

CLIMATE DISASTER & PROTECTION PATHWAYS FOR MIGRATION



Lutheran Immigration
and Refugee Service

Across the globe, the effects of climate change-related disasters are exacerbating humanitarian crises and driving individuals to move. Most climate disasters will displace people within their own borders, but a small minority of populations – representing millions of individuals – will be unable to find durable solutions locally and will seek safety and livelihood across international borders. Recognizing the lack of lasting protections provided for these climate displaced persons under current and traditional U.S. legal constructs, **Lutheran Immigration and Refugee Service** (LIRS) proposes a framework for how the U.S. might create legal migration pathways for those displaced by sudden- or slow-onset climate disasters.

POTENTIAL PROTECTIONS FOR PERSONS DISPLACED BY SUDDEN-ONSET DISASTERS:

- Expedited and reformed Temporary Protected Status (TPS) designations for countries that experience climate disasters.
- Use of Deferred Enforced Departure (DED) to provide immediate protection for nationals of a country coping with a sudden-onset disaster.
- Broadened humanitarian parole programs beyond a case-by-case basis.
- Inclusion of climate disasters as “other serious harm” in existing U.S. asylum law.

POTENTIAL PROTECTIONS FOR PERSONS DISPLACED BY SUDDEN- AND SLOW-ONSET DISASTERS

- Creation of a pathway through a new resettlement program for those permanently displaced by climate disaster.
- Expansion of legal relief for TPS and DED recipients to include a pathway to permanent residency and citizenship.
- Interpretation by U.S. government of existing U.S. immigration law to allow persons displaced by climate disasters to qualify for refugee protections.
- Development of bilateral agreements to provide relief to those displaced by climate disaster.

AS SUCH, LIRS RECOMMENDS THAT THE U.S. GOVERNMENT:

- Develop bilateral or (sub-)regional agreements to facilitate temporary, circular, and even permanent migration.
- Expand current seasonal worker programs – with targeted access for those displaced persons from regions experiencing climate disaster – while assuring worker protections and employer accountability.
- Create new pathways for additional guest workers that do not preclude longer-term protection.

All of these would help ameliorate gaps in the domestic labor market while benefiting and offering essential relief for climate displaced persons. As resilience is integral to determining whether and how people and countries can withstand the effects of climate disaster, the U.S. must become a global climate resiliency leader. Local, state, and federal governments should adopt and expand upon current sustainable practices that help communities adapt to the increasing rate and severity of climate disasters, while they also pursue measures to bend the global emissions curve to limit global temperature increases. In order to do this, the U.S. should expand upon efforts to: incentivize the creation of equity-oriented green infrastructure and renewable energy technologies, limit industrial carbon pollution, increase investment in regenerative farming initiatives; and re-plant and re-green America’s coastlines.

LIRS believes that the time for action to protect climate displaced persons is past due. The U.S. has the capability and moral responsibility to strengthen its protection pathways for these individuals and to be a global leader in climate resiliency.