

## **Identifying as a 'Climate Migrant': Implications for Law, Policy, and Research**

### **Author**

Farbotko, C

### **Published**

2023

### **Book Title**

Climate Migration: Critical Perspectives for Law, Policy and Research

### **Version**

Accepted Manuscript (AM)

### **Rights statement**

This work is covered by copyright. You must assume that re-use is limited to personal use and that permission from the copyright owner must be obtained for all other uses. If the document is available under a specified licence, refer to the licence for details of permitted re-use. If you believe that this work infringes copyright please make a copyright takedown request using the form at <https://www.griffith.edu.au/copyright-matters>.

### **Downloaded from**

<https://hdl.handle.net/10072/431576>

### **Link to published version**

<https://www.bloomsbury.com/au/climate-migration-9781509961757/>

### **Griffith Research Online**

<https://research-repository.griffith.edu.au>

# Identifying as a ‘Climate Migrant’: Implications for Law, Policy, and Research

Carol Farbotko<sup>1</sup>

## I. Introduction

Many cases of human mobility are now reported on and discussed as a consequence of climate change, regardless of whether climate change has, technically, caused the mobility in question. Headlines such as ‘[c]limate disasters “caused more internal displacement than war” in 2020’<sup>2</sup> and “[i]ntolerable tide” of people displaced by climate change’<sup>3</sup> are commonplace. Beyond the issue of contested accuracy underscored by lack of scientific causality establishing ‘climate mobility’ as an empirically observable phenomenon is another important issue: that ‘climate mobilities’ (particularly the more politically charged and publicly discussed variants ‘climate migration’ and ‘climate refugee’) exist as socially significant concepts—ideas that have general currency and circulate in and across public policy, in news media, and in science itself.

Regardless of whether it is scientifically correct to report on and discuss ‘climate mobility’ as an empirical reality,<sup>4</sup> narratives and uses of the idea of climate mobility are now prevalent, and the very real associated socio-politics of climate mobility requires research attention in its own right. If a social lens is applied, the social category of climate mobility is observable as having empirical effects. These include new visas being tabled for populations identified as vulnerable to climate displacement and relocation programmes being developed as a part of emergent climate mobility policies.<sup>5</sup>

---

<sup>1</sup> Thanks to Elfriede Hermann, Benoit Mayer, and Calum Nicholson for helpful input into this chapter.

<sup>2</sup> Saeed K Dehghan, ‘Climate Disasters “Caused More Internal Displacement than War” in 2020’ (*The Guardian*, 20 May 2021), available at [perma.cc/8CL2-NDNL](https://perma.cc/8CL2-NDNL).

<sup>3</sup> “[i]ntolerable Tide” of People Displaced by Climate Change: UN Expert’ (UNHRC, 23 June 2022), available at [perma.cc/33GM-664G](https://perma.cc/33GM-664G).

<sup>4</sup> Calum TM Nicholson, ‘Climate Change and the Politics of Causal Reasoning: The Case of Climate Change and Migration’ (2014) 180(2) *The Geographical Journal* 151, available at [doi.org/10.1111/geoj.12062](https://doi.org/10.1111/geoj.12062).

<sup>5</sup> Carol Farbotko, ‘The Spectre of Mass Migration Across International Borders: Dismantling an Unscientific Expectation’ (2022) 5(8) *One Earth* 841, available at [doi.org/10.1016/j.oneear.2022.07.009](https://doi.org/10.1016/j.oneear.2022.07.009).

Various scholars now use the term ‘climate mobilities’ as a tool to analyse the multiple ways in which human mobility is associated with climate change, including its embedding in ongoing patterns and histories of movement, and the material and political conditions under which it takes place.<sup>6</sup> From this perspective, climate change and human movement are both experienced and scripted, and indeed it may not be the bio-physical dynamics of climate that are most important in a particular context but rather their representation: people may just as well move (or not move) because of particular kinds of policy or communication about climate change impacts—such as adaptation strategies by government that could promote greater mobility (or facilitate staying put).<sup>7</sup> Therefore, it is not enough to understand only how climate mobilities occur, who is involved and how it is experienced; one may also need to link these to the representation of climate mobilities in arenas such as research, policies, activism, documentaries, and media reports, which seek to make climate mobilities visible and knowable.<sup>8</sup>

The mobilisation and circulation of ideas about climate mobilities, and the social effects of these ideas, is an emergent area of focus within the new climate mobilities approach. One specific way in which climate mobilities can be usefully identified and analysed as a social phenomenon is through praxiography.<sup>9</sup> In praxiography, objects are seen not as pre-given, defined entities but rather as emergent and inseparable from the practices in which they are enacted, with attention being paid to the techniques that make things visible, tangible, or knowable.<sup>10</sup> Objects of study, such as ‘climate migrants’, are not singular entities in praxiography but are always in a situated state of becoming, with multiple enactments. Praxiography, furthermore, includes as part of its field the practices of what are otherwise often assumed to be rather fixed, unquestionable institutions such as science and law—positioning

---

<sup>6</sup> See, for example, Ingrid Boas and others, ‘Climate Mobilities: Migration, Im/Mobilities and Mobility Regimes in a Changing Climate’ (2022) 48(14) *Journal of Ethnic and Migration Studies* 1, available at doi.org/10.1080/1369183X.2022.2066264; Laurie Parsons, ‘Structuring the Emotional Landscape of Climate Change Migration: Towards Climate Mobilities in Geography’ (2018) 43(4) *Progress in Human Geography* 670, available at doi.org/10.1177/0309132518781011; Hanne Wiegel, Ingrid Boas, and Jeroen Warner, ‘A Mobilities Perspective on Migration in the Context of Environmental Change’ (2019) 10(6) *Wiley Interdisciplinary Reviews: Climate Change* 451, available at doi.org/10.1002/wcc.610.

<sup>7</sup> Ingrid Boas, Carol Farbotko, and Kaderi N Bukari, ‘Climate Change, Mobility and Borders’ *Mobilities* (forthcoming).

<sup>8</sup> *ibid.*

<sup>9</sup> Carol Farbotko, ‘Representation and Misrepresentation of Climate Migrants’ in Benoit Mayer and François Crépeau (eds), *Research Handbook on Climate Change, Migration and the Law* (Cheltenham, Edward Elgar 2017) 67.

<sup>10</sup> Annemarie Mol, *The Body Multiple: Ontology in Medical Practice* (Durham, Duke University Press 2002).

instead scientific and legal practices as emergent, social phenomenon.<sup>11</sup> This means that praxiographic research does not assume that a particular institution or object has fixed characteristics, or what kind of boundaries it has: the social and material are everywhere related but never static. Praxiographic research considers how practices, such as the institutionalisation and communication of ‘climate migration’, become coherent, ordered, and accepted.<sup>12</sup> Thus, institutional practices such as debate on causality between climate and migration are seen as contributing to the enactment of, rather than existing objectively outside, the phenomena they seek to know and/or decide upon.<sup>13</sup> Praxiographic analysis of ‘climate migration’ therefore does not prioritise establishing scientific or legal causality between climate change and human mobility, but rather pays attention to the ways in which ‘climate migrant’ as a particular object of knowledge is relational, situated, and enacted and re-enacted, partly through scientific debate itself. ‘Climate migrant’, in praxiography, is never closed into itself or objectively knowable in a way separate from the world, but rather a product of ongoing practices that continually shapes and refines what is a ‘climate migrant’, through adjustment, coordination, contestation, and reorientation in and across and between arenas such as courts of law, scientific studies, and the media. Social identity specifically is viewed in praxiography not in terms of bounded characteristics of an individual, but as related to and inseparable to the world, its objects, people and institutions, all of which are equally undergoing adjustment, coordination, contestation and reorientation.

Thus, in a praxiographic climate mobilities research agenda, research into issues such as causality or identity sees these phenomena as themselves in part constitutive of, not separate to, the material, political, and emotional relations enabled and influenced by ideas about climate mobilities, and the practices such as photography, journalism, research interviews, philosophy, policy-making, or self-description that contribute to ongoing, multiple practices that shape or contest what a ‘climate migrant’ is, can, or should be. Praxiographic research, in sum, can elucidate the communicative and performative acts through which climate change and human mobility become both understood and used in particular ways. Indeed, once an issue

---

<sup>11</sup> *ibid*; Michel Callon and Vololona Rabeharisoa, ‘Research “in the Wild” and the Shaping of New Social Identities’ (2003) 25(2) *Technology in Society* 193, available at [doi.org/10.1016/S0160-791X\(03\)00021-6](https://doi.org/10.1016/S0160-791X(03)00021-6); Eben Kirksey, ‘Species: A Praxiographic Study’ (2015) 21(4) *Journal of the Royal Anthropological Institute* 758, available at [www.jstor.org/stable/43907902](https://www.jstor.org/stable/43907902).

<sup>12</sup> Christian Bueger, ‘Conducting “Field Research” When There is No “Field”’ in Sarah Biecker and Klaus Schlichte (eds), *The Political Anthropology of Internationalized Politics* (Lanham, Roman and Littlefield 2021) 29.

<sup>13</sup> Mol (n 10).

such as causal reasoning is understood as a social process in its own right,<sup>14</sup> focus can turn to often overlooked issues, such as how a *lack* of evidence of causality between climate change and human mobility has, counter-intuitively perhaps, become the basis for policy;<sup>15</sup> how causality can be put to use to make different conclusions about climate mobility, depending on how it is framed environmentally or socially;<sup>16</sup> or how a causal connection to climate change can help certain actors deny responsibility for mobility challenges.<sup>17</sup>

This chapter specifically uses the idea of climate mobility as a social phenomenon that is being enacted in various arenas to explore the implications for knowledge and public policy of a particular set of practices—personal, scientific, legal, and journalistic—that together enabled social identification of a single individual, Ioane Teitiota, as a ‘climate migrant’. Ioane Teitiota was an international migrant from Kiribati, who had moved to New Zealand but was unsuccessful in his legal quest to remain in New Zealand, despite his reported fear of climate change impacts in his home country. It will be argued that Ioane Teitiota is the first member of a new social category of self-identifying ‘climate migrants’, and that Ioane Teitiota’s identification as a ‘climate migrant’ was made possible not through objectively establishing a causal relationship between his international migration journey and climate change, but through the institutionalisation and communication of ‘climate migration’, which created the conditions for a particular individual to have his self-identification as a ‘climate migrant’ taken seriously. Ioane Teitiota’s reported personal experience of both climate change and migration became a basis for testing legal mechanisms because of the research and policy processes that have, whether accurately or not, predicted people like him would exist, as well as the social practices in which he and others, such as journalists, interpreted his lived experience in a climate-impacted country and his move abroad as an issue of ‘climate migration’.

The chapter proceeds as follows. In section II, I expand on the idea of climate mobility as a social concept. In section III, I describe how, through Ioane Teitiota’s experience in the legal system, it became possible for him to become identified socially, if not scientifically or

---

<sup>14</sup> Fabien Cottier and others, ‘Framing the Frame: Cause and Effect in Climate-Related Migration’ (2022) 158 *World Development* 1, available at doi.org/10.1016/j.worlddev.2022.106016.

<sup>15</sup> Alexander Betts and Angela Pilath, ‘The Politics of Causal Claims: The Case of Environmental Migration’ (2017) 20 *Journal of International Relations and Development* 782, available at doi.org/10.1057/s41268-016-0003-y.

<sup>16</sup> Cottier (n 14).

<sup>17</sup> Benoit Mayer, ‘Climate Migration and the Politics of Causal Attribution: A Case Study in Mongolia’ (2016) 5(2) *Migration and Development* 234, available at doi.org/10.1080/21632324.2015.1022971.

legally, as a ‘climate migrant’. Finally, in section IV, I consider why Ioane Teitiota’s identification as a ‘climate migrant’ is a turning point for climate mobility knowledge and I suggest a need to advance social studies of climate mobility that examine the social life of ‘climate migration’ simultaneously as an idea and as part of the lived experience of those who see themselves as ‘climate migrants’.

## II. The Social Life of Climate Mobility

While acknowledging that climate mobility might remain a contested theoretical proposition within science, climate mobility can also usefully be apprehended as a new social category in part untethered from that science, with a social life of its own in policy, law, the media, and other areas of public discourse. From this praxiographic perspective, climate mobility is not a self-evident phenomenon, nor a technical undertaking solely for experts, but an emergent and contested idea in a range of arenas, with real-world effects.

Praxiographic questions might include what processes are actively producing the existence of climate mobility, and do researchers bring climate mobility into existence on their own or are multiple agents involved?<sup>18</sup> Praxiography is useful because it can help build knowledge of the ways in which climate mobility is socialised, partly through the practices of science itself, but also those of other institutions, as authority is claimed over the concept of climate mobility, and as it is put to use in different ways with varying social results, such as new policy.<sup>19</sup> For example, with its own journal recently established—*Frontiers in Climate: Climate Mobility*—the idea of climate mobility as a field of research is becoming better defined and more visible.

If climate mobility is made social through ongoing practices of particular actors in particular institutions, including science, praxiography also recognises the mobility, security, humanitarian, and news regimes that include climate mobility within their remit. Both within and beyond science, climate mobility has a social circulation that reflects a rising interest in climate mobility in scientific activity, as well as in public policy and other arenas outside

---

<sup>18</sup> Kirksey (n 11).

<sup>19</sup> Caitlin Sturridge and Kerrie Holloway, ‘Climate Change, Conflict and Displacement: Five Key Misconceptions’ (Humanitarian Policy Group Briefing Note, September 2022), available at [perma.cc/B45P-3TW4](https://perma.cc/B45P-3TW4); Farbotko (n 5).

science. The media, for instance, sometimes reports on climate mobility as if it had an established causal empirical reality, sometimes without reference to science at all.<sup>20</sup>

From a praxiographic perspective, the point is not to simply identify cases of failed science communication, but to analyse how media and science actors might narrate and enact different versions of climate mobility in different ways, sometimes with reference to each other and sometimes not. For example, an observation of the media's role in producing a particular type of idea about climate change mobility was reported in the most recent of the synthesis reports of the Intergovernmental Panel on Climate Change, one of the scientific organisations claiming to represent an authoritative source of climate change and mobility knowledge, as follows:

media reports and other studies in recent years suggest that climate change has driven large numbers of migrants to the US from Central America and to Europe from the Middle East and Africa, but empirical studies were not identified.<sup>21</sup>

It is of interest to social research on climate mobility that the media is tasking itself with reporting on climate mobility without reference to scientific studies of the phenomenon, producing particular versions of climate mobility that science does not, and yet in turn contributing to the very real social life of ideas about climate mobility. Other organisations, such as thinktank ODI, have commented on a durable 'echo chamber' of misconceptions about the specific nexus of climate change, displacement and conflict playing out in 'headlines, press releases and funding campaigns' despite scientific advances that speak directly to the misconceptions.<sup>22</sup>

In a review of the research on climate mobility between 2010 and 2020, it was noted that quantification of future climate mobility is no longer considered credible science, but neither attempts to quantify nor media interest in quantification have waned:

---

<sup>20</sup> Etienne Piguet, 'Linking Climate Change, Environmental Degradation, and Migration: An Update After 10 Years' (2021) 13 *Wiley Interdisciplinary Reviews: Climate Change* 1, available at [doi.org/10.1002/wcc.746](https://doi.org/10.1002/wcc.746); Farbotko (n 5).

<sup>21</sup> Guéladio Cissé and others, 'Health, Wellbeing and the Changing Structure of Communities' in *IPCC Sixth Assessment Report, Climate Change 2022: Impacts, Adaptation and Vulnerability* (Cambridge, Cambridge University Press 2022) 1041, 1084.

<sup>22</sup> Sturridge and Holloway (n 19) 4. See also Ingrid Boas and others, 'Climate Migration Myths' (2019) 9 *Nature Climate Change* 901, available at [doi.org/10.1038/s41558-019-0633-3](https://doi.org/10.1038/s41558-019-0633-3); David Durand-Declare and others, 'Climate Migration is About People, not Numbers' in Steffen Böhm and Sian Sullivan (eds), *Negotiating Climate Change in Crisis* (Cambridge, Open Book Publishers 2021) 63.

Even though this quest for quantitative estimates was in vain—due to the impossibility of identifying clear-cut quantifiable categories in a context of multicausality of displacement and mixed migrations, aggregate numbers appeared regularly and attracted media attention.<sup>23</sup>

Similarly, an expectation of mass ‘climate migration’ across international borders continues to circulate widely in policy arenas even though sensationally large predictions of millions of ‘climate migrants’ across borders have been discredited.<sup>24</sup> It has been argued that misconceptions about mass international ‘climate migration’ have more influence than the science, given their persistence<sup>25</sup> and that the ‘political currency’ of climate mobilities research has ‘long outstripped its analytic integrity’.<sup>26</sup> Within science on the other hand, claims are made about the ongoing policy relevance of debunked climate mobility models, suggesting that some scientists are prepared to invert the otherwise well-accepted principle of evidence-informed policy.<sup>27</sup>

There is also intense speculation about climate mobility within science, with research titled, for example, ‘Climate Refugees: Why Measuring the Immeasurable Makes Sense Beyond Measure’<sup>28</sup> and ‘An Interview with the Editors Which Never Took Place’ in a volume on ‘Climate Refugees: Global, Local and Critical Approaches’.<sup>29</sup> Meanwhile, the term ‘climate refugee’ has, after much debate, been rejected in some contexts but accepted in others. The UN High Commissioner for Refugees (UNHCR), for instance, states that ‘the term “climate refugee” is not endorsed by UNHCR, and it is more accurate to refer to “persons displaced in the context of disasters and climate change”’.<sup>30</sup>

---

<sup>23</sup> Piguet (n 20) 1.

<sup>24</sup> Farbotko (n 5).

<sup>25</sup> *ibid.*

<sup>26</sup> Nicholson (n 4) 151.

<sup>27</sup> Farbotko (n 5).

<sup>28</sup> Johannes M Luetz, ‘Climate Refugees: Why Measuring the Immeasurable Makes Sense Beyond Measure’ in Leal Filho and others (eds) *Climate Action: Encyclopedia of the UN Sustainable Development Goals* (Basel, Springer 2019) 1.

<sup>29</sup> Avidan Kent and Simon Behrman, ‘An Alternative Introduction: An Interview with the Editors, Which Never Took Place’ in Simon Behrman and Avidan Kent (eds), *Climate Refugees: Global, Local and Critical Approaches* (Cambridge, Cambridge University Press 2022) 1.

<sup>30</sup> ‘Climate Change and Disaster Displacement’ (*UNCHR: The UN Refugee Agency*, 2023), available at [perma.cc/754L-HWLA](https://perma.cc/754L-HWLA).



However, the recently appointed Special Rapporteur on Human Rights and Climate Change has placed climate refugees as one of his mandate's six highest priorities.<sup>31</sup> The term climate refugee also lives on in the narratives of organisations as diverse as Climate Refugees,<sup>32</sup> Zurich Insurance Group,<sup>33</sup> and Reuters.<sup>34</sup> Both used and contested regularly, the idea of the climate refugee contributes to the effects of ideas about climate mobility mentioned above, which appears to have real and not necessarily positive outcomes for the subjects of the narratives, ie those identified as at being at high risk of climate-related displacement.<sup>35</sup>

Thus, it is clear that climate mobility has a lively social existence: multiple ideas about climate mobility circulate and climate mobilities continue to be present in various forms across science, the media and policy. In the process of science considering whether and how climate mobility is scientifically intelligible, climate mobility has also become compelling—‘the stuff of fantasy and desire, power and subjugation’<sup>36</sup>—with social, policy, and political value, at times highly divorced from any foundation in credible science. Indeed, given the oft-recognised sensationalism and politicisation through which the issue of climate mobility is interpreted, it is not particularly surprising that the social concept of climate mobility exists and persists beyond and at times in defiance of scientific knowledge of climate change and human mobility.

Clearly, the ways in which the science and the sensationalism intertwine need to be unravelled. Praxiography helps us see that there is no predetermined fault line—with science and perhaps policy on one side and news and other arenas on another—along which it is possible to trace misconceptions or inaccuracies about climate mobility. Praxiography also helps us see how certain ideas about climate mobility can become part of the lived experience of real migrants, as the next section explores.

---

<sup>31</sup> UNHCR, “‘Intolerable Tide’ of People Displaced by Climate Change: UN Expert” (*UNHCR*, 23 June 2022), available at [perma.cc/4JZ9-S5NH](https://perma.cc/4JZ9-S5NH).

<sup>32</sup> ‘Climate Refugees’ (*Climate Refugees*, 2023), available at [perma.cc/3LN9-B26S](https://perma.cc/3LN9-B26S).

<sup>33</sup> ‘There Could be 1.2 Billion Climate Refugees by 2050: Here’s What You Need to Know’ (*Zurich Insurance Group*, 13 January 2023), available at [perma.cc/BP7T-45VH](https://perma.cc/BP7T-45VH).

<sup>34</sup> Swati Pandey, ‘Hot and Dry Australia Could Join the Ranks of “Climate Refugees”’ (*Reuters*, 15 January 2020), available at [perma.cc/7EKW-BVAX](https://perma.cc/7EKW-BVAX).

<sup>35</sup> Farbotko (n 5).

<sup>36</sup> Hannah Appel, ‘Toward an Ethnography of the National Economy’ (2017) 32(2) *Cultural Anthropology* 294, 295, available at [doi.org/10.14506/ca32.2.09](https://doi.org/10.14506/ca32.2.09).

### III. ‘Climate Migrant’ as a Social Identity

Given the wide-ranging and contested attempts to identify, report on, and make policy about populations who are moving as a result of climate change, in the context of significant contestation about the extent to which climate change causes human mobility, what can be learned from Ioane Teitiota? In 2013, he brought a case in the court system of New Zealand against his deportation on the ground that he was a ‘climate migrant’. His case was rejected by national courts and Mr Teitiota communicated it to the United Nations Human Rights Committee, whose deliberations focused on whether Ioane Teitiota’s fear of climate change impacts in his home country should prevent his deportation from New Zealand.

Ioane Teitiota’s narrative, reported in his case, concerning his migration from Kiribati to New Zealand was almost exactly what many science, policy, and media accounts of climate refugees expected: he came from one of the world’s most vulnerable areas in terms of sea-level rise, a low-lying atoll nation. He remembered impacts such as coastal erosion and saltwater flooding making his life in Kiribati difficult. The legal record, read here as a social text rather than for its legal consequences, stated that:

the effects of climate change and sea level rise forced him to migrate from the island of Tarawa in the Republic of Kiribati to New Zealand. The situation in Tarawa has become increasingly unstable and precarious due to sea level rise caused by global warming. Fresh water has become scarce because of saltwater contamination and overcrowding on Tarawa. Attempts to combat sea level rise have largely been ineffective. Inhabitable land on Tarawa has eroded, resulting in a housing crisis and land disputes that have caused numerous fatalities. Kiribati has thus become an untenable and violent environment for the author and his family.<sup>37</sup>

Ioane Teitiota was willing, following his move to New Zealand and subsequent legal case, to remember his experience as one of forced migration due to climate change. Along the process of his legal hearings, Ioane Teitiota was widely reported upon in the global news media as the world’s first climate refugee.<sup>38</sup> Indeed, the BBC described him as ‘The Man Who Would be

---

<sup>37</sup> UNHRC, Communication No 2728/2016, *Ioane Teitiota v New Zealand*, UN Doc CCPR/C/127/D/2728/2016, para 2.1.

<sup>38</sup> See, for example, Tim McDonald, ‘The Man Who Would be the First Climate Refugee’ (*BBC News*, 5 November 2015), available at [perma.cc/Y33L-NW79](http://perma.cc/Y33L-NW79); ‘New Zealand Deports Kiribati “Climate Change Refugee” After a Four-Year Battle’ (*ABC News*, 23 September 2015), available at [perma.cc/VDS4-V5XE](http://perma.cc/VDS4-V5XE).

the First Climate Refugee’ in an article in which Ioane Teitiota himself was quoted as stating ‘I’m the same as people who are fleeing war. Those who are afraid of dying, it’s the same as me ... I think being a refugee is the best way of protecting myself. Especially if something happens to Kiribati’.<sup>39</sup> It is plausible that Ioane Teitiota gained his information about the impacts of climate change to Kiribati from the media, combined with his own memories of his life in Kiribati: ‘Teitiota’s case may have been born out of that sensational storytelling narrative ... Teitiota and his lawyer were driven and inspired by what they heard, read and saw on the news about Kiribati’.<sup>40</sup>

Ioane Teitiota’s identification as a ‘climate migrant’ diverged from expectations about international ‘climate migration’ in one crucial aspect. He and his wife were a lone pair. Two people were hardly the widely expected (albeit incorrectly predicted) masses crossing borders from the Global South to the Global North. Ioane Teitiota’s initial case was heard when the idea of Migration with Dignity was prominent. Migration with Dignity, introduced by Kiribati’s president at the time, Anote Tong, identified international migration, especially labour migration that enhanced skills and education for Kiribati people, as key to its climate change adaptation strategy.<sup>41</sup> It is not unreasonable to posit that Ioane Teitiota may have had some expectations about the Migration with Dignity idea shaping his reception in New Zealand, although when the case was heard in New Zealand the court did not explicitly refer to it.<sup>42</sup> There were others migrating to New Zealand from Kiribati around the same time, under the Pacific Access Category scheme, and also, likely, some who were overstayers like Ioane Teitiota. With the exception of Ioane Teitiota, however, none of them publicly identified as ‘climate migrants’ in a legal setting, even if some of them may have identified as such in their personal lives.<sup>43</sup>

The statements of Ioane Teitiota, combined with the writings of journalists, judges and researchers, each contributed to the cementing of an idea of a legally active ‘climate migrant’,

---

<sup>39</sup> McDonald, ‘The Man Who Would be the First Climate Refugee’ (n 38).

<sup>40</sup> Taberannang Korauaba, ‘The Returning Son of a Disappearing Nation’ (*Islands Business*, 11 October 2015), available at [perma.cc/2DXA-3DCW](https://perma.cc/2DXA-3DCW).

<sup>41</sup> Carol Farbotko, Elaine Stratford, and Heather Lazrus, ‘Climate Migrants and New Identities? The Geopolitics of Embracing or Rejecting Mobility’ (2016) 17(4) *Social and Cultural Geography* 533, available at [doi.org/10.1080/14649365.2015.1089589](https://doi.org/10.1080/14649365.2015.1089589).

<sup>42</sup> *ibid.*

<sup>43</sup> Olivia E Yates and others, ‘“There’s so Much More to That Sinking Island!”: Restorying Migration from Kiribati and Tuvalu to Aotearoa New Zealand’ (2022) *Journal of Community Psychology* 1, available at [doi.org/10.1002/jcop.22928](https://doi.org/10.1002/jcop.22928).

possibly as a ‘climate refugee’, as the case unfolded, and as media and scholarly analysis abounded. Ioane Teitiota experienced intense scrutiny of his case, not faced by many others across the world facing deportation, likely because of the ways in which climate and mobility have captured the imaginations of scholars, policymakers and publics.

Yet, Ioane Teitiota’s legal team had no success in establishing his legal identity as a ‘climate migrant’—neither before the national courts, nor then before the Human Rights Committee—on the ground that he did not provide sufficient factual evidence that the impacts of climate change were an immediate threat to his core human rights in Kiribati.<sup>44</sup> Although he did not legally become recognised as a ‘climate refugee’, he was arguably successful in achieving what a field of scientific study as well as a legal system could not: establishing for a global public that ‘climate migrants’ can be self-identifying people, not merely abstracted subjects of statistical models or legal reasoning. Ioane Teitiota is, very possibly, the first person to self-identify as a ‘climate migrant’.

Although unsuccessful in his personal bid to remain in New Zealand, Ioane Teitiota’s self-identification as a ‘climate migrant’ contributed to a significant opportunity for the development of international law, as Teitiota’s case has been written about extensively, even possibly excessively, by scholars interested in how it influences the development climate mobility law and policy.<sup>45</sup> This included increased pressure on states to develop ‘climate refugee’ policy. The Human Rights Committee in the case commented upon an expected role of New Zealand in advancing ‘climate refugee’ policy. The Committee reported that New Zealand’s acceptance of the Fifth Assessment Report of the Intergovernmental Panel on Climate Change may have ‘opened the door to accepting the legal concept of a climate change refugee in cases where an individual faces a risk of serious harm’.<sup>46</sup>

Despite being fruitful for law and policy debate globally, personally for Ioane Teitiota the case had an unfavourable outcome. The legal process resulted in Ioane Teitiota and his family being deported back to Kiribati, where he continues to live. While assessments of his

---

<sup>44</sup> UNHRC (n 37) para 9.12.

<sup>45</sup> Rouven Diekjobst, ‘Climate Refugees: Global, Local and Critical Approaches’ (2022) *South African Journal of International Affairs* 394, available at doi.org/10.1080/10220461.2022.2122549.

<sup>46</sup> UNHRC (n 37) para 7.1.

case often position him as a victim of an as-yet failed promise of climate mobility justice,<sup>47</sup> his identity as a ‘climate migrant’ has also had negative impacts socially. Not only was his desire to live abroad legally thwarted, but some in Kiribati also did not see his court case favourably:

Back home ... the court case by the diaspora countryman has been viewed with mixed feelings. Some ... feared that worst-case scenarios of sea level rise might be coming true if a countryman who surely loved his homeland saw his and his family’s lives threatened ... and didn’t want to return. A few others felt that the diaspora man had brought shame on [them], as their beloved country would now seem to be a place no longer inhabitable in the eyes of the international community. Hurt in their national pride they shamed him in turn as a ‘traitor’ who had humiliated their young nation.<sup>48</sup>

However, the news about Ioane Teitiota’s case also led some I-Kiribati in his home country to imagine migration to a piece of land the Kiribati government had bought in Fiji.<sup>49</sup> And the views of other I-Kiribati people are important for another reason. While Ioane Teitiota and his family wanted to stay in New Zealand, exactly as the ‘climate refugee’ discourse expected, it should also be noted that Ioane Teitiota’s self-identification was important also because it was exceptional. There are no reported masses of people self-identifying as ‘climate refugees’ or ‘climate migrants’ in legal or other contexts.

Indeed, in other arenas, including the policy of the national government, many in Kiribati were quite active in articulating a desire to stay in their country, to build climate resilience, and to adapt in place.<sup>50</sup> In Kiribati, there was a governmental distancing from the Migration with Dignity policy when a new government was elected in 2016. Neither have similar cases from Kiribati or elsewhere been brought since. Thus, Ioane Teitiota’s case is of

---

<sup>47</sup> See, for example, Andreas Neef and Lucy Benge, ‘Shifting Responsibility and Denying Justice: New Zealand’s Contentious Approach to Pacific Climate Mobilities’ (2022) 22(3) *Regional Environmental Change* 1, available at doi.org/10.1007/s10113-022-01951-x.

<sup>48</sup> Carol Farbotko and others, ‘Climate Mobilities, Rights and Justice: Complexities and Particularities’ (2022) *Frontiers in Climate Mobility* citing Korauaba (n 40).

<sup>49</sup> Elfriede Hermann and Wolfgang Kempf, ‘Climate Change and the Imagining of Migration: Emerging Discourses on Kiribati’s Land Purchase in Fiji’ (2017) 29(2) *The Contemporary Pacific* 231, available at doi:10.1353/cp.2017.0030.

<sup>50</sup> Farbotko and others, ‘Climate Mobilities, Rights and Justice: Complexities and Particularities’ (2022) *Frontiers in Climate Mobility* citing Korauaba (n 40); Elfriede Hermann and Wolfgang Kempf, ‘Adaptation and the Question of Migration: Directions in Dealing with Climate Change in Kiribati’ in Carola Klöck and Michael Fink (eds), *Dealing with Climate Change on Small Islands: Towards Effective and Sustainable Adaptation?* (Göttingen, Göttingen University Press 2017) 231.

social significance in part because his decision to attempt to legally identify as a ‘climate migrant’ was rare.<sup>51</sup>

#### IV. The ‘Democratisation’ of Climate Mobility Knowledge?

That Ioane Teitiota was the first citizen of Kiribati, and indeed globally, to publicly identify as a ‘climate refugee’, is an important and indeed pivotal event for a social understanding of climate mobility. This self-identification, by a person from the Global South and one of its most climate vulnerable places, has put a human face to a previously theoretical and abstract concern, with potential implications for how the issue is discussed by lawyers, researchers, policy-makers, and journalists.

Ioane Teitiota’s case provided an opportunity for emerging ideas about climate mobility to be debated differently, not only in legal arenas, but also in the media, research, and policy. His self-identification as a ‘climate migrant’ poses both a challenge and an impulse to the still prevailing common sense about faceless masses of ‘climate refugees’. Once one person has self-identified as a ‘climate migrant’, it sets a precedent for others to do so; yet equally, Ioane Teitiota remains—for now—the only person to have done so. Few are following in his footsteps and publicly self-identifying as ‘climate migrants’ or bringing legal action, although it should be noted that this tells us little about how vulnerable people such as undocumented migrants might be considering their identity privately. Teitiota’s case showed that courts are willing to debate the concept of ‘climate refugees’, but not to legally categorise a particular individual as such. While in legal research the ‘test case’ decision is what remains important, in sociology and other social sciences, Ioane Teitiota’s self-identification is, in and of itself, an interesting sociological fact, with societal implications and effects, all of which are deserving of analysis.

Applying praxiography, Ioane Teitiota’s identification as a ‘climate migrant’ does not speak to the empirical question of causality between climate change and migration that has vexed science and law, but rather draws our attention to the fact that, regardless of the science or the law, if people begin to identify in a particular way, this can lead to new social practices, which can in turn affect how science is received, and how the law is shaped. Ioane Teitiota’s self-identification as a ‘climate migrant’ was made possible not through establishing a causal

---

<sup>51</sup> ‘Pacific Islanders Reject “Climate Refugee” Status, want to “Migrate with Dignity”’ (*ABC News*, 5 September 2014), available at [perma.cc/3XNP-7TJU](https://perma.cc/3XNP-7TJU).

relationship between his international migration journey and climate change, but within the practice of institutions—science, law, and the media—that increasingly identify ‘climate migration’ as a theoretical possibility. He had a role in adding a new consideration to the debate about ‘climate migrants’ in terms of being one of the few people statistically at risk of climate displacement who has (thus far) chosen to personally identify as a ‘climate migrant’.

Ioane Teitiota’s personal experience of both climate change and migration became a basis for legal action because of the research and policy processes that have, whether accurately or not, predicted that people like him *would* exist, as well as the social and communicative mechanisms through which he and others, including journalists, have interpreted his lived experience in a climate-impacted country and his move abroad as an issue of ‘climate migration’. Ioane Teitiota’s attempts to access migration justice did not cement his legal identity as a (legally protected) ‘climate refugee’ as he was deported to his country of origin, but it did cement his personal identity as a (failed) ‘climate migrant’. Teitiota’s self-identification as a ‘climate migrant’ has, ultimately, had the sociological effect of in fact producing the possibility of others also identifying as ‘climate migrants’, which will continue to have effects, not necessarily personally for Teitiota, but for those who may seek or resist an identity as ‘climate migrants’ in the future.

Ioane Teitiota’s self-identification as a ‘climate migrant’ therefore raises important questions about the status of knowledge on ‘climate migration’, and about the place of self-identification in the formulation of social categories, well beyond questions of legal status. Ioane Teitiota’s self-identification was arguably a significant moment for ‘climate migration’ knowledge, as it means it needs to be asked what, precisely, *counts as* climate mobility knowledge. Should lived experience, and the voices of those who self-identify, be taken into account? Should climate mobility knowledge be ‘democratised’ in this way, bringing in subjective, lived experience, and self-identification? What advantages would accrue from doing so? Would such inclusion in fact lead to more just or equitable outcomes for those who self-identify in the way Ioane Teitiota did? After all, given his legal case was lost, and that he is now back in his home country, viewed as a victim of failed climate mobility justice, his self-identification as a ‘climate migrant’ has not gained him any particular advantage. The democratisation of knowledge, while significant, does not necessarily lead to just or equitable outcomes for those self-identifying as ‘climate migrants’, as Ioane Teitiota’s experience demonstrates.

## V. Conclusion

This chapter has focused on the case of Ioane Teitiota, and specifically on his self-identity as a ‘climate migrant’, and the implications of him doing so for how climate mobility is understood. Do climate mobility researchers have an ethical obligation to acknowledge those who self-identify as ‘climate migrants’, and do so by appealing to their lived experience of climate mobility? Can we even understand what is meant by climate mobility, and the life of this social category in the real world, without considering the stated lived experience, and self-identification, of people like Ioane Teitiota? His case is just one example of the way in which the concept of climate mobility has a social life beyond the science and the law. These sociological effects can and indeed should be a focus of research and policy going forward, independent of the outcome of causality debates, as long as representations of climate mobility continue in science, the media, policy and elsewhere.

Using social scientific methods such as praxiography, it is possible to shed light on the concept of the ‘climate migrant’ in new ways. Put simply, the case of Ioane Teitiota is interesting far beyond the outcome of his legal case. As, possibly, the first person to self-identify as a ‘climate migrant’, his case is significant, as it gives social scientists no option but to take the study of the social category of ‘climate migration’ seriously, regardless of its founding in causality, or standing in the law.