

## Abstract

The time we live in is blemished by the evils of Climate change which, among other things, is also triggering human mobility, on a scale that threatens to restructure demographic, social, and political landscapes across the globe. Climate-induced displacement particularly makes developing countries vulnerable because of increasing pressure on scarce resources and potential risk for escalation of social and geopolitical tensions. Though, the challenges are enormous, the international community is yet to offer a coherent and unified response. This thesis probes the legal gaps that exist surrounding the status and rights of the climate migrants. The principal objective is to develop a rights-based legal framework to address the complexities of climate-induced migration. Drawing on doctrinal, analytical, and historical methodologies, the thesis posits that the existing international legal framework is inherently insufficient. The reason for this weakness stems from the emptiness in legal provisions that primarily links the displacement problem with the various grounds for persecution, excluding the environmental reasons from the purview. In addition, the lack of definitional and normative clarity push climate migrants to a legal and institutional dividing line, stripping basic human rights from their existence. This gap is particularly distinct in South Asia, where number of countries are already under significant pressure because of cross-border migration and India is no exception. Therefore, the thesis, after exploring the international normative bearing, turns onto exploring India's distinctive legal and policy framework, especially Article 21 of its Constitution, to evaluate the principle of non-refoulement. It is argued that the long-term solutions should transcend the narrow limits of traditional refugee law. Such solution must be rooted in universal human rights principles. In other words, the theoretical premise of this thesis offers a model of integration that India should adopt within its legal system to extend better solution towards cross-border climate displacement which, in turn, may also open a new dimension in international discourse on climate justice.