

Legal Gaps in International Humanitarian Law and the Protection of Climate-Displaced Individuals in Conflict Zones

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ABSTRACT

The convergence of climate change and armed conflicts has intensified displacement in affected regions, posing acute challenges for climate-displaced individuals. International Humanitarian Law (IHL), while offering protections to civilians and internally displaced persons (IDPs) in wartime, reveals critical legal gaps in responding to displacement driven predominantly by climate-related environmental degradation, such as droughts, floods, and resource scarcity exacerbated by global warming. Traditional IHL frameworks, centered on conflict-induced causes, often overlook the compounding effects of climate stressors in conflict zones, leaving vulnerabilities unaddressed in prevention, response, and long-term solutions. This article analyzes these shortcomings through a doctrinal examination of the Geneva Conventions, Additional Protocols, and customary IHL rules including principles of distinction, proportionality, and environmental protection alongside case studies from regions like the Sahel and the Middle East. It identifies deficiencies in mechanisms to prevent environmentally driven displacement, safeguards for objects indispensable to civilian survival, and tailored humanitarian assistance amid overlapping crises. The study further explores synergies with international human rights law and climate agreements to propose normative advancements, such as climate-sensitive interpretations of IHL and enhanced obligations for conflict parties. Ultimately, the research advocates for an adaptive, integrated legal regime to safeguard individuals confronting the dual threats of armed violence and climate impacts, contributing to broader efforts to modernize protections in an era of compounding humanitarian emergencies.

Keywords: International Humanitarian Law, climate-induced displacement, conflict zones, legal gaps, protection of displaced persons

INTRODUCTION

Background of the Study

International Humanitarian Law (IHL), also known as the Law of Armed Conflict, comprises the 1949 Geneva Conventions and their Additional Protocols. Its core purpose is to limit civilian suffering during armed conflicts by requiring parties to distinguish between civilians and legitimate military targets, thereby restricting the use of force to necessary military objectives. IHL provides protections to non-combatants, including civilians, prisoners of war, and the wounded, while prohibiting unnecessary harm and ensuring humane treatment. However, the traditional framework of IHL faces growing inadequacy in addressing the complex interplay between armed conflict and climate change impacts. In conflict-affected regions, phenomena such as rising sea levels, erratic weather patterns, desertification, droughts, floods, and resource scarcity intensified by global warming are generating widespread instability and forced displacement (McDonnell, 2024).

These environmental stressors often drive migration not primarily from direct warfare or persecution but from deteriorating living conditions, creating populations vulnerable to both military threats and

ecological degradation. While core provisions of the Geneva Conventions, particularly those in the Fourth Geneva Convention on civilian protection and prohibitions against forced displacement, offer some applicability, they were not crafted to recognize environmental factors or climate-induced displacement as drivers of forced movement (Li, 2024). The Additional Protocols similarly lack specific provisions for the unique vulnerabilities of individuals displaced by climate-related events, even when these overlap with hostilities. This intersection highlights an emerging consensus that IHL requires reform or adaptive interpretation to confront the compounded humanitarian crises in conflict zones (Junaid et al., 2025).

Significance of the Study

The escalating convergence of climate change and armed conflict amplifies displacement and vulnerability on an unprecedented scale, particularly in fragile regions where environmental degradation exacerbates resource competition, instability, and violence. Climate-displaced individuals in such areas face dual threats: ongoing military operations and intensified environmental hazards, often resulting in mistaken targeting, disproportionate harm, or denial of essential resources like water, food, and shelter (Dietmayer, 2025).

Existing IHL principles distinction, proportionality, and necessity struggle to accommodate these realities, as resource scarcity and mass movements complicate identification of civilians and military objectives, while camps or makeshift settlements increase exposure to incidental damage. The absence of explicit protections for climate-driven displacement creates significant legal voids, leaving affected populations without tailored safeguards against forced relocation, humanitarian access barriers, or environmental harm as a migration trigger (Leckie & Butta, 2025).

This gap undermines civilian protection efforts and heightens risks in regions already strained by conflict. Addressing these deficiencies is crucial for modernizing IHL to respond to contemporary challenges, ensuring more effective prevention of suffering, provision of assistance, and promotion of durable solutions. The study contributes to scholarly and policy discourse by highlighting the need for integrated approaches that bridge IHL with human rights and climate frameworks, ultimately advocating for enhanced protections amid rising global displacement driven by overlapping crises (Qarnain & Muhammad, 2025).

Research Objectives

- i. To examine the scope and core principles of IHL, including distinction, proportionality, and necessity, and assess their limitations in protecting climate-displaced individuals amid armed conflict.
- ii. To identify specific legal deficiencies in the Geneva Conventions and Additional Protocols regarding recognition and safeguards for displacement primarily caused by climate-related environmental degradation in conflict zones.
- iii. To analyze the applicability of protections under the four Geneva Conventions to climate-displaced persons, particularly the Fourth Geneva Convention's rules on civilian treatment, forced displacement, and humanitarian relief.
- iv. To explore scholarly perspectives on the "protection gap" in IHL for climate-displaced individuals and evaluate proposed reforms, adaptive interpretations, or complementary frameworks for addressing these vulnerabilities.
- v. To propose pathways for evolving IHL to better incorporate climate factors as drivers of displacement, enhancing obligations for conflict parties and integrating synergies with other international legal regimes.

LITERATURE REVIEW

Climate-Induced Displacement in Conflict Zones

Climate change significantly exacerbates forced displacement in regions already affected by armed conflict, creating complex humanitarian crises where environmental degradation intersects with violence and instability. Phenomena such as rising sea levels, erratic weather patterns, desertification, prolonged droughts, floods, and resource scarcity intensified by global warming generate instability and drive large-scale movements of people not primarily fleeing direct persecution or warfare but deteriorating environmental conditions that render livelihoods unsustainable (Arumbinang & Kohar, 2025).

In conflict zones, these climate stressors compound existing vulnerabilities by aggravating resource competition for essentials like water, food, and shelter, leading to heightened economic pressures, social tensions, and further instability. Displaced populations often end up in overcrowded camps or makeshift settlements, increasing their exposure to incidental harm from military operations. Scholars highlight how climate change acts as a multiplier of conflict risks, with environmental damage contributing to migration pathways that overlap with violence, as seen in regions like the Sahel, Syria, and parts of the Middle East and Africa (Iqbal, 2024).

This nexus results in "complex displacement," where communities flee amid intertwined drivers of disasters, environmental decline, and armed hostilities, disproportionately affecting vulnerable groups and straining already fragile systems. The literature underscores that such displacement is not isolated but part of broader patterns where climate impacts amplify conflict-induced vulnerabilities, leading to repeated or prolonged movements and heightened risks to life, health, and security (GRIOTTI, 2024).

IHL Frameworks and Gaps

International Humanitarian Law (IHL), encompassing the 1949 Geneva Conventions and their 1977 Additional Protocols, establishes core rules to minimize civilian suffering in armed conflicts through principles of distinction, proportionality, and necessity. The principle of distinction requires parties to differentiate between civilians and legitimate military targets to prevent civilian strikes, yet in climate-stressed conflict zones, resource scarcity and mass movements complicate this separation, as displaced individuals may inadvertently enter operational areas or be misidentified as combatants. Proportionality mandates that anticipated civilian harm not exceed expected military advantage, but climate-displaced persons in crowded camps or vulnerable settlements often suffer disproportionately from operations targeting nearby forces (Rajshree et al., 2025).

Necessity limits force to what is required for legitimate objectives, prohibiting unnecessary destruction, yet military actions restricting access to vital resources can worsen conditions for those already displaced by environmental factors. The Geneva Conventions provide foundational protections: the First and Second focus on wounded and sick combatants (with indirect relevance to vulnerable displaced needing medical care), the Third on humane treatment of prisoners of war (emphasizing dignity and basics applicable by analogy), and the Fourth on civilians, prohibiting forced displacement (Article 49) and ensuring humanitarian relief, food, shelter, and medical aid. The ICRC Commentary affirms broad civilian protections applicable regardless of displacement cause, including from natural disasters linked to climate change (Noschang, 2025).

However, the Conventions were designed for conventional warfare and do not explicitly recognize environmental degradation or climate-induced displacement as migration drivers. Additional Protocol I prohibits methods causing widespread, long-term, severe environmental damage (Articles 35 and 55) but addresses wartime harm only, not broader climate-triggered displacement. Protocol II offers limited

civilian safeguards in non-international conflicts but similarly omits environmental or displacement-specific provisions (Batada, 2024).

IHL reveals substantial deficiencies: it prioritizes immediate conflict consequences over prolonged ecological impacts, lacks tailored mechanisms for climate-displaced individuals, and fails to address compounded vulnerabilities in overlapping crises, creating significant legal voids where protections do not fully extend to those fleeing primarily environmental harm amid hostilities (Kanyangi, 2025).

Existing Initiatives and Debates

Scholarly discourse reveals diverse approaches to bridging protections for climate-displaced individuals, particularly in conflict contexts, with calls for reform, adaptation, or integration across legal frameworks. Jane McAdam argues that IHL inadequately addresses environmental displacement, advocating formal recognition of "climate refugees" as a distinct category to provide essential safeguards where degradation exacerbates conflict-driven migration. Frédéric Mégret identifies a "protection gap" in IHL, noting that the Geneva Conventions focus on immediate conflict effects and do not encompass prolonged displacement from systemic environmental changes, urging inclusion of such scenarios, especially under the Fourth Geneva Convention's civilian protections in occupied territories (Ngugi, 2025).

In contrast, Alexander Betts favors enhancing existing systems over new categories, proposing integration of climate factors into migration, human rights, and IHL frameworks for flexible, adaptive responses that make current regimes more relevant to contemporary compounded displacements. Walter Kälin, through the Nansen Initiative (2015), promotes practical, complementary measures like regional treaties and soft law to manage cross-border disaster displacement, expanding IHL to treat climate change as a displacement catalyst while acknowledging its focus on immediate armed conflict repercussions (Danylenko et al., 2026).

Dina Ionesco (IOM) describes climate-related displacement as residing in a "grey zone," particularly in conflict areas, supporting adaptive tools like the Guiding Principles on Internal Displacement (1998) for flexible responses to internal movements driven by intertwined environmental and conflict factors. Other experts, including Jean-Marie Henckaerts, critique the Additional Protocols' limited environmental safeguards, recommending amendments to recognize ecological harm from climate change or conflict as displacement causes (Salama-Robino, 2025). Broader debates emphasize synergies with international refugee law (despite its insufficiency for pure environmental cases), human rights law (prohibiting return to serious harm), and soft law mechanisms, with consensus on evolving IHL through normative adaptations, pragmatic policies like humanitarian visas, or regional agreements to address escalating challenges (Koski & Rech, 2024).

Research Gap

Despite growing recognition of the climate-conflict-displacement nexus, significant gaps persist in the literature regarding comprehensive, integrated legal analyses tailored to climate-displaced individuals specifically in active conflict zones. While scholars identify deficiencies in IHL principles and instruments, and propose reforms or complementary frameworks, few studies systematically evaluate how existing protections apply in real-time overlapping crises or offer concrete, context-specific pathways for normative evolution. There is limited doctrinal examination of synergies between IHL, human rights, and climate agreements to develop binding obligations for conflict parties in preventing and responding to environmentally driven displacement amid hostilities. This leaves underexplored the adaptive interpretations needed to close protection voids, particularly for vulnerable populations facing dual military and ecological threats without clear, enforceable safeguards.

RESEARCH METHODOLOGY

Research Design

This study adopts a qualitative doctrinal research design, which is the predominant methodology in legal scholarship for examining, interpreting, and critiquing existing legal norms, principles, and instruments. The research is primarily library-based and desk-oriented, focusing on a systematic analysis of primary legal sources namely the 1949 Geneva Conventions, their 1977 Additional Protocols, customary international humanitarian law, and relevant commentaries such as those by the International Committee of the Red Cross (ICRC) alongside secondary sources including scholarly articles, books, expert reports, and policy documents. The design is analytical and critical in nature, aiming to identify normative gaps, evaluate the applicability of existing rules to contemporary challenges, and propose adaptive interpretations or reforms. By employing a doctrinal approach, the study seeks to bridge traditional IHL frameworks with emerging realities of climate-induced displacement in conflict settings, ensuring a rigorous, text-based examination of legal texts, their historical intent, and their limitations in addressing compounded humanitarian crises.

Data Collection Method

Data for this research were collected through comprehensive desk research and systematic review of authoritative legal and academic materials. Primary data sources include the official texts of the four Geneva Conventions of 1949, Additional Protocol I and Additional Protocol II of 1977, and relevant provisions such as Articles 35, 49, and 55 of Protocol I. Supplementary primary materials encompass ICRC commentaries on the Geneva Conventions and Additional Protocols, which provide authoritative interpretations of treaty provisions. Secondary data were gathered from peer-reviewed journal articles, scholarly monographs, edited volumes, and reports by international organizations such as the International Organization for Migration (IOM), the Nansen Initiative, and academic analyses addressing climate migration, environmental displacement, and the intersection of IHL with climate change (Quadri et al., 2025). All sources were selected for their relevance, credibility, and contribution to the discourse on legal protections for climate-displaced persons in armed conflict contexts. Collection involved targeted keyword searches in legal databases, academic libraries, and institutional repositories to ensure a broad yet focused compilation of materials.

Sample Size

Given the qualitative and doctrinal character of the study, no statistical sample size applies in the conventional empirical sense. Instead, the research purposively selected a focused yet representative body of legal texts and scholarly literature. The core primary legal instruments comprise the four Geneva Conventions (1949), two Additional Protocols (1977), and selected customary IHL rules, totaling a compact but foundational set of binding norms (Chotouras et al., 2024). Secondary literature includes approximately 15–20 key scholarly works, reports, and commentaries explicitly addressing gaps in IHL vis-à-vis climate displacement, protection voids for environmental migrants, and reform proposals. This purposive selection ensures depth and analytical rigor rather than breadth, allowing in-depth engagement with the most influential and pertinent sources that directly inform the research questions.

Sampling Technique

The sampling technique employed is purposive (or judgmental) sampling, a non-probability method commonly used in legal doctrinal research. Sources were deliberately chosen based on their direct relevance to the research topic, authority in the field of international humanitarian law, and contribution to debates on climate-induced displacement in conflict zones. Primary legal texts were selected as the foundational corpus due to their binding status and centrality to IHL (Islahuddin, 2025). Secondary

sources were purposively sampled from leading scholars (e.g., Jane McAdam, Frédéric Mégret, Alexander Betts, Walter Kälin, Dina Ionesco) and authoritative institutions (e.g., ICRC, IOM, Nansen Initiative) whose works explicitly critique IHL deficiencies or propose adaptations in the context of environmental and conflict-related displacement. This technique ensures that the materials most capable of illuminating legal gaps, interpretive challenges, and reform pathways are included, while excluding peripheral or outdated sources.

Data Collection

Data collection proceeded in sequential stages. First, the core primary legal instruments were retrieved and reviewed in full to establish the baseline scope of IHL protections. Second, ICRC commentaries were consulted to clarify intended meanings and contemporary applications of key articles. Third, secondary literature was systematically gathered through academic databases and institutional websites using targeted search terms such as “climate displacement IHL,” “environmental refugees Geneva Conventions,” “protection gap climate conflict,” and “Additional Protocols environmental damage.” Relevant excerpts, provisions, arguments, and reform proposals were extracted, organized thematically (e.g., principles of distinction/proportionality/necessity, specific Convention articles, scholarly critiques), and cross-referenced to identify patterns of consensus and divergence. All collection occurred through ethical, publicly available sources, with careful attention to accuracy and context.

Data Analysis

Analysis was conducted through doctrinal legal reasoning, involving interpretive, critical, and comparative methods. The study first mapped the scope and content of relevant IHL rules, identifying core principles and specific protections. It then critically assessed their applicability and limitations when applied to climate-displaced individuals in conflict zones, highlighting gaps where environmental drivers of displacement remain unaddressed. Comparative analysis juxtaposed traditional IHL applications against emerging scholarly critiques and reform proposals (Tahir & Tahir, 2024). Thematic analysis synthesized recurring arguments on protection voids, interpretive possibilities, and suggested adaptations (e.g., integration with human rights law, soft law tools, or treaty amendments). The process culminated in a normative evaluation, drawing reasoned conclusions about necessary evolutions in IHL to better safeguard vulnerable populations facing dual threats of armed violence and climate impacts.

RESULTS AND DISCUSSION

IHL Protection Gaps

The doctrinal analysis reveals substantial protection gaps within International Humanitarian Law (IHL) when applied to climate-displaced individuals in conflict zones. The core principles of distinction, proportionality, and necessity, while fundamental to minimizing civilian harm, face significant operational challenges in environments marked by climate stress. The principle of distinction becomes particularly difficult to uphold as climate-induced resource scarcity, flooding, desertification, and mass displacement blur the separation between civilians and combatants.

Displaced populations fleeing environmental degradation often move into or through active conflict areas, increasing the risk of misidentification and incidental targeting. Similarly, the proportionality principle is undermined when climate-displaced persons congregate in densely populated camps or makeshift settlements near military objectives; attacks on legitimate targets can cause excessive incidental civilian harm that outweighs anticipated military gains, especially as vulnerability is heightened by pre-existing environmental deprivation. The necessity principle is likewise strained, as military operations that restrict access to scarce resources such as water, food, or shelter exacerbate the suffering of those already displaced by climate factors, often without feasible alternatives being pursued.

The four Geneva Conventions provide general civilian protections but lack explicit recognition of climate-induced displacement as a distinct driver of forced movement. While the Fourth Geneva Convention's Article 49 prohibits forced displacement and ensures humanitarian access, and the ICRC Commentary affirms broad civilian safeguards irrespective of displacement cause, these provisions were crafted for conflict-driven scenarios and do not adequately encompass environmentally triggered migration. The First, Second, and Third Conventions, primarily focused on combatants, wounded, and prisoners of war, offer only indirect or analogous relevance such as access to medical care or humane treatment that fails to address the unique needs of climate-displaced civilians.

The Additional Protocols further highlight the gaps: Article 35 and Article 55 of Protocol I limit wartime environmental damage but do not extend to long-term climate change effects or resulting displacement outside direct military causation. Protocol II similarly omits any reference to environmental drivers in non-international conflicts. Collectively, these instruments create a legal loophole where individuals displaced primarily by climate-related events such as prolonged drought or sea-level rise amid armed conflict receive insufficient tailored protection against compounded threats.

Case Study Insights

Although the chapter does not present detailed empirical case studies, illustrative insights drawn from scholarly references and regional patterns underscore the practical manifestations of these legal deficiencies. In conflict-affected areas such as the Sahel, Syria, and parts of the Middle East, climate stressors like desertification, water scarcity, and erratic rainfall have intensified displacement, forcing populations into zones of active hostilities or exacerbating resource competition that fuels violence.

Displaced groups often face repeated uprooting, overcrowded conditions in informal settlements, and heightened exposure to military operations, where principles of distinction and proportionality are routinely challenged. The Bangladesh-Myanmar situation (referenced in 2019 proceedings) illustrates parallel dynamics: environmental degradation combines with conflict-related displacement, creating acute humanitarian needs that strain existing legal frameworks and highlight difficulties in providing protection when causes are intertwined.

Scholarly analyses consistently point to these overlapping crises as amplifying vulnerabilities displaced individuals suffer from malnutrition, disease, and insecurity without clear IHL mechanisms mandating priority access to essentials or prohibiting actions that worsen environmental conditions. These examples demonstrate that, in practice, the absence of climate-specific provisions leaves populations exposed to dual threats without enforceable safeguards tailored to environmentally driven movements in conflict settings.

Syria and Lebanon: Cross-border displacement due to climate and conflict

Massive internal and international displacement from the Syrian civil war has been accompanied by extended droughts and other climate-related events. These events have increased tensions among agricultural populations, contributing to migration pressures. The neighboring nation of Lebanon has become a major host for these climate refugees.

Lebanon has provided temporary shelter, food, and healthcare to displaced Syrians (many of whom are climate refugees and conflict refugees). UNCHR provided funding for the relief camps' running expenses. However, Lebanon's limited infrastructure and resources compromise its capacity to handle long-term integration needs effectively. Lebanon's political and economic unrest complicates its approach to solve the problem. The overlapping conflict and climate change crises severely tax the nation's infrastructure. The lack of a legal framework for climate refugees leaves these displaced people without long-term protection.

Somalia: Climate-induced displacement in a conflict zone

Somalia is greatly impacted by conflict and climate change, with severe droughts and flooding. These factors, taken together, have resulted in extensive internal displacement, with many people fleeing to nearby nations or cities inside Somalia itself.

Somalia has worked with foreign agencies, including UNHCR and IOM, to offer displaced people emergency relief, healthcare, and shelter. Nevertheless, there has been minimal progress in developing long-term solutions for the integration or self-sufficiency of these individuals. The continuous conflict complicates attempts to resolve the displacement caused by climate change. The Somali government lacks the means to establish a consistent legal framework for safeguarding climate refugees. Displaced persons lack access to necessities and are vulnerable to exploitation.

Implications for Climate-Displaced Individuals

The identified gaps carry profound implications for the protection and well-being of climate-displaced individuals in conflict zones. Without explicit recognition of environmental factors as legitimate causes of displacement, these populations fall into a protection grey zone, facing heightened risks of arbitrary targeting, denial of humanitarian assistance, forced relocation, and denial of basic necessities.

The compounding effect of military violence and ecological degradation increases physical, health, and economic vulnerabilities, often resulting in prolonged or cyclical displacement with limited pathways to safety or durable solutions. Current IHL frameworks, oriented toward immediate conflict consequences, do not sufficiently prevent or mitigate the cascading impacts of climate change, leaving individuals without clear rights to protection from environmentally aggravated harm or obligations on conflict parties to accommodate their needs.

This legal vacuum undermines the foundational humanitarian objective of IHL reducing unnecessary suffering and perpetuates inequality in protection, particularly for marginalized communities in fragile regions. The consensus among scholars that reform or adaptive interpretation is essential points to the urgent need for normative evolution, whether through expanded treaty provisions, integration with human rights and climate law, or reliance on soft law tools such as the Guiding Principles on Internal Displacement. Addressing these implications requires recognizing climate change as a multiplier of conflict-related displacement, thereby extending IHL's protective scope to ensure more equitable and effective safeguards in an era of escalating environmental and security crises.

CONCLUSION

Summary of Key Findings

This study has demonstrated that International Humanitarian Law (IHL), as embodied in the 1949 Geneva Conventions and their 1977 Additional Protocols, faces significant limitations in safeguarding climate-displaced individuals within active conflict zones. While IHL effectively regulates conduct during armed conflict through the core principles of distinction, proportionality, and necessity, these principles encounter acute practical difficulties when climate change exacerbates displacement. Resource scarcity, environmental degradation, and mass movements complicate the identification of civilians versus combatants, increase the likelihood of disproportionate incidental harm in crowded displacement settings, and challenge the restraint of force when access to essential resources is restricted.

The Geneva Conventions provide general protections for civilians most notably through the Fourth Geneva Convention's prohibitions on forced displacement and guarantees of humanitarian relief but were not designed to account for displacement driven primarily by environmental factors such as droughts, floods, desertification, or rising sea levels. The Additional Protocols offer limited environmental

safeguards during hostilities but fail to address long-term climate-induced ecological damage or the specific vulnerabilities of populations uprooted by such conditions. Scholarly consensus identifies a clear “protection gap” where individuals displaced predominantly by climate stressors amid armed conflict receive inadequate tailored safeguards against the dual threats of military violence and environmental deterioration.

Existing frameworks prioritize immediate conflict consequences over the evolving, systemic impacts of climate change, leaving climate-displaced persons in a legal grey zone with heightened exposure to harm, repeated displacement, and barriers to essential assistance.

Policy Implications for IHL Reforms

The findings carry important implications for the future development and application of IHL. To close the identified protection gaps, states, international organizations, and humanitarian actors must pursue both interpretive and normative reforms. A climate-sensitive reading of existing provisions particularly the Fourth Geneva Convention’s civilian protections and the environmental rules in Additional Protocol I could extend obligations to prevent or mitigate harm arising from environmentally aggravated displacement. However, doctrinal adaptation alone may prove insufficient given the scale and complexity of the climate-conflict nexus.

More robust reforms could include formal recognition of climate change as a legitimate driver of displacement within IHL instruments, potentially through amendments to the Geneva Conventions or the adoption of a new protocol addressing environmental displacement in conflict settings. Practical policy measures, such as humanitarian visas, regional protection agreements, and enhanced application of soft law instruments like the Guiding Principles on Internal Displacement (1998), offer complementary pathways to strengthen responses without requiring immediate treaty revision. Integrating IHL with international human rights law and climate change frameworks would further ensure that conflict parties are held accountable for actions that exacerbate environmental vulnerabilities or impede access to relief.

Such reforms would reinforce IHL’s core humanitarian purpose limiting unnecessary suffering while adapting it to contemporary realities where climate stressors increasingly intersect with armed violence. Ultimately, addressing these gaps is essential to prevent the erosion of civilian protections in an era of compounding crises and to uphold the principle of humanity in international law.

FUTURE RESEARCH DIRECTIONS

While this study highlights critical deficiencies and reform pathways, several avenues for further inquiry remain. Future research could undertake comparative analyses of how IHL has been interpreted and applied in specific conflict zones experiencing severe climate impacts, such as the Sahel, Horn of Africa, or South Asia, to assess practical compliance and protection outcomes. Empirical studies examining the lived experiences of climate-displaced individuals in active conflict settings would provide valuable qualitative insights into the real-world consequences of legal gaps and the effectiveness of existing humanitarian responses.

Additional doctrinal work is needed to explore synergies between IHL, the UN Framework Convention on Climate Change, the Paris Agreement, and human rights treaties, particularly regarding non-refoulement, the right to life, and access to basic necessities in climate-conflict contexts. Investigating the potential for customary IHL to evolve through state practice and opinion juris to encompass climate-related displacement obligations represents another promising direction. Finally, interdisciplinary approaches combining legal analysis with climate science, migration studies, and security policy could inform more holistic strategies for prevention, response, and durable solutions. Pursuing these lines of research will be vital to advancing a more adaptive, inclusive, and effective international legal regime

capable of protecting vulnerable populations confronting intertwined environmental and armed threats in the decades ahead.

RECOMMENDATIONS

Strengthen IHL Frameworks

To effectively address the identified protection gaps, states and international bodies should prioritize the strengthening and adaptive evolution of International Humanitarian Law (IHL) to explicitly encompass climate-induced displacement in conflict zones. One key recommendation is the pursuit of normative clarification through authoritative interpretations that extend existing provisions particularly the Fourth Geneva Convention's Article 49 on prohibition of forced displacement and guarantees of humanitarian relief to cover movements driven primarily by environmental degradation exacerbated by armed conflict. The International Committee of the Red Cross (ICRC), in collaboration with states, could issue updated commentaries or guidance emphasizing that civilian protections apply irrespective of displacement triggers, including climate-related factors such as prolonged drought, flooding, or resource scarcity.

Furthermore, states parties to the Geneva Conventions should consider initiating discussions toward a new protocol or amendment that formally recognizes climate change as a legitimate catalyst for displacement, thereby imposing specific obligations on conflict parties to prevent actions that worsen environmental conditions leading to forced migration or that disproportionately affect climate-displaced populations.

In the interim, integrating climate considerations into military doctrine, training programs, and rules of engagement would enhance compliance with the principles of distinction, proportionality, and necessity by requiring commanders to account for environmental stressors and displacement patterns when assessing targets, collateral risks, and resource access. Such measures would reduce misidentification risks, limit excessive incidental harm in overcrowded displacement settings, and ensure that military operations do not unnecessarily aggravate vulnerabilities arising from ecological crises.

Amendment of Additional protocols of Geneva conventions under IHL

The Additional protocols to the Geneva Conventions should be amended to address climate induced displacement as a necessary humanitarian protection during armed conflict.

Since IHL completely ignores displacement brought on by environmental damage in war zones, as discussed in chapter 2. An ICRC-led advisory opinion could start a formal process to amend Article 35 and Article 55 of Protocol I to include forced environmental migration due to conflict.

Integrate Climate Resilience to IHL

International Humanitarian Law (IHL) currently reveals critical gaps in protecting climate-displaced individuals in conflict zones, as it largely overlooks displacement caused by environmental damage amid warfare. Integrating climate resilience into IHL is essential to close these deficiencies. This requires amending the Additional Protocols to the Geneva Conventions, particularly Articles 35 and 55 of Protocol I, to explicitly prohibit actions that trigger or worsen forced environmental migration during armed conflicts. Conflict parties must incorporate climate adaptation measures such as sustainable resource management, disaster risk reduction, and resilient infrastructure planning into their humanitarian obligations. Such integration would strengthen protections for affected populations by ensuring timely access to aid, shelter, healthcare, and pathways for long-term integration, even in active conflict settings. Ultimately, embedding climate resilience within IHL would reduce the compounded burdens on host nations, mitigate overlapping crises of conflict and climate change, and foster more sustainable, effective responses to displacement.

Enhance Humanitarian Access

Immediate and sustained improvements in humanitarian access are essential to mitigate the compounded suffering of climate-displaced individuals in conflict-affected areas. Conflict parties should be urged to facilitate unimpeded passage of humanitarian relief, prioritizing the delivery of essentials such as food, clean water, medical care, and shelter to populations displaced by intertwined environmental and security threats. This requires explicit commitments under IHL to refrain from obstructing aid convoys, attacking humanitarian infrastructure, or conditioning access on military advantage. States and international organizations should advocate for the establishment of dedicated humanitarian corridors in climate-stressed conflict zones, drawing on models used in complex emergencies, to ensure safe movement and protection for displaced groups fleeing environmental degradation.

Additionally, strengthening coordination between humanitarian actors, such as the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), the ICRC, and non-governmental organizations, would improve rapid needs assessments that incorporate climate vulnerability indicators, enabling more targeted and timely assistance. The adoption of pragmatic tools, including humanitarian visas for cross-border movements and expanded use of the Guiding Principles on Internal Displacement, would further bridge gaps for internally displaced persons facing dual threats. By embedding these access-enhancing measures into ceasefire agreements, peace negotiations, and UN Security Council resolutions, the international community can better uphold the fundamental IHL obligation to alleviate civilian suffering amid overlapping crises.

Promote Climate Resilience in Conflict Resolution

Long-term protection of climate-displaced individuals demands the integration of climate resilience into broader conflict resolution and peacebuilding strategies. States, regional organizations, and the United Nations should incorporate environmental risk assessments and displacement forecasting into mediation processes, early warning systems, and post-conflict reconstruction planning. This would involve recognizing climate change as a conflict multiplier and requiring parties to address resource scarcity, land degradation, and livelihood insecurity as root causes that fuel instability and forced migration. Peace agreements should include provisions for joint environmental management, equitable resource-sharing mechanisms, and rehabilitation of degraded areas to reduce competition over water, arable land, and other essentials that often drive displacement in fragile contexts.

Investing in climate adaptation programs such as drought-resistant agriculture, water infrastructure, and early-warning systems in conflict-prone regions would decrease the likelihood of environmentally triggered movements overlapping with violence. Moreover, capacity-building initiatives for national authorities and non-state armed groups should emphasize compliance with IHL obligations while promoting sustainable practices that mitigate environmental harm during hostilities. By aligning climate action with conflict prevention and resolution efforts, the international community can foster conditions that reduce the incidence and severity of climate-induced displacement, ultimately diminishing the protective burden on IHL and enabling more durable solutions for affected populations. These integrated approaches would reinforce the humanitarian imperative to protect civilians from both immediate armed threats and the long-term consequences of global environmental change.

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