

CHAPTER 6

THE DAUNTING TRUTH OF CLIMATE CHANGE AND MIGRATION IN INDIA: UNRAVELING THE LEGAL ISSUES AND CHALLENGES

Prateek Tak* 

Navshesh Bikram Kshetri** 

ABSTRACT

The increasing frequency and intensity of extreme weather events depicts the reality of climate change which our mother Earth is witnessing every day. Such extreme events are turning the earth uninhabitable and nonviable for human life. The adverse impact of climate change is conspicuous in India and can be seen in the form of increased natural calamities, rainfall, heatwaves, cyclones, rise in sea level, desertification etc. As India is witnessing the wrath of climate change, it is resulting in internal and cross-border migration of people. This migration, primarily driven by climate change, has created a humanitarian crisis for India which needs to be looked upon. Since India has no emphatic legal framework to deal with this issue, there has been a void and an uncertainty with respect to the recognition of rights, admissibility and treatment of climate induced migrants in India. Further, the plight of climate induced migrants is exacerbated because of the lack of clarity relating to their status under the International Law making it a complex and untenable issue. Moreover, several studies anticipate that by 2050 the mass exodus of climate induced migrants might take place in India which should caution the lawmakers to act expeditiously to mitigate the detrimental impact of such migration on economic and natural resources of the country. Against this backdrop, this chapter aims to address the legal issues and challenges relating to the protection and recognition of climate induced migrants in India and suggests policy measures to overcome these crises.

Keywords: *Climate Change, Migration, International Law, Legal Framework, Mitigation*

* Research Scholar, Mohanlal Sukhadia University, Udaipur, Rajasthan.

** Research Scholar, The National Law Institute University, Bhopal, Madhya Pradesh.

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