

JIMÉNEZ PINEDA, Eduardo y GONZÁLEZ GRECO, Daniela Jazmín, *Las migraciones climáticas: estudio desde la perspectiva regional y de la cooperación internacional*, (Aranzadi, Pamplona, 2023, 181 pp.)

The book *Las migraciones climáticas: estudio desde la perspectiva regional y de la cooperación internacional*, co-authored by Professor Eduardo Jiménez Pineda and Daniela J. González Greco, contributes to the study of a subject of great relevance in the contemporary international context. Both authors have made a significant contribution to analysing climate-induced migration, which is increasingly recognised in academic discourse but lacks adequate normative treatment in international law.

Anthropogenic climate change poses heterogeneous threats to life on earth, mainly through the global rise in temperatures, which can irreversibly alter ecosystems. One of the primary issues related to increasing temperatures is the rise in sea levels, as well as more frequent and unpredictable droughts and floods, and the alteration of fauna and flora in various regions. These phenomena have an impact on the individual as well as on collective entities, such as states.

Climate change is viewed as a threat within the international society – yet another in a catalogue of risks that has grown steadily in recent years – but also as a vector for cooperation. States and international organisations recognise the need to collaborate in addressing global issues, as individual efforts are unlikely to have a significant impact. Therefore, collective efforts to mitigate the risks of increasing temperatures have resulted in significant normative outcomes, such as the 2015 Paris Agreement and the 2030 Agenda. It is important to note that a state's resilience is largely dependent on its level of socio-economic development. Therefore, socio-economic development plays a crucial role in mitigating the impact of climate change. It is important to note that the effects of climate change are not uniform and can disproportionately affect certain groups of people.

The authors of this book acknowledge this reality. Therefore, they have decided to conduct a comprehensive study on migration resulting from the impact of climate change from a regional perspective, with a particular focus on the significance of international cooperation. The research is presented in a well-organized and systematic manner, comprising a conceptual, normative, and doctrinal analysis that enables a comprehensive understanding of the subject under investigation. Furthermore, the work avoids being excessively descriptive, as the critical vision of the authors is present at all times, accompanied by highly interesting proposals.

The book's first chapter commences with a relevant conceptual review. Analysing the object of study necessitates defining and delimiting concepts. In this case, the authors delve into the nuances between climate migration – caused by sudden or progressive changes in the environment that force people to leave their usual places of residence –, environmental displacement – whose number increases over the years – and planned relocation – caused when states move people to new places of residence, whether temporary or permanent,

under their own authority. However, the authors quite rightly bracket the concept of climate refugees. The subsequent analysis of international instruments shows that there is no direct recognition of this concept in any international treaty. For this reason, the authors argue that “the concept of climate refugees cannot be used indiscriminately in international law” (p. 26). Instead, they will use the term ‘climate migration’ to refer to movements of people or groups of people that occur as a result of negative environmental impacts.

This lack of recognition of the existence of climate migrants or any similar figure is precisely the starting point used by the authors in their survey of international treaties, mechanisms and initiatives in this area. The second part of this chapter provides a normative review that covers a range of well-known instruments, including the Convention on the Status of Refugees and its Protocol, as well as mechanisms established within the framework of the UNFCCC or the instruments for dealing with the consequences of natural disasters. From this analysis, the reader learns that no legally binding response has been articulated to ensure the protection of the rights of climate migrants. Thus, any interpretation that can be made to accommodate them must necessarily be extensive, resulting in a high degree of legal uncertainty. However, the authors rightly bring us closer to some hopeful and highly interesting proposals, such as the Nansen Initiative.

The authors provide a comprehensive analysis of the root causes of the migrations under study. The second chapter of the book includes an in-depth analysis of the decisions made by the United Nations Human Rights Committee in the cases of *Teitiota v. New Zealand* and *Torres Strait Islanders v. Australia*. Both cases highlight the close link between the protection of the right to life and the environment, within the context of climate migration. Following a factual overview, the authors analyse the legal reasoning of the Committee in both cases, as well as the individual opinions of certain members, for their relevance to the development of legal arguments in the protection of climate migrants. The conclusion drawn by the authors in this chapter is that the Human Rights Committee has laid the foundations for the possibility of applying the guarantee of non-refoulement to situations arising from global warming. A position that we not only share, but which we believe demonstrates the value of the work, which goes far beyond mere descriptive analysis.

The course of the analysis leads the authors to study the international cooperation regime on climate change migration protection. To this end, chapter three first examines the multilateral regime from an idealistic perspective. The authors make it clear that “it would be desirable for states to act in a coordinated and collaborative manner for the sake of governance in this area, characterised by international cooperation and solidarity” (p. 62), and that “the measures adopted will have to be comprehensive” (p. 63). They also make a proposal in which they defend the principles that should inspire the multilateral response and identify them as: equality and non-discrimination; impartiality and neutrality; and the structural principles of international environmental law. Then, on the basis of the multi-causality that is at the origin of climate migration, the authors review the SDGs of the 2030 Agenda, whose respect and fulfilment can contribute to the prevention of the causes that provoke the aforementioned migrations. Finally, the chapter examines the role of the European Union as an example of integration and its fervent defence of multilateralism (p. 77). From the analysis of its normative framework and its External Action expressed, among other mechanisms, in Climate Diplomacy, they

conclude that the EU is an actor with the potential to lead diplomatic efforts towards the constitution of a comprehensive international mechanism for the protection of climate migration.

In the final chapter of the book, the authors concentrate on a case study of two regions that are highly vulnerable to the negative impacts of climate change: Southeast Asia and the Caribbean. As stated in the book's introduction, this choice is also justified by the additional risk they face from the obvious risks of sea level rise as island regions (p. 14). This review presents a somewhat disheartening normative situation. Regional and international organisations, as well as inter-state cooperation in these regions, have failed to establish adequate mechanisms to protect the rights of climate migrants. Therefore, the authors strongly advocate for an international treaty "to address the lack of protection for people affected by climate migration, as existing instruments and initiatives to date are not sufficient" (p. 104).

The book, co-authored by Professor Eduardo Jiménez Pineda and Daniela J. González Greco, makes a significant contribution to the subject of climate migrations. Its original structure and approach complement and deepen the works already published within the Spanish doctrine of public international law. The authors maintain a critical vision while being rigorous in their analysis of normative instruments and expression of proposals. Therefore, the book is aimed at both specialists in the field and those who, out of intellectual curiosity, decide to broaden their knowledge of the subject.

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