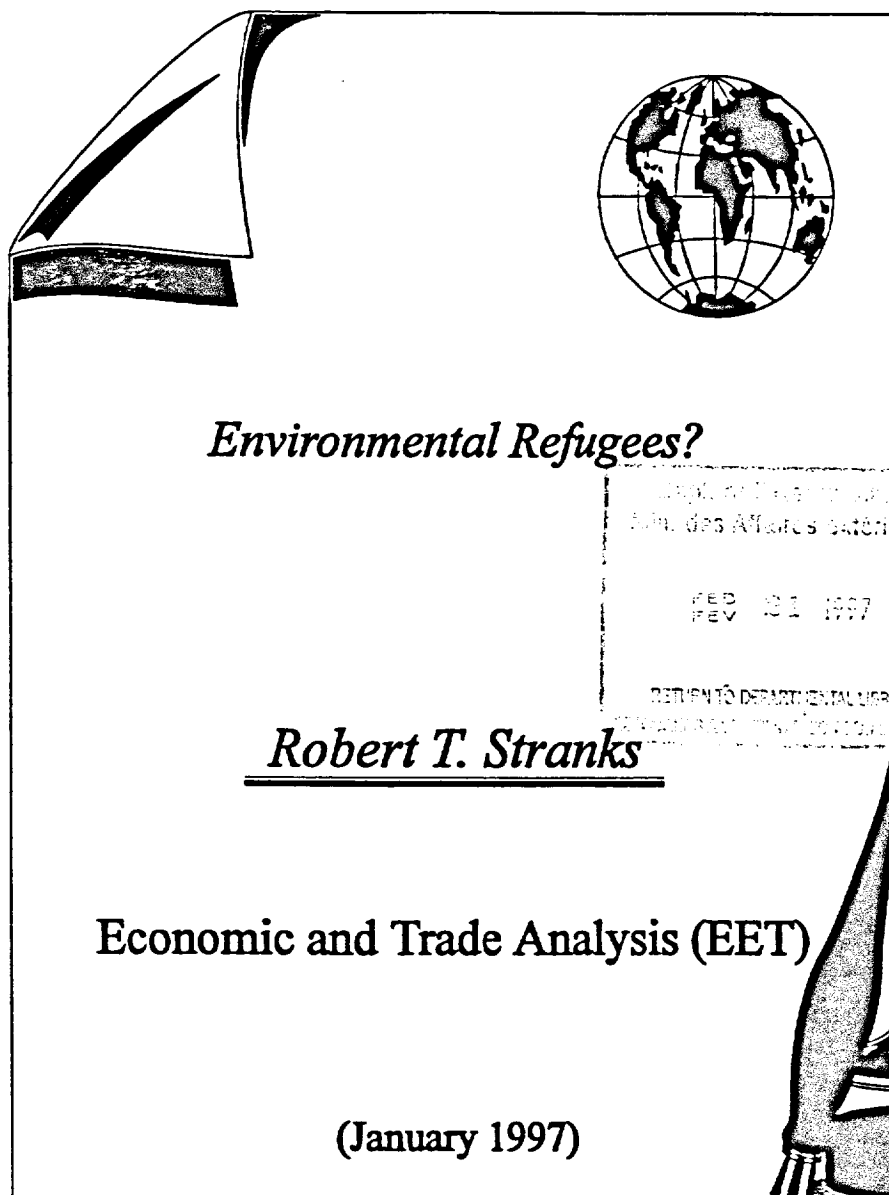


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POLICY COMMENTARY No. 17



Environmental Refugees?

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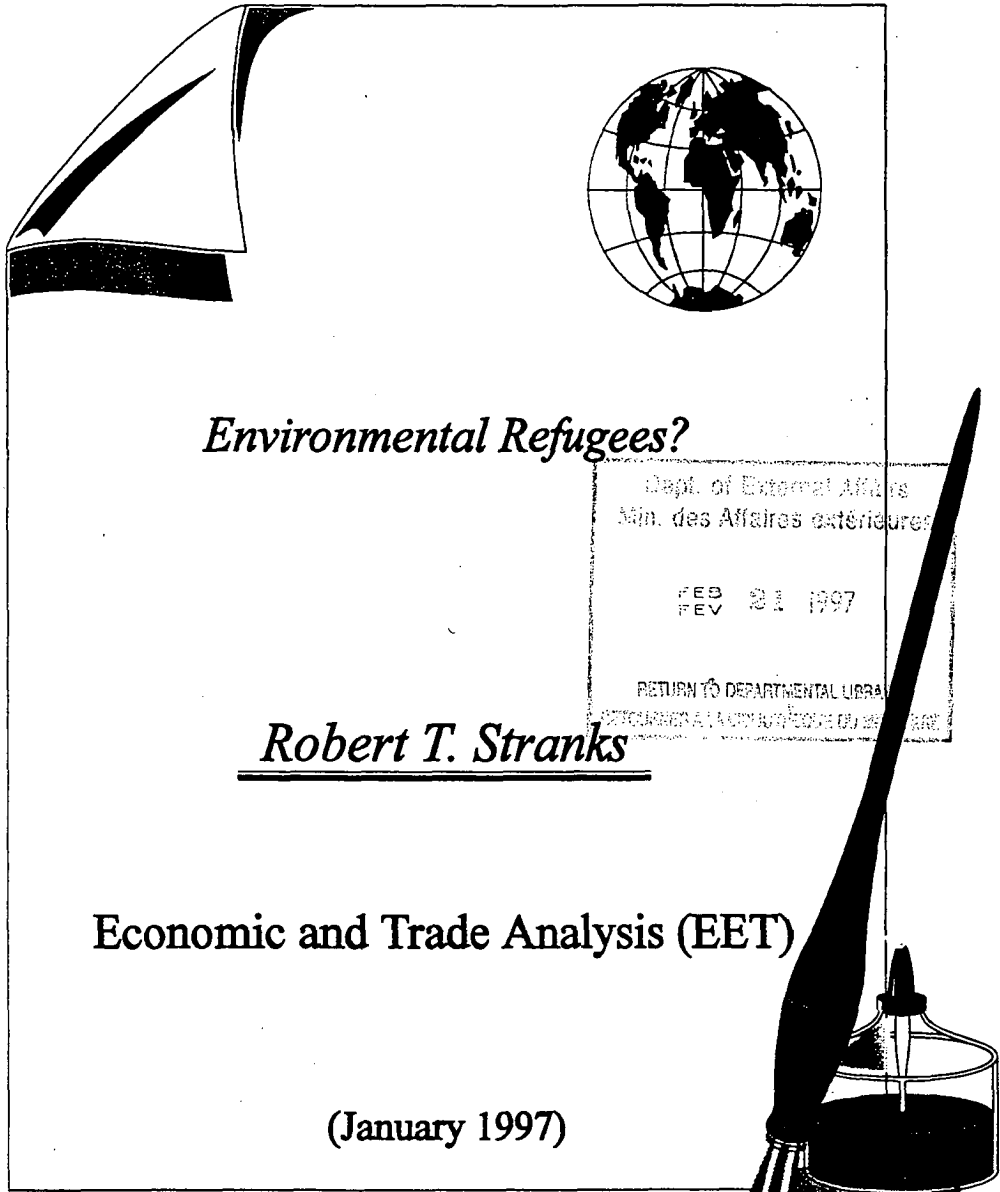
Robert T. Stranks

Economic and Trade Analysis (EET)

(January 1997)

DFAIT Staff Commentaries are short papers on issues of interest to the foreign policy community.
The views expressed are not necessarily those of the Government of Canada.
Comments or enquiries on Commentaries should be addressed to the author.

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The total number of refugees and displaced persons is becoming a global concern. A range of geo-political stability questions and humanitarian interests are self-evident. But effective policy response needs to be based on well understood causes of cross-border and domestic migrations. This short paper focuses on developing an understanding of what is meant by the much used, confused, and over worked term "environmental refugees". A number of questions arise. For example, is there a need to consider redefining the internationally-agreed upon definition of a refugee to take into account a class of so-called environmental refugees? Moreover, how does one identify environmental refugees as opposed to environmental migrants or conventional refugees?

Refugees and Environmental Refugees

The international community, including the United Nations High Commissioner for Refugees (UNHCR), makes a distinction between a refugee and a displaced person. A refugee is a person who crosses an international border because of persecution.

The UNHCR stipulates that refugees are persons recognized to be outside their country and they include i) persons recognized as refugees by governments having signed the 1951 United Nations Convention Relating to the Status of Refugees or its 1967 Protocol, or the 1969 Organization of African Unity (OAU) [C]onvention; ii) persons recognized as refugees under the 1969 Organization of African Unity Convention governing the specific aspects of refugees problems in Africa and those recognized in accordance with the principles enshrined in the Cartagena Declaration; and iii) persons recognized by UNHCR as refugees according to the definition contained in the High Commissioner's Statute.¹

Hence, if no international border is crossed a person is not included in the international legal definition of a refugee. Secondly, if the persecution criteria is not met, a person also falls outside of this definition.² The criteria for persecution is set out in Article 1 A (2) of the 1951 United Nations Convention Relating to the Status of Refugees as, a "well-founded fear of being persecuted for reasons of race, religion,

¹Shin-wah Lee, "In Limbo: Environmental Refugees in the Third World," paper for the NATO Advanced Workshop on the Environment and Conflict, Bolkesjic, Norway, 12-16 June 1996. p. 1.

²Canada is a Party to both the 1951 Convention and the 1967 Protocol.

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nationality, membership of particular social group or political opinion."³ Using this international legal definition there are about 15 million refugees.

The current parameters of the international legal definition of refugee makes it inappropriate to use the term environmental refugee in a general context. Uncritical use of the term may quickly result in confusion over what precisely is being discussed. Different users of the term may have greatly different understandings of the characteristics of the migrant, or group of migrants, to which they are referring. To avoid the legal criteria required for a bona fide refugee, it is constructive to speak of environmental migrants or environmentally displaced persons (EDP). Nor is this mere semantics. The use of these terms allows more readily for the conceptual development of environmental links with migration. In this paper, to minimize confusion, the term conventional refugee will be used when reference is made to the current international definition of a refugee.

In addition to removing the persecution criteria, EDP has the benefit of capturing the idea that people may migrate within a country as well as across international borders. International responses may be warranted whether environmental factors contribute to people becoming internally displaced or crossing borders. It is also worth stating that the use of the term environmentally displaced persons in no way minimizes the plight of these migrants and the conditions they face. However, it is essential to distinguish between those requiring humanitarian assistance to those requiring international protection. Conventional refugees are essentially a human rights problem, environmentally displaced persons are not. When it comes to public discussion of "environmental refugees" this distinction is seldom made.

There is also a need to distinguish between types of environmental factors and how they may contribute to or cause migration. An environmental factor can readily be identified with population movement if the environment is broadly defined. The literature on environment and migration uses the word environment in a number of ways and there is a need to clarify how it is being used in a specific analysis. For example, environmental degradation and resource scarcity are not synonymous. Environment degradation includes pollution, or the loss of ozone shielding the planet's surface from ultraviolet radiation, but is also more, such as the loss of fertile land.

³United Nations High Commission on Refugees, The State of the World's Refugees 1993, New York and Geneva, p. 163.

Resource scarcity, of either renewable or nonrenewable resources, is a broader concept than environmental degradation. Scarcity often, but not necessarily, implies some type of environmental degradation. Moreover, identifying scarcity is quite difficult. This occurs as scarcity is partly a sociological response, as a given per capita level of a commodity may be considered low by one individual or group and adequate by another.⁴ Moreover, the distribution of goods amongst different groups in society, perhaps on an ethnic basis, can contribute to scarcity in one or more of the groups. Consequently, to clarify our understanding of "environmental refugees" some typology is needed to distinguish between the types of environmental factors or conditions that are contributing directly or indirectly to migratory pressures.

A Typology for Environment and Migration

It is readily apparent that each of the four categories below is often interrelated with the other categories. Nevertheless, certain central features or identifiable factors are discernible in each category. The interconnectedness of the four categories is also relevant for policy analysis. This typology illustrates that the environment is seldom the single identifiable cause of migration. More often a complex combination of political, economic, social and environmental factors are present. Unfortunately, there are little data on the causal relationships between this group of factors and population movements.

1. **Natural Disasters.** Natural disasters include such events as earthquakes, volcano eruptions, and droughts or other catastrophes generated by adverse weather. Such events can quickly cause pressures for populations to escape the adverse effects. Yet natural disasters are not without a human element. Increased population and the distribution of people may contribute to a higher occurrence of natural disasters, as well as to such disasters affecting an increasing number of people. For example, building on flood plains or in earthquake zones raises the likelihood and seriousness of

⁴This is the concept of "relative deprivation". Relative deprivation occurs when people perceive a gap between the level of their well-being, often defined by economic indicators such as per capita calory consumption, and the level they believe they deserve. Deprivation is therefore relative to some individually determined subjective standard. The basis for relative deprivation need not be environmental as, for example, ethnic and racial factors may be seen by individuals as the primary cause of their deprivation. For a discussion of the security implications of inequity, see Samuel D. Porteous, "Equity and National Security," Commentary, No. 37, Canadian Security Intelligence Service, 1993.

natural disasters.

2. **Human-induced.** Two types of human-induced environmental change may be associated with population movements. These are: i) a single catastrophic incident and; ii) long-term environmental degradation. Examples of the first type are the Chernobyl nuclear accident and the Bhopal toxic chemical accident. These disasters are, arguably by some, unforeseen and the environmental abuse occurs quickly. The environmental effect, however, may last for a considerable length of time.

The same cannot be said of the second type of environmental degradation. Long-term environmental degradation can be characterized as pollution or ecological stress. While there are uncertainties associated with long-term environmental degradation, the processes at work, such as the loss of biodiversity and soil erosion, are well known to the global community. While the most potentially devastating environmental problems are global in nature (e.g., ozone depletion, climate change), it is not clear that this set of issues is the most important with respect to potential population movements over the next decade or two. The most likely candidates for pressuring populations to move are water shortages and local land degradation. Moreover, all changes in ecosystems are not negative ones. It must also be recognized that many human-induced environmental changes are socially desirable, at least by some groups, and that value judgements are made in assessing whether a given environmental change is positive or negative for the human condition.

3. **Military-political Upheavals.** Military-political upheavals refer to the conscious and systematic destruction of the environment as an instrument of war, or the destruction of the environment as a genocidal policy. The destruction of the Tigris marshes in Iraq are part of a genocide policy to eradicate the Marsh Arabs. An example of environmental destruction as a military strategy was the US deforestation policy during the Vietnam war. Military-political upheavals are distinct from the human-induced category above because the intent of the policy is to destroy the environment and impose hardship upon others. Many people subjected to military-political upheavals would meet the international criteria for refugees irrespective of the environmental factors.

4. **Social-economic.** This category recognizes that environmental factors must enter conventional analysis of political and social instability. It includes the idea of repressive socio-economic systems where a scarcity of renewable resources, such as food, stems not from an absolute shortage but from the manner of distribution that

creates a scarcity for selected elements of the population. The socio-economic category takes into account the circular relationship between poverty and the environment in which environmental conditions contribute to poverty, and poverty contributes to environmental degradation. This category is also sensitive to recognizing that many economic migrants, people who migrate for the prospect of a better lifestyle, while predominantly attracted by "pull" factors may also have some "push" factors related to a poor environmental surroundings, such as high urban pollution levels.

The forced resettlement of people, as a result of development projects, may in certain cases be seen as a human induced environmental movement (category 2 above), but it includes wider social-economic aspects. Resettlement may bring about environmental change such as wetlands being turned to agricultural use. But it might not as, for example, the dislocation of shantytown dwellers to make room for urban development. In the latter case, environmental conditions could improve. Moreover, resettlement projects may involve financial compensation, although whether the compensation granted is enough to truly compensate for the dislocation is debatable. Generally, caution is required when attaching an environmental causation to the resettlement of people. Nor should development projects and urban sprawl, whatever their environmental affects, be necessarily seen as imposing adverse conditions on the original residents. Many agricultural landowners are only too happy to see their land rezoned for commercial or residential development and actively seek such changes.

Policy Implications

There is merit in retaining the existing international definition of refugees. This definition recognizes the unique situation of individuals facing political persecution. There is also, however, merit in distinguishing amongst the types of environmental migrants and environmentally displaced persons. The typology has been constructed to aid in the understanding of the environmental causation or contribution to population migration. A concept of environmental refugees, but not one embodying the current legal definition of refugees, may be accommodated by requiring a proximate environmental cause and some form of coercion.

The paper suggests that two conditions need to be met to be granted environmental refugee status. First, a clearly identifiable proximate environmental factor, essentially environmental stress and not of a broader scarcity type of condition, would be required. A low standard of living does not make a person a

refugee. Secondly, an environmental refugee would require the idea of coercion or "forced" migration. Nevertheless, great caution is required in identifying the environmental factor that contributes to defining someone as an environmental. What the nature and characteristics of these factors are needs to be debated in the international community. Unlike the conventional definition of a refugee, an environmental refugee would include both persons who cross international borders and persons who are displaced within the border of one's country.

One possible way of viewing environmental refugees is through the timeframe over which the environmental degradation takes place and the degree that people are forced to move. A sudden environmental shock, such as a natural disaster, with little domestic governmental response to assist victims, or ecocide activities may be appropriate causes for the international community labelling a migrant an environmental refugee. Yet natural disaster, while possibly requiring international humanitarian assistance, need not require that the victims of the disaster be granted refugee status.

It is difficult to accept that an urban worker in a developed country who decides to "get back to the land" because of dissatisfaction with environmental conditions in an urban area, no matter how great the frustration, is an environmental refugee. Similarly, it is hard to accept that the unemployed resulting from worked-out mines should be granted refugee status and the right to seek asylum in a foreign country. The best term to capture these types of people, as well as migrants leaving a region because of the gradual over exploitation of renewable resources, may be environmental migrant. And even this term is may be misleading if uncritically used, as strong economic motives may be present. Certainly, the international reaction and policy responses to these cases should be different from those currently given to conventional refugees.

The status quo which completely ignores the environmental factor as a suitable criteria for refugee status is outdated, but to allow any person migrating for a range of loose environmental conditions to be granted refugee status is equally inappropriate. Allowing a wide range of environmental criteria to confer refugee status means that *non-refoulement* would also be granted. *Non-refoulement* is the principle that the forcible return of refugees to a country where they have reason to fear persecution is prohibited. Applying *non-refoulement* to the environmental criteria would mean that persons could not return to a country unless the environmental condition had been corrected. The long-term nature of many environmental problems,

ensures that repatriation for environmental refugees would not be an effective solution. This stands in contrast to the present situation, where voluntary repatriation is regarded as the preferred solution.⁵ The entitlement to non-refoulement is also a practical consideration in defining the types of environmental degradation which could legitimately be considered criteria for acquiring refugee status.

Reform of the United Nations High Commissioner for Refugees could be considered. The UNHCR's mandate is to protect and offer aid for conventional refugees that have been forced to flee their homelands. Its mandate, however, is not responsible for addressing the underlying causes of refugee movements. UNHCR is a relief agency, not a development agency. Yet the prospect of large numbers of environmentally displaced persons requiring some form of assistance reinforces the case for cooperation between the UNHCR and institutions promoting sustainable development. Moreover, the UNHCR normally is a responsive organization, that only acts if invited to do so by governments directly concerned.⁶ In addition to considering a formal role for the UNHCR in respect to environmental refugees as defined in this paper, the UNHCR could have a useful role in providing assistance to a broader group of environmentally displaced persons.

A more general question is; "What types of policy responses are required for environmentally displaced persons as opposed to the narrower group of environmental refugees?" The most effective interventions are probably directed at the root causes and would include poverty reduction, technical assistance and population planning assistance. Attention should, however, not only be given to source countries. Many developing countries that accept large numbers of environmentally displaced persons could require international assistance.

This paper suggests that greater international attention to the causes of refugee movements and the movement of environmentally displaced persons is required. Overall, there is a need for international and national institutions to address refugees, environmental refugees, and displaced persons in an integrated manner. The World

⁵United Nations High Commission on Refugees, The State of the World's Refugees 1993, New York and Geneva, p. 172.

⁶Barbara Kavanagh and Steve Lonergan, "Environmental Degradation, Population Displacement and Global Security: An Overview of the Issues," Report prepare for the Canadian Global Change Program of the Royal Society of Canada, December 1992, p. 50.



Summit for Social Development stressed the interdependence of issues. The question of environmental migrants, with its environmental, social, political, and economic context, is a manifestation of such interdependence.

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