



THE RIGHTS OF CLIMATE DISPLACED PERSONS

A QUICK GUIDE

Displacement Solutions

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WHAT IS THIS GUIDE ABOUT?

The aim of this guide is to provide practical, easy to follow advice on what people displaced from their homes and lands by climate change can do to get help. It is written directly for climate displaced persons and their advocates.

It explains in non-technical language what climate displacement is, what rights you are entitled to as a climate displaced person, and what you can do to protect your rights.

It also gives examples of how climate displaced people around the world have organised themselves to obtain help from the authorities in their countries.

To achieve climate justice, communities affected by climate displacement must organize themselves, and individually and collectively claim, assert and enforce their rights.

WHAT IS CLIMATE DISPLACEMENT?

The effects of climate change can be seen all over the world. Rain patterns are changing, sea levels are rising, and heat waves, storms and floods are becoming more frequent and severe. 2014 was the hottest year ever recorded across the planet.

One of the most serious consequences of climate change is that people are being forced to leave their homes, lands and livelihoods because they have been destroyed by the effects of climate change. These processes stand to displace many tens of millions of people in coming years.

WHO ARE CLIMATE DISPLACED PERSONS?

People who are forced to flee their homes and lands because of the effects of climate change are called climate displaced persons.

Under human rights laws you are classified as a climate displaced person at every stage of the process of displacement – at the time when you are first threatened with displacement but have not yet been forced to flee your home, at the time when you are actually displaced, and also at the time when you have found a new place to live. This means that you are entitled to all of the rights of a climate displaced person at each of these stages.

A photograph of a woman in a colorful, floral-patterned sari and headscarf, looking directly at the camera with a somber expression. She is standing in a makeshift settlement with various items and structures in the background. A blue circular graphic is overlaid on the left side of the image, containing white text.

THIS WOMAN IS
A CLIMATE CHANGE
DISPLACED PERSON.

Another climate change displaced person from the same area in Bangladesh, Mrs. R, used to live on Sandwip Island in South Eastern Bangladesh. As a result of climate change, Sandwip Island was becoming increasingly swamped by rising sea levels and coastal flooding, and the agricultural land used for farming was slowly disappearing. Fearful that there was no future on the island, Mrs. R decided to relocate her family over 150 kilometres to the mainland.

While the family is now safe from the harms of climate change, starting a new life in the city has been difficult, as they have not received any support to find a new home, land or livelihood.

WHAT RIGHTS DO YOU HAVE AS A CLIMATE DISPLACED PERSON?

People who move or who are displaced within their own country are often referred to as migrants or internally displaced persons, and are entitled to certain rights. If you are displaced from your home because of climate change and are a climate displaced person or part of a larger climate-affected community, this means that you have become entitled to a very specific set of rights which your government is required to fulfill and which arise directly from your status as a climate displaced person.

HERE IS A LIST OF SOME OF THE MOST IMPORTANT RIGHTS THAT YOU HAVE AS A CLIMATE DISPLACED PERSON:

- ▶ **The right to humanitarian assistance:** This means that your government must ensure that when you are forced to leave your home you are provided with emergency assistance, such as food and other basic supplies.
- ▶ **The right to adequate housing and shelter:** This means that your government must ensure that you are provided with basic housing and shelter that is adequate to live in when you have been displaced from your home.

- ▶ **The right to land:** This means that you should be provided with access to new land to replace any agricultural land that you are forced to leave when you are displaced.
- ▶ **The right to food, water and adequate sanitation:** This means that your government must ensure that you have access to food, water and clean sanitary conditions in order to be able to live securely in the place you move to after you have been displaced from your home.
- ▶ **The right to education:** This means that your government must ensure that your children are able to go to school in the area you move to after you have been displaced from your home.
- ▶ **The right to medical assistance and health services:** This means that your government must ensure that you have access to medical care in the place you relocate to when you have been displaced.
- ▶ **The right to freedom of movement:** This means that the government should not place any limitations on the area you may wish to move to after you have been displaced from your home.
- ▶ **The right to choose one's residence:** This means that you have the right to determine where you live in your country, subject to the relevant laws governing land and housing location.

- ▶ **The right to relocate:** This means that the government should not place any restrictions on your ability to relocate to a safe area when your home is being threatened by the effects of climate change.

One of the best ways to secure these rights is through a planned process of organised relocation if this is the wish of the people affected. This is one of the key areas where you can ask for help from your government. Governments have a legal responsibility to plan and organise the relocation of communities facing climate displacement to safe areas where they can access housing, land, health, education and other basic services.

It is important to know that the rights mentioned above belong to you at all times – when you first face the fact that you will have to leave your home due to the effects of climate change, during the period when you are displaced from your home, and even once you have found a new place to live. But you must always assert, claim and demand your rights in order for them to be fully respected and protected.

It is also important to know that your government is not allowed to discriminate against you for any reason – including on the basis that you have been displaced by climate change.

Many of the rights of climate change displaced persons can be found in the national laws of your country, most often in your country's Constitution or Bill of Rights, as well as in international laws.

THINGS YOU NEED TO KNOW ABOUT HUMAN RIGHTS OF CLIMATE DISPLACED PERSONS:

- ▶ they belong to everyone who has been or will be displaced by the effects of climate change
- ▶ they are about how government authorities must treat you
- ▶ they force government authorities to take certain actions, like taking steps to provide you with housing and access to basic services
- ▶ they prevent the authorities from doing certain things to you, like discriminating against you because you are a climate displaced person

WHERE CAN YOU FIND HELP TO PROTECT YOUR RIGHTS?

Even when you know that you have rights to services like housing, medical care and education, and that your government must help you to access these services, it can be difficult to know exactly where to ask for support.

HERE ARE FIVE ACTIONS YOU MIGHT TAKE IF YOU ARE FACED WITH CLIMATE DISPLACEMENT:

1. Organise your own community to take action
2. Contact a local or international non-governmental organisation (NGO) or United Nations (UN) agency
3. Contact local or national government
4. Contact legal aid organisations or lawyers' associations
5. Contact journalists and other media organisations

1. IF YOU HAVEN'T DONE SO ALREADY, ORGANISE YOUR OWN COMMUNITY NOW

One of the first things that you can do is to organise your community to join forces to obtain the help that you need. If your community is organised it will be in a much better position to identify the main needs of all of its members and to request the support of others in meeting those needs. It will also be in a better position to organise a planned relocation process, which is the best way of ensuring that the rights of communities facing climate displacement are realised. One of the best ways to do this is to work with a pre-existing community-based organization, or in the absence of such a group, set up your own to represent the interests of climate displaced persons in your community.

SOME ISSUES THAT YOUR COMMUNITY ORGANISATION SHOULD ADDRESS:

1. What are the main problems faced by climate displaced persons in your community? For example, flooding of homes, damage to agricultural land and water supply, destruction of income-sources.

2. What support do those seeking to remain in their homes require?
For example, building of seawalls to protect against flooding.
3. Do some members of the community need to relocate to new homes and lands as a result of these problems?
4. What support do those seeking to relocate require? For example, identification of relocation site with new homes/lands and access to basic services, new livelihood skills training.
5. Where can the community find help to address these problems?
6. Write a report with your findings and submit the report to relevant government officials, or even submit a petition to the head of state.

If you would like to learn from the experience of other community-based organisations which have been set up by climate displaced people in a number of countries around the world, you can request Displacement Solutions to put you in contact with them. Please send an email to: info@displacementsolutions.org



CASE STUDY: COMMUNITY ORGANISATION

Sea level rise as a result of climate change is increasingly threatening to flood the homes and farming land of the inhabitants of the Carteret Islands in Papua New Guinea. No government programs exist to help the affected communities deal with this problem. In response, the islanders set up their own community-based organisation called Tulele Peisa to help those affected move to the safety of the much larger island of Bougainville (often referred to by islanders as the 'mainland'), and to support them to start new lives there.

Tulele Peisa sought financial assistance from international NGOs and donors for its work. As a result, it has been able to assist a number of families to move to the mainland, including through finding them new housing and land, as well as helping them with access to economic opportunities, livelihood skills training, and health and education services on the mainland.

Tulele Peisa provides an excellent example of how a community can help itself through grass-roots organisation.

Their website is: www.tulele-peisa.org/

2. CONTACT A LOCAL OR INTERNATIONAL NGO

A useful point of contact will often be a local or international non-governmental organisation (NGO). These organisations may already have their own programmes and activities to support climate displaced persons in your local area. These organisations are also likely to be best placed to advise you on other options for support, either through your local or national government, other community-based organisations or NGOs, or United Nations (UN) agencies.

SOME QUESTIONS TO ASK A LOCAL OR INTERNATIONAL NGO:

1. Where can I find help to get access to basic services – for example to access a new home, land, school, and medical services?
2. Are there any programmes run by local or national government or UN agencies to support someone in my situation – for example, emergency assistance programmes for people displaced by natural disasters, or public land allocation programmes?

3. Are there any UN agencies or national or international NGOs providing support to climate displaced persons in my country - for example micro-credit or training programmes to re-build my livelihood?

If you are unable to find one of these organisations in your country and would like assistance in doing so, you can contact Displacement Solutions at info@displacementsolutions.org. We will attempt to put you in contact with an organisation which can help you.



CASE STUDY: NGO ASSISTANCE

Rustam Ali was living in Rangunia, south-eastern Bangladesh with his wife and three children. As a result of climate change he lost his home and land due to severe river erosion. Rustam Ali and his family were forced to live in a number of different locations in temporary accommodation. His children had to stop school and he lost his livelihood.

Rustam Ali contacted a local NGO called Young Power in Social Action (YPSA) for help. YPSA told him about the government's "khas" land programme which granted public plots of land to poor landless families. With YPSA's assistance, Mr Ali made an application to local government officials to be granted land under this programme and the application was successful.

Mr Ali has started to re-build his life with his family on his new plot of land. He has also received a loan from local NGOs to purchase a rickshaw van to start a new livelihood.

Mr Ali's situation is an example of a climate displaced person receiving support from local non-governmental organisations as well as from the government.

3. CONTACT LOCAL OR NATIONAL GOVERNMENT

Another option when you are faced with climate displacement is to contact your local or national government. At the local level, this could be the office of your local mayor, a city councilor, another representative of your local district, or your Member of Parliament. At the national level, this could be a wide range of agencies such as the ministry of housing, the department of social welfare, or the office dealing with responses to emergencies and natural disasters.

You should explain your situation to the representative of the government and discuss whether and what programmes your local or national government may have to support you. Your local official may be able to put you in contact with the correct government agency or other organisation that can provide support.

It may also be useful to contact a local community based organisation or NGO in order for them to support or advise you in your meeting with a local government official. They may have more experience in talking to government officials and know the right questions to ask.

SOME QUESTIONS TO ASK LOCAL LEVEL GOVERNMENT OFFICIALS:

1. Who is responsible for helping climate displaced persons in my area?
2. Who is responsible for assisting members of our community who wish to relocate with planning and organising the relocation process?
3. What programmes and services does the government have to support the rights of climate displaced persons, such as access to housing, health and education services?
4. How can I apply for support to receive services such as new housing, land or livelihood skills training?
5. If I have problems with receiving support as a climate displaced person, who can I discuss my situation with?

CASE STUDY: GOVERNMENT ASSISTANCE

When Typhoon Haiyan devastated the Philippines in 2013 over four million people were forcibly displaced from their homes. The Philippines national Department of Social Welfare and Development provided wide-ranging support to the millions of displaced persons.

The support that displaced persons received included: food assistance; emergency relief packs including tents, mosquito nets, blankets, hygiene kits and clothing; emergency and temporary accommodation; cash grants to the poorest and most vulnerable; cash for work programmes; and livelihood skills training.

The support provided by the Philippines Department of Social Welfare and Development is an example of the various ways a national level government department can help climate displaced persons.

4. CONTACT LEGAL AID ORGANISATIONS OR LAWYERS ASSOCIATIONS

If your local or national government is unable or unwilling to take action to assist you, a further option is to contact legal aid organisations or lawyer's associations in your area. These advocates may be able to advise you on the practicality of taking a case to the local or national courts to enforce your rights, for example, under your country's Constitution or Bill of Rights. They may also be able to file a test case in the courts so that the rights of climate displaced people might be better protected.

Legal aid organisations often provide free advice to displaced persons, or they can often refer you to individual lawyers who can help you with your case free of charge.

Again, it may be useful to contact a local community based organisation or NGO, who may be able to advise you on the best legal aid organisations to speak to.

CASE STUDY: LEGAL ASSISTANCE

The Lawyer's Initiative for Displacement Solutions is a group of lawyers from the Chittagong Bar Association who help protect the rights of climate displaced persons across Bangladesh.

The group is trying to persuade the central Government to create laws and policies to provide better assistance to climate displaced people. They also hope to file a test case in court under the Bangladeshi Constitution, which would pave the way for more climate displaced people to be able to enforce their rights.

5. CONTACT JOURNALISTS AND THE MEDIA

Another option when you are not receiving the help you need would be to contact journalists and the media. By publicising the lack of action to address climate displacement in your community, media attention might help to put pressure on the relevant local or national authorities to take action.

As with other issues, it may be useful to contact a local community organisation or NGO to advise you on how best to do this.



CASE STUDY: MEDIA ASSISTANCE

The Gunayala islanders in Panama are gradually losing their islands to rising sea levels, with many islanders wishing to relocate to the mainland. Extensive media coverage of a report by Displacement Solutions on the Gunayala islanders' problems in Panamanian newspapers and on television made a local politician interested in their situation. The local politician met with the Panamanian President to ask for national government assistance to relocate the islanders to the mainland.

The media coverage of the report also led the Inter-American Development Bank to consider the possibility of donating some of the funds needed for the relocation. It also resulted in a Canadian documentary being made on climate displaced people on the Gunayala islands.

The Gunayala case is an example of how media attention can exert pressure on government authorities and other agencies to address the problems of climate displaced communities.

CONCLUSION

Climate displacement is becoming increasingly widespread around the world as the effects of climate change become more severe.

It is important that climate displaced people take action themselves to enforce their rights and to obtain the assistance they need.

We hope that this guide will be useful in helping you to do so.

REMEMBER:

- ▶ As a climate displaced person, you have human rights
- ▶ Your government has a series of legal duties to respect, protect and fulfill these rights
- ▶ Organising your community to demand your rights will give you the best chance to succeed in securing rights for all climate displaced people

WE ARE HERE TO HELP:

Please contact Displacement Solutions if you and your community would like assistance in contacting NGOs or other organisations that may be able to provide you with further advice.

Email us anytime at: info@displacementsolutions.org

Visit our website: www.displacementsolutions.org



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