

Climate change migrants

Md Shamsuddoha and Rezaul Karim Chowdhury argue that those forced to migrate due to climate change deserve recognition under a new protocol

The First Assessment Report of the Intergovernmental Panel on Climate Change (IPCC) in 1990 noted that the greatest single impact of climate change might be on human migration. The report estimated that by 2050, 150 million people could be displaced by climate change-related phenomenon. More recent studies increase this estimate. For instance, Norman Myers of Oxford University has argued that “when global warming takes hold there could be as many as 200 million people displaced by 2050 by the disruptions of monsoon systems and other rainfall regimes, by droughts of unprecedented severity and duration, and by sea-level rise and coastal flooding.” The Stern Review on the Economics of Climate Change in 2006 and a Christian Aid report in 2007 estimated displacement of 200 million and 250 million people, respectively, by

climate change and related impacts. These figures mean that by 2050 one in every 45 people in the world could be displaced by climate change and that the number of future climate migrants will be ten times greater than today’s entire population of documented refugees and internally displaced persons (IDPs).

MAIN POINTS

- **The authors explain** that climate change related phenomena could displace up to 250 million people by 2050.
- **They describe** the weak policy response to this looming crisis and explain how support for climate-induced migrants

under existing legal frameworks is insufficient.

- **They call for** new legal recognition for these migrants that makes developed countries accountable for the consequences of their past greenhouse gas emissions.

The policy response to these potential floods of climate change-induced forced migrants has been weak, despite the warnings. Even the terms and concepts used to refer to climate change-induced migrants are not consistent. They are called ecological and environmental refugees, climate refugees, climate change migrants, environmentally-induced forced migrants and so on.

The United Nations Environment Programme calls these migrants ‘environmental refugees’ - people who have been forced to leave their traditional habitat, temporarily or permanently, because of marked environmental disruption (natural and/or triggered by people) that jeopardizes their existence and/or seriously affects the quality of their life. Based on this, the office of the United Nations High Commissioner for Refugees (UNHCR) and International Organization for Migration have advised that terms like ‘cli-



Children fishing in the Maldives

Photo: © nattu/flickr

mate refugees' or 'environmental refugees' have no legal basis in international refugee law and should be avoided so as not to undermine the international legal regime for the protection of refugees.

Following legal concerns about the term 'refugee', some international organizations are calling for climate change-induced forced migrants to be treated as 'environmentally displaced persons'. In line with the mandate regarding IDPs under the UNHCR, the international community is deemed less responsible for helping these people.

One pertinent question, however, is why categorize climate change-induced forced

migrants as political refugees (as narrowly defined under the 1951 Geneva Convention), or IDPs at all? This article argues that people forced to migrate due to climate change require a new dignified status providing for social, cultural and economic rehabilitation. A new legal framework is needed, arguably under the United Nations Framework Convention on Climate Change (UNFCCC), to reflect one of the most fundamental climate change issues: accountability – or the obligation of polluting countries in the global north to address the needs of the countries that will suffer most in the global south.

Climate change-induced forced displacement: a consequence of global processes not local crises

Climate change will significantly affect migration in three distinct ways. Firstly, through warming and drying in some regions, which will reduce agricultural potential and undermine 'ecosystem services' such as the provision of clean water and fertile soils. Secondly, through increases in extreme weather events, particularly heavy precipitation, resulting in flash or river floods. Finally, sea-level rise will permanently destroy certain productive low-lying coastal areas that are home to millions of people who will have to be permanently relocated.

In coastal Bangladesh, for example, sea-level rise and extreme weather events like flooding and tropical cyclones could forcibly dislocate more than 35 million people. Most of the Maldives might become sandbars, forcing 300,000 people to flee to India or Sri Lanka. Vietnam could lose 500,000 hectares of land in the Red River Delta and another two million hectares in the Mekong Delta, displacing roughly ten million people. Egypt could lose at least two million hectares of land in the fertile Nile Delta, displacing eight to ten million people. In Guyana, 600,000 people - 80 per cent of the population - could be displaced.

Models predicting longer-term coastline changes resulting from sea-level rise suggest that governments may have to support mass coastal population movement. Climate

change-induced migrants could also cross international borders. The Development, Concepts and Doctrine Centre, Global Strategic Trends Programme, under the United Kingdom's Ministry of Defence, predicts large flows of migrants from sub-Saharan Africa to the Mediterranean, the Middle East and Europe between 2007 and 2036. The German Advisory Council on Global Change predicts mass migration from Caribbean islands and Central America to the United States and many migration flows within Central America.

In light of this looming climate migration crisis, many international humanitarian organizations, civil society organizations and governments of vulnerable countries are demanding the protection and resettlement of migrants. It is, therefore, important to mainstream environment and climate change considerations into migration management policy and practices, and to bring forced migration issues into global environmental and climate change discourses. The protection of climate change-induced forced migrants should be a global problem and a global responsibility.

Climate refugees: the need for new legal recognition

By definition, IDPs flee natural and man-made disasters and remain in their own country. International humanitarian law articulated in the Guiding Principles on Internal Displacement dictate that the rights of IDPs should

be protected by their own governments. These principles clearly define the rights of people displaced by ecosystem degradation, natural disasters and development projects, but in many cases these rights are poorly protected.

Displacement and environmental migration is not a new phenomenon. For years people in rural areas have been forced to flee to urban areas or neighboring countries due to destruction of livelihoods. Such people often end up living in refugee camps or urban slums where their health suffers due to close living quarters, poor sanitation and insufficient food supplies or livelihood opportunities. In Bangladesh, around 20,000 people migrated from a South Eastern coastal island of Bangladesh, Kutubdia, to Cox's Bazar, a sea resort town, in 1991 because they lost their homes in a cyclone. They currently live in an urban slum called 'Kutubdia Para' that lacks civic amenities and services. People are still

moving from the island, which is gradually going underwater due to sea-level rise.

Unable to make a living inside their country, many Bangladeshi people have migrated to neighboring countries, primarily India and Pakistan. Since the 1950s, 12 to 17 million Bangladeshis have migrated (often illegally) to adjacent Indian states, primarily Assam and Tripura, in search of a better life. Many Bangladeshis have also migrated to the coastal Pakistani city of Karachi where they live as illegal migrants in urban slums and work as fishing labourers in the deep sea fishing industry. Human rights violations are common, whether migration is internal or across borders.

Climate change will increase existing internal displacement and cross border migration. In Bangladesh, some estimates suggest that one in every seven people will be displaced by climate change impacts by 2050.



Cox's Bazar, Bangladesh

Photo: © Joe Coyle

Many of those displaced may never be able to return home because their places of origin have been destroyed or permanently inundated. Recipient countries may well not be able to accommodate the huge numbers of people likely to be uprooted due to extreme weather events. Defining the rights of people who will be displaced permanently and forced to flee their country in search of a better life is a priority.

Categorizing climate-induced forced migrants and IDPs together may undermine the notion of justice for the climate change-induced migrants and their right to appropriate assistance. Attempts to link climate change victims to IDPs are often politically motivated, aiming to avoid the obligations and responsibilities of Annex 1 countries (industrialized countries) made under UNFCCC to look after these people. Current terms are inappropriate, and climate-induced migrants now need new legal recognition that resonates with a sense of global responsibility and accountability, as well as a sense of urgency for impending disasters.

Legal frameworks on human rights: inadequate for climate-induced forced migrants

There is a growing debate over whether those affected by climate change are a 'new' group in need of protection or if existing legal frameworks are sufficient. International, regional and national legal instruments, covenants and institutions exist to protect the rights of



Bangladesh, fish market Photo: © Aftab Uzzaman

people forcibly displaced by conflict, persecution *et cetera*. The UNHCR's mandate is to lead and coordinate international action to protect refugees and resolve their problems worldwide. Its responsibilities include supervising, in co-operation with states, the application of the 1951 Convention relating to the Status of Refugees. This Convention defines refugees as people who live outside their countries of origin because of a well-founded fear of persecution based on their race, religion, nationality, political opinion or membership of a particular social group, and who cannot or do not want to return home. The mandate of this Convention does not cover climate change-induced migrants. Further still, climate change-induced forced migration could undermine the aims of several other United Nations conventions.

The 1948 Universal Declaration of Human Rights protects freedom of movement and

other social, cultural and economic rights that might be threatened when people are forced to migrate by climate-induced environmental degradation.

The right to adequate housing is enshrined in several core international human rights instruments and most comprehensively under the International Covenant on Economic, Social and Cultural Rights. Core elements of these rights include security of tenure, protection against forced evictions, availability of services, materials, facilities and infrastructure, affordability, habitability, accessibility, location and cultural adequacy. Observed and projected climate change impacts such as sea-level rise will directly affect the right to adequate housing.

The right to self-determination is established in the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. Under this, people can "freely determine their political status and freely pursue their economic, social and cultural development." The inundation and disappearance of state territories and small island states has implications on this right to self-determination. This raises a range of legal questions, for example concerning the status of people living in disappearing territories.

The equity principle of the UNFCCC

Climate change is a consequence of the cumulative build-up of greenhouse gases dating back as far as the industrial revolution. Alt-

ough Annex 1 (industrialized) countries under the UNFCCC have historically contributed most to anthropogenic greenhouse gas emissions, the impacts of climate change are disproportionately experienced by poorer nations. Industrialized countries should, therefore, accept the burden of dealing with their distress.

Article 3 of the convention (commonly referred to as the equity article) stipulates that Parties should protect the climate system “on the basis of equity and in accordance with their common but differentiated responsibilities and respective capabilities. Accordingly, the developed country Parties should take the lead in combating climate change and the adverse effects thereof.”

Principles of equity require developed countries to address the emerging needs and crises that developing countries will be facing. Ongoing negotiation on this equity principle of the UNFCCC focuses on two major strategies to address climate change: mitigation and adaptation. Debates around climate change adaptation include a wide range of activities, such as relocating people from flood-prone or at-risk areas, but they have not clearly defined how to address the many causes of forced displacement largely due to climate change. There is a growing need to recognize populations affected by climate change as a ‘new’ group in need of protection as support under existing legal frameworks and conventions is insufficient.

Conclusion

The UNFCCC has near universal membership and provides a common international framework for addressing the causes and consequences of climate change. It does not, however, mention climate change-induced forced migrants. For reasons of justice, the equity principle of the UNFCCC and also obligations under Article 13 of the 1948 Universal Declaration of Human Rights, the international community and especially the United Nations must protect these forced migrants. A separate, independent legal and political regime is needed under a new protocol to safeguard these people. This protocol could draw on widely agreed principles such as the common but differentiated responsibilities of country Parties, and it must consider three basic principles.

First, legal debates regarding climate migrants must take into account the dignity of people concerned as their contributions to greenhouse gas emissions are small. Those forced to migrate due to climate change need a different status, such as ‘Universal Natural Person’, with associated social, cultural and economic rights.

Second, climate refugees must be treated as permanent immigrants to the regions or countries that accept them. Finally, climate change migrants should be helped as entire groups, such as the population of a village, city, province or even an entire nation as is the case for the small island states. ■

ABOUT THE AUTHORS



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FURTHER INFORMATION

● **On the Web:** This article was written to support an Equity and Justice Working Group, Bangladesh (EquityBD) campaign. For further information, visit www.equitybd.org.