

### Towards recognition and protection of forced environmental migrants in the public international law: Refugee or IDPs umbrella?

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**Towards recognition and protection of forced environmental migrants in the public international law. Refugee or IDPs umbrella?<sup>1</sup>**

*Theoretical considerations: classifying environmentally induced forced displacement*

Given the nature of the displacement processes observed recently, it seems reasonable to distinguish three types of forced internal displacement. These include:

**1. Conflict-induced displacement** (usually resulting from the dynamics of internal armed conflicts and long-term discrimination). We can call these internally displaced people (IDPs) either “conflict-induced displaced persons” or “conflict-induced internally displaced people”. People displaced due to political conflicts are also called “persons displaced by conflicts”, “politically displaced persons”, “internal refugees”, “political refugees”, “internally displaced persons” (only in a political context). The internal displacement is also rooted in ethnic, religious, national and racial discrimination.

**2. Environmentally-induced displacement** (following a permanent, interim, or sudden change in environmental conditions relevant for human functioning). We can call these displaced people: “environmentally-induced displaced people”, “environmental refugees”, “environmental displacees”, “environmentally-induced displaced persons” (EDPs), “environmentally-displaced populations”, “environmentally-induced migrants”, or “environmental forced migrants”. To people who may be at risk specifically as a result of climate change we can use the terms: “climate refugees”, “climate change refugees”, “climate migrants”, “climate affected migrants”, “climate induced migrants”, “climigrants”, “eco-migrants” and “eco-refugees”. People forced to migrate as a result of natural disasters (hurricanes, tornadoes, tsunamis, earthquakes, and volcanic eruptions) are more often being referred to as “disaster displaced persons”. (The term “migrants” is commonly used to refer to all categories of participants in migrant flows, the term “refugee” is a legal construct applied to the people benefiting from the provisions of the Geneva Convention of 1951). Environmental-forced migrants can therefore be analyzed on the basis of three conceptual categories: as forced internal migrants, specific category of ‘refugees’ and finally as displaced people.

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<sup>1</sup> Parts of this paper were presented at the Policy Studies Organization (PSO) Summit 2011 (Dupont Summit), "Science, Technology & Environmental Policy: Pressing Issues, Little Time", Washington D.C., December 18, 2011.

**3. Development-Induced Displacement** (undertaken after the implementation of large investments, such as dams, manufactured lakes, irrigation projects, the construction of roads and railways, the development of raw materials, urban expansion, agriculture, deforestation and even the creation of national parks). The fundamental motivation behind a change of residence is not – in this case – a specific environmental factor (for example, soil desertification or drought), but instead stems from an industrialization process of sustainable human interference with the environment. At least ten million people a year will be forced to relocate following the implementation of large investments (especially the construction of dams and reservoirs, or network communications links). While DIDR occurs all over the world, two countries – China and India – are particularly responsible for a large part of such resettlements. According to cautious estimates, over the past two decades at least 220 million people were resettled as a result of large investments. Nowadays development-induced displacement and resettlement (DIDR) constitutes the largest category of internal displacement. People affected by these processes are called “development-induced displaced persons” (DIDPs), “development displaced persons”, “persons displaced by development projects”, or “development-induced migrants”. Sometimes it seems hard to distinguish between environmentally displaced persons and development-induced displaced persons. We encounter these problems especially when a major factor in change of residence refers to the environmental consequences of major water investments (for example, degradation of the ecosystem around a dam), rather than to the direct order to move.

Eventually there appear to be three completely separable forms of internal displacement. Environmentally-induced displacement does not constitute a coherent category of research. In order to perform well-founded investigation into the nature and degree of stability of environmental processes that affect human beings, we shall divide environmentally-caused population movements into four subcategories: three categories of forced displacement and one category of voluntary migration.

**1. Displacement that results from irreversible or long-term changes in the surrounding ecosystem.** These include persistent desertification, land degradation, coastal erosion, increasing salinity of soils and rising sea levels.

The most common causes of these migration categories are: a) land degradation, inappropriate agricultural practices, b) the desertification of soil, c) consequences of deforestation, c) the increasing level of salinity of water bodies and soil, d) sustained increase in temperature in certain territories (which prevents the maintenance of

agriculture), e) rising sea levels, f) coastal erosion, g) the irreversible consequences of major natural disasters like volcanic eruptions or wildfires, h) the irreversible effects of environmental contamination by radioactive materials, and i) the consequences of land degradation by other chemicals (e.g. oil spills).

- 2. Displacement that results from cyclical environmental factors that hinder normal human function in a particular territory.** These include, for example, periodic droughts and the drying up of rivers on the African continent, or various popular Asian migrations in the monsoon seasons.

The most common causes of this migration category consist of: a) periodic droughts and related threat of famine (for example, some African rivers dry out in the summer), b) migration in the Asian monsoon season, c) although less frequent, periodic migrations caused by the threat of forest fire (e.g. in Australia), and d) the historically cyclical migrations of people from flood areas (e.g. in Ancient Egypt).

- 3. Migration caused by natural disasters or man-made catastrophes.** This may involve both short-term evacuations from an area of imminent danger as well as long-term or permanent changes of residence (for example, as a result of devastation of homes by a flood, tsunami, earthquake, volcanic eruption, forest fire, storm, chemical contamination, industrial accidents, etc.).

The most common causes of these migrations include: short-term, chronic, or permanent movements in connection with a) flood, b) wildfire or bushfire, c) volcanic eruption, d) earthquake, e) tsunami, f) hurricanes, tornadoes, cyclones, storms etc., g) other atmospheric phenomena, h) the effects of long-term rainfall (for example, landslides and mudslides), i) (hypothetically) the disastrous consequences of heat or great frost, j) the consequences of man-made disasters: industrial accidents and chemical contamination.

- 4. Environmentally conditioned migration of a totally voluntary nature.** This can be short-term (tourism), cyclical (for example, spending the summer season in the temperate climate and the winters in the tropical climate), or permanent. For instance, such decisions are made by persons wishing to move to another place for a particular time of year.

In conclusion, we can speak of three types of environmental displacement and one voluntary

category of internal human mobility conditioned by environmental factors.

Research on the environmental context of human mobility was undertaken for the first time in the field of geography and history. As Ernst Georg Ravenstein (1835-1913), father of the contemporary migration studies stated, “bad or oppressive laws, heavy taxation, and unattractive climate, all have produced and are still producing the currents of migration”. One can mention the theory of environmental determinism, particularly popular in the early 20th century. Of particular importance here is the work of two American geographers: Ellen Churchill Semple (1863-1934) and Ellsworth Huntington (1876-1947). Natural disasters, most notably the Dust Bowl in the thirties as well as more general environmental reflections (see *Road to Survival*, a 1949 book by W. Vogt) inspired researchers to look into the problems regarding the relationship between environment and migration.

The earliest extensive scientific studies on the issue of environment-related displacement can be found in the mid-eighties of the twentieth century. Nevertheless, methodological and conceptual consensus has never been reached. Main problems concern the operations of defining and naming. Many terms elaborated in the past describing people forced to leave their homes for environmental reasons remain in use until today. I will discuss below the terms most frequently used to circumscribe a person who changes his or her place of residence due to environmental causes.

- 1. Environmental migrants.** The term “environmental migrant” appeared for the first time in 1992 in the report of the IOM and RPG. The definition adopted by the organization in 2008 characterizes them as: “persons or groups of persons who, for reasons of sudden or progressive changes in the environment that adversely affect their lives or living conditions, are obliged to have to leave their habitual homes, or choose to do so, either temporarily or permanently, and who move either within their territory or abroad”.<sup>2</sup> Nowadays the IOM proposes to use other notions (e.g. ‘forced climate migrants’) as an alternative to “environmental refugees”. The concept of ‘environmental refugee’ is highly contested by the IOM because of its excessively maximalistic form, since it demands too much in legal categories. In fact the terms like “environmental/climate refugee” suggest monocausality of displacement factors, which, for many reasons, is not the whole truth.

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<sup>2</sup> See “Environmentally induced migration and displacement: a 21<sup>st</sup> century challenge”, Council of Europe, 23<sup>rd</sup> December 2008.

The UNU-EHS proposed a new terminology, based on a combination of the two categories: triggers and responses. According to Renaud et al. (2008) we can distinguish three basic categories of environmental migrants:

- *Environmental emergency migrants* are people displaced due to sudden events, especially disasters. They flee to save their lives due to the worst kinds of threats, mostly disasters. The most common causes of such displacements are: floods, hurricanes, tsunami waves, earthquakes, volcanic eruptions, etc.
- *Environmentally forced migrants* are people who have to abandon their homes in connection with worsening environmental conditions. They are forced to leave because of gradual and often irreversible degradation of environment, with only limited opportunity to return to their homes. The causes of such displacements include: droughts, coastal deterioration, deforestation, etc.
- *Environmentally motivated migrants* are people who decide to migrate from deteriorating area anticipating the negative environmental changes in the future. They may leave to pre-empt the possible environmental worsening of the situation in their residence and its surroundings. For example, it occurs when someone resolves to depart due to environmentally-connected decline in agricultural production yielding economic difficulties<sup>3</sup>.

The term “environmental migrant” still remains in common use in scientific literature and public discourse. As Andrew Morton, Philippe Boncour, and Frank Laczko pointed out, we can define environmental migrants as: „those individuals, communities, and societies who choose, or are forced, to migrate as a result of damaging environmental and climatic factors. This broad and diverse group ranges from people forced to flee disasters demand for resources in excess of available supply, can lead to chronic poverty and hunger, high levels of communicable diseases, conflict and adaptation, or to coping strategies that include temporary or permanent migration”<sup>4</sup>.

According to Graeme Hugo, environmental migrants are “people who migrate because of the disruption (by natural or anthropogenic force) of environment at the place of their usual habitat”<sup>5</sup>. This definition seems to indicate one of the best

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<sup>3</sup> F. Renaud et al., “Deciphering the Importance of Environmental Factors in Human Migration. In: Environment”, *Forced Migration and Social Vulnerability Conference*, UNU-EHS. Bonn, Germany, 2008.

<sup>4</sup> A. Morton, P. Boncour, F. Laczko, „Human security policy challenges”, *Forced Migration Review*, vol. 31, pp. 5-7.

<sup>5</sup> G. Hugo, “Environmental Concerns of International Migration”, *International Migration Review*, vol. 30, no. 1, Spring 1996, p.105-131, see also K. Kavanova, “Qualitative Research Methods in Environmental Migration Research in the

theoretical approaches toward environmental migration.

The term “environmental migrants” (“forced environmental migrants”) is also used by Katarina Sramkova, the author of recently published and extremely valuable book *Involuntary Environmental Migrants. Unprotected*<sup>6</sup>. In her opinion, the ongoing environmental processes require far-reaching reconceptualization of the notion of refugees. She suggests to supplement the international convention on the status of refugees with additional protocols, taking account of the problems of environmental forced migrants.

In an article “Ecomigration: Linkages Between Environmental Change and Migration”<sup>7</sup>, its author W.B. Wood argues for use of the term ‘ecomigrants’. Examining the problem solely in terms of refugeeism narrows the perspective down and consequently reduces the number of possibilities in creating classifications, conducting analyses and lastly doing research. There is also too much prevalence of the legal and policy-oriented perspectives. In his opinion, the term ‘ecomigrants’ is not limited to those forced to migrate due to the direct impact of environmental hazards and the risks caused by it, but should also be appropriate and applicable to the communities, which may be at risk of potential environmental disruptions. According to the author the term emphasizes the extended interaction between ecological and economic context of population mobility and its far-reaching social implications: leaving the place of current residence (the prefix ‘eco-‘ derives from the ancient Greek word “oikos”, which means ‘household’, ‘home’, or ‘family’).

However several authors apply the term “environmental migrants” only to persons changing their place of residence in a voluntary manner. For Olivia Dun, François Gemenne and Robert Stojanov environmental migrants “are people who chose to move voluntarily from their usual place of residence primarily due to environmental concerns or reasons.”<sup>8</sup>

## **2. Climate migrants (climate refugees, climate exiles).** Due to climatic reasons,

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Example of Belarusian Environmental Migrants”, <http://www.ehs.unu.edu/file/get/3811>.

<sup>6</sup> K. Sramkova, *Involuntary Environmental Migrants. Unprotected*, Lambert Academic Publishing, 2010.

<sup>7</sup> W. B. Wood, “Ecomigration: Linkages Between Environmental Change and Migration”. In A.R. Zolberg, P.M. Benda (eds.), *Global Migrants, Global Refugees: Problems and Solutions*, Berghahn Books, 2001, p. 43-45.

<sup>8</sup> O. Dun, F. Gemenne, R. Stojanov, *Environmentally displaced persons: Working Definitions for the EACH-FOR project*, paper presented at the International Conference on Migration and Development in Ostrava, Czech Republic on 5 September 2007.

rooted in many contemporary migratory movements, the term “climate refugees” is relatively frequently used. For obvious reasons, this category is definitely narrower than the term “environmental migrants”.

The Global Governance Project defines climate refugees as “people who have to leave their habitats, immediately or in the near future, because of sudden or gradual alterations in their natural environment related to at least one of three impacts of climate change: sea-level rise, extreme weather events, and drought and water scarcity”.<sup>9</sup> According to the definition from the *Global Encyclopaedia of Political Geography*, a climate refugee is “a person dislocated by climatic change induced environmental disasters. Such disasters are evidence of human-influenced ecological change and disruption to Earth’s climatic system, primarily through the emissions of greenhouse gases”.<sup>10</sup> The term “climate refugees” does not seem the same as the term “environmental refugees”, most frequently used in scientific publications. (The term “climate refugees” is, in my opinion, a more detailed category than “environmental refugees”).

Oli Brown, the author of 2008 IOM publication entitled *Migration and Climate Change* uses the term “forced climate migrants”. Though he does not seek to define in a exhaustive way this phenomenon. In his view, the problem requires a far broader normative conceptualization, especially in the context of international refugee protection. Equally important are the practical measures at the national level. State authorities should seek to minimize the problems associated with deteriorating environmental conditions: poverty, health risks, marginalization and lack of access to basic resources.

The impact of climate change on the dynamics of migration processes is a controversial issue. According to many experts there is currently no clear evidence of climate processes such as sustained increase in sea level. Research on global warming leads to more and more doubts and antagonisms. Studies of this kind are most often deeply politicized. Furthermore what is worth mentioning is that the climate change processes are only a part of a broader environmental context, rather than vice versa. These caveats were clearly illustrated by Kanti Bimal Paul, author of recently published book *Environmental Hazards and Disasters: Contexts,*

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<sup>9</sup> “Global Governance Project”: <http://www.glogov.org/>.

<sup>10</sup> M.A. Chaudhary, G. Chaudhary (eds.), *Global Encyclopaedia of Political Geography*, 2009, p. 43.



*Perspectives and Management*. In his view, “climate migrant is a subcategory of environmental migrant and sea level rise migrant is a subcategory of climate migrant”<sup>11</sup>.

As Frank Laczko and Christine Aghazarm noted:

‘Natural disasters’ can be seen as a subcategory of ‘environmental disasters’, which have been classified by theorists in different ways, according to their cause and temporal nature. The causes of displacement are difficult to disentangle, given the political, economic, demographic and environmental factors at play<sup>12</sup>.

As Elizabeth Ferris added, climate conditioned migrations or displacements are usually permanent in nature. People forced to flee as a result of rising sea levels will not have a chance to get back home. In extreme cases, climate exile is – like development-induced displacement and resettlement – the most severe and irreversible category of forced migrations<sup>13</sup>.

- 3. Environmental refugees.** The term was first coined in 1976 by Lester Brown, the American environmentalist and founder of Worldwatch Institute. Before 1989 it was used in the context of at least a dozen articles, however, those studies were not detailed and lacked the definition of the problem. In 1984 Sir Edmund Hillary wrote a book entitled *Ecology 2000: the changing face of earth* where, among others, he used this term. According to the author, “in Ethiopia, a new failure of the rains during the past for years has created a new class of environmental refugees” [...] “the Ethiopian Government is moving tens of thousands of its environmental refugees from their overused, eroded highlands to the relatively underpopulated – because malaria-infected – lowland plains”<sup>14</sup>. In the same year Lloyd Timberlake, an American expert on sustainable development, applied the term “environmental refugees” in the report *Environmental wars & environmental refugees: the political background to the Cartagena Convention* where he drew attention to the negative impact of ignoring the environmental context of contemporary forced migrations<sup>15</sup>. By 1985 it appeared, *inter alia*, in the documents of the European Commission,

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<sup>11</sup> B. Kanti Paul, *Environmental Hazards and Disasters. Contexts, Perspectives and Management*, Wiley-Blackwell, 2011, s. 25.

<sup>12</sup> F. Laczko, Ch. Aghazarm (eds.), *Migration, Environment and Climate Change, Assessing the Evidence*, IOM, Geneva, 2009, p. 250.

<sup>13</sup> B. Termiński, *Przesiedlenia inwestycyjne. Nowa kategoria migracji przymusowych*, Wydawnictwo Łośgraf, 2012; E.G. Ferris, *The politics of protection. The limits of humanitarian action*, The Brookings Institution, 2011, p. 27.

<sup>14</sup> E. Hillary, *Ecology 2000: The changing face of earth*, Joseph, 1984, p. 214.

<sup>15</sup> L. Timberlake, *Environmental wars and environmental refugees: the political background to the Cartagena Convention, Earthscan, 1983*.

OECD, ECOSOC, UNEP, the U.S. Department of State and the ministries of health and internal affairs of Sudan and Ethiopia.

However the extended concept of “environmental refugees” appears first in the eighties of the 20th century through the works of Essam El-Hinnawi (1985), Jodi Jacobson (1988), and Sir Crispin Tickell (1988).<sup>16</sup> Equally important (and even more influential) are the works published in the nineties by Arthur Westing (1992), Norman Myers (1993), and Astri Suhrke (1991, 1993)<sup>17</sup>. Since the early nineties, the international institutions rarely use the term ‘environmental refugees’. International agencies have ceased to use it for a more neutral terms. However the term is often used by the authors of many scientific papers. Let us now examine how the phenomenon of environmental refugeeism is described by the authors of the most influential recently discipline of research.

Essam El Hinnawi defined environmental refugees as “those people who have been forced to leave their traditional habitat, temporarily or permanently, because of a marked environmental disruption (natural or triggered by people) that jeopardised their existence and/or seriously affected the quality of their life”.<sup>18</sup> The author goes on to define “environmental disruption” as “any physical, chemical, and/or biological changes in the ecosystem (or resource base) that render it, temporarily or permanently, unsuitable to support human life”. As El-Hinnawi points out, we can distinguish three main sub-categories of environmental refugees: 1) people temporarily displaced as a result of specific threats and environmental stress (such as cyclones or earthquakes), 2) people permanently displaced from their homelands due to permanent/irreversible changes to their habitat, such as the construction of dams, lakes, and the consequences of radioactive contamination, and 3) people who are permanently displaced because their surrounding habitat can no longer satisfy their basic needs.<sup>19</sup> El-Hinnawi claims therefore, wrongly in my opinion, that development-induced displacement is a form of environmental refugee movement.

El Hinnawi’s work does not distinguish between the two basic categories of

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<sup>16</sup> L. Westra, *Environmental Justice and the Rights of Ecological Refugees*, 2009, p. 169; T. Doyle, M. Risely, *Crucible for survival. Environmental security and justice in the Indian Ocean Region*, 2008, p. 276; F. Biermann, P. Pattberg, F. Zelli, *Global Climate Governance Beyond 2012. Architecture, Agency and Adaptation*, 2010, p. 256;

<sup>17</sup> A.H. Westing, “Environmental refugees: a growing category of displaced persons”, *Environmental Conservation*, vol. 19, 1992, p. 201–207; N. Myers, “Environmental refugees in a globally warmed world”, *Bioscience*, no 43, 1993 p. 752-61; A. Suhrke, A. Visantin, “The Environmental Refugee: A New Approach, Ecodecision”. In D. Keane (ed.), *The Environmental Causes and Consequences of Migration: A Search for the Meaning of ‘Environmental Refugees’*, 1991; A. Suhrke, *Pressure points: environmental degradation, migration and conflict. In Workshop on Environmental Change, Population Displacement, and Acute Conflict*, Insitute for Research on Public Policy, Ottawa.

<sup>18</sup> E. El-Hinnawi, *Environmental Refugees*, United Nations Environment Programme, Nairobi, 1985.

<sup>19</sup> See *ibid*.

disasters, namely, natural versus man-made. That is, it does not distinguish more specific sub-categories of environmental refugees. Diane Bates opposes his stance by saying that “El-Hinnawi did not provide generic criteria distinguishing environmental refugees from other types of migrants [...]. His definition makes no distinction between refugees who flee volcanic eruptions and those who gradually leave their homes as soil quality declines”.<sup>20</sup>

El Hinnawi’s definition became an object of criticism, among other things, in an article published in 1991 by Astri Suhrke and Annamaria Visentin.<sup>21</sup> They point to the need for a separation between involuntary environmental refugees and voluntary environmental migrants. According this divide environmental refugees are “people or social groups displaced as a result of sudden, drastic environmental change that cannot be reversed”. Conversely, an environmental migrant is a person who “makes a voluntary, rational decision to leave a region as the situation gradually worsens there”.<sup>22</sup> Distinguishing these two categories seems to be a step in the right direction. It should be mentioned that some forms of environmental migration are not consequences of deterioration of environmental living conditions. (For example, the wealthy British businessperson is not carried to the island of Madera as a result of worsening environmental conditions in London, but due to his or her own climate-related whim.)

Ben Gorlick, Senior Policy Advisor to the UN, defines environmental refugees as a “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 events”<sup>23</sup>.

In 1988, Jodi Jacobson from Worldwatch Institute defined environmental refugees in a very general way as “people fleeing from environmental decline”.<sup>24</sup> She distinguished three main categories of environmental refugees, among them: 1)

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<sup>20</sup> D.C. Bates, “Environmental Refugees? Classifying Human Migrations Caused by Environmental Change”, *Population and Environment*, vol. 23, no. 5, May 2002, p. 466.

<sup>21</sup> A. Suhrke, A. Visentin, “The environmental refugee: A new approach”, *Ecodecision*, 1991.

<sup>22</sup> See *ibid.*

<sup>23</sup> K. van Wormer, F.H. Beshorn, *Human Behavior and the Social Environment. Groups, Communities and Organizations*, Oxford University Press, 2011, p. 279.

<sup>24</sup> J.L. Jacobson, *Environmental Refugees: A Yardstick of Habitability*, Worldwatch Institute, 1998; J.L. Jacobson, “Environmental Refugees: A Yardstick of Habitability”, *Bulletin of Science Technology Society*, vol. 8, no. 3, June 1988, p. 257-258.

people temporarily displaced in connection with local environmental disasters (such as earthquakes and avalanches); 2) people resolving to migrate due to progressive degradation of the environment, that poses a threat to their health and normal functioning in a given territory; and 3) people deciding to resettle because of the desertification, soil change, or other irreversible changes in the habitat. Moreover Jodi Jacobson analyzes the potential impact of climate change and raising sea levels to possible migration processes. As pointed out by Karen McNamara, her work can be considered as the first attempt to introduce environmental refugees to a more general directory of the climate change research<sup>25</sup>. According to Jacobson, rising sea level may be – next to the anthropogenically conditioned land degradation – the most important cause of environmental refugeeism. The publication clearly emphasizes the anthropogenic origin of climate changes. In majority of cases the responsibility may be ascribed to the highly developed economies (e.g. growing energy consumption). Obviously Jacobson’s intention is to underline strong antagonisms between the perpetrators and the victims of such negative environmental processes.

One of the most fundamental reports on environmental refugees was published in 1992. Its authors, Jan Borgen (Norwegian Refugee Council), Nina Birkeland, Preston Scott and Jon Trollaldalen argued that the term “environmental refugees”:

First, it should refer to persons who are coerced or forced to leave their homes for environmental reasons that threaten their lives. Secondly, it should be limited to persons who have crossed an international border: that is, persons who are outside their country of nationality or origin.

Legal barriers and the limited nature of transnational environmentally induced displacement make these assumptions difficult, if not impossible, to implement<sup>26</sup>. The proposed definition for at least a decade ahead of the current debate on environmental prerequisites to apply for asylum or the consequences of deterritorialization of archipelagic states. This publication enumerates three fundamental causes of environmental refugeeism: 1. natural disasters and climate changes, 2. degradation of land and resources, 3. infrastructure development<sup>27</sup>. In

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<sup>25</sup> K.E. McNamara, *The Politics of ‘Environmental Refugee’ Protection at the United Nations*, Ph.D. Dissertation, University of New South Wales, Sydney, 2006, p. 103

<sup>26</sup> M.E. Kahn, an author of recently published book titled *Climatopolis: How our cities will thrive in the hotter future* (Basic Books, 2010) presents this problem in a similar manner. He defines environmental refugees as “people migrating due to changes in environmental conditions in their home country”. In particular, he devotes much attention to the climate determinants of migration from rural to urban areas (a phenomenon that characterizes many African countries, such as Ghana).

<sup>27</sup> Trollaldalen (et al.) as well as Jacobson perceives environmental refugees in terms of victims of long-term environmental disruptions.

particular, much attention was drawn to human-induced environmental degradation (caused, among other things, by inappropriate agricultural practices or a long-term chemical contamination).

The work *Desperate Departures. The Flight of Environmental Refugees*, issued by the Population Institute in 1992, does not contain any direct and comprehensive definition of environmental refugees. However, its authors list seven general environmental problems underlying the present forced migrations: 1. geophysical processes, 2. biological hazards (for example, caused by bacteria, viruses, pesticides, etc.), 3. land degradation, 4. climate change, 5. chemical contamination, 6. consequences of large infrastructural projects (dams, railways, irrigation projects, etc.), 7. war of environmental backing. The real value of this publication lies in highlighting the role of spontaneous and short-term factors of forced migration. Combining environmentally induced displacement and development-induced displacement, which is typical for many NGOs, is, in my opinion, completely incorrect, because it leads to overstate the total number of displaced people.

According to Norman Myers, environmental refugees are “people who can no longer gain a secure livelihood in their homelands because of drought, soil erosion, desertification, deforestation, and other environmental problems, together with associated problems of population pressures and profound poverty”.<sup>28</sup> As Myers ascertained, an environmental refugee is in weaker position due to its semi-permanent or permanent status, because it has only a small chance for a happy return home.

Interesting (and not entirely unfounded) perceptions and definitions have been worked out in numerous analyses, reports, and working papers issued by certain NGOs.<sup>29</sup> Members of the Strasbourg Diplomacy (a European students’ association) suggest distinguishing two main categories of environmentally related migrants: “environmentally motivated migrants” and “environmental refugees”. According to their proposal:

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<sup>28</sup> N. Myers, “Environmental Refugees: A Growing Phenomenon of the 21<sup>st</sup> century”, *Philosophical Transactions of The Royal Society B*, vol. 357, no. 1420, p. 609-613.

<sup>29</sup> Strasbourg Diplomacy Working Paper, *Human Rights Council (Topic: Climate change and migration)*, <http://strasdiplomacy.web.officelive.com/Documents/Resolution%202.3.pdf>.

- *Environmentally motivated migrants* are persons or groups of people who move from their usual place of residence due to foreseeable, long-term forced circumstances caused by environmental factors, either temporarily or permanently, within their own country;
- *Environmental refugees* are persons or groups of people who are suddenly evicted from their country, because their lives, livelihoods, and welfare have been placed at serious risk as a result of adverse environmental processes and events either temporarily or permanently.

The last definition, however, seems extremely difficult to defend. It is impossible to reduce our contemporary understanding of refugees only to people who cross state borders (or, for example, benefit from UNHCR assistance). Over the past fifty years, we have observed significant evolution of the “refugee concept”, perhaps best evidenced by the development of the concept of internally displaced persons in the nineties of the last century. Refugeeism is now a significantly different conceptual category than it was 30 or even 20 years ago.

As pointed out by Diane Bates, the methodological and theoretical foundations of the concept of environmental refugees continue to raise many doubts. In an article published in 2009, “Environmental refugees? Classifying Human Migrations Caused by Environmental Change”, she wrote, “so many people can be classified under the umbrella of ‘environmental refugee’ that critics question the usefulness of the concept”<sup>30</sup>. Instead Bates suggests a different approach, using a working definition under which environmental refugees are people who migrate from their usual residence due to ambient changes in their non-human environment.

According to Somerville, “environmental refugees are people obliged to leave their traditional or established homelands because of environmental problems (deforestation, desertification, floods, drought, sea-level rise, nuclear-plant accidents), on a permanent or semi-permanent basis, with little or no hope of ever returning”.<sup>31</sup>

As Woehlcke put it, “environmental refugees are persons who leave their traditional

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<sup>30</sup> D.C. Bates, “Environmental Refugees? Classifying Human Migrations Caused by Environmental Change”, *Population and Environment*, vol. 23, no. 5, May 2002, p. 466.

<sup>31</sup> R.C.J. Somerville, *The Forgiving Air*, University of California Press, 1995.

milieu because their life has been considerably restricted by natural and/or anthropogenic ecological damage and by the ecological strain of over population”.<sup>32</sup> Other authors define environmental refugees as “persons displaced owing to environmental causes, notably land losses and degradation and natural disasters” or as persons “fleeing a natural or human-caused environmental disaster”.<sup>33</sup>

Some authors linked the phenomenon of environmental refugeeism with the problem of development-induced displacement, which is not entirely accurate. Both forms of forced internal migration are in fact fully separate from each other. As Granzeier noticed, environmental refugees are people “forced to flee their traditional homeland because of a serious change or ‘environmental disruption’ in the nature of their environment due to natural disasters exacerbated by human activities, the construction of dams or irrigation systems, toxic contamination, rampant deforestation and resultant erosion”.<sup>34</sup>

According to a recently released book entitled *Understanding Social Problems*, environmental refugees are defined as “individuals who have migrated because they can no longer secure a livelihood as a result of deforestation, desertification, soil erosion, and other environmental problems”.<sup>35</sup>

**4. Environmentally Displaced Persons.** In recent years, the concept of environmentally displaced persons (EDPs) is being used more and more frequently. The United Nations High Commissioner for Refugees (UNHCR), the Office of the High Commissioner for Human Rights (OHCHR), the International Organization for Migration (IOM), and the Refugee Policy Group (RPG) have all opted to use the term “environmentally displaced persons”<sup>36</sup>. At the 1996 International Symposium on “Environmentally-Induced Population Displacements and Environmental Impacts Resulting from Mass Migration”, “environmentally displaced persons” were described as “persons who are displaced within their own country of habitual residence or who have crossed an international border and for whom environmental degradation, deterioration, or destruction is a major cause of their displacement,

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<sup>32</sup> M. Woehlcke, “Environmental Refugees”, *Aussenpolitik*, vol. 43, no. 3, 1992, p. 287.

<sup>33</sup> J. Karpilo, “Environmental Refugees. Displaced from their homes by disaster and environmental circumstances”, <http://www.geography.about.com/>.

<sup>34</sup> M. Scully Granzeier, “Linking Environment, Culture, and Security”. In S. Kamieniecki, G.A. Gonzalez, R.O. Vos (ed.), *Flashpoints in environmental policymaking: controversies in achieving sustainability*, SUNY Press, Albany NY, p. 311-335.

<sup>35</sup> L.A. Mooney, D. Knox, C. Schacht, *Understanding Social Problems*, Cengage Learning, 2010.

<sup>36</sup> B. See, D. Baptista, “Preparing for ‘Environmental’ ‘Refugees’”, <http://www.munfw.org/images/61%20UNHCR.pdf>.

although not necessarily the sole one”.<sup>37</sup>

Jeff Crisp, head of the UNHCR Policy Development and Evaluation Services proposes to introduce two main categories of environmentally displaced people: 1) people displaced due to processes (for example, climate change, global warming, desertification, soil degradation, rising sea level, etc.) and 2) people displaced due to events (hurricanes, floods, droughts, volcanic eruptions, earthquakes, tornadoes, etc.). The classification proposed by Jeff Crisp therefore combines elements already known from previous studies by Norman Myers (security risk) and Jodi Jacobson (separating local events from more general global processes). Based on the simple premise this classification seems to be, in my view, one of the most successful and extremely useful theoretical approaches of the problem<sup>38</sup>.

Nicole de Moor and Professor An Cliquet from the University of Ghent distinguish three different causes of environmentally induced displacement: 1. environmental degradation due to climate change and biodiversity loss, 2. sudden environmental disasters (including natural and technological disasters), 3. intentional destruction of the environment<sup>39</sup>.

Dana Zartner Falstrom (2001) defines environmentally displaced person as “one who leaves his or her home and seeks refuge elsewhere for reasons relating to the environment”<sup>40</sup>. Unlike professor Jessica Cooper, the author believes that it is difficult to reconcile two completely separate regimes: international refugee law based on the Geneva Convention of 1951 and the concept of IDPs<sup>41</sup>. In her opinion the only way to prevent potential future scale of the problem is to adopt a convention providing protection to people displaced by changing environmental conditions. As Falstrom noted:

Only through a new set of provisions, outlined in a separate \*30 document and based on the recognized international legal protections and obligations outlined in existing international human rights law and international environmental law, can the international community truly hope to address this rapidly growing problem and

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<sup>37</sup> D. Keane, “Environmental Causes and Consequences of Migration: A Search for the Meaning of “Environmental Refugees”, *Georgetown International Environmental Law Review*, 2004.

<sup>38</sup> Cited by J. Crisp, “Environmental Refugees: a UNHCR perspective”, Lausanne, 12<sup>th</sup> June 2006.

<sup>39</sup> N.de Moor, A. Cliquet „Environmental Displacement: A New Challenge for European Migration Policy”, <https://biblio.ugent.be/>, p. 3.

<sup>40</sup> D.Z. Falstrom, „Stemming the flow of environmental displacement: Creating a convention to protect persons and preserve the environment”, *Colorado Journal of Environmental Law and Policy*, vol. 15, 2001, p. 1-20.

<sup>41</sup> J.B. Cooper, „Environmental Refugees: Meeting the Requirements of the Refugee Definition”, *New York University Environmental Law Journal*, vol. 6, 1998.



stem the tide of environmentally displaced persons<sup>42</sup>.

An interesting definition of “environmentally displaced persons” has also been proposed by the French Centre International de Droit Comparé de l’Environnement (C.I.D.C.E.), in a text regarding Draft Convention on the Status of Environmentally-Displaced Persons. Pursuant to this document, environmentally displaced persons are “individuals, families, and populations confronted with a sudden or gradual environmental disaster that inexorably impacts their living conditions, resulting in their forced displacement, at the outset or throughout, from their habitual residence”.<sup>43</sup> In a working paper prepared in 2007, Gemenne, Dun, and Stojanov suggested to distinguish among three subcategories of Environmentally Displaced Persons: 1) Environmental migrants, 2) Environmental displaces, and 3) Development displacees.<sup>44</sup>

Luc Hens, an author of several reports on Ghana’s environmental problems claims that “environmentally displaced person is someone who decides to leave his/her homeplace permanently or temporarily, mainly for reasons of environmental degradation. A refugee is somebody who, during this displacement, crosses national borders”<sup>45</sup>. Ghana is a fascinating example of coexistence of environmentally induced migrants (coming from the North to the coast and the capital of Accra), development-induced displacees (due to the construction of Akosombo dam) and, albeit on a limited scale, politically motivated refugees (including international ones). Just as in Sudan or Nigeria one can observed there all major categories of internal displacement, as well as other facinating migratory processess (e.g. independent children migrations).

In an article entitled “Environmentally Displaced People” the same author notes:

Persons who are displaced within their country of habitual residence or who have crossed an international border and for whom environmental degradation, deterioration or destruction is a major cause of their displacement, although not necessarily the sole one, belong to environmentally displaced people. These persons are

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<sup>42</sup>D.Z. Falstrom, „Stemming the flow of environmental displacement: Creating a convention to protect persons and preserve the environment”, *Colorado Journal of Environmental Law and Policy*, vol. 15, 2001, p. 1-20.

<sup>43</sup> See: <http://www.cidce.org/>.

<sup>44</sup> O. Dun, F. Gemenne, R. Stojanov, Environmentally Displaced Persons. Working Definitions For The Each-For Project, 11 October 2007, p. 1.

<sup>45</sup> L. Hens, *Intitutional, Legal and Economic Instruments in Ghana’s Environmental Policy*, Research Paper, Vrije Universiteit Brussels, 1999.

refugees in the real sense of the word, but their situation does not coincide with the legal definition of “refugee”.<sup>46</sup>

The concept relatively quickly penetrated well the academic discourse. The term “environmentally displaced people” was used, among others, by Boano, Zetter and Morris (2006), and to some extent also in released a few years ago an excellent monograph by Alexander Betts (*Forced Migrations and the Global Politics*). As pointed out by Laura Westra term “environmentally displaced people” should not be treated as a synonym for ecological or environmental refugees<sup>47</sup>.

The theoretical reflections presented above have led me to create my own working definition of the terms “environmental migrants” and “environmentally displaced people”. I particularly want to draw attention to the diversity of contemporary environmental migration, as well as the scale of the threats that affect it. It is even more important to point out diversity in both the duration and the scale of the coercive factors which force migrants to flee their homes. According to above-mentioned assumptions, it seems reasonable to detach the general category of environmental *migrants* from the narrower (and thereby subordinate to it) category of environmentally *displaced people*:

- α) **Environmental migrants** are persons making a short-lived, cyclical, or long-term change of residence, of a voluntary or forced character, due to specific environmental factors. Environmentally displaced people form a specific type of environmental migrant;
- β) **Environmentally displaced people** are persons compelled to spontaneous, short-lived, cyclical, or long-term changes of residence due to sudden or gradually emerging changes in the environment essential to their living conditions, which may be of either a short-term or an irreversible character.

We can describe the general ecosystemic properties relevant to human functioning in a particular area as “environmental conditions” or “environmental factors”.

Thus every environmental refugee is an environmental migrant, but not every

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<sup>46</sup> L. Hens, “Environmentally Displaced People”. In Encyclopedia of Life Support Systems (ELOSS), <http://www.eolss.net/Sample-Chapters/C16/E1-48-51.pdf>.

<sup>47</sup> A. Betts, *Forced Migrations and Global Politics*, Wiley & Blackwell, 2009, p. 1; C. Boano, R. Zetter, T. Morris, *Environmentally displaced people: understanding the linkages between environmental change, livelihoods and forced migration*, Refugee Studies Centre, 2008; L. Westra, *Environmental Justice and the Rights of Ecological Refugees*, 2009.

environmental migrant is an environmental refugee.

The following table lists the most commonly used terms for the people forced to abandon their homes due to environmental reasons:

Major analytical categories	Most common terms
Refugees	“environmental refugees”; “climate refugees”; “climate change refugees”; “eco-refugees”; “environmental-refugee-to-be”; “ecological refugees” (L. Brown, 1976; L. Westra 2009)
Migrants	“environmental migrants”; “environmentally induced migrants”; “climate migrants”; “climigrants”; “ecomigrants”; “environmental forced migrants”; “environmentally forced migrant”; “environmental emergency migrant”; “environmentally motivated migrant”; “climate forced migrants”; “environment influenced mobility”; “forced climate migrants”; “climate-driven migrants”;
Displaced people	“environmentally displaced people”; “environmental displaces”; “environmentally induced displaced persons”; “ecologically displaced persons”; “climate change induced displaced people”; “climate exiles”; “internally resettled victims”;
People displaced due to disasters	“disaster displaced persons”; “disaster caused migrants”; “disaster refugees”; “disaster induced displaced people”;
People displaced due to environmental processes	“nuclear refugees”; “sea level refugees”; “flood-induced displaced people”; “tsunami generated displacement”; “climate evacuee”; In the context of development induced displacement: “dam induced displacement”, “mining induced displacement & resettlement”, etc.

The evidence for the lack of methodological consensus in the research of environmentally forced migration contributes also to the diversity of terms used to identify the participants in this process. Currently, the most commonly used term seems to be “environmental refugees”. It seems to illustrate pretty well the coercive nature of the change of residence as well as the complexity and diversity of the underlying factors. Furthermore it seems important to draw a demarcation line between fully forced environmental exile and various forms of voluntary migration like that caused by preference for a particular type of climate. The terms “climate migrants” (climigrants) or “eco-refugees” (eco-migrants) often found in the literature have, in my view, a definitely wider meaning relative to the terms “environmental migrants” and “environmental refugees”. They refer to narrower environmental conditions that are behind climatic and ecological population mobility.

Some studies also stress the term “environmentally displaced populations” (or environmentally displaced persons: EDPs).<sup>48</sup> Such determination is a clear analogy to the term “internally displaced persons” (IDPs), widely adopted recently.<sup>49</sup> The application of the above-mentioned terms (“climate refugees” and “environmental refugees”), however, may raise some controversy. At a semantic level, they equate ecological groups of migrants with a refugee group to which the standards of the 1951 Geneva Convention are applied. Environmental refugees do not constitute a separate or institutionally developed legal category but rather a notional construct of a political and social sort. Even the rather synthetic characteristic of the most commonly used notions, presented above, shows how a great terminological confusion characterises the description of the group of migrants currently discussed in this section of the paper.

The conceptual grid used in the description of categories of environmental migrants should, in my opinion, take into account three main factors. Firstly, it seems relevant to distinguish between categories of migrants based on the environmental nature of the factors (forced, coerced, or voluntary) causing a change of residence. In case of the imminent threat of the individual, it seems reasonable to speak of displacement on environmental grounds. If, conversely, these factors only make it difficult but not directly threaten the functioning of the individual in the area, it seems more appropriate to speak about migration than displacement (however, the occurrence of long-term, gradually increasing environmental threats in a given area, such as the rising sea level around archipelagic states remains a contentious issue at this point.). Secondly, environmentally caused displacement or migration should represent movement of a *relatively permanent nature*. It is difficult to label an evacuation lasting a few hours to several days caused by, for example, local flooding in terms of an environmental “exile”.<sup>50</sup> Thirdly, it also seems important to highlight the relationship between the systems currently operating in the literature. Climatic and disaster-induced displacements are, in my view, subcategories of the broader,

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<sup>48</sup> K.K. Moberg, “Extending refugee definitions to cover environmentally displaced persons displaces necessary protection”, *Iowa Law Review*, March 2009; J. Scott, “Protection of Environmentally Displaced Populations through Strengthening Existing Environmental Human Rights Law”, [http://works.bepress.com/jessica\\_scott/1](http://works.bepress.com/jessica_scott/1); S.S. Juss, *International migration and global justice*, 2006, p. 172.

<sup>49</sup> Therefore, the intention of the authors of the term “environmentally displaced persons” could be to show common features, linking the said group of people to the category of IDPs. Both of these groups – far more numerous than refugees, understood in the “conventional” sense – are not currently covered by the binding state of the conventional solutions for the protection of refugees.

<sup>50</sup> T. Hammar, *International migration, immobility and development. Multidisciplinary perspectives*, 1997, p. 34; J.D. Unruh, M.S. Krol, N. Kilot, *Environmental change and its implications for population migration*, 2004, p. 238.

more fundamental category of environmentally induced displacement. Additionally, it is crucial to stress the importance of disaster-induced displacement as a special (but not fully autonomous) category of environmentally-induced displacement. In the next part of this section I will try to characterise the main reasons for the environmental changes which pose risks to human societies (representing environmentally-induced displacement catalysts.)

One increasingly frequent form of forced migration in recent years has been displacement associated with the creation of national parks, natural reserves, or other types of ecologically protected areas. In my view, this category of population displacement is not a form of environmentally-induced displacement. It seems rather to represent one form of development-induced displacement. Displacement associated with the creation of national parks is a direct consequence of the industrialisation process. The resulting need to protect natural heritage and biodiversity is therefore a primary reason of the creation of national parks.

Forced resettlement directed by state authorities following the construction of dams (such as China's Three Gorges Dam, Sardar Sarovar in India, Merowe Dam in Sudan or Akosombo Dam in Ghana) is one of the most frequent forms of development-induced displacement. Forced displacement caused by the environmental side-effects of major investments definitely represent a different category. (These types of displacements normally take place after the completion of major investments). When the construction of a dam produces negative effects on the functioning of coastal residents (for instance, by decreasing the amount of fish in surrounding bodies of water), the residents are often forced to change their place of abode. These people, therefore, are not development-induced displaced people but rather environmentally-induced displaced people. (Their main reason for a change of residence was not the direct result of dam construction, but was instead the worsening environmental living conditions in their habitat). Once again, there should be differentiation between two categories of resettlement: 1) resettlement (displacement) caused by human activity, and 2) resettlement (displacement) caused by natural factors.

The amount of environmentally induced displaced people is increasing each year. In 1995, their number was estimated at more than 25 million people.<sup>51</sup> At the moment,

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<sup>51</sup> Myers N., "Environmental Refugees. A Growing Phenomenon of the 21<sup>st</sup> Century", <http://www.envirosecurity.org/>.

we can talk about 10 million environmental refugees in Africa and several additional millions in other parts of the world. According to estimates by the UN University for Environment and Human Security, the number of people permanently displaced by environmental changes at the end of 2010 would be more than 50 million. According to researchers at Columbia University, over 200 million people will be forced to migrate for environmental reasons before 2050. Only with sustained effort will we be able to counteract the predicted magnitude of the risk in subsequent years<sup>52</sup>.

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<sup>52</sup> J. Vaughn, *Environmental Politics: Domestic and Global Dimensions*, Cengage Learning, 2011, p. 331; see also F. Renaud, J.J Bogardi, O. Dun, K. Warner, *Control, Adapt or Flee. How to Face Environmental Migration*, 2007, p. 15; see F. Gemenne, "Why the numbers don't add up: A review of estimates and predictions of people displaced by environmental changes", *Global Environmental Change*, 2011.