

Socio-Legal Perspectives of Climate Displaced Persons in Bangladesh

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Abstract: Climate change is causing loss of homestead and livelihood of the people of affected areas all over the world. They are being compelled to desert their homes and locality to secure self-existence and thus being displaced, which is known as climate displacement and these people are being marked as climate displaced persons. This study is aimed to ascertain vulnerability of climate displaced persons of Bangladesh and to discuss the measures essential to ensure their protection. It is an analytical and mixed method research having convergent and parallel design. Area of study was Chattogram or Chittagong District. Field study was comprised of a survey, case studies, FGD, KII and applications of right to information (RTI). Finding shows, in Bangladesh this community got no legal recognition by any parliamentary enactment. Though there are a few projects to facilitate people in distress which may provide for this community also, still, no criteria are specified to ascertain the beneficiaries. Steps should be taken to meet their immediate needs like foods, drinking water and sanitation; mid-term wants like alternative employment generation and long term protections like rehabilitation. Both government and non-government bodies should pursue the international community to attain a common consensus about this issue.

Keywords: Climate displacement; climate displaced persons; displacement; legal protection

Introduction

Rationale of the Study:

“Climate change is one of the most important issues of present era. Global warming and climate change are causing loss of biodiversity, reduction of cultivable land area, significant change in the cycle of seasons, rise of sea level, lowered flow of the rivers, excessive drought, unusual rainfall, saltation of lands in coastal areas, increase of tropical cyclones both in frequency and intensity compared to its usual trend and so on.” (Ahmed and Shamsuddin, 2011).

All these effects are giving place to loss of homestead and loss of livelihood of the people residing in the affected areas. These people are being compelled to desert their habituated place of living to secure their existence by moving to any other apparently suitable place and thereby being displaced, which is commonly known as climate displacement and these peoples are being marked as climate displaced persons or CDPs. This movement may take place within the territory of a definite country or spread out internationally. However primarily it occurs within the territory of the affected country as people in general are tended to keep a way reserved to go back to their habituated place of living in future, if possible. . Sometimes it may take place even within the same locality of a definite country.

Displacement Solutions, an international organization working on climate displacement, mentioned in their website:

“Every year sudden and slow onset natural hazards lead to forced displacement across Bangladesh. Sea level rise, storm surges, tropical cyclones, drought, landslides, riverbank erosion, flooding, salinity, and water logging all displace large number of people from their homes and lands. Between 2008 and 2014 it is estimated

that 4.7 million people were displaced due to disasters in Bangladesh. Within Bangladesh it is the poorest and most marginalized, who are at the highest risk of climate displacement and once displacement occurs, their vulnerability often increases.”

This organization apprehends that in future climate displacement will only increase in Bangladesh. A few years back United Nations Development Program (UNDP) has released a video on this issue (Thirty Million, Filmed by- Raw Cinematics) whereby they estimated that, the number of displaced persons due to sea level rise can increase even to 30 million in Bangladesh. If so, vulnerability of CDPs will perilously be increased. It may create a great pressure for the country’s economy and may cause trouble to other citizens too. To resolve these difficulties and to ensure social welfare of the climate displaced persons of Bangladesh it is a crying need to enact requisite legal provisions providing legal recognition and essential aids for these people as fitted to the country’s present economic and social condition. This research was an endeavor to find out probable solutions of this matter.

Research Questions:

This study is conducted to find out some answers to the following questions:

1. Whether climate displaced persons of Bangladesh are in a need of urgent social welfare measures and legal protections or not?
2. Is there any measure already provided by existing legal enactments or not? If yes, what are those?
3. Whether existing laws and regulations of Bangladesh are enough to deal with the problems or not? If not, what more can be done to facilitate them adequately?

Research Area:

Research area for this study was Chattogram District or Chittagong, the business and commercial capital of Bangladesh. After Dhaka, the capital of Bangladesh, slum areas of port city Chittagong are the greatest shelter of the CDPs of Bangladesh coming from all over the country. Again, as Chittagong is a hilly town lying along the Bay of Bengal, unlike Dhaka slum-dwellers of Chittagong city are highly vulnerable to be repeatedly displaced due to environmental hazards like hill slide or land slide, water logging at the time of high tide, sea level rise, frequent cyclones and storm surges. Moreover, presently many areas of Chittagong are being affected by large scale of climate displacement. For the CDPs of Chittagong, beside some other organizations, government and a local NGO YPSA (Young Power in Social Action) have initiated various rehabilitation projects in this area which are also crucial spots to observe the present conditions of the rehabilitated victims. In lieu of these multi-dimensional characteristics Chittagong was chosen as the best choice to serve the purpose of this study.

Methodology:

This is an analytical and mixed method research having convergent and parallel design. It is a combination of qualitative and quantitative study. Both social aspects and legal status of climate displaced persons of Bangladesh are analyzed on the basis of protections provided in national and international laws and policies and in consonance with the findings of the field visit.

For this study, data is collected by conducting a field survey, key informant interviews (KII), focus group discussions (FGD), case studies and by exercising right to information (RTI). Field survey is conducted among 127 respondents. 8 key informants are interviewed to facilitate this study. There were 2 focus group discussions and 3 case studies also. Right to information was exercised by making 5 applications to ministries and local government offices in order to get relevant information from the concerned authorities. All the respondents and interviewees are met personally and all the answers are taken without any biasness. Field survey was conducted via pre-tested question schedule while key informant interviews and focus group discussion were made with help of checklists. Case studies were just open discussions on previous vulnerability, present condition and future plan or apprehension of the respondents of which hand notes were kept as an addendum of the survey question schedule whenever it was needed. Forms prescribed by the Information Commission were used in order to exercise right to information. Notes are taken while conducting the field study. Mobile phone was used to record FGD and KII as much as possible.

Survey data were coded and input was kept in Statistical Package for Social Science (SPSS). Later it was recoded whenever found appropriate and convenient. Transcriptions were made of pre-recorded FGD and KII in hand scripts and those were combined with primarily collected hand notes to get a complete view. After completion of data collection it was checked whether the data collected are logical, correct and well designed in case of both qualitative and quantitative data. Unnecessary comments and views are deducted to avoid irrelevancy.

Collected data are analyzed by keeping in mind the overall perspective and purposes of the study. SPSS was used to analyze quantitative data and to facilitate presentation showing percentage, frequency and crosstabs. Figures are created with help of Microsoft excel. Observations and discussions are also made based on relevant comments and narrations of actual situation as made by the victims. Qualitative data are analyzed in a thematic framework and interpreted manually. All the qualitative and quantitative data are analyzed by comparing with existing literatures to show the similarities and dissimilarities.

Theoretical Framework:

The words “Climate” or “Climate Induced” and “Environmental” being joined with the words “Refugee”, “Migrant and “Displacement” interchangeably creates a few ligatures as “Climate (Induced) Refugee”, “Climate (Induced) Migrant”, “Climate (Induced) Displacement”, “Environmental Refugee”, “Environmental Migrant” and “Environmental Displacement” all expressing approximately similar meaning. There are lots of controversies between the academicians and the activists all over the world about which term denotes actually what and which term should be

the most appropriate to be used. These terms are used to indicate human movement from one area to another or from previous home to another by being adversely affected by environmental disasters or natural hazards due to climate change.

Climate is “determined by the daily weather interactions over many years. Characteristics used in determining climate are temperature, precipitation, humidity, sunshine and cloudiness, wind and air pressure”. Environment, on the other hand, denotes “the sum of all external conditions affecting the life, development and survival of an organism”. Climate change, also referred to as global climate change, is sometimes used to refer to all forms of climatic inconsistency, but because the Earth’s climate is never static, the term is more properly used to imply a significant change from one climatic condition to another. In some cases, ‘climate change’ has been used synonymously with the term ‘global warming’; scientists however, tend to use the term in the wider sense to also include natural changes in climate”. (Chowdhury and Majumder, 2008)

According to the Convention Relating to the Status of Refugees, 1951 (Article 1) read with Protocol Relating to the Status of Refugees, 1967 (Article 1) the word “Refugee” denotes any person who “owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.” According to this definition, there are five criteria of a person to be considered as a refugee. Those are: 1) well-founded fear of being persecuted 2) for race, religion, nationality, membership of a particular social group or political opinion 3) outside the country of his nationality 4) unable or unwilling to avail the protection of the country 5) unable or unwilling to return. In accordance with the International Convention on the Rights of All Migrant Workers and Members of Their Families, 1990 (Article 2) migrants are those who have moved to “a State of which he or she is not a national”. According to Shamsuddoha, Md. et al, “Migrants refer to individuals who have changed their place of residence either by crossing an international border (international migration) or municipality (internal migration). People are normally considered ‘migrants’ if they remain outside their original place of residence for a period of at least three months.” To quote from the Guideline Principles on Internal Displacement, 1998 (Scope and Purpose), “For the purposes of these Principles, internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed and internationally recognized State border.” Here insertion of “natural or human-made disasters” as a probable cause behind displacement indicates climate displaced persons as a section of internally displaced persons. But if these persons start to move internationally due to severance of the said disasters this Convention will not be able to secure their rights or lives. However, as this displacement is still taking place within national territory, this definition is at present viable to serve the climate displaced persons of Bangladesh.

About the people who are being compelled to desert their habituated home or area due environmental hazards or hazards as impacts of climate change, many writers try to use the terms ‘climate refugees’

or 'climate migrants'. But the word 'refugee' has its own internationally established definition which does not match with this phenomenon. On the other hand, as they do not always migrate from their country or locality the word 'migrant' also may fail to define them adequately. However, the word 'displacement' keeps complying the most with this issue. According to the academicians (Key Informant-1), climate displacement indicates displacement due to adverse impacts of climate change which can be occurred by sea level rise and environmental displacement implies for displacements arising out of any sort of environmental hazards or natural disasters which includes riverbank erosion, cyclone, hill slide, flood, drought and also sea level rise. On the other hand, the activists (Key Informant-7) differ with this view. From their view point, sea level rise has a great impact on tidal flow which can lead to speedy erosion of riverbank exceeding its natural trend. Cyclones also are nowadays increased both in frequency and severity as a result of climate change. So people being displaced by any of those can be termed as Climate Displaced Persons or CDP and more appropriate term for these types of displacements should be "Climate Induced Displacement" which indicates displacements being induced by climate change. Whatever the reason may be, displaced persons share equal vulnerability and almost similar type of marginalization as well. To serve the purpose of this study, though it is mainly focused on climate displacement; effects of environmental displacements or climate induced displacements are also taken into consideration in order to compare between them and to examine the present trend in Bangladesh.

According to Banglapedia, national encyclopedia of Bangladesh:

"The rise of global sea level by the end of AD 2050 would mean that there is a high risk of coastal inundation by sea water. In the case of Bangladesh the projected 1.44m rise of sea level would inundate 16% of the populated land, displace 13% of the population and lose 10% of the GDP. The effect of sea level rise is more critical, since the Bengal delta is subsiding."

In this position-

"The individual right to life and the corresponding state obligation to protect life in the context of climate change induced calamities require that the relevant authorities must enact and implement laws dealing with all relevant aspects of disaster risk mitigation and set up the necessary mechanisms and procedures. They are also obliged to take the necessary administrative measures including supervising potentially dangerous situations, inform the population about possible dangers and risks, evacuate potentially affected populations and resettle them so that their right to life in broader range is not further jeopardized." (Naser and Afroz, 2009)

However, still no specific and organized structure is built in Bangladesh to facilitate the climate displaced persons of this country and to ensure their social welfare. They can only be treated as extreme poor or climate affected people in order to receive the allocated benefits of which no concrete definition is provided anywhere. Preservation and conservation of environment is mainly

focused and no clear and explicitly stated legal protections or welfare measures are provided for the people affected by environmental degradation or climate degradation. Dr. Naser (2013) found that:

“In responding to climate change, the government of Bangladesh approached it as an ecological problem or, more recently as an economic one. To date, the social and human rights dimensions of climate change have received little attention.”

Above all, climate displaced persons of Bangladesh are not legally recognized by any parliamentary enactment till now which contributes to their ultimate marginalization.

Legal Framework:

International Obligations:

As a member of the world community Bangladesh is duty-bound to ensure standard of human rights as established by international law. The Charter of the United Nations, 1945 (UN Charter) reaffirms “faith in fundamental rights, in the dignity and worth of the human person” (Preamble) and establishes principles of equal rights and self-determination (Articles 1 and 55) which cannot be achieved by CDPs due to frequent loss of land areas and homesteads which marginalizes them terribly. Being a member of the United Nations Bangladesh is bound to ensure those rights for each and every citizen of the country.

The Universal Declaration of Human Rights, 1948 (UDHR) proclaims freedom from fear and want as the highest aspiration of the common people (Preamble). It declares enforcement of right to life, liberty and security (Article 3), right to social security (Article 22), right to standard living (Article 25, Sub-Article 1) and right to education (Article 26) for all people. UDHR also affirms that everyone is entitled to a social and international order in which the rights and freedom set forth in the declaration can be fully realized (Article 28). All these are fixed as a common standard of achievement for all peoples and all nations.

In consonance with the preamble of the UN Charter and the UDHR, the International Covenant on Civil and Political Rights, 1966 (ICCPR) and the International Covenant on Economic Social and Cultural Rights, 1966 (ICESCR) recognized inherent dignity and equal and inalienable rights of all members of the human family in their preambles. Article 1 of both of them reaffirms right of self-determination for all peoples. Furthermore, the ICCPR ensures right to liberty of movement and freedom to choose own residence (Article 12) for everyone. Added to that, the ICESCR guarantees right to work (Article 6) and right to social security, including social insurance (Article 9) for everyone. Both ICCPR and ICESCR are accessed by Bangladesh (Alam, 2007) which creates obligation for the State to follow the provisions of these covenants and thereby assure proper living standard of all citizens. Still none of those provide any protection for climate displaced persons expressly or specifically as it did not so much agitated the world community at that time.

Later on, with increasing number of internally displaced persons (IDPs) for various reasons including political turbulence and civil war the United Nations designed humanitarian assistance to promote the protection of IDPs though this responsibility rests first and foremost with national governments and local authorities. Accordingly the Guideline Principles on Internal Displacement, 1998 were framed which included climate displaced persons within the purview of this instrument by defining them as a part of internally displaced persons. Five sections of this guideline describes about general principles, principles relating to protection from displacement, principles relating to protection during displacement, principles relating to humanitarian assistance and principles relating to return, resettlement and reintegration. Being a guideline it does not bind the nations to follow any of those principles though creates an international standard of protection. Moreover, if people being displaced due to natural or human-made disasters start to migrate internationally this guideline will not be able to provide any protection for them.

Thereupon, this millennium was started with setting of Millennium Development Goals, 2000 (up to 2015) for the whole world of which goal 7 was set to ensure environmental sustainability and goal 8 aimed to develop a global partnership for development. Sustainable Development Goals, 2015 (up to 2030) were set consequently which requires a global achievement of environmental sustainability. Goal 10 asks to reduce inequality within and among countries by making cities and human settlements inclusive, safe, resilient and sustainable. Goal 13 urges for urgent action to combat climate change and its impacts by focusing on women, youth and local and marginalized communities. Goal 17 directs to strengthen the means of implementation and revitalize the global partnership for sustainable development. Despite increasing concern towards environmental sustainability, none of those paid any heed to the people affected by the adverse impacts of this phenomenon.

In IPCC (Intergovernmental Panel on Climate Change) Assessment Report 5 or AR5 of 2014 working group II reported on Impacts, Vulnerabilities and Adaptation from global and sectoral aspects. In chapter 12, while describing about “empirical evidence on observed or projected mobility outcomes (migration, immobility, or displacement) associated with weather-related extremes or impacts of longer-term climate change”, they tried to picture evidence of mobility of various countries where Bangladesh came into consideration for mobility due to flooding, riverbank erosion, tornado and cyclones but not for sea level rise.

Paris Agreement, 2015 as adopted by UNFCCC (United Nations Framework Convention on Climate Change) tried to create a consensus about worldwide reduction of greenhouse gas emission. It has also suggested about adaptation and mitigation strategies generally without any specific recommendations for climate displaced persons. Till then Conference of Parties or COP of each year is being held only to achieve the targets set by this agreement and nothing else.

National Obligations:

The Constitution of the Peoples' Republic of Bangladesh, 1972, popularly known as Bangladesh Constitution, hereinafter referred as the Constitution, imposes obligation on the State to ensure social welfare of each and every citizen of the country. As at the time of framing the Constitution idea of CDP was not evolved, their welfare was also out of consideration in 1972. But later, with increasing concern towards sustainable development, a provision of protection and improvement of environment and bio-diversity was inserted in the second part of the Constitution being marked as Article 18A which comprises fundamental principles of the State policy. Though the persons directly affected by environmental degradation are not yet expressly provided by the Constitution, being a part and parcel of citizens of Bangladesh they are also claimants of all rights and facilities as same as the others.

Being a sufferer of various disasters since a long ago, Bangladesh has lots of parliamentary enactments in this regard. Experience of riverbank erosion persuaded enactment of the Alluvial Lands Act, 1920 which states about procedure of claiming alluvial lands attached by the collector (Section 4A). Section 87 of the State Acquisition and Tenancy Act, 1950 described about right in land gained by accession from recess of river and sea. Such lands were formerly considered as an increment to the holding of the raiyat (tenant) to whose land it is thus annexed. However, article 2 of the State Acquisition and Tenancy (Amendment) Order, 1972 (President Order No. 72 of 1972) amended the former and vested this right in the Government absolutely. It creates more scope to settlement of khas land in favor of displaced persons and at the same time initiates more risk to be displaced. After emergence of consciousness about environmental degradations provisions of concerned laws and regulations started to focus mainly on preservation and conservation of environment by paying no heed to affected people. The Bangladesh Environment Conservation Act, 1995 (Amendment 2002) tries to ensure soundness of environment and the Climate Change Trust Act, 2010 determined how to utilize the Climate Change Trust Fund. None of those are concerned about human sufferings and concerned about environmental degradation only. For the first time in Bangladesh the Disaster Management Act, 2012 and the Disaster Management Rules, 2015 tried to create a compact system of disaster management by establishing well-structured regulating bodies to regulate instant steps after disasters, like relief distribution and proper management of the instant crisis at the affected areas. Silence about welfare measures for persons being displaced thereby still continues. As such parliamentary enactments have neither spoken about social welfare of climate displaced persons of Bangladesh nor equipped them with any sort of legal recognition and thus accelerated the process of their marginalization. Wherever these people are anyhow targeted as beneficiaries no criteria for selection of proper claimant is provided which creates a big scope of corruption in this regard.

Amongst the policies adopted by the Government only Non-Agricultural Khas Land Settlement Policy, 1995 facilitates victims of natural disasters by providing with long term settlement which should be paid and possession of the claimants on that land will be positively considered. Agricultural Land Management and Settlement Policy, 1995 (Amendment 1997), on the other hand, provides for settlement in favor of landless people who are dependent on agriculture. Yet none of those provided for the persons who have lost all their lands due to natural disasters. One of the priorities of the

National Land Use Policy, 2001 is settlement of khas lands including houses constructed on it and allocation of flats on Government land. It focuses on rehabilitation of rootless, slum dwellers and low income families of Dhaka city only rather providing for all the people residing in similar difficulties all over the country. Bangladesh Climate Change Strategy and Action Plan, 2009, though describes about future apprehension of a huge number of displacement, includes no programme in this respect. The National Plan for Disaster Management, 2010 – 2015 and the Disaster Management Policy, 2015 also ignored this issue and need to fight with its long run impacts.

To describe about the government projects in this respect name of two projects, i. e. Climate Victims Rehabilitation Project (CVRP) or guchagram (Cluster Village), a project of Ministry of Land and Ashrayan (Shelter Providing) a joint project of Ministry of Public Administration and Prime Minister's Office, should be narrated though the later does not expressly provides the climate victims unlike the earlier. Both of those depend fully on the representatives of the local government for selection of the beneficiaries. It is a great impediment in the way of providing for people in actual distress due to nepotism and corruption. Beside these Test Relief or TR project and Employment Generation Program for the Poorest or EGPP, both being projects of Ministry of Relief and Disaster Management, can be used for betterment of CDPs of Bangladesh, though they are not directly targeted by any of these.

Field Data Analysis:

For this study field data were collected through several methods. There were 127 respondents of field survey. Among them there were people moved to Chittagong town from various areas of Bangladesh by being affected by various environmental hazards mainly induced by climate change and turned to slum-dwellers by gradual loss of their own lands. Survey was also conducted among the persons who are compelled to desert their homes as those are destructed by sea level rise but they are residing in an area nearby their previous home in a great distress. Added to them, persons who were previously affected by such hazards and presently rehabilitated either by the government or by any NGO (for this study YPSA or Young Power in Social Action) were included to know about actual condition of such rehabilitation projects along with advantages and disadvantages. These respondents were selected randomly and purposively. Among the 8 key informants it is tried to make a combination of experts of various sectors, government officers and local representatives who are considered to be knowledgeable about the matter. 3 focus group discussions and 2 case studies are tended to consider the special aspects revealed by the affected people in open discussions. 5 RTI applications were made to procure information from Ministry of Land, Ministry of Social Welfare and Ministry of Relief and Disaster Management as the makers of laws and policies regarding the matter along with Chittagong City Corporation and Banshkhali Union Parishad as authorities of the local government. Findings of the field study are discussed hereby in a nutshell.

Respondents of this field survey were displaced due to cyclone, riverbank erosion and sea level rise. South coastal Bangladesh is a cyclone prone area. Cyclone of 1991 had a devastating effect on Chattogram or Chittagong. 6.3% of the respondents were displaced due to cyclone. Riverbank

erosion, being an age old problem of Bangladesh, pushed 14.2% of the participants towards displacement. However, shockingly 79.5% of the respondents were displaced due to sea level rise which is a totally new hazard for Bangladesh and is a direct effect of climate change undoubtedly. Among 127 respondents previously 21 were farmers while only 4 are still farmers. Number of fishermen is reduced to 1 from 7, number of labors is increased to 18 from 8 and number of household workers is increased to 45 from 36. It shows the trend of occupation changing after being displaced and indicates effects of climate change over occupations of the affected people. As it is found, 101 of 127 respondents have lost both of their homes and income sources due to these calamities while the others have lost either homes or income sources. At Potenga (an area within Chittagong City Corporation) sea water is encroaching approximately 20 meters of main land every year according to one of the respondents and this length is approximately 150 meters per year at Banshkhali (a sea side rural area) as the local people indicated. Key Informant-1 opined that, only displacements due to sea level rise can be termed as climate displacement because it is the only direct effect of climate change and displacement for other environmental issues should be termed as environmental displacement of which climate displacement is a part and parcel. Riverbank erosion or cyclone cannot be indicated as effects of climate change being persistent since a long in this region. On the other hand, Key Informant-7 differs with this explanation. According to Key Informant-7, though sea level rise is a present phenomenon it has a great impact on the environment in total. Due to sea level rise nature of tide and direction of rivers are being adversely affected which is giving place to increase of riverbank erosion rate. Instead of one cyclone in a few years presently coastal area of Bangladesh is facing a few cyclones every year. All those are induced by climate change and these displacements can be termed as climate induced displacements rather than climate displacements. Whatever the exact term may be field data shows the hike of displacement due to these issues. Among 127 respondents 64 are displaced from 2005 to 2015 having 60 for sea level rise, while 28 others are displaced even after 2015 having 24 for sea level rise. It creates a great apprehension for the future. Cross tabulation of the time and reasons of displacement shows the frightening rate of sea level rise and inflation of displacements due to that.

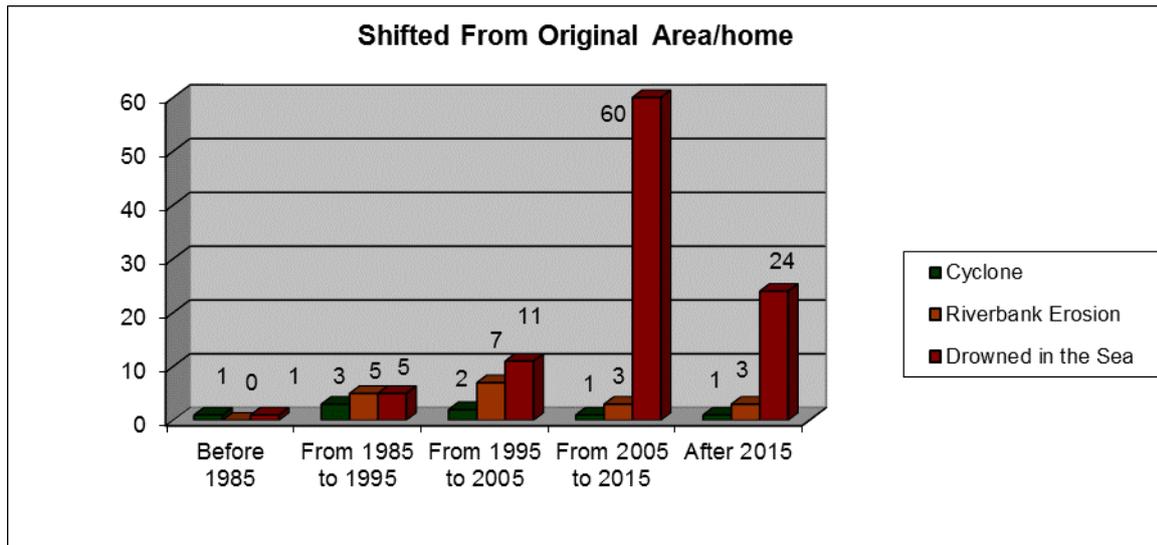


Figure1: When and why the last displacement took place

87.4% or 111 of the respondents said, they had no additional reasons for being transferred from the previous area or home to the present except being displaced. Beside displacement other reasons for being transferred from previous area includes lack of employment, family problem, marriage, (for women), land grabbing and land acquisition. 55.1% of them were shifted to their present area or home by moving here and there randomly while 22.8% moved by hearing from the others and only 9.4% have moved via various rehabilitation programs. While describing about their present living conditions 62.2% of the respondents have marked their old home as more convenient than the present. These statistics show degradation of life and livelihood after being displaced. 40.2% of the respondents have complained about improper housing while 5.6% face regular water logging at the times of high tide and 39.3% of the respondents are having improper houses also affected by high tidal water logging. Many of these people reside either in slums beside the river Karnaphuli or stays at the areas adjacent to the Bay of Bengal. Unlike other rivers of Bangladesh the Karnapuli experiences effects of high tides and low tides twice a day. Especially in the rainy season, when high tidal water spreads over a larger area most of these areas face severe water logging. Some of the areas are being affected by this hazard so regularly that people residing at those areas are tended to count this as a part of their life. In the areas beside the sea, high tide sometimes destroys homes especially in the rainy seasons and thus displaces the previously displaced people again and again. Generally people are not tended to shift from their area of origin. Even after being displaced for several times a person or a family shifts to a new area only when they feel totally helpless and loss almost everything to survive in their habituated area. However 91% of the respondents of this study have faced multiple displacements in their lifetime while only 9% of them were displaced for once only. 12.6% of the respondents said that, they were displaced for so many times that they are unable to count the number.

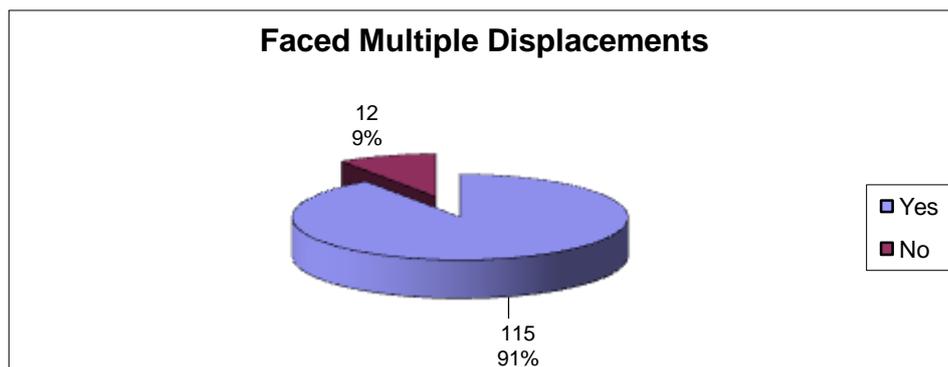


Figure 2: Multiple Displacements

Measures for providing relief and rehabilitation for these people are taken by the government and by the non-government organizations as well. But none of those projects are in line with the actual need. Government projects are providing accommodation by not considering family size of the beneficiaries which is causing sufferance due to lack of accommodation. Projects of NGO can provide in accordance with the received donation from the donor parties and that does not always match with the needs of the people in distress. Furthermore, the projects of the government are depended on recommendations of representatives of the local government and satisfaction of the officers of the land offices as they scrutinize the genuineness of the claims of which no criteria are specified anywhere. As such corruption and nepotism are vitiating the whole procedure. Increase of salinity turning lands of affected areas to uncultivable and people of those areas are sometimes being compelled to buy drinking water from various sources. One of the respondents said that she does not miss any single chance to steal drinking water from taps of others whenever it is available. Only 18.1% of the respondents get facility of family toilet while 20.5% have to use open space for this purpose. All others are using shared toilets. 2 of the respondents said that they have to request their neighbours to let them to use the toilets used by those families. Instead of all these distress most of the respondents try to educate their children and adolescents. This concern is highly appreciable. However, when they are not being able to educate their next generation it is mostly due to economic incapacity and that incapacity is a direct result of their displacement. Only 17.3% of the respondents opined that their income rate is increased after being transferred from their previous areas as they have moved to the municipality area from rural areas. Again 13.4% said it causes to increase of expenditure also and as such they are not being able to enjoy the benefits of their increased income. Focus group discussants pointed that they get no doctor in case of emergency as they reside in an area which is too tough to reach. Moreover roads are in such a worse condition that it turned patient transport into a nightmare. In many areas shelters for disaster are either having a poor condition or situated too far from the affected area. 44.1% of the respondents have never heard of khas land allotment facilities as provided by the government. 28.3% others have heard of this but never tried to get due to lack of procedural knowledge or due to some bitter experiences of their own or neighbouring others. Only 35 among 127 participants have tried to get khas land allotment and just 9 of them, who got khas land allotment in government rehabilitation projects, opined that they faced no

complicacy or corruption in this process. Instead of existing rehabilitation projects of both government bodies and NGOs 73% of the respondents marked rehabilitation as their prime need either as an unparalleled necessity or along with some other demands like employment generation, food, tube well, latrine etcetera. Focus group discussions and case studies revealed about these problems more elaborately. Applications for right to information were of a little help for this purpose and mainly provided some answers irrelevant to the questions. Key informant interviews were highly informative and helped a lot to create better understanding. By considering all those findings together, it is evident that, CDPs of Bangladesh are losing their last resource day by day. Due to lack of legal recognition they are failing to claim any proper legal protection which is hampering their access to justice and working as a bar to social awareness about the matter. Reduction of land area due to sea level rise causes decrease of cultivable land area and increase of population density at the same time. Again, salinity is working as a great impediment to agricultural activities which is highly alarming for national food security.

Conclusion:

Recommendations:

So far it is observed that quick redress from this situation is highly needed not only for betterment of CDPs but also for smooth continuation of national development in a sustainable way. To serve this purpose the Government of the Peoples' Republic of Bangladesh and the concerned non-government organizations (NGO) can step forward together in the ways recommended hereinafter.

1. National census on actual number of climate displaced persons existing in Bangladesh should be conducted to get the proper picture of their sufferings and to be prepared for dealing with this catastrophe in a well-planned and skillful manner.
2. Adequate preventive measures should be taken to prevent the calamities. Construction of embankments and cyclone centers should be well planned and in consonance with the actual need. Weak constructions without providing proper materials or constructing far away from the affected areas should be strictly abandoned.
3. Relief and rehabilitation programs should be more people oriented and well organized with careful coordination between government and non-government organizations.
4. To recover the khas lands from the influential persons for providing the people facing climate displacement Public Interest Litigations (PIL) can be conducted by the NGOs and implementation of Right to Information (RTI) can help to collect relevant information as well as to keep the concerned authority under pressure in this regard.
5. Awareness building programme can be conducted among mass people about their rights to get khas land allotments and proper procedure to make application for this purpose.

6. Legal aid and assistance can be provided by helping the claimants to fill up the application form properly and by representing them while conducting the application procedure.
7. Advocacy in national and international level is highly recommended for the NGOs as well as the government bodies to equip the CDPs with well-defined protection and legal recognition for securing their life and livelihood by empowering them with necessary rights enforceable both nationally and internationally.

There should be cooperation along with check and balance between government bodies and NGOs in order to serve these people by facilitating them with the basic human rights and thereby contributing for betterment of their lives and livelihoods.

Conclusive Remarks:

Displacement due to environmental hazards is a long cry for Bangladesh. Still inexistence of any well-structured protection and proper legal framework to fight with this kind of distresses is very much unfortunate. Vulnerability is increasing every day. Loss of cultivable lands is a serious threat for food security. Moreover, increase of salinity is lessening fertility of coastal area. Furthermore, displaced people are losing their source of income at the same time. Whenever they are moving to any other area it is causing population density hike as well as creating pressure on availability of employment at that area. Immediate steps to be taken to fight with the effects of climate change and for ensuring social welfare of CDPs in Bangladesh.. Otherwise soon it will turn to a great impediment towards ongoing development of this country. To quote the Forced Migration Review; (Climate Change and Displacement, Issue 31, October 2008),

“In response to growing pressures on landscapes and livelihoods, people are moving, communities are adapting. We debate the number, the definitions and the modalities – and the tension between the need for research and the need to act.”

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