaration Provides Legal Ground Rules for Action,” *Just Security*, February 19, 2021, <https://www.justsecurity.org/74802/as-biden-seeks-answers-on-climates-impact-on-migration-sydney-declaration-provides-legal-ground-rules-for-action>.

American law defines the concept of a refugee in accordance with the Geneva Convention of 1951 and the Protocol of 1967, thus excluding issues of climate emergency or natural disaster as reasons for granting refugee status. Therefore, the USA does not have in its legislation specially dedicated provisions protecting climate migrants. Nevertheless, the immigration law provides three institutions that can be used by climate migrants. The first is the Temporary Protected Status (TPS) granted in connection with a sudden environmental disaster. However, this status only offers temporary protection during which the person can get a work permit. The basis for applying for TPS is physical residence in the USA. This institution is intended for citizens of countries or regions, the list of which is established by the attorney General after consultation with the relevant government agencies. Persons are qualified for protection in connection with: 1) An earthquake, flood, drought, epidemic and other catastrophe temporarily disrupting the living conditions in the affected area; 2) Temporary inability to handle the return to the country of a foreigner who is a citizen of that country; 3) The presence of extraordinary and temporary conditions in a foreign country that prevent a foreigner who is a citizen of that country from returning safely; and 4) The impossibility of returning to the home country due to an ongoing armed conflict that would endanger the foreigner's personal safety.⁶⁷ Protection is granted for a period of six to 18 months with the possibility of extension. During this period, the immigrant cannot be removed from the USA and is granted a work permit. This status does not lead to the legalisation of permanent residence. Currently, the list includes 16 countries. The above protection was applied to Haitian nationals after the 2010 earthquake.⁶⁸ and President J. Biden added citizens of Afghanistan, Cameroon, Ethiopia, and Ukraine to the list.⁶⁹

The 13^{second} institution that can be used by climate migrants is Deferred Enforced Departure (DED). It is addressed to people residing in the USA who cannot go to their homeland due to ongoing conflicts or an ecological/natural disaster. This is an administrative suspension of removal for a specified period of time. This status is most often given to people whose TPS has expired. The USA president designates states or regions for DED-eligible individuals and specifies a time from frame with an executive order or presidential memorandum.⁷⁰

⁶⁷ American Immigration Council, "Temporary Protected Status: An Overview," June 29, 2022, <https://www.americanimmigrationcouncil.org/research/temporary-protected-status-overview>.

⁶⁸ J. Robertson, "Climate Change Refugees the Extent New Zealand Law Protects Migrants Displaced by Climate Change," (Otago: University of Otago, September, 2016), 35, <https://www.otago.ac.nz/law/otago638161.pdf>.

⁶⁹ D. Roy, Council on Foreign Relations, "Ten Graphics That Explain the U.S. Struggle With Migrant Flows in 2022," December 1, 2022, <https://www.cfr.org/article/ten-graphics-explain-us-struggle-migrant-flows-2022>.

⁷⁰ Immigrant Law Center of Minnesota, "Fact Sheet: Deferred Enforced Departure (DED)," September 19, 2022, <https://www.ilcm.org/latest-news/fact-sheet-deferred-enforced-departure-ded-2/>.

The last option for climate migrants may be parole on humanitarian grounds (Humanitarian Parole, HP). This institution, introduced into legislation in 1952, gives the Secretary of the Department of Homeland Security (DHS) discretionary powers to grant temporary entry to individuals on a case-by-case basis where there is an urgent humanitarian need or significant public benefit to do so. The Secretary of the Department delegated parole powers to three DHS agencies. Among them are 1) U.S. Citizenship and Immigration Services (USCIS); 2) U.S. Customs and Border Protection (CBP); and 3) U.S. Immigration and Customs Enforcement (ICE). The parole is granted for a period not longer than one year with the possibility of extension. A person with this status can apply for a work permit.⁷¹ The above instruments are temporary and whereas for the last one, residency in the USA is not essential.

The interest in resettlement due to climate change resulted in the submission of a bill devoted to the discussed issue. It was the 2019 Bill to Establish a Global Climate Change Resilience Strategy filed in the 116th Congress.⁷² The bill addressed the negative effects of climate change and established a new immigration path in connection with the negative impact of climate. The act defines climate displaced person as “any person who, due to a sudden or progressive change in the environment that adversely affects his or her life or living conditions (A) is forced to leave his or her usual place of residence, whether in the country of which he or she is a citizen or in another; (B) is in need of a permanent resettlement solution; and (C) whose government is unable or unwilling to provide such a permanent resettlement solution” (Sec. 3). As indicated in the draft, the number of displaced persons cannot exceed 50,000 in a given tax year. This number may also be determined by the president before the start of the fiscal year after consultation with Congress, taking into account humanitarian reasons and the national interest (Sec. 8). The draft also provides for the establishment of a climate resilience coordinator at the Department of State (Sec. 5). The draft act was presented in the Senate on 26 September 2019 by Senator Edward J. Markey (S. 2565), and on the 17th of October 2019 in the House of Representatives by Nydia M. Velázquez (HR 4732).⁷³ These bills were not voted on. In 2021, they were updated again and reported in the

⁷¹ U.S. Citizenship and Immigration Services, “Humanitarian or Significant Public Benefit Parole for Individuals Outside the United States,” accessed December 22, 2022, <https://www.uscis.gov/humanitarian/humanitarianpublicbenefitparoleindividualsoutsideUS>.

⁷² A Bill to Establish a Global Climate Change Resilience Strategy, to Authorize the Admission of Climate-Displaced Persons, and for other Purposes. In the Senate of the United States, September 26, 2019, <https://www.congress.gov/116/bills/s2565/BILLS-116s2565is.pdf>.

⁷³ H.R. 4732 - To Establish a Global Climate Change Resilience Strategy, to Authorize the Admission of Climate-Displaced Persons, and for Other Purposes, October 17, 2019, <https://www.congress.gov/bills/116th-congress/house-bill/4732?q=%7B%22search%22%3A%5B%224732+116+Congress%22%2C%224732%22%2C%22116%22%2C%22Congress%22%5D%7D&r=5&s=3>.

Senate and House of Representatives (S. 1335, HR 2826).⁷⁴ Neither were voted on in both chambers.

In addition to legal changes, there were also institutional ones. One of them was the appointment of a climate change official to the USA National Security Council. It was John Kerry holding the position of the President's Special Envoy for Climate.⁷⁵ His appointment to the council demonstrates the importance of climate change in political decision-making. The White House Office of Domestic Climate Policy was also established - headed by the National Climate Advisor.

The evaluation of the USA president's activity in the field of climate policy has generated divisions among Americans and members of political groups. According to research by the Pew Research Centre, in May 2022, 49% of respondents felt that the J. Biden administration was leading the country in the right direction and 47% were of the opposite opinion.⁷⁶ Conversely, within the Republican Party and its supporters pessimism prevailed (82%), while members and supporters of the Democratic Party believed that climate policy was appropriate (79%). Among the latter, 61% were of the opinion that the administration of the USA president could be doing "a lot more on the climate" and 37% that it had done as much as could be expected. Could this mean disillusionment with climate policy among Democrats? It is difficult to answer this question unequivocally. What is certain, however, is that it may be more difficult to introduce changes to it after the elections to Congress on 8 November 2022. The USA FF president will have to cooperate with the divided Congress, in which the Republican Party won the majority in the House of Representatives and the Democratic Party in the Senate. According to Jason Grumet (president of the Bipartisan Policy Centre), Republicans cannot block the law, but they can slow down or complicate its implementation.⁷⁷

Conclusion

Climate change and environmental degradation are affecting contemporary patterns of people's mobility. Therefore, the international community and individual countries

⁷⁴ A Bill to Establish a Global Climate Change Resilience Strategy, to Authorize the Admission of Climate-Displaced Persons, and for other Purposes. In the Senate of the United States, April 22, 2021, <https://www.congress.gov/bill/117th-congress/senate-bill/1335>; H.R. 2826 - To Establish a Global Climate Change Resilience Strategy, to Authorize the Admission of Climate-Displaced Persons, and for Other Purposes, April 22, 2021, <https://www.congress.gov/bill/117th-congress/house-bill/2826?s=8&r=563>.

⁷⁵ S. Inskeep, "As Climate Envoy, Kerry To Seek 'Ambition' With 'Humility'," *Npr*, December 10, 2020, https://www-npr-org.translate.google.com/2020/12/10/944572621/as-climate-envoy-kerry-to-seek-ambition-with-humility?_x_tr_sl=en&_x_tr_tl=pl&_x_tr_hl=pl&_x_tr_pto=sc.

⁷⁶ B. Kennedy, A. Tyson and C. Funk, "Americans Divided Over Direction of Biden's Climate Change Policies," Pew Research Center, July 14, 2022, <https://www.pewresearch.org/science/2022/07/14/americans-divided-over-direction-of-bidens-climate-change-policies/>.

⁷⁷ C. Davenport and L. Friedman, "What the Unusual Midterm Elections Mean for Climate Action," *The New York Times*, November 17, 2022, <https://www.nytimes.com/2022/11/17/climate/divided-congress-climate.html>.

should prepare for both internal and cross-border relocation. In addition, providing legal solutions for displaced people is crucial not only to ensure the security of the host country but also to guarantee the dignity and safety of migrants.

One of the countries that has joined the fight against the climate effects is the United States. Work in this area intensified during J. Biden's presidency. Reducing the impact of climate change on national security became a priority for Biden's policy. The increased awareness of climate change has resulted in the introduction of new legal solutions. Furthermore, this approach has influenced the USA's actions towards other countries threatened by the effects of environmental change. In supporting them, the USA has primarily aimed at mitigating migration flows. These activities were therefore directed at: 1) reducing atmospheric emissions of greenhouse gases; 2) assisting other countries to reduce CO₂ emissions through technical and financial support; and 3) helping the inhabitants of countries vulnerable to climate change to adapt to their changing environmental conditions.

The activity undertaken during Biden's presidency regarding the reduction of climate change and climate migration have significant regional and global importance. As emphasised in one of the resolutions, the USA views its policy in this regard as a "beacon of hope for the persecuted".⁷⁸ This represents a new paradigm in USA policy, the importance of which is underscored by the lack of international regimes focused on the protection of climate migrants. Thus, the USA has become one of the pioneering countries that have set the new standard for safeguarding and protecting climate migrants.

Data availability

No data are associated with this article.

⁷⁸ "Executive Order 14013."