one adopted, we could expect ratification to be less complete than is necessary, resulting in an instrument that is weak.

At the moment, then, it would be difficult, perhaps impossible, to achieve global consensus on the issue of international population movements and climate change. Also, it is a risky move to transfer into international law a debate which continues to generate controversy in the scientific sphere and, worse still, for that transferral to lead to the modification of legal entities that currently function – in spite of their deficiencies – to protect refugees. Any change to the statutes in force could endanger the advances achieved so far in the early years of the 21st century. The number of refugees (by the current definition) has increased in recent years; swelling that number further would serve no purpose if this is not translated into an improvement in terms of the human rights and dignity of those affected.

On the other hand, restricting protection to those affected by climate change issues would marginalise others affected by geo-environmental phenomena and changes (whether anthropogenic or not), which could be discussed legally in terms of responsibilities but not in terms of human rights. Perhaps current conditions do not allow for an adequate definition of a problem that is still mired in uncertainties. An a posteriori definition of the legal status of these migrants would have to be created, establishing whether they can in some way be differentiated as a group with their own characteristics.

Once this approach is established, regional or bilateral solutions would be the preferred way forward. This would mean working with affected governments on solutions that involve in situ measures and adaptation strategies, accompanied by a real commitment to the reduction of contaminating emissions. A regional response of this type, although it may appear a little ambitious, could constitute the first step towards more widespread international efforts.

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http://tinyurl.com/CIDCE-Environmental-displaced

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**Displacement as a consequence of climate change mitigation policies**

Sara Vigil

Climate change mitigation policies and ‘green solutions’, such as biofuels, are also creating displacement.

Current and projected climate change impacts have led to a wave of mitigation policies that, despite their well-intentioned motives, can actually lead to added pressures on the land of the most economically, environmentally and socially vulnerable groups in developing societies. A visible example of this occurs when policies aimed at biofuel production incentivise the acquisition of large tracts of land in the Global South, often overlooking the rights of local populations and leading to the displacement of whole communities. Climate change is seen to legitimise a large proportion of such acquisitions. Examples of this commodification of nature include carbon offsets, eco-tourism and biofuel production. Whilst proponents of such land investments highlight their positive potential, detractors – referring to them as the appropriation of natural resources
Disasters and displacement in a changing climate

Official policies have been vital in incentivising what has been referred to as the ‘biofuel boom’. The European Union, the United States and other countries have included targets to achieve a higher use of biofuels in transport, whilst offering financial incentives and tax exemptions for those involved in ‘clean’ energy. Although the motives at the root of such policies are arguably well-intentioned, they often compete with food production, thereby increasing local food insecurity, and can lead to important human rights violations that include displacement. Although most of these projects claim to be using unoccupied or marginal land, empirical research shows that in reality these lands are often inhabited, forested, used for grazing or utilised as a communal resource.

Consequences on mobility
The World Bank has acknowledged that displacement is one of the risks of land investments, notably in countries where governance is weak and land rights are not well defined. In 2007 the UN Special Rapporteur on the Rights of Indigenous Peoples estimated that biofuel expansion could threaten the land and livelihoods of 60 million tribal people. Yet the issue of displacement resulting from such ‘green’ investments has merely been listed as one of the negative consequences. Additionally, the impacts of such infrastructure projects can place further stress on fragile environments, causing more displacement.

In Indonesia, Malaysia, Papua New Guinea and India, exponential demand for palm oil for export is displacing millions of indigenous people from their lands. In Colombia paramilitary forces have used fear and violence to force the displacement of Afro-Colombian communities for the production of sugarcane and cassava. The Ethnic Community Development Forum claimed that 14% of all refugees entering Thailand from Burma during 2006 and 2007 had been forcibly displaced by the jatropha biofuel campaign. Brazil, the giant of ethanol, has equally experienced the displacement of millions of smallholders following land acquisitions for soya production. And there are many other examples.

When prior consultation with affected communities is undertaken (as is now most often the case in relatively stable countries such as Senegal), investors put promises of employment and infrastructure forward as a way for populations to accept voluntary resettlement. However, ‘voluntary’ resettlement can become forced resettlement following an outcome that does not meet expectations.

Whilst those analysing the social consequences of land investments need to pay more attention to displacement as an outcome, there is also a need for environmental migration scholars and practitioners to broaden their analyses. Though the causes of displacement are often blurred and overlapping, the outcomes that the displaced encounter are strikingly similar. ‘Green grabbing-induced displacement’ is a clear example of the overlap between the traditional categories of forced displacement (conflict, development and environment).

Current protection mechanisms and gaps
There have been attempts to control the negative impacts and processes of land grabbing through the development of codes of conduct and principles for responsible agricultural investment that respects rights, livelihoods and resources. In order to attain ‘win-win’ outcomes, the issues most frequently addressed are transparency in negotiations, respect for existing land rights, sharing of benefits, environmental sustainability and adherence to national trade policies. These seem to suggest that good governance would diminish the dispossession and displacement of rural communities. However, the voluntary nature of such principles makes it arduous or impossible to
track down and penalise those who fail to follow them. Although existing protection mechanisms for people displaced following conflict, development or environmental degradation could eventually apply, there is first a need to acknowledge, truly understand and quantify such displacement.

Given the exponential rise of green grabbing around the world, there is a need to move beyond the category of environmentally induced displacement in order to include the impacts of climate change mitigation policies as a factor that influences displacement outcomes or migratory decisions.

The argument that it is the responsibility of the state to impose socially sustainable rules on these investments does not minimise the moral and ethical responsibilities of the investors and consumers in the North too, especially when their ‘green’ policies have a significant responsibility for evicting the rural poor off their lands. Transparent and well-coordinated certification schemes, that include human rights principles and protection mechanisms for the most vulnerable, should be a condition of the consumption of products that result from those investments.

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2. See the Journal of Peasant Studies for the most relevant academic analysis on land grabbing in general and ‘green grabbing’ in particular. www.tandfonline.com/loi/fjps

The United Nations Economic Commission for Africa, the African Union, the African Development Bank and the EU have also developed frameworks and guidelines.