

'Environmental' refugees?

by Kate Romer

How should governments support those at risk of displacement from climate change?

For more than thirty years the people of the Carteret Islands – six tiny islands just 1.5 metres high – have struggled to prevent salt water destroying their coconut palms and waves crashing over their houses. In November 2005 the fight was abandoned. The Papuan New Guinean government decided to relocate the entire population to Bougainville, a larger island 62 miles away. By 2015 the islands are expected to be permanently submerged.

Of all developed nations, Australia should be among the first to recognise the enormous potential for large-scale migration and disruption as a result of climate change. The Asia-Pacific region is likely to witness unprecedented migratory movements as a result of rising sea levels and destruction of low-lying islands by increased cyclonic activity. Of the 50 million people expected to have to flee their homes as a result of environmental factors by 2010¹ a large proportion will be in Australia's backyard. Tuvalu, Kiribati, Fiji and Tonga are among the island states which could become uninhabitable. Anticipating population displacement, these governments have negotiated a migration agreement with New Zealand to enable those displaced to move to a safer environment.

According to the International Federation of Red Cross and Red Crescent Societies in their *World Disasters Report 2001*, more people are now forced to leave their homes because of environmental disasters than war. Civil society actors in Australia have joined international lobbies pressuring governments to recognise the group increasingly called 'climate refugees'. A recent publication by Friends of the Earth Australia and Climate Justice argues that Australia has a disproportionate responsibility for creating them – Australia has about 0.03% of the world's population but produces about 1.4% of the world's green-

house gases – and hence an onus to recognise them officially as a separate category of refugee.²

No international or national legislation explicitly recognises or defines 'environmentally displaced persons' and there are no bodies mandated to offer them protection. The Guiding Principles for Internal Displacement³ covers those displaced by natural or human-made disasters. Principles 10-27 detail the protection that should be provided during displacement but this only applies to those who have not crossed an international border. In order to address these gaps advocacy groups are seeking expansion of the term 'refugee'. However, it needs to be asked whether this is the best way to offer protection to those displaced by environmental degradation.

The first key point is that 'environmental/climate refugee' is legally incorrect. A 'refugee' is defined as someone who has a "well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion" and "is outside the country of his/her nationality". Currently this definition does not include those displaced by environmental factors. Use of the term without any legal expansion of the definition potentially exposes groups and individuals to accusations of naivety and failing to produce a sound legal basis for their argument. Use of incorrect terminology gives governments grounds to disregard advocacy on behalf of the environmentally displaced.

There is also the risk that use of the term 'climate refugee' will reduce the viability and utility of the term for those who are currently eligible for protection under the legal definition of refugee provided by the 1951 Convention. Politicians and the public may judge 'economic' or 'environmental' refugees to be taking illegitimate advantage of refugee protection

mechanisms. In Australia, as elsewhere, this has provided justification for an increasingly narrow definition of the term 'refugee' and has reduced adherence to international standards. Therefore, far from encouraging the government to recognise an expanded group of persons in need of protection, the incorrect use of the term could in fact lead to reduced opportunities for all refugees to obtain recognition and protection.

Given the recognised protection needs of the environmentally displaced in the Asia-Pacific region, as well as the current legal and political obstacles of recognising this group as 'refugees', the following points may serve as a starting point for developing more effective advocacy for the protection of 'environmentally displaced persons':

- develop a clear definition of an 'environmentally displaced person' (EDP) as a basis for advocacy and the development of policy
- encourage governments to recognise the plight of EDPs and support the development of migration agreements to assist potentially displaced persons. New Zealand's agreements with Pacific states could provide an example.
- encourage governments to sign up to and adhere to the Guiding Principles for Internal Displacement and to recognise their applicability to the protection needs of those displaced as a result of climate change within country borders.

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1. UN University's Institute for Environment and Human Security http://www.ehs.unu.edu/index.php?page=12_October_-_UN_Disaster_Day
 2. www.safecom.org.au/FOE_climate_citizens-guide.pdf
 3. www.unhcr.ch/html/menu2/7/b/principles.htm