

Displacement with Dignity: International Law and Policy Responses to Climate Change Migration and Security in Bangladesh

JANE MCADAM* AND BEN SAUL**

ABSTRACT: Drawing on fieldwork undertaken in Bangladesh and eastern India in mid-2010, this article examines the extent to which climate change is likely to impact on displacement and migration in and from Bangladesh, and the legal and policy frameworks which might respond to this. It challenges assumptions in much of the literature and media reports that there will be mass cross-border displacement from Bangladesh by 2050 requiring regulation through a new international treaty, and that such movement, in turn, will pose a threat to international security. The first part of the article describes the impacts of climate change on displacement and migration in Bangladesh. The second part examines the nature of such movement, which is likely to be predominately internal rather than cross-border. The next section considers the security risks of climate change displacement in and from Bangladesh, focusing on resource scarcity, whether there is an increased risk of radicalization and terrorism within Bangladesh, and if so, whether this poses transnational security risks in terms of migration. The final section sets out a number of options for law and policy reform with respect to climate change-related movement. It considers the need for adaptation – including recognizing migration as a rational form of adaptation – as well as ways in which legal frameworks (domestic, regional and international) could be strengthened and progressively developed.

KEYWORDS: climate change migration, human displacement, adaptation, vulnerability, refugees, security, terrorism

* Associate Professor, Faculty of Law, University of New South Wales; Research Associate, Refugee Studies Centre, University of Oxford. I am grateful to the Australian Research Council for funding this research. Both authors wish to thank *Trina Ng* for her outstanding research assistance.

** Associate Professor, Faculty of Law, University of Sydney; Co-Director Sydney Centre for International Law.

I. Introduction

As a low-lying, densely-populated delta nation, with a significant proportion of its population living in coastal or flood-prone areas,¹ Bangladesh is one of the countries most vulnerable to climate change. One important human dimension of that vulnerability is the potential for large-scale human displacement as a result of climate change impacts, including flooding, cyclones and sea-level rise.

The rapid pace of climate change (in evolutionary terms) means that people's traditional coping strategies will be greatly challenged. As the Intergovernmental Panel on Climate Change (IPCC) observed, "[w]hile physical exposure can significantly influence vulnerability for both human populations and natural systems, a lack of adaptive capacity is often the most important factor that creates a hotspot of human vulnerability."² A country's level of development is key to its adaptive capacity, since wealth and technology increase capacity, and poverty limits it.³ Drawing on fieldwork undertaken in Bangladesh and eastern India in mid-2010, this article examines the extent to which climate change is likely to impact on displacement and migration in and from Bangladesh, and the legal and policy frameworks which might respond to this. It challenges assumptions in much of the literature and media reports that there will be mass cross-border displacement from Bangladesh by 2050 requiring regulation through a new international treaty, and that such movement, in turn, will pose a threat to international security.

¹ Global risk analysts such as Maplecroft use GIS data to identify countries according to their vulnerability to, and their capacity to manage, risks posed by future climate change. Of 166 countries, Bangladesh is rated 12th and is defined as extremely vulnerable: see http://maplecroft.com/portfolio/doc/climate_change/Climate_Change_Poster_A3_2010_Web_V01.pdf (accessed on 3 May 2010). 60 % of Bangladesh's population lives in flood-prone areas, World Bank, South Asia: Shared Views on Development and Climate Change (2009), 87, available at: <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/SOUTHASIAEXT/0,,contentMDK:22408900~pagePK:2865106~piPK:2865128~theSitePK:223547,00.html> (accessed on 25 February 2010). Some 40 million people live in coastal areas, with 5 million residing in highly vulnerable areas within 100 km of the coast and less than 12 meters above sea level, *Koko Warner et al.*, In Search Of Shelter: Mapping the Effects of Climate Change on Human Migration and Displacement (2009), 13.

² IPCC, Climate Change 2007: Impacts, Adaptation and Vulnerability: Contribution of Working Group II to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change (2008), 317.

³ Referred to in International Organization for Migration (IOM), Assessing the Evidence: Environment, Climate Change and Migration in Bangladesh (2010), 8.

It is inherently fraught to speak of climate change as the “cause” of human movement, even though its impacts may exacerbate existing socio-economic or environmental vulnerabilities. Most displacement in Bangladesh that can be linked to climate change is likely to be internal rather than cross-border in character, based on current patterns of movement (which are the most likely indicators of future movement).⁴ There is consequently scant evidence to justify claims that mass outflows of Bangladeshi “climate refugees”⁵ will threaten international or regional security.⁶ Nor is there much evidence to support the view that climate change-related movement will generate new risks of Islamist terrorism or fundamentalism in Bangladesh. Internal displacement may, however, generate low-level social tensions and increase the human insecurity of the poor.⁷

While movement can be a sign of vulnerability, it can also be a means to achieve security and attain human rights, especially when it can be planned.⁸ As “a potentially positive adaptive strategy of individuals, households and communities,” it may bring significant development,⁹ economic and social benefits for migrants, their families (via remittances), and the areas to which they move.¹⁰ Legal and policy responses

⁴ See *e.g.* Graeme Hugo, Climate Change-Induced Mobility and the Existing Migration Regime in Asia and the Pacific, in: Jane McAdam (ed.), *Climate Change and Displacement: Multidisciplinary Perspectives* (2010), 9.

⁵ See *e.g.* The Daily Star, 22 September 2010, PM Warns of Climate Refugee Crisis, available at: http://www.thedailystar.net/newDesign/latest_news.php?nid=26005 (accessed on 20 October 2010); The New Nation, 25 September 2010, Hasina Highlights Unfortunate Plight of Climate Migrants, available at: <http://ititefaq.com/issues/2010/09/25/news0170.htm> (accessed on 20 October 2010). Bangladeshi NGO network, Equity BD, which has from time to time used the “climate refugee” terminology (*e.g.* Equity BD, *Climate Change Induced Forced Migrants: In Need of Dignified Recognition under a New Protocol* (2009)), says it now rejects this; authors’ interview with *Md. Shamsuddoha/Rezaul Karim Chowdhury*, Dhaka, 19 June 2010.

⁶ German Advisory Council on Global Change, *World in Transition: Climate Change as a Security Risk: Summary for Policy Makers* (2007), 6; Peter Schwartz/Doug Randall, *An Abrupt Climate Change Scenario and Its Implications for United States National Security* (2003), 3, 17; CNA Corporation, *National Security and the Threat of Climate Change* (2007), 44; Prime Minister Kevin Rudd, *The First National Security Statement to the Australian Parliament*, 4 December 2008, available at: <http://prrudd.archive.dpmc.gov.au/node/5424> (accessed on 20 October 2010).

⁷ See, *e.g.* Jane McAdam/Ben Saul, *An Insecure Climate for Human Security? Climate-Induced Displacement and International Law*, in: Alice Edwards/Carla Ferstman (eds.), *Human Security and Non-Citizens: Law, Policy and International Affairs* (2010), 357, 387–399; Greek Chairmanship of the Human Security Network, *International Conference on Climate Change and Human Security*, Athens, May 2008.

⁸ IOM (note 3), 26.

⁹ See World Bank, *World Development Report: Development and Climate Change* (2010).

¹⁰ IOM (note 3), x.

therefore need to involve a combination of strategies, rather than an either/or approach. For example, adaptation needs to be financed and developed, since “the best way to prepare for the consequences of climate change in 2050 or 2100 is to improve the ability to deal effectively with Bangladesh’s existing vulnerabilities now,”¹¹ but this does not mean that migration options should be overlooked. Indeed, migration (including opportunities for economic migration) needs to be “mainstreamed” into policy as a rational and normal adaptation strategy, rather than viewed as a sign that adaptation has failed.¹²

At the outset, it is important to note that there is no uniform terminology used to describe people who move in response to climate change. For the purposes of this article, we use the term “climate change-related movement” to describe movement that is linked, at least partially, to the impacts of climate change. We refer to “displacement” as the typical response to a sudden extreme weather or climatic event, such as a flood, cyclone, or collapse of a riverbank, even though people may only move temporarily or over a short distance. We use the term “migration” to imply a degree of decision-making in the nature, timing and location of movement.¹³ We have avoided using “choice” as a distinguishing criterion – which is typically adopted in the prevailing forced/voluntary, displacement/migration paradigm in the scholarly discourse – because in Bangladesh the notion of “choice” is often inappropriate. A person’s decision to move is often compelled by underlying, inter-related conditions of poverty, environmental degradation, socio-political factors and the adverse impacts of climate change, often making it difficult to isolate “the” cause of movement or to tailor policy responses to it. At the same time, understanding causes of movement is necessary in both crafting effective solutions as well as mobilizing international funding for such solutions.¹⁴

¹¹ *Ibid.*, 9.

¹² See e.g. *Roger Zetter*, Legal and Normative Frameworks, *Forced Migration Review* 31 (2008), 62. For example, there is evidence that people who move into areas of new land along rivers or in coastal zones in Bangladesh help to accelerate the conversion of new sediment deposits into viable agricultural land, IOM (note 3), xii.

¹³ This is not to downplay the degree of agency that people exercise in determining when to leave and where to go, or, conversely, not to leave in a “displacement” scenario, but is a means of trying to distinguish the two forms of movement without relying on the language of “choice” (which, in the Bangladeshi context, may be inherently limited in both cases).

¹⁴ Authors’ interview with *Saber Chowdhury* (MP, Member of the All Parliamentary Committee on Climate Change, Bangladesh), Dhaka, 21 June 2010.

The first part of this article describes the impacts of climate change on displacement and migration in Bangladesh. The second part examines the nature of such movement, which is likely to be predominately internal rather than cross-border. The next section considers the security risks of climate change displacement in and from Bangladesh, focusing on resource scarcity, whether there is an increased risk of radicalization and terrorism within Bangladesh, and if so, whether this poses transnational security risks in terms of migration. The final section sets out a number of options for law and policy reform with respect to climate change-related movement. It considers the need for adaptation – including recognizing migration as a rational form of adaptation – as well as ways in which legal frameworks (domestic, regional and international) could be strengthened and progressively developed.

II. The Impacts of Climate Change on Human Movement in Bangladesh

There is scientific consensus that the effects of climate change are aggravating many of the “natural” environmental hazards already faced by Bangladesh, including sudden-onset events such as flooding, cyclones, storm surges, water-logging, salinity intrusion and riverbank erosion, and slow-onset processes like coastal erosion (predominantly through rising seas, but also hydrological dynamics) and land loss.¹⁵ Sea-level rise from climate change is anticipated to worsen many of these processes and to subsume up to 30 per cent of Bangladesh’s coastal land by 2080.¹⁶

The effects of climate change will interact with existing underlying causes of political, economic and social instability in Bangladesh, exacerbating the risks of displacement and insecurity. Poverty, underdevelopment, limited land availability and conflict over land are already potent drivers of migration. Climate impacts will further

¹⁵ See generally IPCC (note 2), ch. 10.

¹⁶ *James Pender*, Community-Led Adaptation in Bangladesh, *Forced Migration Review* 31 (2008), 54, citing research by the UK Institute of Development Studies. The IPCC’s Second Assessment Report suggested 17.5 per cent of land could be lost with a one meter sea-level rise, IPCC, *IPCC Second Assessment: Climate Change 1995* (1995), 34. See also *Cleo Paskal*, *How Climate Change is Pushing the Boundaries of Security and Foreign Policy* (2007), citing modelling published by UNEP, University of Dhaka, World Bank *et al.*

limit economic opportunities, including by impacting on river resources (such as fishing and agriculture) and straining government capacity to assist displaced people.

Alarmist predictions that some 30 million people¹⁷ will be displaced from Bangladesh by 2050 as a result of climate change need to be treated with caution. As the International Organization for Migration (IOM) observes, they tend to be based on assumptions of sea-level rise which fall outside the “harshes” scenarios of the IPCC; they count land loss but not accretion; they assume no adaptation measures are taken to reduce vulnerability;¹⁸ and they are long term, country-wide estimates which overlook “more localized, fine-grained” contexts and greater sensitivity in time-frames.¹⁹ Furthermore, common assumptions that displacement will involve large scale cross-border movements to countries such as India, or further afield to Southeast Asia or even Europe, do not accord with existing patterns of movement from natural disasters in Bangladesh, which provide the best indicators of future movement.

While the impacts of climate change are likely to contribute to displacement in Bangladesh, amplifying existing susceptibilities, it is difficult to isolate “climate change” as a cause of movement. First, in a country heavily affected by frequent “natural” disasters, it can be difficult to disentangle climate change-related events from “ordinary” environmental processes. Seasonal flooding displaces between 500,000 and 1 million people per year in Bangladesh,²⁰ and riverbank erosion of land affects similarly large numbers of people. Since 1990, for instance, more than 100,000 people have permanently moved away from the coastal island of Kutubdia in south-eastern Bangladesh to cities such as Chittagong, Cox’s Bazar and Dhaka, due to coastal erosion and salinity.²¹

¹⁷ Authors’ interview with *Mibir Kanti Majumder* (Secretary, Ministry of Environment and Forests, Bangladesh) Dhaka, 15 June 2010; *Kurt Campbell et al.*, *The Age of Consequences: The Foreign Policy and National Security Implications of Global Climate Change* (2007), 5; *Biermann/Boas* calculate that there will be 26 million “climate refugees” by that time solely on account of rising seas, *Frank Biermann/Ingrid Boas*, *Preparing for a Warmer World: Towards a Global Governance System to Protect Climate Refugees*, *Global Environmental Politics* 10 (2010), 60, 70.

¹⁸ IOM (note 3), 17.

¹⁹ *Ibid.*, 6.

²⁰ Respectively, *Warner et al.* (note 1); Global IDP Project, *Background Information on the IDP Situation in Chittagong Hill Tracts (CHT) in Bangladesh*, 13 June 2001, available at: <http://www.reliefweb.int/rw/rwb.nsf/AllDocsByUNID/ba88fcd440469b91c1256a6b00326026> (accessed on 23 September 2010).

²¹ Authors’ interview with *Abul Kalam Azad* (Research Director, Bangladesh Institute of International and Strategic Studies), Dhaka, 15 June 2010.

Cyclone *Aila*, which hit coastal areas of Bangladesh in May 2009, is another case in point. Cyclones are a natural occurrence in Bangladesh. On average, Bangladesh is hit by a tropical cyclone every three years,²² but there is a sense within Bangladesh that the frequency of major cyclones is already increasing.²³ Though Cyclone *Aila* was particularly intense and displaced over 100,000 people, experts are divided on how to quantify the extent to which climate change contributed to the destruction and displacement it caused. Even if the increased intensity of cyclones due to climate change could be accurately measured, it hardly makes sense for policy makers to seek to differentiate between those “naturally” displaced by *Aila* and those displaced by climate-related intensification of *Aila*.

Secondly, climate change tends to multiply pre-existing stressors, such as poverty or economic adjustment, underdevelopment, environmental change and degradation, unsustainable agricultural practices, unemployment, landlessness and population pressure, rather than cause movement on its own. In other words, “climate and climate change per se do not trigger the movement of people, but some of their effects, in particular sudden and slow-onset disasters, have the potential to do so.”²⁴ Some scholars argue that it is arbitrary to identify “climate change” as a driver of forced migration, while omitting other causes such as poverty, conflict or lack of opportunity.²⁵ One Bangladeshi parliamentarian noted that the lack of a sustainable population policy in Bangladesh was also connected to migration.²⁶

From a policy perspective, it would seem both practically impossible and conceptually arbitrary to attempt to differentiate between those displaced people who deserve “protection” on account of climate change, and those who are victims of “mere”

²² Government of the People’s Republic of Bangladesh, Bangladesh Climate Change Strategy and Action Plan (2009), 11.

²³ Authors’ interview with *Rizwana Hasan* (Bangladesh Environmental Lawyers Association (BELA)), Dhaka, 16 June 2010: major cyclones have increased on average from once in every four years to annually.

²⁴ *Walter Kälin*, Conceptualising Climate-Induced Displacement, in: McAdam (note 4), 81, 84.

²⁵ See *Alexander Betts/Esra Kaytaz*, National and International Responses to the Zimbabwean Exodus: Implications for the Refugee Protection Regime, UNHCR New Issues in Refugee Research: Research Paper No. 175 (2009).

²⁶ Interview with *Chowdhury* (note 14); see also authors’ interview with *Noor Mohammad* (Assistant Representative, United Nations Population Fund), Dhaka, 17 June 2010; authors’ interview with *Sultana Kamal* (Director General of Ain o Salish Kendra (ASK)), Dhaka, 21 June 2010.

economic or environmental hardship. One Bangladeshi government official used the following analogy to describe the problem:

Let's say for example, one person is able to carry only 40 kg on his shoulders. That's his limit, and he's a poor man. Now on the top of that, I come and I give him one kilogram on top of that. So now the question will be: who is responsible for killing him? Is this the 40 kilograms he was already carrying on his head, or the one kilogram I have now put on the top of that?²⁷

Thirdly, climate impacts are felt differently in different societies since people's ability to cope with them is affected by broader political, economic and social conditions. Thus, the economic, social and political capacity of the country in which the disaster occurs, including its infrastructure, ability to assist people to rebuild their lives, and socio-economic resilience, will all be factors that impact upon people's mobility decisions. Since it is difficult to anticipate the likely scale and success of adaptation measures, it is difficult to quantify the extent to which adaptation will ameliorate the need for people to move in Bangladesh over time.

Related to the point above, displacement in Bangladesh also occurs as a result of the impacts of climate change interacting and combining with poor decision-making about development. For example, commercial activities such as shrimp cultivation have weakened flood embankments and undermined local agricultural production and livelihoods (such as through the saline flooding of rice paddies, and lack of labor protection).²⁸ Likewise, some have criticized displacement by projects funded by the World Bank or Asian Development Bank.²⁹ Moreover, while increased rainfall in areas such as Cox's Bazar may be linked to more destructive landslides, these are also precipitated by human activities on steep hillsides such as illegal logging, vegetation clearing, cultivation and mud excavation for construction.³⁰

Some NGOs therefore argue that much responsibility for ensuing displacement rests with the government. The authorities have welcomed commercial investment and industry (selling off land to developers despite insisting no land was available for

²⁷ Authors' interview with *Abu M Kamal Uddin* (Comprehensive Disaster Management Programme (CDMP)), Dhaka, 16 June 2010.

²⁸ See *e.g.* interview with *Hasan* (note 23); authors' interview with Dr. *Hameeda Hossain*, Dhaka, 14 June 2010; The Daily Star, 11 May 2009, Farmers Resist Saline Water Based Shrimp Farming, available at: <http://www.thedailystar.net/newDesign/news-details.php?nid=87724> (accessed 20 October 2010); The Daily Star, 9 April 2009, 'No' to Saline-Water Based Shrimp Farming, cited in IOM (note 3), 19.

²⁹ Authors' interview with *Ahmed Swapan Mahmud* (Executive Director, VOICE), Dhaka, 14 June 2010.

³⁰ Interview with *Uddin* (note 27).

the landless poor), while failing to assist those whose livelihoods are compromised by large-scale farming activities that affect their marginal livelihoods.³¹

III. The Likely Nature of Movement

A. Internal Displacement

All of the above factors – uncertainties in the projections, difficulties of causation and “proof” and the unknown extent of adaptive capacity and human resilience over time – make it impossible to accurately estimate how many people will move as a result of climate change in Bangladesh. Even so, past and present patterns of movement in Bangladesh relating to natural disasters and environmental degradation suggest that the vast majority of movement will be internal.³²

Bangladesh ranks as the country most at risk of natural disasters.³³ Displacement is typical in the immediate aftermath of “sudden-onset” events such as floods, cyclones and riverbank collapse. People tend to move very short distances and seek to return to their homes as soon as they can, although this is sometimes impossible when areas are repeatedly inundated.³⁴ Where people are better resourced, they may be able to plan ahead of the disaster’s onset. In one riverbank erosion study, one family was able to relocate 90 days before the riverbank started to collapse, whereas on average people moved around four days prior to their homes being washed away.³⁵ Many people end up being displaced repeatedly.³⁶

Displacement due to sudden-onset events is predominantly localized within Bangladesh.³⁷ Since people living in vulnerable areas are often very poor, they typically

³¹ See interview with *Hasan* (note 23).

³² Authors’ interview with *S. M. Munjurul Hannan Khan*, (Deputy Secretary, Ministry of Environment and Forests and National Focal Point for the UNFCCC and IPCC, Bangladesh), Dhaka, 15 June 2010.

³³ Maplecroft, *Natural Disasters Risk Index 2010* (2010), available at: http://www.maplecroft.com/about/news/natural_disasters.html (accessed on 20 October 2010).

³⁴ See IOM (note 3), 12.

³⁵ *Chowdhury R. Abrar/Syed Nurullah Azad*, *Coping with Displacement: Riverbank Erosion in North-West Bangladesh* (2004), 33–34.

³⁶ *Ibid.*, 32.

³⁷ See IOM (note 3), 12.

lack the resources to move long distances and do not have support networks in other countries to assist them on arrival. For example, in the riverbank erosion study mentioned above, households on average moved only one kilometer away from their homes, with 10 kilometers the furthest distance. Indeed, some people said that even if they could, they would not move far “because of attachment to the land where their forefathers had lived” and out of a deep respect for their ancestral homes.³⁸ Such studies suggest that mass cross-border migration in the aftermath of sudden events is unlikely.

Although long-distance and more permanent migration is an uncommon response in the immediate post-displacement phase – since basic survival is the prime concern during this period – it may become a longer-term survival strategy.³⁹ Temporary and circular migration provide a “safety net” by opening up alternative livelihood opportunities and allowing remittances to be sent back to remaining family members. Much of it is rural-rural,⁴⁰ especially during periods when agricultural labor is in high demand.⁴¹ Rural-urban migration is also common, and is likely to be increasingly so, because of the “the lack of available land, high population density and shortage of year-round work across rural Bangladesh, allied to the ‘pull’ factors of employment opportunities in urban areas.”⁴² Family ties in the cities are also a pull factor.⁴³

Cyclical and seasonal labor movement has long been a feature of rural life in Bangladesh and it is difficult to assess the extent to which climate change, as opposed to other livelihood-related factors, contributes to it. From the available data it is also difficult to determine the extent to which temporary migration becomes permanent or remains cyclical, as was the case with large-scale movements post-Cyclone *Aila*.⁴⁴

³⁸ *Abrar/Azad* (note 35), 46. See also *Janet Seeley et al.*, ‘The Family is Suffering’: Challenges Faced by Migrants’ Families Who Stay Behind in a Village in Rural Northwest Bangladesh, in: Chowdhury R. Abrar/Janet Seeley (eds.), *Social Protection and Livelihoods: Marginalised Migrant Workers of India and Bangladesh* (2009), 35, 41.

³⁹ *Abrar/Azad* (note 35), 113.

⁴⁰ Especially for women who marry elsewhere, IOM (note 3), 23.

⁴¹ *Ibid.*

⁴² *Ibid.*, referring to *Rita Afsar*, *Internal Migration and the Development Nexus: The Case of Bangladesh*, Regional Conference on Migration, Development and Pro-Poor Policy Choices in Asia (2003), available at: http://www.migrationdrc.org/publications/working_papers/WP-C2.pdf (accessed on 1 September 2010).

⁴³ Interview with *Azad* (note 21).

⁴⁴ IOM (note 3), 12. See also IRIN, *Bangladesh: Cyclone Aila Survivors Take Another Hit*, 7 April 2010, available at: <http://www.irinnews.org/Report.aspx?ReportId=88716> (accessed on 20 October 2010).

A large number of displaced people who move to the cities end up in urban slums. Dhaka is already home to 13 million people,⁴⁵ with up to 40 per cent of the city's population living in slums.⁴⁶ Though existing data suggests that many slum dwellers have come from disaster-prone rural areas in search of work,⁴⁷ further research on this is needed.⁴⁸ Dhaka slum residents come from 28 out of 64 districts in Bangladesh; other cities also host large slum populations.⁴⁹ Dhaka's population is estimated to grow to 20 million by 2020, with around 400,000 new and mostly poor migrants arriving there from rural areas each year.⁵⁰ Many of the new arrivals appear driven by inter-related problems of poverty, environmental factors and climate change impacts. Some slums in Dhaka, such as Bhola, are even named after coastal areas which have been adversely affected by climate change impacts,⁵¹ yet it remains difficult to distinguish those who move from poverty from those who are affected by climate change.⁵²

B. Cross-Border Migration

Contrary to the popular discourse that depicts millions of so-called "climate refugees" fleeing from Bangladesh, the above evidence suggests that any longer-term migration is likely to be primarily internal rather than across an international border. In the riverbank erosion study mentioned earlier, for instance, only five per cent of

2010); *ActionAid et al.*, In-depth Recovery Needs of Cyclone Aila Affected Areas (2009), available at: <http://www.reliefweb.int/rw/rwb.nsf/db900SID/SKEA-7YRJ2A?OpenDocument> (accessed 20 October 2010).

⁴⁵ UN Habitat, *State of the World's Cities 2008/2009* (2008).

⁴⁶ Interview with *Hasan* (note 23).

⁴⁷ For example, a 1998 survey among 230 households in Serajganj found that 5,500 of 30,000 slum dwellers had moved on account of riverbank erosion, *David Hutton/C. Emdad Haque*, Human Vulnerability, Dislocation and Resettlement: Adaptation Processes of River-bank Erosion-induced Displacees in Bangladesh, *Disasters* 28 (2004), 41. Seventy-five per cent of them were living next to people from their original district, suggesting that they may have moved en masse.

⁴⁸ IOM (note 3), 25. Our own discussions with slum dwellers showed that some had moved on account of environmental degradation, but this was a very small sample.

⁴⁹ *Nazrul Islam et al.*, *Slums of Urban Bangladesh: Mapping and Census 2005* (2006), cited in: IOM (note 3), 24.

⁵⁰ World Bank Office Dhaka, *Dhaka: Improving Living Conditions for the Urban Poor* (2007), xiii.

⁵¹ Interview with *Mahmud* (note 29).

⁵² Interview with *Khan* (note 32).

flood-affected rural households could afford to send people abroad,⁵³ and temporary and permanent internal migration were the main responses. This also accords with our data from fieldwork in Bangladesh, in which a common thread was that a close sense of attachment to land, family and culture inhibits movement abroad.⁵⁴ As one prominent human rights advocate wryly observed, “not every poor farmer wants to go to Australia.”⁵⁵

However, the close ethnic, linguistic, religious and cultural links between Bangladesh and West Bengal in India, not to mention family networks and economic opportunities, mean that some movement is inevitable (in both directions).⁵⁶ In many places, the Indo-Bangladeshi border remains porous, despite India’s physical fencing of parts of it in recent decades.⁵⁷ Seasonal migration into India has long occurred, and water scarcity in some areas (as a result of Indian development on river systems) has also propelled cross-border movements.⁵⁸

Though it is uncommon for the very poor to move across an international border,⁵⁹ if they have existing social networks abroad then movement is facilitated. In some areas affected by Cyclone *Aila*, for instance, we were told that “the Hindu families will tell you that their family head has moved to India” because of existing family networks there and the close cultural ties between Bangladesh and Indian West Bengal.⁶⁰

⁵³ See *Md. Mizanur Rahman*, *Emigration and Development: The Case of a Bangladeshi Village*, *International Migration* 38 (2000), 109, cited in: IOM (note 3), 10.

⁵⁴ Interview with *Mahmud* (note 29); authors’ interview with Senior Official, Department of Environment, Ministry of Environment and Forests, Bangladesh, Dhaka, 14 June 2010; interview with *Majumder* (note 17); interview with *Azad* (note 21).

⁵⁵ Interview with *Kamal* (note 26).

⁵⁶ IOM (note 3), 29.

⁵⁷ This was the general view of those we interviewed, with the exception of *Chowdhury R. Abrar*: authors’ interview with Professor *Chowdhury R. Abrar*, (Refugee and Migratory Movements Research Unit, University of Dhaka), Dhaka, 14 June 2010.

⁵⁸ Bangladesh Institute of International and Strategic Studies, Panel Discussion on Management of Water Resources and Water Security: The Case of the Ganges-Brahmaputra-Meghna (GBM) River Basins, Dhaka, 15 June 2010.

⁵⁹ See *Israt Rayhan/Ulrike Grote*, *Coping with Floods: Does Rural-Urban Migration Play Any Role for Survival in Rural Bangladesh?*, *Journal of Identity and Migration Studies* 1 (2007), 82. In this study, only five per cent of households from a flooded district had a family member abroad, and these were from the wealthiest households, *ibid.*, 90.

⁶⁰ Interview with *Hasan* (note 23).

Migration also occurs in the other direction: Some Indians sought relief from Cyclone *Aila* in Bangladesh.⁶¹ It is notable, however, that in contrast to the situation in Bangladesh, there is a near-complete inattention to climate change-related displacement in India itself,⁶² even though areas such as the Sundarbans have been heavily affected.⁶³ One explanation is that the affected areas of India constitute a relatively small part of India by territory and population, whereas affected areas in Bangladesh are proportionately much larger and involve more critical “survival” issues.⁶⁴ The focus of displacement discourse in India has also tended to be development-induced displacement rather than climate change-related displacement.⁶⁵

For poor Bangladeshis who do move, India is not necessarily the promised land. In Delhi, for instance, a significant proportion of one group of urban poor – rag-pickers – are said to be Bangladeshis; some poor Bangladeshi migrants are working in low-paid jobs previously filled by tribal Biharis;⁶⁶ and yet others are among the absolute poor with “no identity” who work as fruit and vegetable vendors, umbrella sellers and so on.⁶⁷ As one Indian analyst notes, the closest Indian destination, West Bengal, is not necessarily attractive given its relatively poor economic performance under a communist government for many decades.⁶⁸ The entry of poor Bangladeshi migrants into India (for example, as domestic help or for construction work) is often facilitated by Indian sponsors who bring them into shanties in Indian cities and bribe police. Whereas Indian NGOs have campaigned for the rights of poor Indian workers, poor Bangladeshis may be left without such protection.⁶⁹

⁶¹ Bangladesh Institute of International and Strategic Studies (note 58). However, *Devjyot Ghoshal* noted that this is not a regular phenomenon and the border between Bangladesh and India, deep in the Sundarbans, is hard to identify, email correspondence, 6 October 2010.

⁶² Authors’ interview with *Devjyot Ghoshal* (Indian journalist), Kolkata, 24 June 2010; authors’ interview with *Sabyasachi Basu Ray Chaudhury* (Calcutta Research Group), Kolkata, 25 June 2010.

⁶³ Authors’ interview with *Tushar Kanjilal*, (Tagore Society for Rural Development), Kolkata, 24 June 2010: “who cares if 4.5 million people are wiped out?”; see also *Tushar Kanjilal*, *Who Killed the Sundarbans* (2000); interview with *Ghoshal* (note 62).

⁶⁴ Interview with *Ghoshal* (note 62).

⁶⁵ *Ibid.*

⁶⁶ Interview with *Chowdhury* (note 57).

⁶⁷ Interview with *Chaudhury* (note 62).

⁶⁸ *Ibid.*

⁶⁹ *Ibid.*

Estimates of the number of Bangladeshi migrants in India vary wildly and it is difficult to gain a reliable picture. At one extreme, India has claimed that there are up to 20 million illegal Bangladeshi immigrants in India.⁷⁰ At the other extreme, the Bangladeshi government denies that there is any irregular cross-border migration to India, the justification being that the Bangladeshi economy is as good as India's and there is accordingly no incentive to move.⁷¹ The Indian census of 2001 indicates that only about 280,000 Bangladeshis migrated to India in the decade of 1991–2001,⁷² although this would not capture a lot of the irregular movement that undoubtedly occurs.⁷³

There is no evidence of mass movement across international borders, where, as the IOM notes, “irregular migrants would be likely to face considerable difficulty in accessing post-disaster humanitarian support.”⁷⁴ As a practical matter, though, there can be great difficulties in distinguishing between Indian Bengalis and Bangladeshi Bengalis, who share the same language and are physically similar.⁷⁵ One Bangladeshi parliamentarian noted, however, that with Dhaka “bursting at the seams” from rural-urban migration, and “virtually not functioning” due to its inadequate infrastructure, there may come a point where movement abroad becomes more likely.⁷⁶

For these reasons, it is possible that “climate change displacement” will remain largely invisible, even if large numbers of people are forced to move over time. The 2010 floods in Pakistan, for example – the worst disaster ever faced by the United Nations – have largely been conceptualized as a “natural” disaster⁷⁷ and not described

⁷⁰ *Reaz Rahman*, Bangladesh's Fight against Terror: Lessons Learnt and Future Perspectives, in: Mufley R. Osmany/Mohammed Humayun Kabir (eds.), *Global War on Terror: Bangladesh Perspective* (2007), 13, 19; *Lailufar Yasmin*, Bangladesh-India Relations: Neighbourliness Beyond Terrorism, in: Imtiaz Ahmed (ed.), *Terrorism in the 21st Century: Perspectives from Bangladesh* (2009), 69, 94; *Deepa M. Ollapally*, *The Politics of Extremism in South Asia* (2009), 194.

⁷¹ Discussed in interview with *Chowdhury* (note 57).

⁷² Cited in *Rizwana Shamshad*, *Politics and Origin of the India-Bangladesh Border Fence* (2008), 11.

⁷³ See e.g. interview with *Chowdhury* (note 57).

⁷⁴ IOM (note 3), 28.

⁷⁵ Interview with *Khan* (note 32); interview with *Ghoshal* (note 62); interview with *Chaudhury* (note 62).

⁷⁶ Interview with *Chowdhury* (note 14).

⁷⁷ See e.g. *Sydney Morning Herald*, 28–29 August 2010, 18, *Exodus of Pakistanis Excels as Flood Defences Fail*, available at: <http://www.smh.com.au/world/exodus-of-pakistanis-excels-as-flood-defences-fail-20100827-13vyn.html> (accessed on 20 October 2010).

in the language of “climate change” or “environmental” displacement.⁷⁸ If responses to *sudden*-onset events such as floods or cyclones remain couched in the language of “humanitarian disaster” then it is even more improbable that longer-term movements from *slow*-onset impacts will gain any attention at all as climate change-driven movements. The criticism here is not that the label is inaccurate, but rather that the construction of the problem substantially shapes the policy and legal responses to it.

Highly-skilled, professional or business migration from Bangladesh is likely to increase as internal rural-urban movement places acute pressure on the infrastructure of cities like Dhaka and “pushes” the relatively wealthy to move abroad.⁷⁹ The incentive for less-skilled migrant workers (who are usually not among the poorest of the poor) to go abroad, such as those millions who work in construction or as domestic help in the Middle East or Malaysia, is likely to increase as a result of the socio-economic stresses exacerbated by climate change in Bangladesh. However, since both groups of people can avail themselves of existing migration opportunities, it is unlikely that their movement will ever be cast as climate change-related, even though it might be indirectly driven by it. Again, it will be rendered an invisible phenomenon.

The discussion above illustrates that most people displaced by the impacts of climate change in Bangladesh will not move very far from their homes; many will move intrarurally; many others will move to urban areas within Bangladesh; and only very few of the poor will move irregularly across an international border, typically only when they have family links there. Those who move in a *regular* or lawful manner across borders will tend to be wealthier professionals, or less-skilled workers who are nonetheless financially able to migrate for work abroad. In most cases, international migration will manifest as a pragmatic livelihood strategy rather than as a plea for formal international legal “protection” from State harm or State failure in Bangladesh itself.

⁷⁸ See *e.g.* BBC News, 24 August 2010, Pakistan Facing ‘Serious’ Threat of Epidemic Disease, available at: <http://www.bbc.co.uk/news/world-south-asia-11068259?print=true> (accessed on 24 August 2010); Dawn.com, 20 August 2010, Pakistanis Should Live Away From Flood Areas: UN Agency, available at: <http://news.dawn.com/wps/wcm/connect/dawn-content-library/dawn/news/pakistan/06-pakistanis-should-live-away-from-flood-areas-un-rs-01> (accessed on 20 January 2011).

⁷⁹ Confirmed in interview with *Chowdhury* (note 14).

IV. Security Risks of Climate Change-Related Movement in Bangladesh

There has been considerable attention by governments, militaries, policy makers and scholars to the potential links between climate change and security problems,⁸⁰ with migration seen to both drive and result from security concerns. In September 2010, the Bangladeshi Prime Minister, *Sheikh Hasina*, warned that the mass movement of up to one billion climate change migrants, including 30 million in Bangladesh, “would cause social disorders, political instability, cross-border conflicts, and upheavals,” unless there was multilateral action to fund adaptation and rehabilitate those affected.⁸¹

At the same time, fieldwork in Bangladesh suggests that the Bangladeshi military itself does not appear to perceive climate change as a security threat and is not planning for such risks (although the danger of a regional water crisis is acknowledged),⁸² in contrast to the securitization of climate change by many western militaries in recent years. The next part of this article therefore interrogates whether, and to what

⁸⁰ Security Council, Security Council Holds First-Ever Debate on Impact of Climate Change on Peace, Security, Hearing over 50 Speakers, UN Doc. SC/9000 (2007); EU, Climate Change and International Security: Paper from the High Representative and the European Commission to the European Council, Doc. No. S113/08 (2008); *Ben Saul*, Climate Change, Conflict and Security: International Law Challenges, *New Zealand and Armed Forces Law Review* 9 (2008), 1; *John Podesta/Peter Ogden*, The Security Implications of Climate Change, *The Washington Quarterly* 31 (2008), 115; *Gwynne Dyer*, Climate Wars (2008); *Dan Smith/Janani Vivekananda*, A Climate of Conflict: The Links between Climate Change, Peace and War (2007); *Nick Mabey*, Delivering Climate Security: International Security Responses to a Climate Changed World (2007), 1; *Campbell et al.* (note 17); German Advisory Council on Global Change (note 6); *Paskal* (note 16); *Ben Wisner et al.*, Climate Change and Human Security, *Peace Research and European Security Studies* (2007); International Institute for Strategic Studies Strategic Survey (2007); *Alan Dupont/Graeme Pearman*, Heating up the Planet: Climate Change and Security (2006); *The Observer*, 22 February 2004, Pentagon Tells Bush: Climate Change Will Destroy Us, available at: <http://www.guardian.co.uk/environment/2004/feb/22/usnews.theobserver> (accessed on 20 October 2010); Australian Defence Forces, Joint Operations for the 21st Century (2007), available at: <http://www.defence.gov.au/publications/FJOC.pdf> (accessed on 3 October 2010); *Tom Allard*, Climate Threat in Military's Sights, *Sydney Morning Herald*, 17 May 2007; Australian Defence Forces, Climate Change, The Environment, Resources and Conflict (2007), referred to in: *Sydney Morning Herald*, 7 January 2009, Defence Warns of Climate Conflict, available at: <http://www.smh.com.au/news/environment/global-warming/defence-warns-of-climate-conflict/2009/01/06/1231004021036.html> (accessed on 20 October 2010).

⁸¹ *The New Nation* (note 5).

⁸² Authors' interview with Major General *Golam Mohammad* (Director General of Bangladesh Institute of International and Strategic Studies), Dhaka, 15 June 2010; interview with *Khan* (note 32).

extent, climate change-related movement in Bangladesh may give rise to three commonly suggested security risks: first, social competition and conflict over scarce resources; secondly, radicalization and extremism; and thirdly, cross-border tensions with India.

A. Social Conflict over Scarce Resources

The internal displacement of people within Bangladesh as a result of the slow and rapid-onset climate change processes described earlier may result in increased competition and potential conflict over key resources such as land, housing, food, water and employment. Some empirical evidence suggests that this kind of social conflict has already arisen in Bangladesh.⁸³ Land, for example, is a critically scarce resource in this densely populated, predominantly agrarian country. Additional pressure on land comes from economic modernization and demands for land from industry, such as shrimp cultivation, which exacerbates rural landlessness, is less labor intensive than farming, and thereby increases unemployment and migration.⁸⁴

While it is difficult to disaggregate climate change impacts from “economic” or “environmental” ones, the internal movement of people within Bangladesh has produced tension or conflict over land in a number of ways. First, the intense competition over “free” but scarce *khas* land has led to tension, violence and insecurity between migrants themselves, as well as between migrants and local communities.⁸⁵ For example, people displaced in areas such as Khulna, Kutubdia and Cox’s Bazar have sought to claim government land, giving rise to tensions with locals, developers and the authorities.⁸⁶ Secondly, tensions have arisen where private land-owners have evicted migrants from their lands, resulting in reprisal violence by migrants.⁸⁷ Thirdly, in some forest areas, conflict has arisen between the forest dwellers and migrants from the

⁸³ Bangladesh Institute of International and Strategic Studies/Saferworld, *Climate Change and Security in Bangladesh* (June 2009), 18 *et seq.*

⁸⁴ See *e.g.* interview with *Hasan* (note 23); *The Daily Star*, 11 May 2009 (note 28); *The Daily Star*, 9 April 2009 (note 28); interview with *Chaudhury* (note 62).

⁸⁵ Bangladesh Institute of International and Strategic Studies/Saferworld (note 83), 19.

⁸⁶ Authors’ interview with *Rezaul Karim Chowdhury* (Executive Director, Coastal Association for Social Transformation Trust (COAST)), Dhaka, 18 June 2010.

⁸⁷ *Ibid.*

plains over the utilization of forest resources.⁸⁸ Fourthly, the large-scale, unplanned rural migration to urban slums has generated some tension as well as insecurity for slum dwellers themselves. However, migration to urban slums may also bring economic opportunities for those who move and render some slum dwellers better off than they were when they suffered a marginal existence on their environmentally degraded lands (which climate change is likely to exacerbate).⁸⁹

Some studies show, however, that income gains may drop over time and labor conditions may be poor.⁹⁰ Some slum residents interviewed in our fieldwork revealed that their income was very low, precarious and irregular.⁹¹ Even if the economic position of migrants improves by moving to the cities, they often become more socially marginalized, cut off from their traditional community and support networks in rural areas, and face social and security concerns.⁹² Slum dwellers typically experience social exclusion from basic services and infrastructure, including adequate housing, clean water, sanitation, health care, education and electricity.⁹³ There is a lack of coordinated planning and policy on urbanization and poverty,⁹⁴ while up to 70 per cent of urban development is informal.⁹⁵ Much development assistance in Bangladesh focuses on rural rather than urban poverty, while privatization of services has also harmed the urban poor.⁹⁶

⁸⁸ Interview with *Hasan* (note 23).

⁸⁹ Though existing data suggests that many slum dwellers have come from disaster-prone rural areas in search of work, further research is needed on this point. Our own discussions with slum dwellers showed that some had moved on account of environmental degradation, but this was a very small sample and no firm conclusions can be drawn from it.

⁹⁰ See *Naila Kabeer*, *The Poverty Impacts of Female Employment* (2003); *Sharifa Begum/Binayak Sen*, *Unsustainable Livelihoods, Health Shocks and Urban Chronic Poverty: Rickshaw Pullers as a Case Study* (2004), cited in: IOM (note 3), 27.

⁹¹ Authors' interviews in Shonamia *bosti* slum, Dhaka, 18 June 2010.

⁹² Landlessness also has certain economic disadvantages, such as the inability to obtain credit (for instance, to start a business) if there is no land to secure the loan, see e.g. *Abrar/Azad* (note 35), 127–128; *Seeley et al.* (note 38), 49.

⁹³ *Shahadat Hossein*, *Rapid Urban Growth and Poverty in Dhaka City*, *Bangladesh e-Journal of Sociology* 5 (2008), 1, 19.

⁹⁴ World Bank Office Dhaka (note 50), xiii.

⁹⁵ *Ibid.*, xvi.

⁹⁶ Interview with *Kamal* (note 26).

Service and infrastructure provision is complicated by the fact that up to 80 per cent of slums are located on privately owned land.⁹⁷ This also makes slum residents highly vulnerable to violence or exploitation by *mastaans* (miscreants, hoodlums or musclemen), criminal gangs, land-owners and corrupt police, with women and children being at particular risk. Rents charged in some slums are exorbitant.⁹⁸ There are also commonly known links between political parties and the criminal control of slums.⁹⁹

The demographic pressure of rural-urban migration also places stress on “traditional” processes for resolving conflicts and maintaining social order and cohesion, such as the *panchayet* system of community policing in Dhaka.¹⁰⁰ It is estimated that whereas two thirds of disputes in Bangladesh as a whole are settled outside the formal justice system (such as by local leaders or a community *shalish* court), perhaps only eight per cent of disputes in Dhaka slums are settled in this way,¹⁰¹ indicating a lower degree of access to any form of justice by slum residents.

Migrants in slum areas are highly vulnerable to multiple displacements – some up to eight times¹⁰² – both from the risk of forced eviction and the effects of climate change on slum areas. Attempts to forcibly evict thousands of slum dwellers have been common and have provoked unrest and violence between residents, police and government authorities.¹⁰³ Bangladesh’s Constitution stipulates as a fundamental principle of State policy that the government shall provide “the basic necessities of life, including food, clothing, shelter, education and medical care.”¹⁰⁴ Yet, even if public interest litigation concerning housing rights succeeds, there are often difficul-

⁹⁷ World Bank Office Dhaka (note 50), xiv. Another study suggests that around 53 per cent of poor migrants live in private slums (typically in the large urban centers) while 44 per cent squat on public, government-owned *khas* land; Bangladesh Institute of International and Strategic Studies/Saferworld (note 83), 19.

⁹⁸ Interview with *Hasan* (note 23).

⁹⁹ World Bank Office Dhaka (note 50), 68.

¹⁰⁰ *Muhammad Nurul Huda*, Bangladesh Police: Issues and Challenges (2009), 241.

¹⁰¹ World Bank Office Dhaka (note 50), 73.

¹⁰² Authors’ interview with *Rabab Fatima/Anita Wadud* (IOM) Dhaka, 17 June 2010.

¹⁰³ Bangladesh Institute of International and Strategic Studies/Saferworld (note 83); World Bank Office Dhaka (note 50), 42; High Court of Bangladesh, Decision of 18 December 2008, Writ Petition No. 9763/2008 filed by ASK; High Court of Bangladesh, Writ Petition No. 1167/2008; ASK, Human Rights in Bangladesh 2008 (2009), 134–138; ASK, ASK Annual Report 2008 (2009), 12.

¹⁰⁴ Art. 15 (a) Constitution of the People’s Republic of Bangladesh.

ties in enforcing decisions.¹⁰⁵ Vested interests and corruption have led to evictions in favor of business interests and developers, without adequate regard to consultation, rehabilitation and resettlement for affected residents. Government housing and social support for slum residents has also been limited, while resettlement and rehabilitation of evicted slum residents is seriously inadequate.¹⁰⁶

Climate change impacts on already vulnerable slum areas may also threaten their inhabitants. Dhaka, in particular, is low-lying (2–13 metres above sea level) and even moderate sea-level rises may inundate substantial parts of it.¹⁰⁷ Slum residents tend to live in flood-prone and water-logged areas, with 60 per cent of slums having poor or no drainage.¹⁰⁸ Slum residents are thus likely to be particularly affected by the intensification of flooding brought about by climate change. One third of housing structures (typically tin and bamboo) in slum areas are also too fragile to resist such disasters,¹⁰⁹ while illegal construction on flood or retention ponds further aggravates the situation.¹¹⁰ Flooding exacerbates the lack of adequate drainage and sewerage in slum areas, bringing water-borne diseases and contaminating fresh water supplies.¹¹¹

Finally, residents of slums are stigmatized as bringing “most” crime and violence to major cities,¹¹² even though slum residents themselves are extremely likely to be victims of serious crime and are unlikely to receive effective protection from police or remedies from the justice system.¹¹³ The entry of new slum residents into the labor market also brings real and perceived competition for employment with local residents,¹¹⁴ particularly in the informal sector¹¹⁵ (such in rickshaw or van pulling, bus or truck driving, domestic work and cleaning, and in the garment industry). The abundant supply of labor can also lead to lower wages, which in some instances has provoked attacks on

¹⁰⁵ Interview with *Hossain* (note 28).

¹⁰⁶ ASK, Human Rights in Bangladesh (note 103), 139–140.

¹⁰⁷ UN Habitat (note 45), 152.

¹⁰⁸ *Ibid.*

¹⁰⁹ *Ibid.*

¹¹⁰ World Bank Office Dhaka (note 50), xvi.

¹¹¹ *Ibid.*

¹¹² Interview with Senior Official (note 54); interview with *Hasan* (note 23).

¹¹³ World Bank Office Dhaka (note 50), xvii, ch. 5.

¹¹⁴ Interview with *Azad* (note 21).

¹¹⁵ Bangladesh Institute of International and Strategic Studies/Saferworld (note 83), 19.

(internal) migrants.¹¹⁶ At the same time, differences in work practices or lifestyle between migrants and locals have resulted in some employers refusing to hire migrants, exacerbating their insecurity.¹¹⁷

B. Risks of Radicalization and Terrorism within Bangladesh

It has been suggested that the impacts of climate change on Bangladesh may increase Islamic extremism, militancy or terrorism¹¹⁸ and bring a “serious risk” of radicalization, according to one Bangladeshi official.¹¹⁹ As climate change disrupts livelihoods and economic opportunities and displaces people from their local community ties, so it is thought that the resulting impoverishment, frustration, social disconnection, alienation and disempowerment may attract some people to Islamist groups.¹²⁰ Such groups are attractive because they may provide charitable and social services to the poor (in circumstances where State social assistance is very limited),¹²¹ educational opportunities in religious *madrasahs*, and a sense of certainty, purpose and identity for the displaced.

The anticipated linkage between climate change-related displacement and extremism also feeds into a broader post-9/11 narrative about the “spectre of Talibanization in Bangladesh.”¹²² The primary historical responsibility of developed western countries for carbon emissions – and the global failure to adequately respond to the challenge – feeds an Islamist agenda which sees western countries as a source of oppression of “Muslim lands” such as Bangladesh.

¹¹⁶ *Ibid.*

¹¹⁷ *Ibid.*

¹¹⁸ German Advisory Council on Global Change, *World in Transition: Climate Change as a Security Risk* (2007), 3; *Kurt Campbell et al., The Age of Consequences: The Foreign Policy and National Security Implications of Global Climate Change* (2007), 57; *Podesta/Ogden* (note 80), 118; *Smith/Vivekananda* (note 80).

¹¹⁹ Interview with *Khan* (note 32).

¹²⁰ Interview with *Hasan* (note 23); interview with *Kamal* (note 26).

¹²¹ There is a rise in Islamic NGOs in some areas which promote religious values and run programs mainly for men. *Abrar/Azad* suggest that these well-funded NGOs could better assist communities by widening the focus of their programs, *Abrar/Azad* (note 35), 104–105.

¹²² *Sreeradha Datta*, *Attack on Sheikh Hasina*, *Strategic Analysis* (2004), 459, 460.

It is true that Islamist extremism has grown over time in Bangladesh, with a number of militant groups seeking to advance radical Islamist agendas.¹²³ It has been estimated that more than 30 militant religious groups have emerged in Bangladesh since the 1990s.¹²⁴ Violence has been directed against politicians (including attempted assassinations of the Prime Minister), public servants, diplomats, judges, lawyers, writers and NGOs.¹²⁵ Also targeted have been cultural and social practices deemed non-Islamic, such as cinemas, Bengali folklore and “profane” folk festivals and theatre (such as female dancers or card-playing), minority religious sects, “impure” Sufi Islam, and modernizing NGOs such as BRAC and the Grameen Bank (which provide education for women and micro-credit).¹²⁶ Violence peaked in August 2005 with around 400 near-simultaneous nation-wide bombings by Jamatul Mujahedin Bangladesh (JMB).¹²⁷

While political violence has long been part of Bangladeshi politics, the surge in Islamist violence from 2000 onwards was distinctive because it widened the targets of violence beyond the traditional political elites.¹²⁸ Increasingly, indiscriminate violence (such as grenade attacks on civilian crowds) was animated by a belief that there are no “innocent” civilians – only those who support the State and those who favor Islam.¹²⁹ Some of the groups were underpinned by ideological and financial support from the growth of private, more radical *Qaumi madrasahs*,¹³⁰ which has entailed the Islamicization of education outside of secular State supervision, typically without equipping students

¹²³ Including Harkat-ul-Jihadi-Islami Bangladesh (HuJI-B) (Movement for an Islamic Holy War), Jamatul Mujahedin Bangladesh (JMB) (Party of the Mujahidin), Jagrata Muslim Janata Bangladesh (JMJB) (Awakened Muslim Masses of Bangladesh), Hizbut Tawhid (Party of the Oneness of God), Shahadat-e al-Hiqma (Testimony of Wisdom), Ahl-e-Hadith Movement of Bangladesh (AHAB), and Islami Chatra Shibir (ICS). See generally *Jeremie Codron*, *The Islamist Militias of Bangladesh: Symptoms of A Weak State?*, in: Laurent Gayer/Christophe Jaffrelot (eds.), *Armed Militias of South Asia: Fundamentalists, Maoists and Separatists* (2009), 177, 186–189.

¹²⁴ *Ollapally* (note 70), 201; *Yasmin* (note 70), 88.

¹²⁵ See e.g. *Ollapally* (note 70), 203.

¹²⁶ *Codron* (note 123), 179–180.

¹²⁷ *Mohd Aminul Karim*, *An Emerging Model of Counter-Terrorism Infrastructure and the Role of Military and State Security Apparatus*, in: Mufley R. Osmany/Mohammed Humayun Kabir (eds.), *Global War on Terror: Bangladesh Perspective* (2007), 49, 55–56, 70–71, 109, 112.

¹²⁸ *Codron* (note 123), 178–179; particularly in areas such as Khulna, Jessore, Sylhet, Bagerhat and Satkhira.

¹²⁹ *Codron* (note 123), 181.

¹³⁰ *Ollapally* (note 70), 184–185.

with the skills needed for employment in a modern economy. Some of the emergent Islamist groups also had links of various kinds to transnational jihadist networks.

It is important, however, not to overstate the risks of radicalization resulting from climate change-related movement in Bangladesh. As one senior Bangladeshi military official observed, radicalization resulting from climate change impacts is “unlikely” and “unrealistic.”¹³¹ Religious extremism in general is largely alien to Bangladeshi society for a range of reasons. A long tradition of moderate Islam in Bangladesh has been reinforced by the syncretic influences of Sufism, Hinduism, local popular culture and folk religious practices.¹³² While the majority of people in Bangladesh are practicing Muslims, Islam is seen by most as part of private life rather than politics,¹³³ and Bengali ethnicity has long been regarded as more prominent in identity formation than religion,¹³⁴ even during the time of unity with Pakistan.

Following the war of independence against Pakistan in 1971, Bangladesh was consciously founded as a secular, national socialist democracy, defined by a “pluralist ethos and religious co-existence”¹³⁵ and in opposition to Pakistan’s more militant and religious identity. Strong public memory of war-time atrocities made modern Bangladesh deeply suspicious of extremism: “Islamism still suffers in the national *imaginaire* from the stigmas of collaboration and war crimes.”¹³⁶ Most Bangladeshis accordingly feel that militancy and fundamentalism are alien to the country and its social values.¹³⁷ As a result, even the mainstream, democratic Islamic parties, such as Jamaat-e-Islami Bangladesh, have struggled to attain more than six per cent of votes in elections,¹³⁸ due in part to being so discredited for their role in the war.¹³⁹

¹³¹ Interview with *Mohammad* (note 82).

¹³² *Ollapally* (note 70), 181–182; *M. Sakhawat Hussain*, Terrorism in South Asia: Ramifications in the Internal and External Security of States: A Bangladesh Perspective, in: Osmany/Kabir (note 127), 87, 104–105.

¹³³ *Yasmin* (note 70), 70.

¹³⁴ *Ollapally* (note 123), 206.

¹³⁵ *Ibid.*, 177.

¹³⁶ *Codron* (note 123), 177.

¹³⁷ *Rahman* (note 70), 25; interview with *Kamal* (note 26).

¹³⁸ Averaged across five elections: *Hussain* (note 132), 111; see also *Maulana Ataur Rahman*, Bangladesh’s Quest for a Moderate Muslim State, in: Osmany/Kabir (note 127), 35, 43–44.

¹³⁹ *Ollapally* (note 70), 180–181.

Other factors militating against support for extremism in contemporary Bangladesh include the strength of civil society (including women's groups) and NGO culture, media formation of public opinion against extremism, the positive role of many religious leaders in condemning it, the rejection of it by all political parties (including the Islamic parties), and popular revulsion against the indiscriminate killing of civilians in recent years.¹⁴⁰

While extremism is not embedded in Bangladeshi society or history, perhaps the most important explanation for its apparent rise since 2000 is the role of the State and the attitude of political parties in relation to Islamists. Despite the secular constitutional foundation of Bangladesh in 1971, successive military governments from the first coup in 1975 until the resumption of democracy in 1991 appealed to religion in seeking political legitimacy, and in differentiating such governments from the secularism of the Awami League. Thus, religion was introduced into the Constitution, and a more cosmopolitan regional Bengali identity was displaced by a nationalist emphasis on Bangladeshi identity.¹⁴¹

The role of the State – as opposed to any popular momentum¹⁴² – in the turn to religion in Bangladeshi politics continued with the resumption of civilian democratic rule in 1991. In elections from the 1990s onwards, both major parties (Awami League and the Bangladesh National Party (BNP)) have collaborated with the (lawful) religious parties to increase their electoral prospects,¹⁴³ particularly following the BNP victory in 2001 and its alliance in government with the Islamic parties. The BNP government of *Khaleda Zia* (2001–2006) adopted an “ambiguous attitude” towards the Islamist militant groups,¹⁴⁴ including through the collusion or acquiescence of law enforcement authorities.¹⁴⁵ Militant groups were instrumentalized in the political process as a result of political competition between the main parties.¹⁴⁶

¹⁴⁰ *Hussain* (note 132), 130–131; see also *Ollapally* (note 70), 182–183, 203.

¹⁴¹ *Yasmin* (note 70), 78; *Ollapally* (note 70), 179–180, 185.

¹⁴² *Ollapally* (note 70), 183.

¹⁴³ *Yasmin* (note 70), 82–83.

¹⁴⁴ *Codron* (note 123), 178.

¹⁴⁵ *Ibid.*, 185, 191.

¹⁴⁶ *Ibid.*, 193.

Paradoxically, the rise of radical Islamists helped the Awami League to delegitimize the religious parties¹⁴⁷ and to win back government in 2006. Pressure from the United States, and popular discontent about the escalation and indiscriminate nature of violence in 2005, pushed the *Zia* government to ban the key Islamist groups, to mount major law enforcement operations against their leadership,¹⁴⁸ and to enhance regulation of Islamic charities.¹⁴⁹ The relative success of the law enforcement operations illustrates that it was an earlier lack of political will, rather than functional capacity, which nourished growing Islamism from 2001 onwards. Such success also suggests that Islamists lacked broad grassroots or institutional support among the population.¹⁵⁰

“Hard” law enforcement measures against terrorism in Bangladesh have been complemented by grassroots “deradicalization” programs, often aimed at *madrrasah* students, further undermining support for religious militancy.

C. Transnational Security Risks of Bangladeshi Migration

As noted earlier, there is a widespread assumption in the literature that the impacts of climate change will stimulate large-scale cross-border emigration from Bangladesh and consequently generate transnational security threats.¹⁵¹ Thus, it has been predicted that mass migration of Bangladeshis towards Burma by 2010 will cause tensions, border skirmishes and conflict with China and India;¹⁵² that Bangladeshi mass migration across “the region’s many contested borders and territories, such as those between

¹⁴⁷ *Hussain* (note 132), 112.

¹⁴⁸ *Codron* (note 123), 192; *Yasmin* (note 70), 90.

¹⁴⁹ *Yasmin* (note 70), 91.

¹⁵⁰ *A.T.M. Amin*, Regional Security Environment and the Menace of Terrorism, in: Ahmed (note 43), 103, 121; International Peace Institute, *A New Approach? Deradicalization Programs and Counterterrorism* (2010), 4.

¹⁵¹ *Podesta/Ogden* (note 80), 117; *Campbell et al.* (note 17), 57; *Jon Barnett*, Security and Climate Change, Tyndall Centre for Climate Change Research Working Paper No. 7 (2001), 8; EU (note 80), 7; *Smith/Vivekananda* (note 80), 16; *Jon Barnett*, Security and Climate Change, *Global Environmental Change* 13 (2003), 7, 8.

¹⁵² *Peter Schwartz/Doug Randall*, *An Abrupt Climate Change Scenario and Its Implications for United States National Security* (2003), 13, 17.

India, Pakistan and China” will cause political tensions;¹⁵³ and that even Pakistan,¹⁵⁴ Southeast Asia and Europe may experience Bangladeshi migration and associated political tensions.

The nature of migration movements and resulting security problems are often not precisely articulated but framed in generalized terms, indicating the paucity of relevant empirical research. Common explanations for anticipated security risks include the likelihood of conflict between locals and migrants over scarce resources; politicized “anti-foreigner” movements and the nationalistic securitization of border protection; interaction with underlying insurgencies in the region; and the perceived association of Bangladeshi migrants with Islamist terrorism. The specter of migration-related security risks – or “migratory warfare”¹⁵⁵ at its most extreme – are part of the broader, and often alarmist, security discourse which warns of “climate wars.”¹⁵⁶

As argued earlier, much climate change-related movement in Bangladesh will be internal rather than cross-border. Most longer-term movement will be gradual rather than sudden, and that which is sudden will often involve temporary relief rather than permanent migration. Those who are able to move internationally will tend to be wealthier rather than poorer Bangladeshis. These realities of movement both contextualize and largely dampen many of the more bullish predictions about the security implications of climate change-related movement in and from Bangladesh.

So, too, does the reality of life in some of the countries casually nominated in the literature as destination countries: Burma (a military dictatorship with a collapsed economy), China (an authoritarian communist country) and Pakistan (wracked by political instability, violence and terrorism) are hardly attractive places for emigrants from a pluralist democracy like Bangladesh. Emergency cross-border movements to such destinations cannot be ruled out,¹⁵⁷ but planned movements in response to slower-onset processes are less likely.

¹⁵³ *Campbell et al.* (note 17), 57.

¹⁵⁴ *Barnett* (2001) (note 151), 8.

¹⁵⁵ A term used by *Michael Klare*, *Global Warming Battlefields: How Climate Change Threatens Security*, *Current History* 106 (2007), 355.

¹⁵⁶ See *e.g.* the popular discourse reflected in *Dyer* (note 80). For a clear analysis of how this discourse has been perpetuated see *Lorraine Elliott*, *Climate Migration and Climate Migrants: What Threat, Whose Security?*, in: *McAdam* (note 4), 175.

¹⁵⁷ Interview with *Kamal* (note 26).

It is true that some cross-border migration may result from the impacts of climate change, though, particularly if greater internal displacement and resulting urbanization are not well managed by the Bangladeshi government. Some tentative conclusions can be drawn about the likely security consequences of transnational migration. As noted earlier, India is by far the most probable destination. The security implications of such movements are context-specific, varying from region to region in India, and can only be fully understood in the light of Bangladesh's complex bilateral political and strategic relationship with India. At a minimum, inter-State war is highly improbable. One senior Bangladeshi military official dismissed the idea as remote or imagined, even if bilateral relations are sometimes tense: "two democracies do not fight."¹⁵⁸

From the outset, it is notable that historical patterns of local movement which were "licit" prior to the creation of modern national borders have only become "illicit" relatively recently. As others observe, "cross-border interactions are governed by well-known social rules away from the purview of official state instruments."¹⁵⁹ There are a variety of traditional, pre-State human movements in the area. Movement came first and borders second – not the other way around. Even after the creation of modern States, migration between Bangladesh and India was legal until 1952, and thereafter illegal migration was tolerated until 1971.¹⁶⁰ As one Bangladeshi NGO noted, migration only becomes a problem when it is politicized.¹⁶¹

Traditional "innocent" but unauthorized, cross-border movements – by farmers, traders, graziers and so on – are now increasingly securitized as a result of concerns about insurgents and terrorists,¹⁶² and due to inflammatory politics of ethno-religious nationalism or economic protectionism. The Hindu nationalist parties in India, such as the Bharatiya Janata Party (BJP), have provocatively reconstructed illegal Bangladeshi migrants as threats to India and have called for their deportation.¹⁶³ Such propagandizing has been part of the BJP's chauvinistic *Hindutva* ideology.¹⁶⁴ The contemporary,

¹⁵⁸ Interview with *Mohammad* (note 82).

¹⁵⁹ *Ollapally* (note 70), 199 footnote 79.

¹⁶⁰ *Willem van Schendel*, *Illegal But Licit: Transnational Flows and Permissive Politics in Asia* (2005), 32.

¹⁶¹ Interview with *Mahmud* (note 29).

¹⁶² *Ollapally* (note 70), 198.

¹⁶³ *Shamshad* (note 72), 3–7.

¹⁶⁴ *Ibid.*

securitized discourse “stands in sharp contrast with a discourse of licitness, in which labor migrants, their Indian employers and many others maintain that a cross-border labor supply is good for development.”¹⁶⁵

D. Ethnic Insurgencies

The most sensitive and complicated area for potential tensions from cross-border migration concerns India’s north-eastern states and the associated border areas with Bangladesh. Four north-eastern Indian states share a long border with Bangladesh: Assam, Tripura, Manipur and Meghalaya.¹⁶⁶ It is estimated that more than 50,000 deaths have occurred since India’s independence in 1947 as a result of ethnic, tribal, secessionist, insurgent or terrorist violence in the seven north-eastern states,¹⁶⁷ where up to 120 insurgent groups are based.¹⁶⁸

Migration from Bangladesh has been a source of friction in a number of these conflicts. For example, India has claimed that up to 10 million Muslim Bangladeshis have migrated to Assam.¹⁶⁹ Some Assamese groups have militantly opposed large-scale “illegal migration” from Bangladesh on the basis that migrants have altered the demographic balance and thus the distribution of political power; have dominated employment and the exploitation of natural resources (such as oil, timber, tea and water);¹⁷⁰ and have dispossessed tribal people from their lands.¹⁷¹

While an influx of Bangladeshi migrants has certainly contributed to conflict in Assam, the situation is considerably more complex, and a case study of Assam illustrates the difficulty in positing migration as a singular “cause” of conflict. Some people characterized as migrants – such as Muslim Assamese – were not Bangladeshi at all, but were a pre-existing Assamese population, including majorities in some districts.¹⁷² Migrants to Assam came not only from Bangladesh, but also from other

¹⁶⁵ *Ibid.*

¹⁶⁶ *Hussain* (note 132), 99.

¹⁶⁷ *Ajay Darshan Behera*, *Violence, Terrorism and Human Security in South Asia* (2008), 63.

¹⁶⁸ *Hussain* (note 132), 99.

¹⁶⁹ *Ibid.*, 101.

¹⁷⁰ *Amin* (note 150), 107.

¹⁷¹ *Behera* (note 167), 130–131.

¹⁷² *Hussain* (note 132), 100.

regions of India.¹⁷³ Some Assamese encouraged migration, given the high demand for cheap labor (such as stone quarrying) and the utility of migrants as “vote banks.”¹⁷⁴ Some anti-migrant militant groups even supported Bengali settlers if they assimilated into local life.¹⁷⁵

A different, key cause of conflict was that the Assamese did not receive an equitable share of federal development funding relative to the rich revenues received by India from exploiting Assam’s natural resources.¹⁷⁶ Conflict also involved some tribal indigenous groups, such as the Bodo, agitating against more dominant ethnic Assamese groups, driven in part by the illegal occupation of Bodo lands.¹⁷⁷ In turn, some non-Bodo indigenous tribes resented and feared Bodo dominance.¹⁷⁸ While violence in Assam was sought to be justified by legitimate political aspirations (such as minority self-determination), in reality it often camouflaged other agendas, such as anti-foreigner prejudice or criminal extortion.¹⁷⁹ The situation has been further complicated by the emergence of extreme Islamist groups,¹⁸⁰ some purporting to protect Bengali settlers.¹⁸¹

If real or imagined illegal Bangladeshi migration to the north-eastern states has led to local conflict, it has also given rise to transnational tensions. Historically, India accused East Pakistan of harboring Naga and Mizo insurgents, and asserted that Bangladesh sheltered insurgents from Assam, Tripura, Nagaland, Mizoram, Meghalaya and Manipur,¹⁸² including militant Islamic organizations.¹⁸³ India has claimed that there are more than 190 camps of Indian insurgents, separatists or terrorists based in

¹⁷³ *Ibid.*, 101; *Amin* (note 150), 127.

¹⁷⁴ *Amin* (note 150), 108; see also authors’ interview with *Kamal Hossain*, Dhaka, 14 June 2010.

¹⁷⁵ *Hussain* (note 132), 101.

¹⁷⁶ *Mahendra P. Lama*, *Human Security in India: Discourse, Practices and Policy Implications* (2010), 33.

¹⁷⁷ *Bebera* (note 167), 87.

¹⁷⁸ *Ollapally* (note 70), 194.

¹⁷⁹ *Bebera* (note 167), 70.

¹⁸⁰ Such as the Muslim United Liberation Tigers of Assam, Muslim Volunteer Force, Muslim United Liberation Front of Assam, Muslim Liberation Front of Assam.

¹⁸¹ *Hussain* (note 132), 100.

¹⁸² *Ibid.*, 99; *Ollapally* (note 70), 193; *Amin* (note 150), 130.

¹⁸³ Such as the Muslim United Liberation Tigers of Assam, Muslim United Liberation Front of Assam, United Liberation Front of Barak Valley, Harkatul-Mujahiden, Jamat-i-Islami.

Bangladesh,¹⁸⁴ while Bangladesh has responded that India shelters 39 camps of Bangladeshi militants and provides safe haven to *mastaans*.¹⁸⁵ Particularly contentious is India's assertion that Bangladesh tacitly supports Assamese insurgents,¹⁸⁶ including by allowing refugee camps to be used in planning operations in India.¹⁸⁷

E. Religious Terrorism

After the terrorist attacks of 11 September 2001, the global "war on terror" has had a significant influence on the construction of security threats in South Asia.¹⁸⁸ Concerns about traditional ethnic or separatist insurgencies have been supplemented by, but also transformed into, concerns about terrorism, particularly Islamist terrorism. Cross-border movements and the interaction between migration, insurgency and terrorism are seen as one of the greatest regional threats.¹⁸⁹

Nationalist political parties in India have frequently characterized Bangladeshi migrants as terrorists and jihadists,¹⁹⁰ and Bangladesh has been portrayed as a source of militant Islamic terrorism.¹⁹¹ It has been claimed that there are over 50,000 Islamic extremists from 40 military groups being trained in 50 camps in Bangladesh, some funded by Saudi and Islamic charities.¹⁹² Terrorism "has had a profound impact on inter-state relations in South Asia, raising the quotient of mistrust and suspicion,"¹⁹³ although India has refrained from launching cross-border military raids on camps in Bangladesh.¹⁹⁴ One senior Bangladeshi government member confirmed that there are undoubtedly links between Bangladeshi security agencies and radicals, and observed

¹⁸⁴ *Yasmin* (note 70), 95; *Ollapally* (note 70) 197; *Hussain* (note 132), 120.

¹⁸⁵ *Yasmin* (note 70), 95.

¹⁸⁶ *Amin* (note 150), 107; *Ollapally* (note 70), 193.

¹⁸⁷ *Ollapally* (note 70), 193.

¹⁸⁸ *Ibid.*, 199.

¹⁸⁹ *Ibid.*, 194.

¹⁹⁰ *Ibid.*, 198–199.

¹⁹¹ *Rahman* (note 70), 13–16.

¹⁹² *Ibid.*, 17.

¹⁹³ *Ibid.*

¹⁹⁴ *Ollapally* (note 70), 206.

that the recent mutiny by Bangladeshi border forces illustrates the fragility and vulnerability of democracy in Bangladesh.¹⁹⁵

F. Border Securitization

Such suspicion has manifested in the increasing securitization of border protection by India, and not only in relation to the small areas of disputed territory arising out of the 1971 war of independence, which have caused conflict with India.¹⁹⁶ Around 45,000 Indian Border Security Force (BSF) personnel patrol the Bangladeshi border.¹⁹⁷ Since India's fencing of the north-eastern border began in earnest in 1980,¹⁹⁸ killings on the border have increased.¹⁹⁹ It is estimated that 843 Bangladeshi nationals were killed by the BSF between 2000 and early 2010.²⁰⁰ At least 50 people were killed in 2006 alone.²⁰¹ There have also been occasional violent clashes directly between Indian and Bangladesh border forces.²⁰²

The securitization of the border has had profound adverse impacts on the right to life of farmers, harvesters, graziers, villagers, traders and smugglers. In some areas, local people are uncertain about the precise location of the border because the border fence is typically built inside Indian territory rather than along the border itself. Its construction has also involved the displacement of thousands of families.²⁰³ Misunderstandings are increased by the posting of forces from the Kashmir-Pakistan border to the India-Bangladesh border. Such forces do not speak the local languages (such as Bengali) and are not trained in the strategic differences between the two border

¹⁹⁵ Authors' interview with anonymous, Dhaka, June 2010.

¹⁹⁶ *Khamin*, Target Practice, New Age Xtra, 23 April 2010, 11, 16, available at: http://www.newagebd.com/2010/apr/23/apr23/xtra_cover.html (accessed on 20 October 2010).

¹⁹⁷ *Ollapally* (note 70), 193.

¹⁹⁸ See generally *Shamshad* (note 72), 9–11.

¹⁹⁹ *Khamin* (note 196).

²⁰⁰ *Ibid.*

²⁰¹ Sara Hossain (ed.), *Human Rights in Bangladesh 2008* (2009), 57.

²⁰² *Anand Kumar*, Indo-Bangladesh Border Dispute Demands Urgent Attention (2006), available at: <http://www.southasiaanalysis.org/%5Cpapers20%5Cpaper1931.html> (accessed on 1 September 2010).

²⁰³ Its construction has also involved the displacement of thousands of families, ANI, Fencing Bangladesh border displaces people, *Thaindian News*, 19 December 2008.

areas,²⁰⁴ thus bringing with them a “shoot-to-kill” mentality from the tense Kashmiri conflict zone. BSF patrolling is also arbitrary and unpredictable. For example, Indian smugglers are permitted to cross from India into Bangladesh (due to the value of the illicit trade and the corruption which accompanies it), yet Bangladeshis crossing into India are fired upon.²⁰⁵ Bilateral arrangements have had little success in defusing the violence and tension, in part because India has failed to implement them.²⁰⁶

The legacy of cross-border tension and border securitization suggests that sustained climate change-related movement from Bangladesh into India would be likely to stimulate further tensions at both the bilateral and sub-national levels. Much will depend on the scale of the movement, the destinations within India, the manner in which migrants are received by host communities, and the political response to migration by India.

On the last point, the Indian political response to Bangladeshi migration is more varied than is often thought. On the one hand, voices of nationalist and extreme Hindu political parties have often been predictably shrill in their anti-foreigner sentiment. On the other hand, the plural federal political system in India has enabled more diverse political responses. The Congress party and leftist parties in the Indian state of West Bengal, for instance, have often demonstrated liberal attitudes towards Bangladeshi migration for politico-geographical and ethno-cultural reasons, including by receiving refugees from East Pakistan, sheltering those displaced by the anti-foreigner movement of the 1980s in Assam,²⁰⁷ and criticizing the Indian and Maharashtra governments for deporting people through West Bengal in “Operation Push Back.”²⁰⁸ Even when the West Bengal government has “talked tough,” as under the current Chief Minister, such rhetoric has not generally translated into concrete efforts to expel Bangladeshi migrants.²⁰⁹

²⁰⁴ *Khamin* (note 196), 11, 17.

²⁰⁵ *Ibid.*, 13–14.

²⁰⁶ *Ibid.*, 11, 17. There also exist the Joint Indo-Bangladesh Guidelines of 1975 providing for the arrest and prosecution or return of trespassing nationals.

²⁰⁷ *Lama* (note 176), 26.

²⁰⁸ *Shamshad* (note 72), 6.

²⁰⁹ Interview with *Chaudhury* (note 62).

The security implications of further Bangladeshi migration to India will also be affected by political responses within Bangladesh itself. Some of the tension with India has been fuelled by the growth of “anti-Indianism” in Bangladeshi politics noted above,²¹⁰ which is part of the on-going negotiation of Bangladesh’s national identity. Relations with India have, however, generally improved under the current Bangladeshi government, which is cause for cautious optimism. As one Bangladeshi parliamentarian noted, India, too, is increasingly aware of its status as an emerging global power and recognizes that its prosperity depends on good relations and cooperation with its neighbors.²¹¹

V. Options for Law and Policy Reform

This section examines a number of options for law and policy reform that would strengthen protection against climate change-related displacement, and which would enhance opportunities for dignified livelihoods within Bangladesh or planned migration abroad. In light of the security analysis above, it is underscored by the premise that while there is little evidence to suggest that there will be mass movement of Bangladeshis across international borders, inattention to the dire socio-economic circumstances in which some Bangladeshis find themselves may generate low-level social tensions, especially over land.

At the outset, it is important to briefly highlight the existing legal gaps which preclude people from being recognized as having protection needs under international law. People who cross an international border to escape the impacts of climate change will not ordinarily meet the legal definition of a “refugee” under the 1951 Convention relating to the Status of Refugees.²¹² There is a variety of reasons for this, including that people may be displaced internally rather than across an international border (thus not triggering the Refugee Convention’s application); the harm feared is not considered to amount to “persecution” (including because there is no identifi-

²¹⁰ *Yasmin* (note 70), 77.

²¹¹ Interview with *Chowdhury* (note 14).

²¹² Art. 1A (2) Convention relating to the Status of Refugees, 28 July 1951, UNTS 137, 189 (Refugee Convention) read in conjunction with Protocol relating to the Status of Refugees, 31 January 1967, UNTS 267, 606.

able agent of persecution); even if the harm is regarded as persecution, it is not for a Convention reason; and/or because the country of origin itself is not withholding protection.²¹³

Further, many of those affected by climate change will not necessarily conceptualize the cause of their displacement as such – even if they can describe its physical impacts on their livelihoods²¹⁴ – and therefore may not be seeking “protection” at all. It is said that some people view their displacement in terms of natural processes, bad luck, personal failure or through the lens of cultural superstitions or fatalistic religious beliefs (such as where “God is not satisfied” or “*Allah* gives and *Allah* takes away”).²¹⁵

In the absence of considerable jurisprudential development, such people are also unlikely to benefit (at least in the near future) from human rights-based “complementary protection,” which safeguards against return to arbitrary deprivation of life, torture, or cruel, inhuman or degrading treatment.²¹⁶ Courts have carefully limited the meaning of “inhuman or degrading treatment” so that it cannot be used as a remedy for general poverty, unemployment, or a lack of resources or medical care, except in the most exceptional circumstances.²¹⁷ Although existing jurisprudence does not *preclude* climate impacts from being recognized as a source of inhuman treatment, for example, it would need to be substantially developed before such harms would fall clearly within the scope of this concept.²¹⁸

²¹³ *Jane McAdam*, From Economic Refugees to Climate Refugees?, *Melbourne Journal of International Law* 10 (2009), 579.

²¹⁴ Interview with *Azad* (note 21).

²¹⁵ Interview with *Mahmud* (note 29); interview with *Hossain* (note 28).

²¹⁶ *McAdam/Saul* (note 7).

²¹⁷ European Court of Human Rights (ECtHR), *D v. United Kingdom*, Judgment of 2 May 1997, RJD 1997-III, 777; *N v. Secretary of State for the Home Department* [2005] United Kingdom House of Lords (UKHL) 31; ECtHR, *HLR v. France*, Judgment of 29 April 1997, RJD 1997-III, 745, para. 42; see also the views of the Committee against Torture, as in *AD v. The Netherlands*, Communication No. 96/1997, UN Doc. CAT/C/23/D/96/1997 (2002), para. 7.2. See discussion in *Guy S. Goodwin-Gill/Jane McAdam*, *The Refugee in International Law* (2007), 350–351.

²¹⁸ *R v. Special Adjudicator ex parte Ullah* [2004] UKHL 26; Human Rights Committee (HRC), General Comment No. 15: The Position of Aliens under the Covenant, UN Doc. CCPR/C/21/Add.5/Rev.1 (1986), para. 5; see also HRC, General Comment No. 18: Non-Discrimination, UN Doc. HRI/GEN/1/Rev.7 (2004), 144–148.

Most people internationally displaced by climate change will thus be regarded by other countries as mere “environmental” or “economic” migrants, categories which currently are not recognized (let alone protected) under international law. Such people accordingly have limited rights under international law and are not entitled to any particular legal status.

As for those displaced within Bangladesh, while they remain citizens of that country and therefore entitled to the protections that flow from that status, they will likely be treated as a domestic concern and not within the purview of international attention. Within these parameters, the following parts of this article outline some possible legal and policy responses to climate change-related movement in the context of Bangladesh.

A. Strengthen In-Country Adaptation

Improving international financial and technical assistance to Bangladesh in adapting to climate change could play a critical role in preventing further displacement. Such assistance could help to build community resilience by providing alternative livelihoods, supplying technical solutions and encouraging disaster risk reduction. The success of such an approach will depend not only on securing international agreement on financing adaptation,²¹⁹ but also on addressing corruption within Bangladesh and ensuring the effective delivery of assistance to those who need it most.²²⁰ Some in Bangladesh expressed concern about the risk of foreign aid funding being diverted to finance climate change adaptation,²²¹ which would result in one group of the poor being robbed to fund another.

Already adaptation measures are helping to prevent displacement in Bangladesh, such as where people have developed indigenous knowledge to raise their houses on plinths, protected their houses or land with flood defenses, or adjusted their farming techniques (including by using flood-resistant strains of rice or by developing “floating gardens” to deal with water-logging).²²² Efforts are also being made to raise em-

²¹⁹ See *e.g.* *Atiq Rahman*, *Vulnerable Communities Demand Climate Justice*, *The Daily Star*, 7 December 2009.

²²⁰ Interview with *Kamal* (note 26).

²²¹ Interview with *Mahmud* (note 29).

²²² See *e.g.* IOM (note 3), 18.

bankments and to protect them with forest cover, and to establish coastal green belts.²²³ One Bangladeshi parliamentarian highlighted the need to invest in new technological solutions, such as harvesting silt for land reclamation.²²⁴

As one Bangladeshi official noted, however, Bangladesh “cannot adapt indefinitely.”²²⁵ There is a risk that the focus on adaptation may come at the expense of a human rights-based approach to climate change-related displacement. As the head of one prominent Bangladeshi NGO explained, currently “nobody talks about human rights in the adaptation process.”²²⁶ There is a difference between adaptation, and adaptation with dignity:

if this is your house, and because of the saline water inundation, or because of the submerging of land areas, you are today surrounded by water and because you are surrounded by water and you don’t have any other place you go, you start doing floating gardens in the flood water. That is adaptation, but that denies the right to a dignified life, because I have a right to live in normal situation. I don’t accept living surrounded by, you know, this stagnant, dirty, filthy water that gives me diseases.²²⁷

Adaptation with dignity requires not only a focus on defending sustainable livelihoods, but doing so in a way which enables people to live with their human rights respected.²²⁸ There may be a role to play for the recently established Bangladesh Human Rights Commission in safeguarding the human rights of those affected by climate change impacts, given that socio-economic rights may be seen as less sensitive than political rights and thus give the Commission room to act.²²⁹ There has, however, been a tendency within government to interpret human rights narrowly as civil and political rights, with little attention to socio-economic rights in development.²³⁰

²²³ Interview with Senior Official (note 54); interview with *Majumder* (note 17).

²²⁴ Interview with *Chowdhury* (note 14).

²²⁵ Interview with *Majumder* (note 17); see also interview with *Chowdhury* (note 86): “adaptation has limits.”

²²⁶ Interview with *Hasan* (note 23).

²²⁷ *Ibid.*

²²⁸ See e.g. the comments of Kiribati’s Foreign Secretary, *Tessie Lambourne*: “We are proud people. We would like to relocate on merit and with dignity” cited in *Laurie Goering*, Kiribati Officials Plan for ‘Practical and Rational’ Exodus from Atolls, Reuters AlertNet, 9 December 2009, available at: http://www.alertnet.org/db/an_art/60714/2009/11/9-181804-1.htm (accessed 23 October 2010); authors’ interview with President *Anote Tong*, Kiribati, 12 May 2009.

²²⁹ Interview with *Chowdhury* (note 57).

²³⁰ Interview with *Fatima/Wadud* (note 102).

For the above reasons, migration itself should be regarded as a normal form of adaptation – as a path to a more dignified life – rather than as a sign that adaptation has failed.²³¹ While movement can be a sign of vulnerability, it can also be a means to achieving security and enabling human rights to be fulfilled, especially when it is able to be planned.²³² Seasonal migration has long been an important strategy for coping with Bangladesh’s natural environmental conditions.²³³ Larger and more structured opportunities for migration should be “mainstreamed” into strategies of adaptation to climate change. As discussed below, “adaptation” may properly involve planned resettlement options for those whose displacement is ultimately unavoidable.

B. Implement International Standards on Internal Displacement

In its 2009 Climate Change Strategy and Action Plan, the government of Bangladesh set out three long-term action points to address internal and cross-border migration:

- A1. Development of a monitoring mechanism of internal and external migration
- A2. Development of a protocol to provide adequate support for their re-settlement and rehabilitation
- A3. Building of capacity through education and training to facilitate their re-settlement in new environment.²³⁴

Since most climate change-related displacement in Bangladesh is likely to be local, one of the most appropriate policy responses to assist the government to meet its goals would be to strengthen the legal frameworks governing internal displacement. The Guiding Principles on Internal Displacement are an international soft law framework designed to apply *inter alia* to people fleeing their homes due to natural or

²³¹ See e.g. Zetter (note 12), 62.

²³² IOM (note 3), 48.

²³³ Rita Afsar, *Internal Migration and the Development Nexus: The Case of Bangladesh* (2003), 2.

²³⁴ Government of the People’s Republic of Bangladesh (note 22), 17: “The settlement of these environmental refugees will pose a serious problem for the densely populated Bangladesh and migration must be considered as a valid option for the country. Preparations in the meantime will be made to convert this population into trained and useful citizens for any country”.

human-made disasters (which would encompass climate change).²³⁵ Although the Guiding Principles are not legally binding, they draw on binding rules from international refugee and human rights law to elucidate “best practice” national standards at all stages of displacement – from preventing displacement, to addressing needs during displacement and in the return and recovery phases.

Our fieldwork revealed little awareness among Bangladeshi officials or policy makers of the existence or content of the Guiding Principles, a finding confirmed by IOM in Bangladesh.²³⁶ Some in Bangladesh doubted whether a more formal legal framework could be adopted easily any time soon.²³⁷ Others observed that Bangladesh faces difficulties in securing basic rights for the very poor non-displaced and displaced alike,²³⁸ and so implicitly query the feasibility of special treatment for internally displaced persons (IDPs). Laws generally in Bangladesh are often flouted and new laws may not necessarily be well implemented and enforced.

In our view, the Guiding Principles could provide Bangladesh with a blueprint for assisting and protecting people displaced internally by climate impacts, within a rule of law and human rights framework. In other contexts, some countries, such as Colombia, have incorporated substantial parts of the Guiding Principles into domestic law, while in Africa there is now a regional treaty for the protection of IDPs.²³⁹ By encouraging Bangladesh to domestically implement the Guiding Principles, the international community could help build the capacity of Bangladesh to rationally and responsibly deal with the plight of IDPs in the following ways.

²³⁵ UN Commission on Human Rights, Report of the Representative of the Secretary-General, Mr. Francis M. Deng, submitted pursuant to Commission resolution 1997/39: Addendum: Guiding Principles on Internal Displacement, UN Doc. E/CN.4/1998/53/Add.2 (1998). However, UNHCR’s institutional mandate as the lead agency responsible for internally displaced persons (IDPs) only applies to IDPs displaced *by conflict*.

²³⁶ Interview with *Fatima/Wadud* (note 102).

²³⁷ *Ibid.*

²³⁸ Interview with *Arjun Jain* (UNHCR), Dhaka, 17 June 2010.

²³⁹ See *e.g.* Art. 5 (4) African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, 22 October 2009, available at: <http://www.au.int/en/content/african-union-convention-protection-and-assistance-internally-displaced-persons-afria> (accessed on 25 February 2011) (not yet in force).

1. Pre-Displacement Phase

Where displacement is anticipated outside an emergency context, the Guiding Principles call for individuals to have access to information about the reasons and procedures for their movement, and, where applicable, on compensation and relocation. Those affected should be able to participate in the planning and management of movement, and have the rights to life, dignity, liberty and security respected.²⁴⁰

In Bangladesh, there is considerable scope to operationalize these principles, such as through wider implementation of early warning systems (which already successfully exist for cyclones), and the development of awareness strategies to assist people to prepare for displacement (such as by shifting livestock, building materials and grain to safe areas ahead of time, and saving for emergencies).²⁴¹ The authorities could also do more to identify vulnerable areas, provide information to local people, and invest in monitoring mechanisms to anticipate displacement.²⁴² At present, there is relatively poor data available in Bangladesh concerning displacement risks.²⁴³

Importantly, there is a need for decentralization in Bangladesh by “increasing reliance on local level understandings of problems” through participatory decision-making and the allocation of government resources to match local needs.²⁴⁴ Such an approach recognizes the value of indigenous knowledge and coping mechanisms, while developing further strategies to improve their lives.

2. During Displacement

During the displacement phase, the Guiding Principles set out a human rights framework for ensuring that a wide range of civil, political, economic, social and cultural rights are respected, including through the provision of humanitarian assis-

²⁴⁰ Guiding Principles 7–9.

²⁴¹ *Abrar/Azad* (note 35), 122–123.

²⁴² *Ibid.*, 130.

²⁴³ Interview with Senior Official (note 54).

²⁴⁴ *Abrar/Azad* (note 35), 107.

tance.²⁴⁵ To this end, Bangladesh could start by enacting comprehensive disaster management legislation, which remains absent despite Bangladesh “ranking number one in terms of stress from cyclone due to climate change, and number six in terms of stress from flood from climate change.”²⁴⁶

Though Bangladesh has “standing orders” on disaster management,²⁴⁷ they are discretionary, malleable and unenforceable. They also lack specificity and human rights protections. For example, while they mention the rehabilitation of affected people, they provide little detail on the rights which are guaranteed or the timeframes or processes by which protection or assistance will occur. Thus, as one Bangladeshi NGO stated, “in terms of natural disaster, we don’t have right-based law. We don’t have duty-oriented laws also; it just says you will be rehabilitated, but what you do exactly to prevent what disaster is not there.”²⁴⁸ There is thus a need to strengthen the “portability” of rights for those internally displaced in Bangladesh, such as by reference to more specialized “soft law” instruments which provide for rights-based approaches.²⁴⁹

Further, some scholars have suggested the need for an institutional rapid response mechanism to provide logistical support to the displaced.²⁵⁰ Since people tend to stay in their homes until the last moment, which increases threats to life and property, teams of volunteers could be mobilized to assist with evacuation to pre-determined places where there is food, shelter, healthcare, sanitation and water on hand.²⁵¹ Mobile medical units could respond to emergencies (including by being equipped to deal with the outbreak of diseases),²⁵² and mobile schools could also be established to reach displaced children.²⁵³

²⁴⁵ Guiding Principle 25.

²⁴⁶ Interview with *Hasan* (note 23).

²⁴⁷ Bangladesh Ministry of Disaster Management and Relief (Disaster Management Bureau), *Standing Orders on Disaster* (1999).

²⁴⁸ Interview with *Hasan* (note 23).

²⁴⁹ Brookings-Bern Project on Internal Displacement, *Human Rights and Natural Disasters: Operational Guidelines and Field Manual on Human Rights Protection in Situations of Natural Disaster* (2008).

²⁵⁰ *Abrar/Azad* (note 35).

²⁵¹ *Ibid.*, 123–124.

²⁵² *Ibid.*

²⁵³ *Ibid.*, 126–127.

Food insecurity is a major concern in the immediate aftermath of displacement, especially since most households do not have any food in reserve.²⁵⁴ One NGO survey showed that *monga* (famine) had forced people in certain border areas in the Thakurgaon district to cross over to India to work as laborers.²⁵⁵ Yet, the experience of *monga* in northern Bangladesh illustrates that it is often not absolute scarcity of food that causes *monga*, but rather ineffective distribution, local inflation, uncoordinated stocking, poor coordination in transportation, and a lack of coordination between government agencies.²⁵⁶ NGOs providing micro-credit have also been criticized for being too inflexible in refusing to write off the debts of those affected by storms or environmental problems.²⁵⁷

Moreover, some existing responses have been counter-productive. For example, the replacement of rural “Food for Work” programs with international aid via the World Food Program has been criticized for exacerbating livelihood insecurity and migration to urban centers.²⁵⁸ Improved management of responses to displacement is thus an important element in subsequent patterns of movement. In a study conducted after the severe 1998 floods, it was found that people who felt adequately compensated were less likely to move.²⁵⁹ Thus, the prompt provision of adequate assistance can reduce longer-term migration and avert the need for more disruptive resettlement elsewhere.

3. Resettlement or Relocation

The Guiding Principles also deal with return, resettlement and integration. They note that the competent authorities should ensure that IDPs are able to return home voluntarily – or resettle elsewhere – in safety and with dignity, and be able to participate

²⁵⁴ *Ibid.*, 36.

²⁵⁵ *Ibid.*, 71, citing a Manab Kallyan Parishad (Human Welfare Association) survey, reported in Bangladesh Observer, 7 October 2003.

²⁵⁶ *Abrar/Azad* (note 35), 71.

²⁵⁷ Interview with *Chowdhury* (note 57).

²⁵⁸ *Abrar/Azad* (note 35), 103.

²⁵⁹ *Bimal Kanti Paul*, Relief Assistance to 1998 Flood Victims: A Comparison of the Performance of the Government and NGOs, *The Geographical Journal* 169 (2003), 75, cited in IOM (note 3), 12.

fully in the planning and management of their return or resettlement and subsequent integration.²⁶⁰ The authorities are also obliged to assist IDPs to recover property and possessions, or to be compensated for losses.²⁶¹

In Bangladesh, there is hardly any coordinated national resettlement, relocation or rehabilitation planning for those displaced from their lands by climate change, related environmental processes, poverty or *monga*,²⁶² nor is any government department centrally tasked with responsibility for displaced people.²⁶³ The only laws for the rehabilitation of IDPs relate to those affected by the 1971 independence war.²⁶⁴ Government programs for redistributing vacant land to the landless have been described as “dysfunctional” and tarnished by corrupt middlemen.²⁶⁵ The standing orders on disaster management mentioned earlier only provide for emergency responses and do not encompass more permanent solutions such as planned relocation or rehabilitation.²⁶⁶

Displaced people are largely left to their own devices and lack effective State assistance. People often move into even more vulnerable locations.²⁶⁷ Some have no choice but to resettle on *char* lands²⁶⁸ – areas of fertile, alluvial silt deposit – knowing that flood or erosion is likely to displace them again.²⁶⁹ While it might be assumed that newly accreted areas could provide free land to groups of landless people,²⁷⁰ this is not the case: In most instances, the land is already subject to prior claims stemming from earlier periods of river erosion. There has been only a vague indication by

²⁶⁰ Guiding Principle 28.

²⁶¹ Guiding Principle 29.

²⁶² Interview with *Hasan* (note 23); interview with *Khan* (note 32); interview with Rabab *Fatima/Wadud* (note 102).

²⁶³ Interview with *Majumder* (note 17).

²⁶⁴ Interview with *Hasan* (note 23).

²⁶⁵ Interview with *Mahmud* (note 29).

²⁶⁶ Interview with *Fatima/Wadud* (note 102).

²⁶⁷ *Abrar/Azad* (note 35), 124.

²⁶⁸ There are around two million, mostly landless people living in *char* lands, see citations in IOM (note 3), 13 footnote 42.

²⁶⁹ *Abrar/Azad* (note 35), 38–39.

²⁷⁰ See *Haakon Lein*, The Poorest and the Most Vulnerable? On Hazards, Livelihoods and Labelling of Riverine Communities in Bangladesh, *Singapore Journal of Tropical Geography* 30 (2009), 98, 107, cited in IOM (note 3), 13.

Bangladeshi officials that resettlement might be considered in the future,²⁷¹ although one Bangladeshi UNDP official acknowledged that the government should provide opportunities to move,²⁷² while a Bangladeshi parliamentarian emphasized the need for political action on resettlement to overcome bureaucratic inertia.²⁷³

The reluctance to plan for the resettlement of IDPs is influenced by a number of factors. First, government energy in climate change policy is focused on *in situ* adaptation to climate change – that is, on harnessing funds to implement in-country programs to assist people (rural residents in particular) to maintain their lands and livelihoods. That focus is also partly based on a belief that there is little vacant land available for resettlement:

Relocation within the country will not happen, because we do not have any space [...] people also do not want to leave their parents and sisters home [...]. So we have to try, as much as possible, to fit them in their own space, you know, protect, reduce the vulnerability of their areas, make the embankments stronger, put some more efforts on tree plantation and those sort of natural protection, things like that. And we will need some investment to do so [...].²⁷⁴

In fact, the lack of available land for resettlement is typically not on account of land shortages, but rather because of chronic maladministration of public lands. Much public land which might be placed at the disposal of displaced people is unavailable because up to 88 % of such *khas* land, and 95 % of *khas* water bodies, “are under illegal possession of the powerful elites and other vested interest groups.”²⁷⁵ Numerous poor people have also been evicted from such lands and thus lost access to common properties, which are often their major food source.²⁷⁶ The failure to provide solutions for displaced people also places stress on Bangladesh’s biodiversity, such as where people increasingly encroach on protected forest and marine areas like the Sundarbans mangroves.²⁷⁷

²⁷¹ Interview with *Uddin* (note 27): “We are going to prepare [...] a nationalistic plan for relocation. We will have also from here contingency plan for few districts which are erosion-prone. And we will also go for, to disaster and climate-resilient habitat.” In addition: “I will be doing a study, I will be talking to the people, I will be trying to find out what is the best options on the table, relocation [...]. Land, how much is there, whether we could offer this land to our landless people”.

²⁷² *Ibid.*

²⁷³ Interview with *Chowdhury* (note 14).

²⁷⁴ *Ibid.*; see also interview with *Khan* (note 32).

²⁷⁵ ASK (2009) (note 103), 127; see also interview with *Kamal* (note 26).

²⁷⁶ ASK (2009) (note 103), 127.

²⁷⁷ Interview with *Majumder* (note 17).

Secondly, as a democracy, there is a sense within the Bangladeshi government that movement is a matter of individual choice and should not be dictated by State policy.²⁷⁸ That approach is driven in part by past experiences of failed State-driven resettlement. The movement of up to 600,000 Bengali settlers into the Chittagong Hill Tracts²⁷⁹ during military rule in Bangladesh provoked violence which was only settled by a Peace Accord in 1997 (though unrest continues).²⁸⁰ The conflict was driven by competition over land and political power arising from State-sponsored resettlement and the resulting dispossession of tribal peoples. The authorities remain wary of making the same mistake again. One official described it as a “political invasion” which caused “irreversible damage” and amounted to “bad practice.”²⁸¹

That context was, however, quite different, and there is little reason why current democratic authorities in Bangladesh could not identify suitable public or private lands appropriate for resettlement schemes. Following the Guiding Principles, resettlement would not be forced, but voluntary, rights-respecting and based on the provision of full information about options.²⁸² Resettlement locations would need to be selected in full consultation with existing communities in those areas, as well as with the potential new settlers.²⁸³ For relocation to have the best chance at working, it has to be owned by the affected communities, not imposed from above. An effective resettlement policy would require a comprehensive audit of vacant public lands (perhaps in the context of the wider need for national land zoning in Bangladesh),²⁸⁴ a strategy for the prioritization of competing needs in such land, and the setting of time frames for its utilization.

²⁷⁸ Interview with *Khan* (note 32).

²⁷⁹ *Smith/Vivekananda* (note 80), 16.

²⁸⁰ *Amin* (note 150), 122.

²⁸¹ Interview with *Uddin* (note 27).

²⁸² Evidence shows that adaptation strategies will be most successful where they are based on meaningful community participation, such as in constructing embankments; see *Habibullah et al.*, *Participatory Water Management: A Strategy for Climate Change Adaptation in Coastal Bangladesh* (2009), cited in: IOM (note 3), 17.

²⁸³ As the Inter-American Court of Human Rights (IACtHR) observed, it is necessary to “obtain their free, prior, and informed consent, according to their customs and traditions,” IACtHR, *Saramaka People v. Suriname*, Judgment of 28 November 2007, Series C, No. 172, para. 134.

²⁸⁴ Interview with *Chowdhury* (note 14).

One of the most important factors in the success of any planned resettlement is the availability of new livelihoods, including opportunities to earn income and built capital.²⁸⁵ Some previous European-supported programs, completed in 2008, to create clustered “ideal villages” for resettling up to 100 displaced people in rural areas failed largely due to the lack of employment opportunities, resulting in people selling their new land and moving elsewhere.²⁸⁶

Skills development programs can enable people to acquire new trades to generate income, and information about marketing agricultural produce would also assist.²⁸⁷ For example, in one survey a woman explained how she used skills acquired from an NGO about planting trees and vegetables to help her cope with adverse conditions in the rainy season, when she could sell the produce at a reasonable profit.²⁸⁸

Yet, local and international NGOs in Bangladesh tend to focus on coping with disasters *per se*, rather than preparing for displacement and rehabilitation.²⁸⁹ While national schemes focusing on destitute women, widows, very poor women, divorced women and the landless may assist some displaced people, this is not because of displacement *per se* but their underlying circumstances.²⁹⁰ There have been some resettlement programs for destitute and abandoned women and widows, but they do not include any support for or facilitation of livelihoods. This means people often leave settlements relatively quickly because of the lack of income-generating activities.²⁹¹

²⁸⁵ *Abrar/Azad* (note 35), 107.

²⁸⁶ Interview with *Shamsuddoha/Chowdhury* (note 5).

²⁸⁷ *Abrar/Azad* (note 35), 124–125.

²⁸⁸ *Ibid.*, 71.

²⁸⁹ *Ibid.*, 104–105, referring to Oxfam’s River Basin Program, CARE’s Flood Proofing Project, and RDRS’ (a local Bangladeshi NGO) Char Development Project. There is a rise in Islamic NGOs in some areas which promote religious values and run programs mainly for men. *Abrar* and *Azad* suggest that these well-funded NGOs could better assist communities by widening the focus of their programs.

²⁹⁰ *Ibid.*, 101. For example, destitute women may qualify for Vulnerable Group Feeding and Vulnerable Group Development cards (respectively receiving 30 kg and 10 kg of rice a month), but the number of applications for these far exceeds the number that can be allocated.

²⁹¹ *Ibid.*, 102, referring to the Guchcha Gram, Adarshya Gram, Asrayan and Abashon programmes.

C. Strengthening Protection under International Treaties

There have been various proposals for a new treaty to address the movement of people displaced by climate change, including through a protocol to the 1951 Refugee Convention, the UN Framework Convention on Climate Change (UNFCCC),²⁹² or a stand-alone treaty.²⁹³ Although the details vary, the idea is to provide so-called “climate refugees” with international protection, including a legal status and resettlement/integration solutions. By recognizing a duty to assist, a treaty could help to encourage international cooperation on sharing the responsibility for displaced people, and may facilitate the establishment of institutional mandates (such as by creating a lead UN agency or focal point).

Some States already have domestic laws that could potentially protect people displaced by climate change. For example, Swedish and Finnish legislation extends protection to people who are unable to return to their country of origin because of an “environmental disaster.”²⁹⁴ Though it is also uncertain whether such provisions would extend to people displaced by climate change, since the Swedish law, for instance, was only intended to cover people fleeing from specific environmental disasters such as Chernobyl, they provide a foundation for making that argument.

However, there are a number of shortcomings to creating a new treaty.²⁹⁵ First, as discussed above, it is difficult to isolate climate change from other factors as the main

²⁹² United Nations Framework Convention on Climate Change, 9 May 1992, UNTS 107, 1771.

²⁹³ *Frank Biermann/Ingrid Boas*, Preparing for a Warmer World: Towards a Global Governance System to Protect Climate Refugees (2007); *Angela Williams*, Turning the Tide: Recognizing Climate Change Refugees in International Law, *Law and Policy* 30 (2008), 502; Draft Convention on the International Status of Environmentally-Displaced Persons (elaborated by the Interdisciplinary Center of Research on Environmental, Planning and Urban Law (CRIDEAU) and the Center of Research on Persons' Rights (CRDP), Faculty of Law and Economic Science, University of Limoges), *Revue Européenne de Droit de l'Environnement* 4 (2008), 375; *Bonnie Docherty/Tyler Giannini*, Confronting a Rising Tide: A Proposal for a Convention on Climate Change Refugees, *Harvard Environmental Law Review* 33 (2009), 349, 350, 373; *David Hodgkinson et al.*, A Convention for Persons Displaced by Climate Change, available at: <http://www.ccdpconvention.com/> (accessed on 7 December 2009); Equity BD (note 5); Interview with *Khan* (note 32).

²⁹⁴ Chapter 4, Section 2 (3) Swedish Aliens Act, 29 September 2005, Swedish Code of Statutes (2005:716); Sections 88 (residence permits) and 109 (temporary protection) Finnish Aliens Act 301/2004, 1 May 2004, Statute Book of Finland 301/2004. See also analysis of the Swiss asylum law in *Kälén* (note 24), 100.

²⁹⁵ See further *Jane McAdam*, ‘Disappearing States,’ Statelessness and the Boundaries of International Law, in: *McAdam* (note 4), 105.

cause of movement, which may create problems in defining the legal scope/application of the instrument, and ensuring that those intended to be covered by it actually are. This necessarily frustrates the understandable desire by some in Bangladesh to hold developed countries responsible for climate change by imposing treaty obligations on them to provide displacement solutions.²⁹⁶

Secondly, it would privilege those displaced by climate change over other forced migrants (such as those escaping poverty), perhaps without an adequate (legal and/or moral) rationale as to why.²⁹⁷ Thirdly, it may be premised on a model of individual status determination, which is unsuited to mass displacement scenarios and may impose a high threshold on applicants in terms of linking displacement to climate change. Fourthly, defining “climate refugees” may harden the category and exclude some people from much-needed assistance.

Fifthly, there would seem to be little political appetite for a new international agreement. As one Bangladeshi analyst pessimistically observed, “this is a globe for a rich man.”²⁹⁸ IOM in Bangladesh is not optimistic about the immediate prospects of a treaty, and has observed that IPCC predictions of many millions of displaced Bangladeshis appear to be driving claims for a treaty – rather than an appreciation of the reality that such movements are likely to be internal, gradual and not necessarily suited to an international treaty response.²⁹⁹ Finally, a treaty could dilute existing, hard-won refugee protection and encourage general migration, abusive claims and people smuggling.

A particular challenge for any new treaty is adequately accounting for slow-onset movements brought about by gradual environmental deterioration, as opposed to flight from sudden disasters. The refugee paradigm, which premises protection needs on imminent danger, does not capture the need for safety from longer-term processes of climate change which may ultimately render a person’s home uninhabitable. Despite this, within Bangladesh the NGO network Equity BD is lobbying for an

²⁹⁶ Interview with *Kamal* (note 26).

²⁹⁷ For criticism of this approach, see *Betts/Kaytaz* (note 25); *Alexander Betts*, Towards a ‘Soft Law’ Framework for the Protection of Vulnerable Irregular Migrants, *International Journal of Refugee Law* 22 (2010), 209.

²⁹⁸ Interview with *Uddin* (note 27).

²⁹⁹ Interview with *Fatima* and *Wadud* (note 102).

international instrument for “climate change induced forced migrants.”³⁰⁰ It proposes a Protocol to the UNFCCC to ensure the economic, social and cultural rights of such people through the creation of a new status called the “Universal Natural Person.”

One of the problems with Equity BD’s proposal is its failure to identify how this mechanism would work, and precisely what its objectives and substance would be. The proposal seems to suggest that States *generally* should recognize this new status, without explaining how such recognition would translate into protection of people’s rights, both as a matter of law and practice. In this sense, there seems to be a lack of understanding about how international law operates and the territorial and jurisdictional limitations on State responsibility. Further, in our interview with members of Equity BD, they were unable to reconcile their call for an *international* instrument with the empirical evidence (which they acknowledged) that suggests movement in Bangladesh will be predominantly internal.

While lobbying for such an instrument may help to generate attention and place climate change-related movement on the international agenda, it is imperative that advocacy is well-informed. If analysis is not rigorous and supported by empirical evidence, then it will not achieve its ends and could ultimately backfire.³⁰¹ There is also a danger that, however well-intentioned, instruments may be created that are ill-fitting and which do not adequately address the nature or location of most movement.

D. Temporary Protection Responses

A number of countries have mechanisms for providing temporary protection to people displaced by sudden disasters. The scope of the protection is set out in law, but often, as in the case of the European Union and the United States, an executive decision is required before the protection can be accessed.³⁰²

³⁰⁰ See Equity BD (note 5). See also statement of *Muhammad Ali Sorcar* (representative of Bangladesh), Security Council, UN Doc. SC/9000 (2007).

³⁰¹ For example, there is some discussion that the “sinking” of the Carteret Islands is not being caused by sea-level rise attributable to climate change, but rather to subsidence, *John Campbell*, Climate-Induced Community Relocation in the Pacific: The Meaning and Importance of Land, in: McAdam (note 4), 68.

³⁰² By the Council of the European Union and the Secretary of Homeland Security respectively.

The EC Temporary Protection Directive was designed as an exceptional mechanism³⁰³ to respond to mass influx on account of armed conflict, endemic violence or generalized human rights violations.³⁰⁴ It could potentially be activated to respond to a sudden influx of people on account of environmental or climate change impacts, since Article 2 (c), which sets out the Directive's scope of application, does not exhaustively define it.³⁰⁵ It is doubtful, however, that the EU would ever be faced by a "mass influx" from Bangladesh sufficient to overwhelm the regular asylum processing procedures and warrant the exceptional grant of temporary protection on a *prima facie* basis.

In the United States, temporary protection is available to certain foreigners who were already in the United States when:

- (i) there has been an earthquake, flood, drought, epidemic, or other environmental disaster in the [home] State resulting in a substantial, but temporary, disruption of living conditions in the area affected,
- (ii) the foreign State is unable, temporarily, to handle adequately the return to the state of aliens who are nationals of the state, and
- (iii) the foreign State officially has requested designation under this subparagraph.³⁰⁶

The protection is not automatic: The Secretary of Homeland Security must first "designate" a country before its nationals are eligible. It operates as a temporary bar to deportation once a person's visa expires, and enables the beneficiary to work.³⁰⁷

³⁰³ Art. 2 (a) EC Directive 2001/55/EC of 20 July 2001, OJ 2001 L 212, 12 (Temporary Protection Directive).

³⁰⁴ Art. 2 (c) Temporary Protection Directive.

³⁰⁵ *Vikram Kolmannskog/Finn Myrstad*, *Environmental Displacement in European Asylum Law*, *European Journal of Migration and Law* 11 (2009), 313, 316 *et seq.*; UK Home Office, *UK Plans in Place to Protect Victims of Humanitarian Disasters*, Press Release, 20 December 2004 (referring to natural disasters); *Kälin* (note 24), 81.

³⁰⁶ Immigration and Nationality Act, 8 U.S.C. 1254a § 244.

³⁰⁷ US Citizenship and Immigration Services, *Temporary Protected Status-Haiti*, last updated 1 February 2010, available at: <http://www.uscis.gov/portal/site/uscis/menuitem.eb1d4c2a3e5b9ac89243c6a7543f6d1a/?vgnnextchannel=e54e60f64f336210VgnVCM100000082ca60aRCRD&vgnnextoid=e54e60f64f336210VgnVCM100000082ca60aRCRD> (accessed on 1 March 2010). It has been reported that France, Canada and the Dominican Republic also eased their immigration rules in light of the earthquake, see *Michael B. Farrell*, *TPS: Haiti's Illegal Immigrants Given Temporary Protection in US*, 15 January 2010, available at: <http://www.csmonitor.com/USA/2010/0115/TPS-Haiti-s-illegal-immigrants-given-temporary-protection-in-US> (accessed on 16 February 2010).

As in the EU, protection in the US is time-limited. It is, by its very name, temporary. As discussed already, it is likely that some people fleeing the impacts of climate change will need permanent solutions (such as those displaced from small island States or by rising sea levels).³⁰⁸ Nonetheless, the creation of temporary protection schemes may be one way of eliciting initial international support for managing climate change-related displacement within a rights-based framework for protection and assistance, since it does not require States to resettle people permanently. An instrument modelled on the Guiding Principles could identify the specific needs of the displaced within the framework of States' existing international human rights obligations. This would also help to formalize long-standing *ad hoc* schemes of temporary protection.³⁰⁹

E. Encourage Global Labor Mobility and Lawful Migration Pathways

Managed international migration provides a safer and more secure mechanism for enabling people to move away from the effects of climate change, without artificially treating people as in need of international "protection" (from a persecutory or abusive State) in the traditional sense of refugee or human rights law. Managed migration pathways are also better suited to respond to slow-onset climate change impacts, which are unlikely to trigger existing (or future) temporary protection mechanisms designed for sudden disasters. A major reason why there are pressures on asylum systems in some industrialized countries is that avenues for "regular" economic or other independent migration are very restricted for poor people from developing countries.

A UNHCR official in Dhaka said that while climate change displacement and migrant labor are not presently conceptually linked in Bangladesh, "the more we advance in years we're going to see a greater linkage between the two."³¹⁰ IOM believes that "migration management" should be "one element of a holistic approach to addressing the human security implications of environmental events and processes, including

³⁰⁸ See *McAdam* (note 229).

³⁰⁹ See e.g. *Guy S. Goodwin-Gill, Non-Refoulement and the New Asylum Seekers*, Virginia Journal of International Law (Virginia JIL) 26 (1986), 897; *Deborah Perluss/Joan F. Hartman*, Temporary Refuge: Emergence of a Customary Norm, Virginia JIL 26 (1986), 551.

³¹⁰ Authors' interview with *Anonymous*, Dhaka, June 2010.

the consequences of climate change.³¹¹ One Bangladeshi official believed that bilateral migration agreements with countries such as Australia, New Zealand and Canada may be a way forward,³¹² even if a global “umbrella” agreement is also pursued.

There is already a large amount of international labor migration from Bangladesh to the Gulf States, Malaysia and North Africa, where some 5.5 million Bangladeshis work.³¹³ Kinship, friendship and community networks are very important, since earlier migrants often “act as conduits to channel later generations of movers to those destinations in an atmosphere of certainty.”³¹⁴ Not only do they provide assistance in terms of information about the market, but they also help with adjustment and settlement. This process is said to account for 60 per cent of labor migration from Bangladesh to Southeast Asia and the Middle East.³¹⁵ In 2009 alone, 475,000 Bangladeshis emigrated for work abroad and US\$ 10.7 billion was remitted to Bangladesh.³¹⁶

These emigrants are mainly in semi- and low-skilled jobs on temporary contracts which provide for little prospect of eventual integration. While they are not the most impoverished group within Bangladesh, they have very limited resources and choose migration as a livelihood strategy.³¹⁷ Overseas employment provides a way of possibly improving the economic condition and social status of the family, and in this regard, it may provide a short-term strategy to secure marriage or education opportunities.³¹⁸ It is therefore a livelihood diversification and risk management tool, although it is vulnerable to shocks in the global economy.³¹⁹ However, domestic migration laws and bilateral agreements generally entrench low-skilled work as a temporary option, with

³¹¹ IOM (note 3), 26. See also interview with *Chowdhury* (note 57), calling for more, regularized seasonal migration into India.

³¹² Interview with *Khan* (note 32).

³¹³ IOM (note 3), 30, referring to Bangladesh Economic Review 2008; *Syeda Rozana Rashid*, Migration for Livelihood: Social Protection Issues of Rural Bangladeshis, in: Abrar/Seeley (note 38), 161, 163.

³¹⁴ *Tasneem Siddiqui/Mohammad Jalal Uddin Sikder*, Rural to Urban Migration for Domestic Work in Bangladesh, in: Abrar/Seeley (note 38), 58.

³¹⁵ *Ibid.*, referring to Bureau of Manpower Employment and Training.

³¹⁶ See the website of the Bureau for Manpower, Employment and Training, available at: <http://www.bmet.org.bd> (accessed on 20 October 2010), cited in: IOM (note 3), 30.

³¹⁷ *Rashid* (note 313), 165 and citations there.

³¹⁸ *Ibid.*, 166.

³¹⁹ Interview with *Hossain* (note 28).

return to the home country compelled once the contract ends. Long-term migration is therefore only an option for people of a high economic status.

International migration is a central pillar of Bangladesh's long-term economic growth strategy and there are understandably objectives to strengthen it.³²⁰ Bangladesh acknowledges the importance of international migration in contributing significantly to GDP through remittances, and its "Climate Change Strategy and Action Plan" proposes some ways of enhancing this.³²¹ Bangladeshis returning home in the wake of the global financial crisis have also taken advantage of new economic opportunities, while there is scope for investment in public/private partnerships by non-resident Bangladeshis following the successful Indian model.³²²

Currently, however, legal protections are lacking in the bilateral agreements between Bangladesh and destination countries, and there is considerable exploitation of Bangladeshi migrant workers, including cases of violent mistreatment and human trafficking.³²³ Although migrant workers are protected by general human rights law, none of the destination countries mentioned above have ratified the Migrant Workers Convention which expressly protects the rights of migrant workers and their families.³²⁴ Bangladesh itself has not ratified this treaty either, which puts it in a weak bargaining position should it wish to lobby other countries on this issue.

Global labor migration does not provide a solution for everyone. It is unlikely to provide a mobility pathway for the poorest Bangladeshis affected by climate change. As one local NGO stated, "those who will be affected the most unfortunately are not the skilled, so for them, the ability to move beyond the national boundary would be very difficult."³²⁵ With Indian cooperation, there may some limited opportunities to expand seasonal labor migration into India for the poor. Such approaches could bring

³²⁰ IOM (note 3), 30, referring to Government of Bangladesh, Second National Strategy for Accelerated Poverty Reduction (2009, revised draft).

³²¹ Referred to in IOM (note 3), 8.

³²² Interview with *Chowdhury* (note 14).

³²³ See e.g. *Tasneem Siddiqui*, Introduction, in: *Tasneem Siddiqui* (ed.), *Migration and Development: Pro-Poor Policy Choice* (2005), 1, 6.

³²⁴ International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 18 December 1990 UNTS 2220,3 (entered into force 1 July 2003); see for the status of ratifications United Nations Treaty Series, available at: http://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&cmdtsg_no=IV-13&chapter=4&lang=en (accessed on 20 October 2010).

³²⁵ Interview with *Hasan* (note 23); see also interview with *Khan* (note 32).

benefits for India in meeting labor shortages, but also through reciprocal openings for Indian workers in Bangladesh: It is suggested, for instance, that Bangladesh faces a shortage of skilled nurses which could be filled by Indians.³²⁶ Greater cooperation towards a more mobile and flexible regional labor market could enhance prosperity in both countries. That cannot happen, however, until migration is depoliticized and can be discussed openly by both governments.

The poor may also benefit indirectly through remittances, however, which bring net wealth to the country, and as the better educated and financed people depart cities for overseas opportunities, so the capacity of urban centers to support internal migrants may gradually increase. This is why it is important to identify a range of responses to the impacts of climate change on Bangladesh.

In this way, “climate change migration” is likely to be an invisible phenomenon: those who do move abroad may not be directly affected by the impacts of climate change, but indirectly, as cities become overpopulated, resources become increasingly strained, and life becomes increasingly intolerable. As one person told us,³²⁷ this is not inappropriate: To relocate a poor farmer to a capital city in an industrialized country would not serve either well, yet to enhance migration options for the educated and well-resourced may in turn open up greater opportunities for those moving from rural to urban areas within Bangladesh. Despite the risks of a “brain drain” many of those we interviewed cited the very positive contribution that expatriates have had on Bangladesh’s economy, society and political life.

VI. Conclusion

A close study of climate change and displacement in Bangladesh illustrates the complexity of human movement, and the corresponding design of legal and policy responses to it. The causes of displacement are multi-dimensional and difficult to disaggregate. Climate change impacts affect movement in different ways depending on whether they are slow or rapid-onset processes, and the time projections are long in terms of policy making: 2050 is a common marker.

³²⁶ Interview with *Chowdhury* (note 57).

³²⁷ Interview with *Kamal* (note 26).

As IOM notes, considerable adaptation measures are feasible over such an extended time frame.

[W]hile narratives of mass displacement are understandable in highlighting the potential long-term risks of failing to curb CO₂ emissions globally, they should be approached with considerable caution as they risk undermining the case for investment and adaptation measures in vulnerable coastal regions to deal with very real existing vulnerabilities.³²⁸

At the same time, there has been an unfortunate tendency not to view migration itself as a legitimate adaptation strategy. As of October 2010, of the 38 National Adaptation Programmes of Action (NAPAs) submitted world-wide (including by Bangladesh), only seven mentioned migration or relocation as a possible adaptation or policy response.³²⁹

Given the above complexities, there cannot be a single legal or policy response to climate change-related movement, since a one-size-fits-all model cannot adequately respond to the diverse nature, and phases, of movement. A regime that views all movement as forced – requiring a protection-like response – or which perceives movement as “environmental displacement” (naturalizing what are deeply human causes) or as “economic migration” (a concept which connotes non-legitimate, “voluntary” cross-border movement, regardless of the highly marginal lives of those moving) will fail to address the reality of movement, which is rarely linear and may involve different motivations at different times.

The Bangladeshi government may have inadvertently placed itself in a tenuous position when it comes to lobbying for financial and practical assistance for climate change-related movement. By lauding its credentials as a world leader in disaster early warning responses and management, and simultaneously refusing to acknowledge that there is any unauthorized cross-border movement from Bangladesh to India, the

³²⁸ IOM (note 3), 18.

³²⁹ Bhutan, NAPA Priority Project No. 5, ‘Flood Protection of Downstream Industrial and Agricultural Area,’ 11, 14; Gambia, NAPA Priority Project 9, ‘Restoration/Protection of Coastal Environments,’ 23; Maldives, NAPA Priority Project No. 2, ‘Coastal Protection of Safer Islands to Reduce the Risk from Sea Induced Flooding and Predicted Sea Level Rise,’ 4; Sao Tomé and Príncipe, NAPA Priority Project No. 9, Infrastructure Project 1, ‘Relocation of Local community (Malanza, Sta Catarina and Sundy) at Risk of Floods and Landfalls,’ 18; Solomon Islands, NAPA Priority Project No. 2, ‘Climate Change Adaptation on Low-Lying and Artificially Built-Up Islands in Malaita and Temotu,’ 13; Tuvalu, NAPA Priority Project No. 6, ‘Strengthening Community Disaster Preparedness and Response Potential,’ 17; Uganda, NAPA Priority Project No. 4, ‘Community Water and Sanitation Project,’ 8. In most of these, the reference to relocation is very brief.

government may start to undermine the dire need for international assistance to prepare the country to respond to the accelerating and multiplying effect of climate change on existing environmental stressors.

At present, Bangladesh's approach to climate change policy (including adaptation) tends not to be situated within a rights-based framework focused on human dignity. There is a need to develop a suite of policies that focus on preventing displacement (through adaptation, education and support for livelihoods); assisting those who are displaced (particularly through the rights-based framework of the Guiding Principles); and viewing migration itself as an acceptable form of adaptation (including through planned, rights-respecting resettlement schemes involving the participation of affected communities).

In addition, Bangladesh, its neighbors and the international community should establish more bilateral and regional "economic" migration opportunities for Bangladeshis – without expending unnecessary energy pursuing a global "protection"-oriented treaty that would be ill-suited to the complexity of the movements involved. Such policies would also go far in addressing the genuine human security problems arising from climate change-related displacement in Bangladesh, particularly social tensions over scarce resources, problems of urbanization, cross-border sensitivities about irregular migration, and the (albeit limited) potential for radicalization.

