

## ABSTRACT

Ruth Ivana Arella (01051180039)

### **ANALYSIS OF INTERNATIONAL LEGAL PROTECTION FOR *CLIMATE REFUGEE* BASED ON SOFT LAW**

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By its definition, refugees are those who are not protected by their own country, and therefore the international community must participate to ensure that the basic rights of refugees are respected. Climate change affects basic human needs for health, clean air, safe drinking water, adequate food, and safe shelter. One of the biggest consequences of various disasters caused by climate change is forced displacement, especially for those who are directly affected by the consequences of climate change. The concept of refugees due to climate change, or what is now known as climate refugees, however, is still not formally recognized in the realm of international law, including in the 1951 Refugee Convention. This is because climate refugees are considered unqualified for legal protection as refugees in international law. As they are not considered as refugees, there is currently a legal vacuum regarding the protection of these people. In situations where there is factual uncertainty, the use of soft law is more appropriate, because soft law is more flexible and allows scope for new ideas. Researcher has examined the international obligations of States to climate refugees based on the 1951 Refugee Convention and international human rights law, as well as the protection of climate refugees which is affirmed in several existing soft laws, namely the Cancun Climate Agreement and the New York Declaration for Refugees and Migrants. Normative legal research will be carried out using statutes, historical, and conceptual approach. Through this thesis, it was found that although international law to an extent recognizes protection for climate refugees, the existing international conventions governing the protection of refugees is still difficult to apply to climate refugees due to the high and restrictive standards that must be met. This situation leads to the conclusion that the most appropriate approach to provide protection against climate refugees is through soft law. Soft law instruments can gain legal force and provide more concrete legal obligations, particularly through legislative developments at the domestic level.

**References:** 47 books, 18 journals, 11 research papers (127, 1945-2020)

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