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Robert Schuman Centre for Advanced Studies
GLOBALCIT

WORKING PAPER

**Climate Change and the Future of
Citizenship. Three Essays**

Rainer Baubock (Ed.)

European University Institute
Robert Schuman Centre for Advanced Studies
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Abstract

The 2024 GLOBALCIT – Rainer Bauböck essay competition asked participants to answer the following questions: “How will climate change impact on citizenship? How should citizenship adapt to climate change?” The three essays collected in this working paper are the submissions that were ranked highest by the jury. Using the example of Honduras, Roberto Ramos Obando, the winner of the award, considers how citizens suffering different forms of severe impact of climate change on their lives experience a deterioration of their citizenship status, rights and identity compared to other citizens. Madeleine Chambers discusses the citizenship of Pacific Island nations submerged by rising sea levels and proposes a hybrid, dual citizenship model, combining a jus sanguinis e-citizenship of their home state and citizenship of their host state. Bantayehu Demlie Gezahegn also considers the fate of small island nations and makes the case for a virtual citizenship or citizenship despite non-residence. In broader scenarios where climate change triggers involuntary mobility, he calls for the expansion of the global refugee definition using already existing models from Africa and Latin America.

Keywords

climate change, citizenship, mobility, small island nations, climate migration

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Preface

The institution of citizenship is being profoundly transformed by the big crises and challenges of the 21st century. In the period after World War II citizenship meant primarily a status of legal equality and expanding rights in old and newly formed nation-states. At the international level, citizenship operated as a “filing system” (Brubaker 1989) sorting individuals into nation-state boxes and assigning responsibility for them to states.¹ The period of accelerated globalisation after 1990 has challenged the domestic equality of membership statuses and has messed up the filing. Large-scale international migration in this period was not historically unprecedented, but what changed dramatically was how states responded to it. The old template of one-way immigration and assimilation into a new citizenship through naturalisation gave increasingly way to extensive engagements of origin states with their “diasporas”, which included granted them voting rights and political influence in their homelands. More and more states accepted or even promoted dual citizenship. Some created a global market for passports.² Others weaponised their citizenship by distributing passports to loyal co-ethnic minorities in their neighbourhood to cash in on their votes or as a pretext for military aggression.³

GLOBALCIT has recorded changes in citizenship laws and electoral rights around the globe and has discussed important transformations of citizenship in its [forum debates](#). Yet there are many questions that still seem widely open and haven’t been addressed in the academic literature. This is why GLOBALCIT has now started a new essay competition in which early-career scholars will have a chance to answer a question about a new global challenge to citizenship.

For the first edition of this essay award applicants were asked to answer one or both of the following questions: “How will climate change impact on citizenship? How should citizenship adapt to climate change?” The three essays collected in this working paper are the top-ranked submissions to the 2024 GLOBALCIT essay award. A jury consisting of the four GLOBALCIT co-directors and Helga Kromp-Kolb, an Austrian meteorologist and climate scientist, decided the award the prize of € 1000.- to Roberto Ramos Obando. The essays by Madaleine Chambers and Bantayehu Demlie Gezahegn were ranked equally as close runners-up.

The GLOBALCIT essay competition will be held again in coming years with fresh and challenging questions. Funding for the award comes from a social science prize I was awarded by the City of Vienna in 2023, which is why my GLOBALCIT co-directors suggested that the essay award should also include my name.

I congratulate the winners of the 2024 competition, thank them for their profound contributions and hope for similarly stimulating reflections on major global transformations of citizenship next year.

Klosterneuburg, 26 June 2024

Rainer Bauböck

1 Brubaker, R. W. (1989), ‘Introduction’ in *Immigration and the Politics of Citizenship in Europe and North America*, University Press of America, 3-27.

2 Dzankic, J. (2019), *The Global Market for Investor Citizenship*, Palgrave.

3 Jain, N. Bauböck, R., Ed. (2023), ‘Weaponised Citizenship: Should international law restrict oppressive nationality attribution?’, Robert Schuman Centre Working Paper 2023/54.

Climate Change and the Transformation of Citizenship (Roberto Ramos Obando)

Some time ago, I read an eloquent article by Jacobo García in the Spanish newspaper *El País*, entitled 'La zona cero del cambio climático en América Latina' (The Ground Zero of Climate Change in Latin America).⁴ It was an article about Honduras, in which the author described how the sea has swallowed up over a few years the municipality of Cedeño, located in the south of the country. In this article, he gives an account that combines the scientific and the emotional. He points to studies detailing the erosion of the beach and the projected loss of municipal territory in the coming years.⁵ At the same time, he cites conversations with villagers in which they comment on what has disappeared, or rather, what existed where the waves are now. In one of the rawest parts of this account, he refers to the story of Alejandrina, an elderly woman in her 70s, on her own experience with climate change:⁶

They warned us that our grandchildren would not have a village, but I never imagined that I myself would see it disappear,' says 70-year-old Doña Alejandrina, as she weeps next to what used to be her party hall, an imposing two-story, 300 square meter building that collapsed a few months ago and now looks like a mountain of pink rubble washed by the sea. It is the last house to be knocked down by the waves. Alejandrina's fifth property to be swallowed up by the tide.

This image of helplessness made me reflect on whether I, in any of my childhood travels (as I am not a native of southern Honduras), ever saw that party hall or any of Alejandrina's properties. What for me may have been a random house or building like many of those around us, for her, was her whole life.

Alejandrina and I are both citizens, belonging to the same political community. A political community that, as a whole, is being affected by climate change but whose presence is stronger for some than for others. Climate change is perceived as a more serious problem for the people who suffer from it, not only in health, but also in economic and migratory terms. Alejandrina, like many others globally, has lost both money and time invested, compelling her to seek alternative sources of income. This circumstance could likely lead her to consider migrating to another municipality or country for survival, even with her advanced age. Yet, other citizens may have perceived climate change in ways that have not forced them to make far-reaching decisions around the phenomenon, such as suffering from bad weather and price volatility.⁷

At this point, I wonder if experiencing significant hardships compared to one's fellow citizens affects the nature of one's citizenship. Like Joppke, I start from the premise that citizenship, in its real essence, constitutes membership in a state.⁸ I also use his framework in relation to the three aspects of citizenship, which he describes as:⁹

- citizenship as status, which involves formal state membership and its access rules;
- citizenship as rights, referring to the legal abilities and protections associated with this status; and
- citizenship as identity, which concerns how individuals behave and perceive themselves as members of a community, typically a nation, emphasising role of citizenship in promoting social unity and integration.

4 García J. (2020), 'Honduras, zona cero del cambio climático en América Latina', *El País*, [Honduras, zona cero del cambio climático en América Latina](#) (hereinafter 'García 2020').

5 del Cid Gómez J. and Cáceres J. (2017), 'Variación de la línea de costa en la aldea de Cedeño, y cartografía de amenaza ante marejadas y ascenso del nivel del mar', 87 *Portal De La Ciencia*.

6 García 2020.

7 Kotz M. et al. (2014), 'Global Warming and Heat Extremes to Enhance Inflationary Pressures', 5 *Commun Earth Environ* 1.

8 Joppke C. (2007), 'Transformation of Citizenship: Status, Rights, Identity', 11 *Citizenship Studies* 37-38 (hereinafter 'Joppke 2007').

9 Joppke 2007.

I will now try to briefly visualise some of how climate change may affect these dimensions through the example of Alejandrina.

Citizenship as a Status

Regarding citizenship as a status, a person acquires it at birth or through subsequent naturalisation. These rules of access to citizenship vary in modalities and requirements that depend on the regulations established in each country, and there is arbitrariness in how countries decide who their citizens are. Similarly, the loss of citizenship can be lost through voluntary renunciations, revocations, or the acquisition of another citizenship, in countries where multiple citizenship is not accepted.

In the present case, Alejandrina is a person who has suffered the effects in her country of origin, where she holds a nationality. Losing her home or losing her business as a result of the effects of climate change does not, at first glance, have an impact on her citizenship as such. She remains, and will always be, Honduran after the events that have affected her life.

Problems related to the status of her nationality arise once she is forced to migrate to another country. If Alejandrina is forced to leave the country, her migration may be classified as regular or irregular, a distinction often obscured by the barriers imposed by the receiving country.¹⁰ However, in the case of regular migration through legal channels, there are more opportunities for complete integration into the new community. Alejandrina could potentially qualify for citizenship in the new country through naturalisation processes, which may span several years. In addition, depending on the laws of Honduras and the host country, she could retain her Honduran citizenship along with the new one - in the form of dual nationality- or she might have to renounce it if the other country does not allow citizenship. In the case of irregular migration, outside the legal channels, the displacement makes the citizenship status of origin somewhat irrelevant since this type of displacement is not covered by the 1951 Convention relating to the Status of Refugees, and, therefore, they can easily be deported.¹¹ In this regard, forms of humanitarian support such as the issuance of climate change-related humanitarian visas can correct, or rather prevent, these circumstances.¹²

On the other hand, if Cedeño were an island state fiercely affected by climate change— as with several Pacific islands — Alejandrina would risk becoming stateless if she had no other recognised citizenship. What is worse, as Bloom points out, is that the impact on the lives of these people who could potentially lose their citizenship is largely due to the actions of other states that fail to demonstrate any sense of shared responsibility.¹³ As well, if Alejandrina were not a citizen of the Cedeño island-nation and this were a state that only grants citizenship to children of citizens, her children would also be at risk of statelessness.¹⁴ Without citizenship, individuals are vulnerable to a dangerous situation as they lack the essential protections and provisions afforded to citizens.

10 OHCHR (2018), 'Technical note: Regular and irregular migrants' [Technical Note: Regular and Irregular Migrants](#).

11 McLeman R. and Brown O. (2011), 'Climate Change and Human Migration', in *The Migration-Displacement Nexus: Patterns, Processes, And Policies*, Berghahn Books; The United Nations High Commissioner for Refugees (UNHCR) points out how regional refugee laws can also protect climate-related events because these can be a form of events that seriously disturb the public order. However, the arbitrariness and bureaucracy of these processes may have their own way of looking at whether a case such as Alejandrina's would be covered. UNCHR, [Climate Change and Displacement: The Myths and the Facts](#)'.

12 Matias D. (2020), 'Climate Humanitarian Visa: International Migration Opportunities as Post-Disaster Humanitarian Intervention', 160 *Climatic Change* 143.

13 Bloom T. (2017), *Noncitizenism: Recognising Noncitizen Capabilities In A World Of Citizens*, Routledge, 110-112.

14 Foster M., Hard N., Lambert H., and McAdam J. (2022), 'The Future of Nationality in the Pacific: Preventing Statelessness and Nationality Loss in the Context of Climate Change', [The Future of Nationality in the Pacific](#), (hereinafter 'Future of Nationality report 2022').

Citizenship as Rights

Within the rights dimension, I start from the assumption that Alejandrina is a citizen in a situation of vulnerability. This position identifies her as a person in need of special legal protection at present. However, when we ask ourselves whether she is the only person in need of protection from climate change, we see that the long list of those affected includes people all over the planet. Therefore, we observe two aspects of the rights dimension: one concerns the protection provided by the state to its citizens through direct actions, and the other pertains to the state's duty to humanity as a whole.

The first is based on the state owing protection to its citizens as a holder of rights and coming to his or her aid in case of situations that endanger his or her welfare - similar to withdrawing citizens who are in countries where there are armed conflicts. For instance, at the national level, citizenship grants access to social policies, such as cash transfer programs targeting vulnerable populations, including those affected by climate change-related risks, which non-citizens are often ineligible for—except for residents in liberal democracies or permanent residents in the European Union.¹⁵ These, in turn, can promote the uptake of other citizenship-related rights, such as social and civil rights.¹⁶ This type of social protection is difficult to dissociate from citizenship because its rationale lies in the promotion of the idea of solidarity as a civic objective.¹⁷ Similarly, if cash transfer programs are entangled with corrupt practices aimed at securing votes from citizens, it becomes challenging to disentangle these programs from public affairs.¹⁸ In short, this is a dimension related to the state's response to the effects of climate change.

The second is that the state's responsibility extends not only to its citizens but also to all of humanity, both present and future, as evidenced by commitments such as those in the United Nations Framework Convention on Climate Change ('UNFCCC').¹⁹ Here, the concept of citizenship is further diluted when we see that the scope and obligations of rights and entitlements do not only protect the living but also people whose existence is now only hypothetical. In this regard, the European Court of Human Rights (ECtHR) has already pronounced on this in the following way concerning climate change:²⁰

“it was clear that future generations were likely to bear an increasingly severe burden of the consequences of present failures and omissions to combat climate change and that, at the same time, they had no possibility of participating in the relevant current decision-making processes”

Surely, the Inter-American Court of Human Rights ('IACtHR') and the International Court of Justice ('ICJ'), in the advisory opinions that have been requested of them, will take this same type of reasoning.²¹

15 Asfaw Et. Al. (2017), 'Cash Transfer Programmes for Managing Climate Risk: Evidence From A Randomized Experiment In Zambia', African Association of Agricultural Economists.

16 Kotey R. (2023), 'A Comparative Analysis of Two Cash Transfer Programmes on How They Influence the Citizenship Rights of Beneficiaries', 50 *Forum for Development Studies* 471.

17 Adato M., Barahona O. & Roopnaraine T. (2016), 'Programming for Citizenship: The Conditional Cash Transfer Programme in El Salvador', 52 *The Journal of Development Studies* 1177.

18 Linos E. (2013), 'Do Conditional Cash Transfer Programs Shift Votes? Evidence from the Honduran PRAF', 32 *Electoral Studies* 864.

19 UN General Assembly (1994), United Nations Framework Convention on Climate Change: Resolution / Adopted by the General Assembly, A/RES/48/189.

20 ECtHR, Verein KlimaSeniorinnen Schweiz and Others v. Switzerland [GC] (2024).

21 IACtHR, *Solicitud de Opinión Consultiva Sobre Emergencia Climática y Derechos Humanos a La Corte Interamericana de Derechos Humanos de La República de Colombia y La República de Chile* (2023); UN, *Demande d'avis Consultatif de La Cour Internationale de Justice Sur Les Obligations Des États à l'égard Des Changements Climatiques* (2023).

Ultimately, climate change does not pick and choose which countries it impacts — it affects everyone, regardless of nationality. However, nationals of certain countries may be more vulnerable than others due to their geographical position. So, regarding Alejandrina's rights, she may qualify for certain local benefits because of her citizenship, but she is also entitled to universal rights simply by being human. In the latter case, countries she has never visited also share the responsibility for her protection.

Citizenship as Identity

When considering the aspect of identity within citizenship, climate change serves as a point of reflection for citizens, their political community, and humanity as a whole.

Firstly, as a person directly impacted by climate change, like Alejandrina, my perception on citizenship identity depends on the government's level of responsiveness to my challenges. If my home is washed away by flooding and the government fails to respond adequately, I will likely lose my sense of patriotism towards the jurisdiction I live in. Therefore, in the absence of a response, migrating to another country becomes an easier decision. Why would I feel any patriotism towards a country where I have felt abandoned? On the contrary, if the state reacts to or prevents the effects of climate change promptly, the citizen's sense of identity towards the state can be cultivated positively. Simply put, within the citizen-state relationship, an individual's identification with the state is influenced by the state's support for affected communities.

In the same context, people may feel a sense of identity in a community when it includes outstanding individuals in certain fields. So, citizens might align themselves with fellow citizens who are environmental defenders, linking people's efforts to protect the environment with their sense of national identity. However, depending on the form of association, the connotation can be positive or negative. For instance, in Honduras, numerous environmental activists have been murdered due to economic interests, as their activism posed challenges to certain business sectors. Remarkably, even without knowing all the specifics of their deeds, individuals like Blanca Jeannette Kawas, Carlos Luna López, and Berta Cáceres have instilled pride in me as a Honduran.²² They have exemplified dedication to their principles and have exalted the country internationally, evidenced in art and slogans like 'Berta Vive' found not only in Tegucigalpa but also in Spain and other parts of the world.²³ Sadly, as a citizen of my country, it is disheartening that the measures to safeguard these defenders, as well as those vulnerable to climate change, fall short, and it is not something to take pride in.

Finally, global awareness of the need to take action not only at the state level but also at the personal level, in the home, has called for the development of ecological citizenship, which recognises the responsibilities of the individual towards other human beings and promotes environmentally friendly actions in the private sphere.²⁴ While this concept of citizenship is not tied to a specific territory, as it is based on a cosmopolitan ideal, it still maintains a connection to citizenship through membership in a state.²⁵ If we look at the national level, bylaws and the promotion of practices in favour of recycling, using clean means of transport, or planting trees create citizen awareness of the need to take small actions that, in their accumulation, can reverse somewhat - or at least not worsen - the situation in the face of climate change. There are countries with a more advanced environmental culture, such as Germany, where this is visible in the day-to-day actions of their citizens. Other countries, such as

22 IACtHR, *Kawas Fernández v. Honduras* (2009); IACtHR, *Luna López v. Honduras* (2013); Martins A. (2015), 'Matan a Berta Cáceres, la hondureña que le torció la mano al Banco Mundial y a China', BBC News Mundo, [Honduras: matan a Berta Cáceres, la activista que le torció la mano al Banco Mundial y a China](#).

23 'Un Mural y Un Árbol En Memoria de La Activista Indígena Berta Cáceres' (2022), El Comercio: Diario De Asturias, [Un Mural y Un Árbol En Memoria de La Activista Indígena Berta Cáceres](#).

24 Wolf J., Brown K. & Conway D. (2009), 'Ecological Citizenship and Climate Change: Perceptions and Practice', *Environmental Politics* 503-506 (hereinafter 'Wolf et. al., 2009')

25 Wolf et. Al. 2009.

Honduras, are still in developmental stages despite being among those most susceptible to climate change. Since ecological identity develops gradually, there is an urgent need for sustainable public policies that educate both children and adults about their responsibility towards humanity over time. These are key to linking citizenship, identity and climate change. In the future, in countries like Honduras, raising more awareness about cases like Alejandrina's could serve as a wake-up call, helping to prevent or respond effectively to similar situations.

Climate Change, Citizenship and the Future

Building on how citizenship has been transformed by climate change, it is natural that its concept will evolve in similar directions.

In citizenship as status, climate change will prompt increased migration as individuals seek citizenship in countries that can accommodate them, potentially leading to either granting citizenship or special migration statuses to those in vulnerable situations or exacerbating statelessness in regions affected by disappearing geographical areas.

In citizenship as rights, climate change will imply greater state protection for citizens through access to new rights – as those in cash transfer programs - but it also maintains the universalisation of its concepts through the state's responsibility towards all of humanity, including future generations.

In citizenship as identity, climate change will influence how a citizen identifies with a jurisdiction through a government response to its impacts, association with leading figures in environmental advocacy, and the promotion of 'ecological citizenship' that emphasises individual responsibility and the need for public policy.

Consequently, I would argue that it is not the concept of citizenship that needs to adjust to climate change. On the contrary, the rights and obligations currently associated with citizenship and climate change must be universalised to include all those affected by this phenomenon. In terms of status, citizenship should not be at risk for those migrating due to climate change-related factors, nor should it negatively impact access to migration statuses granted for humanitarian reasons. In terms of rights, citizenship should not be a barrier to accessing special rights in cases of vulnerability. In terms of identity, a state's public policies regarding climate change must cultivate a sense of responsibility and empathy for the environment, not only among its citizens but also for all individuals residing within its jurisdiction—nationals and foreigners alike. The concept of citizenship cannot remain static in the face of a global problem.

Dignity, Culture, Community: Tackling the Effect of Rising Sea Levels Using Citizenship (Madeleine Chambers)

Introduction

The framing of citizenship as a gift and the offering of citizenship to climate-vulnerable persons are mutually exclusive. Whilst states may not explicitly define their citizenship as “quasi-sacred”, their unwillingness to grant citizenship to individuals affected by climate change is implicit. Offerings of permanent residency to climate-vulnerable groups is not a novel solution.²⁶ Such offerings do not extend to citizenship. Host states draw the line at handing over a passport and civic rights. Such permanent residency programmes are also primarily offered to individuals affected by fast, temporary climate disasters, rather than citizens of states that are undergoing slow and permanent climate-induced changes.²⁷ Yet, it is the citizens of states facing slow and permanent effects, such as drought and rising sea levels, that often do not have the option of internal displacement, and thus must look externally for potential relocation. Balancing the rights of those being relocated with those of the individuals living in the host nation will inevitably create tension, particularly on an international scale in a post-colonial period.²⁸ This paper will focus on the citizens of Pacific Island nations who are facing the possibility of having no place to return to in the future. I explore the current options, offered by governments and academics, before proposing a hybrid, dual citizenship model, combining a *jus sanguinis* e-citizenship of their home state and citizenship of their host state.

Current Situation

In November 2021, Simon Kofe, the foreign minister of Tuvalu gave a speech for COP26 regarding the impact of climate change on Small Island Developing States (‘SIDS’).²⁹ The video begins with a framing of his head and shoulders, dressed in a suit behind a podium, before zooming out to reveal him standing knee-deep in water. “We are sinking,” he declared, urging action to be taken. The case of the ‘sinking’ islands in the Pacific Ocean is well known, and the issue of citizen relocation and displacement is a well-recognised topic. This section shall explore the current views of citizens of SIDS regarding relocation and citizenship, before introducing a proposal based on the idea of e-citizenship.³⁰

Citizenship adaptation in SIDS is closely tied with relocation or mass displacement, with governments of ‘sinking’ nations wanting to retain sovereignty and statehood over their citizens. It is important to note that many nations do not view relocation favourably, acknowledging it as a last resort. In Tuvalu’s ‘Future Now’ project brief, under Initiative 3 it states that “Tuvalu stands against relocation as a solution to the climate crisis.”³¹ However, it is accepted that mass migration may be necessary in the future. Out of the SIDS in the Pacific Ocean, only Fiji has published extensive relocation guidelines.³² Mass relocation or displacement raises crucial citizenship questions, particularly as such nations do not have alternative or neighbouring land to migrate to, temporarily or permanently. Much of the literature on nations such as Tuvalu and Kiribati raises the possibility of a host state such as Australia or New Zealand being able to welcome full communities. This paper will not explore the likelihood of such situations in depth, but it is noted that proposed mass relocation may result in ethnic enclaves forming in these host states. Whether planned in collaboration between the states or

26 Acosta D. (2024), ‘Mobility without Membership: Do We Need Special Passports for Vulnerable Groups?’, GLOBALCIT, [Mobility without Membership: Do We Need Special Passports for Vulnerable Groups?](#).

27 Nalule C. (2022), ‘Special Passports for Vulnerable Groups: Any Better than Existing Legal Instruments?’, GLOBALCIT, [Special Passports for Vulnerable Groups: Any Better than Existing Legal Instruments](#).

28 Campbell J., Goldsmith M., and Koshy K. (2005), ‘Community Relocation as an Option for Adaptation to the Effects of Climate Change and Climate Variability in Pacific Island Countries (PICs)’, Asia-Pacific Network for Global Change Research.

29 “We Are Sinking”: Tuvalu Minister Gives Cop26 Speech Standing in Water to Highlight Sea Level Rise’ (9 November 2021), [We Are Sinking: Tuvalu Minister Gives Cop26 Speech Standing in Water to Highlight Sea Level Rise](#).

30 Gliboff J. (2023), ‘Waterproofing Statehood’, 123 *Columbia Law Review* 1747, 1783.

31 The Future Now Project: Preparing Today to Secure Tomorrow (2022), [Future Now Project Brief](#) (hereinafter ‘Future Now 2022’).

32 Fiji: Planned Relocation Guidelines - a Framework to Undertake Climate Change Related Relocation (2018).

occurring organically, pockets of citizens who have relocated from SIDS will most likely occur out of a desire to reform communities in the host state. Emphasis is placed on ideas of community: *olaga fakefenua* (communal living systems) and *fale-pili* (being a good neighbour) are both mentioned in Tuvalu's Future Now proposals.³³ It is for this reason that Džankić and Bauböck's proposal of 'special passports for vulnerable groups'³⁴ is rejected. The idea of passports that straddle the line between residency rights and citizenship initially appears attractive; offering additional benefits to vulnerable groups alongside residency rights. However, these rights could also be construed as simply affording 'weak' passports to vulnerable groups. Lori points out that such individuals are likely to already be citizens of countries with 'weak' passports.³⁵ For example, Fiji, Nauru, and Vanuatu rank in the bottom half of the Global Passport Rankings.³⁶ Offering individuals from these nations a hybrid between citizenship and residency rights continues to enforce such weakness in citizenship. This weakness is historically dangerous for migrant enclaves. Brinham addresses the apprehension of documentation of migrant minority groups, explaining that whilst such systems may be treated as a solution to potential statelessness, they can give rise to underlying discrimination, causing more harm than initially perceived.³⁷ It could be argued that 'special passports' would lock in the statelessness of vulnerable individuals who have no state to return to due to rising sea levels.

Risks of Existing Proposals

A citizenship solution for SIDS citizens must take into account the reluctance of these states, particularly regarding loss of sovereignty and mass relocation. The vulnerability of these groups must also be considered; the dignity of individuals facing relocation or statelessness is often not prioritised. Shaw explores the framing of citizenship itself as a dignity, commenting that the sharing of citizenship amongst everyone in a community does not reduce its value.³⁸ Thus, an appropriate solution should balance the conservation of original citizenship, with the offering of citizenship from a host state to maintain dignity and sovereignty.

Lori discusses the danger of 'precarious citizenship', which is defined as "the structured uncertainty of being unable to secure permanent access to citizenship rights."³⁹ It is with this concept in mind that this paper shall now explore the current offering to SIDS citizens from Australia: the Pacific Engagement Visa ('PEV').⁴⁰ The PEV is offered to individuals from various Pacific Island states, including Timor-Leste, and is offered in a ballot system. Those eligible for the PEV must register first in the ballot system; each participating country has a separate ballot. Beneficiaries of the ballot system are determined by random selection among applicants. Those selected are then invited to apply for a PEV. In effect, the ballot system acts as a lottery. The Government website states that up to 3000 visa places will be allocated annually.⁴¹ If successfully allocated a PEV, the individual must secure a formal job offer in Australia.⁴² The PEV forms the basis of a new permanent residency programme, which provides access to various benefits once individuals have settled in Australia, such as student

³³ Future Now, 2022.

³⁴ Bauböck R. and Džankić J. (2022), 'Mobility without Membership: Do We Need Special Passports for Vulnerable Groups?', GLOBAL-CIT, [Mobility without Membership: Do We Need Special Passports for Vulnerable Groups?](#) (hereinafter 'Bauböck and Džankić 2022').

³⁵ Lori N. (2022), 'What not to do when creating special passports for vulnerable groups: Experiments with special passports and the role of the private sector', GLOBALCIT, [What not to do when creating special passports for vulnerable groups: Experiments with special passports and the role of the private sector.](#)

³⁶ Henley & Partners, 'The Official Passport Index Ranking' (2022), [Passport Index.](#)

³⁷ Brinham N. (2019), 'Looking beyond Invisibility: Rohingya's Dangerous Encounters with Papers and Cards', 24 *Tilburg Law Review* 156.

³⁸ Shaw J. (2020), 'Picking out the People: Ideals and Identities in the Citizenship/Constitution Relation', in *The People in Question: Citizens and Constitutions in Uncertain Times*, Bristol University Press, 81-82.

³⁹ Lori N. (2017), 'Statelessness, "In-Between" Statuses, and Precarious Citizenship' in *The Oxford Handbook of Citizenship* (Shachar A. (eds.), Oxford University Press), p.743 (hereinafter 'Lori 2017').

⁴⁰ Australian Government (2019), 'Immigration and Citizenship: Subclass 192 Pacific Engagement Visa', [Immigration and Citizenship: Subclass 192 Pacific Engagement Visa](#) (hereinafter 'Subclass 192 Visa').

⁴¹ Australian Government, 'People Connections in the Pacific: Pacific Engagement Visa', [People Connections in the Pacific: Pacific Engagement Visa](#) (hereinafter 'Pacific Engagement Visa').

⁴² Pacific Engagement Visa.

loans, benefits, and an English language programme. Whilst this residency programme offers a positive progression, it does not solve the issue of citizenship. It would not be sufficient for individuals to have citizenship in a potentially physically non-existent state, and only hold residency in another. This is a situation which could quickly lead to 'precarious citizenship'.⁴³

The PEV may be Australia accepting the future relocation of Pacific Islanders due to climate change reasons, but it can also be viewed under a different lens. Lori dispels the idea that stateless individuals are "free-floating individuals", explaining that those who are stateless aren't usually those who "cannot find a state" who will grant citizenship, but instead that the state which should grant them citizenship won't do so.⁴⁴ The PEV could be a mechanism used by Australia to avoid granting citizenship to climate-vulnerable individuals; a 'good enough' offering. Is Australia a state that *should* grant such individuals citizenship? The situation as described above seems altruistic from Australia's side; a host nation offering permanent residency and help in mitigating the effects of climate change to smaller nations who need the help. However, it involves a significantly more symbiotic relationship than may initially appear. The Australia-Tuvalu Falipeli Treaty is closely linked with the PEV programme, with Tuvaluans being offered permanent residency in return for Australia choosing Tuvalu to be their "security partner of choice".⁴⁵ A report in *The Guardian* deemed this a "strategic win" for the Australian Government, as China had been "vigorously pursuing closer ties with Pacific island countries".⁴⁶ Whilst not relevant on the issue of citizenship, such an agreement points towards a situation in which Australia arguably should offer Tuvaluan citizens citizenship as part of such a symbiotic relationship.

A further criticism of the PEV programme is the ballot system in which citizens are able to attain permanent residency. It is accepted that this would prevent occurrences of 'brain drain' from Tuvalu, allowing the state to continue to prosper until mass relocation is unavoidable. Yet, this random selection is not conducive for community relocation; a lottery merely fragments such communities and makes the protection of culture and community ties difficult. It also points towards a desire from Australia to integrate rather than accommodate these relocated individuals. McGarry et al explore the idea of accommodation and the protection of minorities.⁴⁷ Territorial pluralism is the most relevant form of accommodation in these circumstances. It applies to minority groups that are territorially concentrated and desire power sharing, with a certain level of autonomy.⁴⁸ This would be made significantly harder if PEVs were randomly allocated to individuals from different Pacific Island states, meaning that it could potentially take over a decade for a community to fully relocate to Australia legally. This would inevitably strain the conversation of culture and community.

43 Subclass 192 Visa.

44 Lori 2017.

45 Lori 2017.

46 Hurst D. and Butler J. (2023), 'Australia to Offer Residency to Tuvalu Citizens Displaced by Climate Change', *The Guardian*, [Australia to Offer Residency to Tuvalu Citizens Displaced by Climate Change](#).

47 Hurst and Butler 2023.

48 McGarry J., O'Leary B., and Simeon R. (2008), 'Integration or Accommodation? The Enduring Debate in Conflict Regulation' in *Constitutional Design for Divided Societies: Integration or Accommodation?* (Choudhury S. (eds.), Oxford University Press), p. 52 (hereinafter 'McGarry 2008').

Dual Citizenship: Combining E-Statehood with Host State Citizenship

I propose that Australia should offer citizens of those countries under the PEV programme citizenship, whilst acknowledging the continuing existence of an e-citizenship of their home state. This would operate as a pseudo-dual citizenship, and would focus on relocating communities, rather than a fully randomised allocation system.

A citizen wanting to relocate to Australia would have two options: the first would be the PEV, the permanent residency scheme that may allow the individual to eventually obtain citizenship. The second option would be to offer Australian citizenship whilst retaining citizenship in their home state in a digital capacity. Australia may also grant the digital government of such nations space or territory, in the form of a building or small area of land to operate from. Such a situation would aim to allow the preservation of the culture, community, and government of the disappearing SIDS, whilst also enabling the individuals relocated to Australia to participate in their new communities. The concept of e-citizenship initially appears controversial and confusing, as it relies on the idea of people holding citizenship to a country that does not necessarily have territory or a centralised government.⁴⁹ However, it has been explored in detail by academics, and has been proposed by Tuvalu as a method of retaining sovereignty as a “digital nation.”⁵⁰ The Future Now proposal lists activities such as creating a “digital Government administrative system”, and the “preservation and digitization of historical documents”.⁵¹ I suggest that this is extended to include digital citizenship, an idea that has been explored to a certain extent in two cases.

Thompson provides the example of The Sovereign Military Order of Malta (SMOM), a religious order that has not maintained territory for several centuries.⁵² The SMOM is able to do several things that are traditionally reserved for states, including issuing passports and signing treaties.⁵³ One of the primary reasons the SMOM is legitimised is due to its involvement in governmental organisations, an action which is again seen to be something only countries or those with territory could do. For example, it has held Permanent Observer Status to the United Nations General Assembly for more than two decades.⁵⁴ Italy has afforded the SMOM control of two buildings in Rome, which it uses as a “de facto capital”.⁵⁵

Another example is Estonia’s e-residency scheme, which, following the exile of the Estonian Government by the Soviet Union, has made extensive efforts to create an ‘e-Estonia’.⁵⁶ Such a scheme does not equate to a full spectrum of citizenship rights. However, Gliboff compares such a situation to the potential for ‘e-SIDS’, where e-citizenship is utilised, and digital governments are able to continue to negotiate to protect their e-citizens in host states.⁵⁷

Building on these ideas, I will now explore how such concepts would look in the context of climate change and relocation. Once an individual has been granted Australian citizenship, they would gain permanent residency as well as civic rights in the community they have relocated to within Australia. This would be contingent on eligibility criteria similar to the PEV pathway. They would be issued an Australian passport, as well as a newly configured passport as an ‘e-citizen’ of their home state. Such a passport would allow them to continue to participate in civic rights and the community of their home state, providing a type of accommodationist citizenship award. By granting relocated individuals civic rights in their new region, as well as continuing to be able to exercise rights in the

49 McGarry 2008.

50 Future of Nationality 2022.

51 Future Now 2022.

52 Thompson J. (2019), ‘E-Government-In-Exile: Non-Territorial State Continuity Using Data Embassies’, Tallinn University of Technology School of Business and Governance (hereinafter ‘Thompson 2019’).

53 Thompson 2019.

54 Sovereign Order of Malta. ‘Government – Order of Malta’, [Order of Malta](#).

55 Thompson 2019.

56 Gliboff 2023.

57 Gliboff 2023.

context of an e-home state, individuals are given greater dignity in mass relocation.

It should be acknowledged that such granting of citizenship will need to be implemented with some parameters to make it feasible and effective, reducing the harm caused to the host state, the climate-vulnerable nation, and the individuals relocating. I suggest that the ballot system is implemented in a way where small communities are able to submit a single application rather than only a single-family unit. The random element of the system should also be reduced, with applications being generally grouped in terms of geographic risk. An annual cap, similar to the PEV but higher to accommodate communities and larger group applications, could be implemented.

To support the continuation of potentially 'sinking' SIDS governments, Australia could provide the governments of these states extraterritorial status. This could be as little as a building to act as a de facto capital,⁵⁸ or a small parcel of land which the digital government could operate from. By existing as a digital nation, these climate-vulnerable SIDS could continue to enter negotiations and treaties to offer protection to their e-citizens, maintain cultural ties and community, and develop symbiotic relationships with Australia as a host state. This model is flexible, allowing for a range of responses from Australia regarding territory as it does not depend on a large sovereign state in which the nation's citizens reside. Gliboff importantly points out that the existence of 'e-states' and 'e-citizenship' is heavily dependent on the international legal system recognising the continuity of the states.⁵⁹ A tool that may strengthen the position of digital nations in international organisations or treaty-making is the use of international coalitions. Deitelhoff and Walbott discuss the Alliance of Small Island States (AOSIS), which has been utilised in UN climate negotiations.⁶⁰ However, the balancing of coalition compromise and individual state autonomy would need to be considered further.

It may be argued that a digital nation, or e-citizenship, may be something that gradually declines in uptake over time as future generations integrate further into their host state. This integration should be celebrated and supported, but efforts should be made to avoid such states becoming extinct. For this reason, I suggest that e-citizenship should be founded on a *jus sanguinis* model, with children inheriting the citizenship of the digital state upon birth. Foster et al. emphasise the importance of passing e-citizenship on to children, saying that it plays "a powerful psychological role in maintaining an ongoing connection with one's origins."⁶¹

Conclusion

Kerber's seminal paper "The Meaning of Citizenship" concludes by saying, "citizenship means what we make it mean... citizenship is how individuals make and remake the state..."⁶² We have a strong conceptual idea of citizenship and how it has developed in the last century, but we must also accept that it can be disassembled and reformed to deal with novel situations. As with any aspect of law, it must be flexible enough to afford individuals the protection they need to live with prosperity, autonomy and security. By simply continuing with our current programmes of citizenship and permanent residency schemes, we are not utilising the flexibility that citizenship can offer. Individuals who call climate-vulnerable states home should be afforded the dignity and choice of being able to make and remake their state. They should not simply be offered permanent residency packaged in a new form which does not address the impact of climate change directly. Shaw builds on this, referencing Kymlicka and Norman, asking "when does differentiated status start to create first-and second-class citizens?"⁶³ This happens when a system is created which offers neither citizenship and security nor preservation of culture and community.

58 Thompson 2019.

59 Gliboff 2023.

60 Deitelhoff N. and Wallbott L. (2012), 'Beyond Soft Balancing: Small States and Coalition-Building in the ICC and Climate Negotiations', 25 *Cambridge Review of International Affairs* 345.

61 Future of Nationality 2022.

62 Kerber L. (1997), 'The Meanings of Citizenship', 84 *The Journal of American History* 833.

63 Shaw 2020.

This paper proposes that host states offer climate-vulnerable SIDS citizens a form of dual citizenship. This would involve a *jus sanguinis* model of e-citizenship paired with citizenship of the host state as well. Differentiation between birthright citizens of the host state and those relocating from climate-vulnerable nations would not create a “first-and-second-class” system.⁶⁴ Such a proposal does not depend on host states offering large swathes of area to ‘disappearing’ states, making it increasingly flexible as relations between states develop. It also does not randomly allocate rights to climate-vulnerable individuals as the PEV programme does. It would be a thoughtful and dignified process, affording individuals space and rights to integrate whilst simultaneously accommodating their cultural, historical, and community ties.

64 Shaw 2020.

The Climate Change-Migration-Citizenship Triple Nexus (Bantayehu Demlie Gezahegn)

Introduction

Climate change is a reality. But too often the nature and extent of its impacts are subject to heated debate in media, public, advocacy, and academic circles. One such aspect is its possible impact on human mobility and, by necessary extension, on citizenship. For a glimpse of the debate, let us consider two examples. According to a 2020 projection by a Sydney-based think tank, the Institute for Economics and Peace, climate change will likely displace 1.2 billion people by 2050.⁶⁵ Multiple media and advocacy outlets have circulated this projection, mostly with the term “climate refugees.” A 2023 report by Oxfam, on the other hand, puts the forecast at a much lower figure of 216 million and uses the term “climate migrants” instead.⁶⁶

As of early 2024, the UN’s prime migration agency – the International Organization for Migration (IOM) – uses the second estimate, yet with important caveats: “It is estimated that up to 216 million people could become internal climate migrants by 2050 if specific climate action is not taken.”⁶⁷ But if action is taken, according to IOM, “this number could be reduced by 80 percent.”⁶⁸ From these lines, several questions arise: what is the real scale of the impact of climate change on human mobility? Are we talking about climate “refugees” or “migrants”? Should climate action aim at reducing climate “migration” or fighting “climate change”?

Aspects of the debate on these questions will linger on later while addressing the questions at hand: “How will climate change impact on citizenship? How should citizenship adapt to climate change?” At first glance, it may be tempting to think that climate change’s nexus with citizenship is indirect. This is because we may argue that climate change’s nexus with migration is not settled, let alone its nexus with citizenship which is a black box firmly within the sovereign domain of states, which thus rather signifies stability. Yet a closer scrutiny of the debate and relevant research shows that there are two strands of thought on climate change’s impact on citizenship – which seemingly are developing separately and crossing paths only occasionally. The first strand is concerned with how the content of citizenship (its rights and responsibilities) changes with or adapts to climate change. Various notions such as climate citizenship, ecological citizenship, and corporate citizenship fall in this category. Climate citizenship, for example, encourages “a willingness to accept new obligations and responsibilities, not only to other citizens within a nation state, but to distant others and non-human nature.”⁶⁹

The second strand is concerned with the link between climate change and citizenship when climate-related mobility is involved. How this stream differs from the first category is because this is not about the “content” of citizenship as such – but how citizenship acquisition and loss are intertwined with mobility, which in turn is impacted by climate change in complex ways. Heavily reflecting the author’s practical and scholarly background in international migration law, this essay critically deals with the second category. In the next section, I problematise the question at hand by identifying two critical challenges in the climate change-migration citizenship nexus. Based on the diagnosis of the problem, I offer two scenario-based proposals for how citizenship should relate to climate change, either as a reactive or adaptive tool.

65 Institute for Economics and Peace. (2020), ‘Ecological Threat Register Press Release’, [Over one billion people at threat of being displaced by 2050 due to environmental change, conflict and civil unrest](#).

66 ANSA (2023), ‘Oxfam: 216 million climate migrants by 2050’, Info Migrants, [Oxfam: 216 million climate migrants by 2050](#).

67 IOM Press Statement (2024), ‘World Migration Report 2024 Reveals Latest Global Trends and Challenges in Human Mobility’, [World Migration Report 2024 Reveals Latest Global Trends and Challenges in Human Mobility](#) (hereinafter IOM 2024).

68 IOM 2024.

69 Hayward B., Selboe E., and Plew E. (2015), ‘Citizenship for a changing global climate: Learning from New Zealand and Norway’, 14(1) *Citizenship, Social and Economics Education* 20.

Two Fundamental Problems in the Climate Change-Migration-Citizenship Nexus

A good chunk of the discussion on climate change's relation with citizenship presumes migration and the associated need to acquire new citizenship or, if possible, to maintain ties with one's state of origin (through dual or multiple citizenship). In the context of a climate change-migration-citizenship triple nexus, migration presents an additional layer of complexity. This is because like citizenship international law leaves it up to the sovereign prerogative of states to decide whom to allow entry into their territory. Freedom of movement is a right only within a state's territory, but not across borders.⁷⁰ In my view, an unpacking climate change's nexus with citizenship that takes into account migration as a denominator should tackle two fundamental problems: one is normative and the other is empirical.

Normative problem: There is no globally binding definition or terminology

Firstly, there is a global normative gap. There is no globally (legally) binding definition of climate-related mobility. As a result, there is no accepted terminology that captures such mobility. Therefore, terms such as "climate migrants," "climate refugees," and "climate-induced displacement" are used in different contexts.⁷¹ At the global level, current international refugee law (based on the 1951 Geneva Refugee Convention and its 1967 Protocol) does not cover flight related to climate change. The Convention only recognises refugees based on evidence of "well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion."⁷²

The term "climate migrants" is even more problematic. Unlike the one for refugees, there is no internationally legally binding definition for "migration," let alone "climate migration." IOM considers climate migration as "a subcategory of environmental migration" in reference to "a singular type of environmental migration, where the change in the environment is due to climate change."⁷³ IOM's definition is, however, not legally binding upon states, as IOM itself warns that it is only "a working definition" for IOM itself "with an analytic and advocacy purpose which does not have any specific legal value."⁷⁴

The Global Compact for Migration – adopted in 2018 and lauded as the most comprehensive globally shared understand of human migration⁷⁵ – does not provide any definition of the term "migration" or "climate migration." In addition to being non-legally binding itself, the GCM also leaves it up to the sovereign prerogative of states to define "migration" and make distinctions between "regular" and "irregular" migration.⁷⁶

Empirical problem: "Who is a climate migrant? Or, after all, who is not?"

Despite the existence of various models forecasting millions and billions of people to be displaced in the coming 20 to 30 years as a result of or in connection with climate change, such linear and simplistic assumptions are increasingly being challenged. There is a fundamental empirical problem related to the nature and extent of climate change's role as a "cause" for migration. To be clear, the question is not if climate change contributes to migration. The issue rather is how and to what extent. Evidence shows a rather complex picture. There is no consensus on whether climate change can be considered as a single cause for mobility.⁷⁷ Climate change may exacerbate the prevalence of other factors such as violent conflicts (to the extent of contributing to even the pronunciation of accepted

70 International Covenant on Civil and Political Rights (ICCPR) (1966), Article 12.

71 Behrman S. and Kent A. (eds.) (2022), *Climate Refugees*, Cambridge University Press.

72 UN Convention Relating to the Status of Refugees (1961) and its 1967 Protocol, Article 1(A)(2).

73 IOM, 'Key Migration Terms', [Key Migration Terms](#) (hereinafter 'IOM Key Terms').

74 IOM Key Terms.

75 Solomon M. and Sheldon S. (2018), 'The Global Compact for Migration: From the Sustainable Development Goals to a Comprehensive Agreement on Safe, Orderly and Regular Migration', 30(4) *International Journal of Refugee Law*, 584-590.

76 The Global Compact for Safe, Orderly and Regular Migration (GCM) (2018), para. 15 (c).

77 Boas I., Farbotko C., Adams H., Sterly H., Bush S. et. al. (2019), 'Climate migration myths', 9 *Nature Climate Change* 901-903.

refugee criteria such as persecution based on one of the listed grounds). This is even more relevant when considering the usually overlooked impact of climate change's relation with migration, not just in the sense of mobility but also immobility. Recent turn towards human agency in migration literature also shows that such immobility in the context of climate change may not always be involuntary. One may decide to stay even in the face of difficult circumstances – exercising agency and choosing fight instead of flight.⁷⁸ With climate change's presence in the whole spectrum of human mobility (from forced mobility to voluntary immobility), it may then be difficult to answer the question of “who is a climate migrant?”⁷⁹ The real question, after all, will rather be “who is not a climate migrant?”

A Framework for Unpacking the Climate Change-Migration-Citizenship Nexus

No grand solution or quick fix

The complex relationship between climate change and mobility discussed above, coupled with the fact that both migration and citizenship are governed essentially by the sovereign discretion of states, makes it difficult to suggest one grand solution or a quick fix to the issue of how citizenship adapts to climate change or to predict how climate change will shape citizenship regimes. Even the well-established international refugee law does not give one a right of entry into a sovereign state. The only obligation under international law is the principle of non-refoulement, which prohibits states from expelling asylum seekers under certain conditions.⁸⁰ International law has even much less to say about how states bestow citizenship. Except for the prohibition of arbitrary deprivation of nationality as part of human rights law,⁸¹ and the adoption of two conventions on defining and reducing statelessness,⁸² citizenship essentially remains within the sovereign domain of states and international law's leverage remains weak.⁸³

At the same time, citizenship and mobility – two areas of varied state practice – are related in complex ways and in a range of scenarios. Citizenship determines one's access to mobility (with different passports carrying varying weight).⁸⁴ Mobility may, in turn, open doors for fulfilling criteria to acquire new citizenship by naturalisation. With mobility there may also come a risk of losing an existing citizenship. Furthermore, to fulfil residence requirements for new citizenship, people may be stuck in a new location. The risks of losing previous citizenship through residence abroad or the requirements of minimum residence to acquire a new citizenship show that citizenship tends to be intertwined with immobility. Scholars have made several recommendations and offered critical reviews of various options. Without claiming to be exhaustive, here are some examples. Although not necessarily in the context of climate change, Jelena Džankić and Rainer Bauböck mapped a range of options for people in dire need of international mobility but who do not have the right (under current refugee law for instance). The options with different degrees of plausibility include: advocating for open borders worldwide, expanding regional free movement regimes, and expanding extraterritorial access to desired citizenships (such as through extraterritorial naturalisation). They have also made their own proposal of creating special passports for vulnerable groups that give mobility rights but not necessarily membership/citizenship.⁸⁵ Further proposals are also made elsewhere.⁸⁶

78 de Haas H. (2021), 'A Theory of Migration: The Aspirations-Capabilities Framework', 9:8 *Comparative Migration Studies*.

79 Schewel K. (2023), 'Who counts as a Climate Migrant?', Migration Policy Institute, [Who Counts as a Climate Migrant?](#).

80 UNHCR, 'The Principle of Non-refoulement', [The principle of non-refoulement under international human rights law](#).

81 Universal Declaration of Human Rights (UDHR) (1948), Article 15 and ICCPR Article 24 (3).

82 UN Conventions on Statelessness (1954) and (1961).

83 Almutawa A. and Walker C. (2022), 'Citizenship as a Privilege and the Weakness of International Law: The Consequences for Citizenship Deprivation in Bahrain and the UK', 14(3) *Journal of Human Rights Practice*, 1038–1059.

84 Prener C. (2024), 'Citizenship as Mobility Capital', [Citizenship as mobility capital](#).

85 Džankić and Bauböck 2022.

86 Acosta 2022; Heyward C. and Ödalen J. (2016), 'A Free Movement Passport for the Territorially Dispossessed,' in *Climate Justice in a Non-Ideal World* (Heyward et. al. (eds.), Oxford University Press), pp. 208–226.

It is beyond the scope of this essay to evaluate the proposals. Yet adding the layer of complexity presented by climate change related mobility/immobility and citizenship, below I discuss scenario-based proposals.

When climate change's impact is unequivocally direct: the case for "virtual citizenship" and "citizenship despite non-residence"

One of the takeaways from the problem statement in section two above is that we need be cautious when we single out climate change as a cause for human mobility. This does not mean that there will be no cases where the impact of climate change will be vivid. The clearest example of when the impact will be unequivocally direct is in the case of loss of statehood. Cases cited in this scenario are if the small island states and coastal states cease to exist due to sea level rise. The assumption here is that one or more defining elements of statehood under international law will be lost. According to the Montevideo Convention on the Rights and Duties of States (1933), there are four elements for statehood: a permanent population, a defined territory, government, and capacity to enter into relations with other states.⁸⁷ If states lose their entire territory or population, questions arise as to the continuity of their statehood. Some scholars suggest that the sovereign authority over such lands may have to change location (e.g., Maxine Burkett's notion of the "Nation Ex-Situ" to refer to the eternal continuity of statehood),⁸⁸ with several possibilities: There will be people residing either in a government-less territory or in a territory governed from a remote location. It may be the case that both the sovereign authority and the people will be displaced with an authority abroad having sovereignty over citizens dispersed across many locations.⁸⁹ While the states in question will have to switch to new ways of keeping ties with their citizens, other states may also have to embrace change such as "virtual citizenship" in light, for example, of some Pacific Island nations, such as Tuvalu, already taking steps towards being a "digital nation."⁹⁰

Other states should be ready to recognise such innovative notions of citizenship as virtual citizenship or overhaul their own citizenship requirements to introduce "citizenship despite non-residence." This means that other states may need to drop extended residence requirements and offer citizenship upon arrival. The other case is where inhabitants want to continue to reside in their home locations even after a possible collapse of statehood, yet with a risk of losing citizenship (i.e. in cases of voluntary immobility). In this case, states from afar may step in and bestow citizenship to individuals who have never been to their territory.⁹¹ This could be arranged as humanitarian citizenship or based on the allocation of a future obligation of states to grant citizenship based on their contribution to emissions for which scientific data is available.

87 Montevideo Convention on the Rights and Duties of States (1933), Article 1.

88 Burkett M. (2011), 'The Nation Ex-Situ: On climate change, de-territorialized nationhood and the post-climate era', 2 *Climate Law* 345-374.

89 Burkett 2011.

90 Future of Nationality 2022.

91 The argument in favour of a third way of bestowing citizenship through the stakeholder principle (*jus nexi*) to "nonresident non-citizens" can be extended here, per Shachar A. (2009), *The Birthright Lottery: Citizenship and Global Inequality*, De Gruyter (hereinafter 'Shachar 2009') and Bauböck R. (2008), [Stakeholder Citizenship: An idea whose time has come?](#), [Migration Policy Centre Stakeholder Citizenship: An idea whose time has come?](#)

When climate change's impact is indirect and complex: the case for expanding the global refugee definition

In this case, it is no longer a hypothetical scenario, as climate change's impact on human mobility is happening. As already established, climate change also exacerbates the dynamics of already recognised grounds of persecution. Many argue that the historical context for the adoption of the 1951 Refugee Convention (with post-WWII Europe reality) has significantly changed, especially for the reality beyond Europe. Along this, we already have seen attempts to expand the refugee definition in regions such as Africa and Latin America several decades ago and in Europe in the context of Ukrainian asylum seekers. The 1969 Convention Governing the Specific Aspects of Refugee Problems in Africa (known as the 'Organisation of African Unity Convention') expands the refugee definition to any person "fleeing external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality."⁹² The "events seriously disturbing public order" element has been interpreted to include climate-related grounds. In the Inter-American system, the 1984 Cartagena Declaration on Refugees provides similar lines to 'enlarge' the refugee concept.⁹³

Upgrading the international refugee criteria is not only feasible but also sensible. If regions are supportive of an expanded refugee definition, doing the same at the international level should be seen as a low-hanging fruit. The majority of refugees anyway remain in their home regions. There is also a climate justice case to bringing the climate dimension into the refugee definition.⁹⁴

Conclusion

While the climate change-citizenship nexus entails multiple notions, including climate citizenship, this essay focused on the mobility dimension of this nexus. After highlighting two fundamental problems related to the normative gap in defining climate-related mobility and the empirical challenge of identifying who climate migrants are, it argued for a cautious approach to understanding the climate change-mobility-citizenship triple nexus. In the end, it offered two scenario-based proposals. In scenario one, where climate change may entail a change to the physical integrity of states (e.g., Small Island Nations), it makes the case for redefining citizenship as virtual citizenship or citizenship despite non-residence. In a second (real) scenario, it calls for the expansion of the global refugee definition using already existing models from Africa and Latin America.

92 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa (1969), Article 1(2).

93 Cartagena Declaration on Refugees, adopted by the Colloquium on the International Protection of Refugees in Central America, Mexico and Panama (1984), Section III (3).

94 Bettini G., Nash S., and Gioli G. (2017), 'One step forward, two steps back? The fading contours of (in)justice in competing discourses on climate migration,' 183 *The Geographical Journal* 4, pp. 348–358.

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