

ENVIRONMENTAL REFUGEES

LEE A CHANGING PLANET

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THE REALITY THAT THE WORLD'S CLIMATE AND ENVIRONMENT is changing due to harmful human activities is a widely accepted scientific fact. As the Intergovernmental Panel on Climate Change (IPCC) stated in 2007 "most of the observed increase in globally averaged temperatures since the mid-20th century is *very likely* due to the observed increase in anthropogenic greenhouse gas concentrations, which has *very likely*... contributed to a rise in mean sea level¹." However, even though it is certain that global warming over the past 50 years can be attributed to human activity, and that certain countries are more culpable than others, it is hard to establish legal causation making the question of what to do with environmental refugees a difficult one. The current definition for refugees as is expressed in the Refugee Convention sees refugees as, "people outside of their own country because of a well-founded fear of persecution on account of their race, religion, nationality, membership of a social group or political opinion, and where there is a failure of state protection in the country of origin or habitual residence²."

This definition reflects its post World War II context, seeing as it only covers those peoples who have fled or been forcefully exiled from their countries to other states. The definitional requirement of exile poses a huge problem for environmental refugees many of whom are 'internally displaced people' (IDPs). While the Office of the UN High Commissioner for Refugees (UNHCR) is the main agency in charge of IDPs it only covers those that are forced to move because of violent conflict. One only needs to look at the case of Darfur to see how the lack of attention given to environmental refugees can lead to greater conflict. As UN Secretary-General Bai Ki Moon said, "the situation in Darfur began as an ecological crisis, arising at least in part from climate change³," with food shortages and drought leading to population movement and subsequent conflict. Had the UNHCR had the mandate to deal

with environmental refugees at an earlier stage perhaps conflict could have been avoided.

A second problem with the current refugee label is that it requires a certain level of persecution. Even though storms, droughts, and landslides are harmful to humans they are not persecuting individuals per se. Closely linked to this is the third hurdle which is the fact that even if it was possible to establish legal causation of Mother Nature persecuting people it has to be on the account of a certain characteristic whether it be an individual's race, religion, nationality, membership of a particular social group or political opinion⁴. Climate change and its effects on groups of people is cruelly indiscriminate, affecting people from all backgrounds with no discretion.

However, just because there is no formal legal recognition of environmental refugees does not mean that they do not exist. For Brian Gorlick, a senior policy advisor in the New York office of the UNHCR, environmentally displaced people cannot be ignored. They are defined by him as groups of

people "who are displaced from or who feel obliged to leave their usual place of residence, because their lives, livelihoods and welfare have been placed at serious risk as a result of adverse environmental, ecological or climatic processes and events⁵." When the statistics are examined their situation is quite alarming. Worldwide, approximately 188 million people were adversely affected by natural disasters in the 1990s, six times more than the 31 million whom where directly or indirectly affected by war⁶. The UNHCR reports that there were 2.4 million refugees globally in 1975. This figure rose to ten times that over following decades with a high of 27.4 million global refugees in 1995 dipping to a still alarming 19.2 million refugees in 2005⁷. And while these are only the numbers for political refugees if one compounds this with the forecasted trends for environmental refugees the picture painted is a frightening one. The Tokyo based United Nations University recently reported that there will be up to 50 million more environmental refugees globally by the end of this decade

OVERVIEW

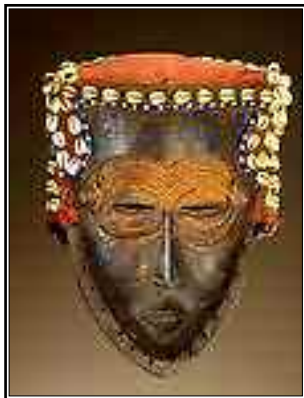
" Knowledge is little; to know the right context is much, to know the right spot is everything. "

JOSEPH JOUBERT

because of rising sea levels, desertification, dried up aquifers, weather-induced flooding and other serious environmental changes⁸. A study by Oxford academic Norman Myers predicts that by 2050 up to 150 million people will be displaced due to global warming with 73 million being displaced in China, 26 million in Bangladesh, and some 20 million in India⁹.

Yet, despite this alarming picture, not much is being done. Because of this many of the worlds' indigenous people, who are already marginalized and disproportionately face the adverse effects of climate change, have voiced their frustrations. In March 2007 the Inuit people of the Arctic regions of the US and Canada sought a declaration

from the Inter-American Commission on Human Rights holding the US responsible for "irreparable changes to their



environment¹⁰." In a 200 page document the representatives of the Inuit peoples outlined how animals that they relied on were disappearing, thawing permafrost was leading to landslides, travel was becoming increasingly difficult because of unpredictable weather, and how traditional knowledge was becoming unreliable in the warmer temperatures¹¹. All of these climate changes make the forced movement of the Inuit a very real scenario for the future. For other groups of indigenous peoples the inevitability of moving has already come upon them with the inhabitants of Papua New Guinea's Carteret Islands having already begun the process of moving to the mainland. The reason for the move is because rising sea levels have made their traditional homeland uninhabitable, with saltwater contamination, severe storms and overall ecosystem destruction occurring. Apart from these facts such a move is necessary since the islands are expected to be completely submerged by the year 2015¹². While the Carteret Islanders are seen as the world's first environmental refugees Hurricane Katrina, which hit the south-eastern coastal states of the US in August 2005 causing over 1,000 deaths, displaced over one million people, and cost an estimated US\$125 billion in damage provides another example¹³. And as pointed out before Mother Nature does not discriminate, the plight of environmental refugees is as much an issue for the wealthiest country in the world as it is for those living on the tiny Carteret Islands.

How can this all be dealt with? Many raise this question, and the usual answer is to rely on the UN system to combat

the problem. As UN Under-Secretary-General Anwaral Karim Chowdhury says, "I believe it is high time that the United Nations take the lead in addressing this matter that threatens to affect the lives of so many, particularly those living in the coastal areas in the least developed countries (LDCs) and small island developing states (SIDS)¹⁴." Being the UN High Representative for LDCs, Landlocked Developing Countries and SIDS Chowdhury says that the UN is ready and willing to take on a bigger role in assisting environmental refugees since they recognize the large scale of the problem. He goes on to state "we [the UN] need to prepare ahead of time to know what kind of support they [environmental refugees] would need, and what could be offered¹⁵."

As a region the Asia-Pacific faces a great deal of changes due to global warming. Australia's Commonwealth Scientific and Industrial Research Organization (CSIRO) conducted a recent study which forecasted temperature increases throughout the region of 0.5°C to 2°C by 2030 and up to 7°C by 2070, this linked with the subsequent rise in sea levels they expect some 2.3 million environmental



refugees in the near future. Many of these environmental refugees will come

from the numerous low-lying atoll countries in the Pacific such as Kiribati (population 94,000), the Marshall Islands (population 58,000), Tuvalu (population 9,000), and Tokelau (population 2,000)¹⁷. The nation of Kiribati, a grouping of 33 coral atolls, presents an interesting case for the entire environmental refugee problem since they, unlike Tokelau and Tuvalu who have negotiated rights to enter New Zealand, and the Marshallese who can settle in the US, have no such agreement. The Kiribati people also eschew the label of refugee. This is due to the fact that not only does refugee have tied to it the implication of an eventual return (which cannot happen with a submerged nation), but it also carries with it a negative connotation of a group of people that are unwanted by any state. As Kiribati President Anote Tong said recently, "We like to move with dignity. We like to come to our new countries with dignity and this is our way of doing it. We would come as skilled, professional, needed people with a contribution to make¹⁸." By

flipping the refugee label on its head, President Tong hopes that by showing his population as a potentially useful resource neighbouring Australia will be enticed into letting Kiribati nationals in.

In order to break into so called “Fortress Australia” (labeled because of its harsh immigration policies) President Tong made a tour of the country in June 2008 meeting with Prime Minister Kevin Rudd, and Climate Change Minister Penny Wong to discuss the future fate of his nation¹⁹. As President Tong stated “it’s a humbling prospect when a nation has to begin talking about its own demise²⁰”, yet that is the reality that Kiribati faces. Tong goes on to reiterate the fact that “it is important that if our people were to relocate, they should do so as trained, skilled people rather than people coming here and adding to the problems, their own problems and to the national problems²¹.” Australia, however, for the moment remains reluctant to agree to a full-fledged reassignment plan with Kiribati. What the Australian government has agreed to is a US\$150 million program to help Kiribati along with other Pacific islands cope with climate change. Yet, with the prospects of islands being wiped off the map this is not seen as a big enough gesture. As a report titled *Australia Responds: Helping Our Neighbours Fight Climate Change* states, Australia having one of the highest rates of greenhouse gas emissions per capita in the world “makes a disproportionate contribution to climate change and has a moral obligation to take action²².” Viewed in this light Australia should do more to help its neighbours in their time of need. And especially as nation of migrants, having accepted numerous waves of people from many different countries in the past, the new additions will only add to Australia’s multicultural society.

The issue of environmental refugees is one that will only become more pressing as time goes on. Climate change and global warming will displace millions of people worldwide and more needs to be done to ensure that such movements do not lead to conflict. While currently ignored by the international legal framework, the issue of environmental refugees has been noted by the UN who seeks to do more on their part to assist such peoples. Taking matters in to their own hands the nation of Kiribati seeks to rebrand themselves, shaking off the helpless and hopeless label of refugee in favour of being seen as skilled peoples who will benefit the country that they resettle in. Hopefully Australia will recognize this fact and the future of the people of Kiribati will be safeguarded.



“Convention Relating to the Status of Refugees.” Accessible on: http://www.unhcr.ch/html/menu3/b/o_c_ref.htm

³ BAN KI MOON, 16 June 2007, “A Climate Culprit in Darfur,” *The Washington Post*, A15.

⁴ MCADAM, JANE, *op. cit.* p. 5.

⁵ DEEN, THALIF, 2007, “U.N. Braces for New Breed of Environmental Refugees,” *World Institute for Asian Studies* 7(1), p. 2.

⁶ FURNASS, BRYAN, 2007. “Climate Change and Environmental Refugees,” a discussion paper for Doctor for the Environment Australia, p. 2. Accessible on: <http://www.dea.org.au/node/159>

⁷ *Ibid.* p. 3.

⁸ DEEN, THALIF, *op. cit.* p. 3.

⁹ FURNASS, BRYAN, *op. cit.* p. 3.

¹⁰ Petition to the Inter-American Commission in Human Rights Seeking Relief from Violations resulting from Global Warming caused by Arctic Omissions of the United States. 7 December 2005. Accessible on: http://www.earthjustice.org/library/legal_docs/petition-to-the-inter-american-comission-on-human-rights-on-behlaof-the-inuit-circumpolar-conference.pdf

¹¹ MCADAM, JANE, *op. cit.* p. 3.

¹² *Ibid.*

¹³ FURNASS, BRYAN, *op. cit.* p. 2.

¹⁴ DEEN, THALIF, *op. cit.* p. 1.

¹⁵ *Ibid.*

¹⁶ BARTSCH, PHIL, 9 October 2006, “Pacific Exodus Likely,” featured on Climate IMC International. Accessible on: <http://www.climateimc.org/en/announcements/2006/10/09/pacific-exodus-likely-australia-should-take-environmental-refugees>.

¹⁷ FURNASS, BRYAN, *op. cit.* p. 2.

¹⁸ *LIVE NEWS*, 20 June 2008, “Rudd talks climate change with Kiribati.” Accessible on: http://www.livenews.com.au/Articles/2008/06/20/Rudd_talks_climate_change_with_Kiribati.

¹⁹ *Ibid.*

²⁰ *THE NEW ZEALAND HERALD*, 6 June 2008, “Doomed Kiribati needs escape plan.” Accessible on:

http://www.nzherald.co.nz/section/1/story.cfm?c_id=1&objectid=10514735

²¹ *Ibid.*

²² BARTSCH, PHIL, *op. cit.*



¹ MCADAM, JANE, 24 October 2007, “Climate Change ‘Refugees’ and International Law,” for the NSW Bar Association, p. 2.

² Office of the High Commissioner for Human Rights. 28 July 1951.