



REPORT

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The Bangladesh Climate Crisis

Assessing Climate Change
Social Impacts



Worked and organized
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1. Introduction

The People's Republic of Bangladesh is a predominantly Islamic country in South Asia. With an estimated population of 164,689 million (UN, 2019) and a 147,570 square kilometres total area, Bangladesh is one of the most densely populated countries in the world. In addition to that, Bangladesh is also a predominantly rural country: approximately only 38,9% of its population lives in urban areas (CIA, 2021). This scenario is explained by the country's high reliability on agriculture; Bangladesh's rich and fertile land is responsible for assuring 14,2% of the country's economy and approximately 42,7% of the country's labour force (CIA, 2017). However, the country has always had a high natural susceptibility to extreme weather, and according to the Environmental Justice Foundation, migration has always been used as a coping strategy for all its climate disasters (EJF, 2021).

With climate change on the rise over the last two decades, natural disasters have increased significantly. The high population density, combined with a large rural population, low elevation and major social problems, such as high levels of poverty and inadequate infrastructure, make Bangladesh one of the most susceptible countries to suffer the consequences of climate change. As the climate crisis intensifies, the country faces constant climate disasters that affect a significant part of its population. The sea-level rise, responsible for putting millions of lives in danger, has triggered other environmental problems, such as saltwater inundation, storms, floodings, droughts, and river erosions.

Climate change is a contemporary global issue that most countries in the world are being forced to face. However, those who suffer greater consequences of climatic disasters aren't usually the ones responsible for the highest greenhouse gas emissions. Despite being a global phenomenon, climate change mainly affects the most vulnerable populations of developing countries.

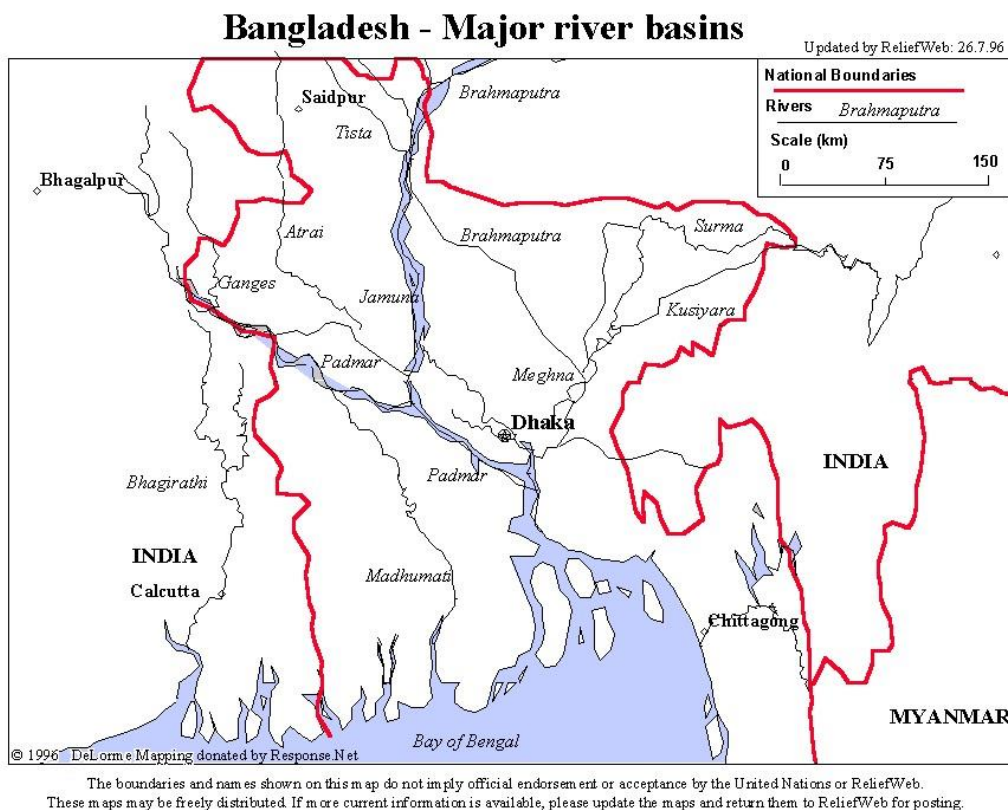
Furthermore, this new challenge is exposing and further aggravating pre-existing inequalities. In Bangladesh, the climate crisis has highlighted gender inequality in regards to women's land rights, along with the precarious conditions and vulnerability of refugees in the country. Climate change has also exacerbated poverty and the marginalisation of natives.

This report aims to analyse the impacts of climate change in Bangladesh and how this is already affecting the lives of thousands of citizens. It is clear that this global phenomenon is already part of the reality of the country, therefore it is important to understand the complexity and the impact of the issue at hand. This report will give particular attention to climate refugees, as people are continuously displaced by disasters. The position of the Bangladesh Government in response to these issues will also be addressed.

2. Climate change in Bangladesh

The United Nations Framework Convention on Climate Change (UNFCCC) defines climate change as changes that have happened as a result of human activity. It is “a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere” (UNFCCC, 2011). These human-induced changes are creating major impacts on the world's climate and, in Bangladesh, it is no different. According to Saleemul Huq, Director of the International Centre for Climate Change & Development, climate change has caused floods, cyclones, and the melting of the Himalayan glaciers, which are the three biggest environmental problems in Bangladesh (DW, 2019).

Floods are a growing problem in Bangladesh. Typically, around 30 to 70% of the national territory is flooded during the year (European Parliament, 2008). However, the magnitude of those floods is increasing and are expected to increase even further. In order to understand the increase of flooding events, analysing three of the largest rivers in the country: the Ganges and the Brahmaputra, that together merge into the Padma, is crucial. These rivers have experienced an increase in water volume over the years due to the monsoon season and the melt of glaciers in the Himalayas, Nepal. This condition has caused more floods in the area nearby the rivers.



The major rivers of Bangladesh. Source: Reliefweb, 1996.

The high temperatures of global warming result in the melting of glaciers, and as a consequence of this, rivers from around the world may suffer the consequence of a runoff: the process of water volume of a river increasing to a level of invasion of nearby areas. According to the Intergovernmental Panel on Climate Change's (IPCC) Fourth Assessment Report (FAR), "glaciers in the Himalayas are receding faster than in any other part of the world, and this can be attributed primarily to global warming" (European Parliament, 2008). This glacier melt causes the "runoff", which makes areas near the Brahmaputra, Meghan, Ganges and Padma rivers more likely to suffer from floods and flash floods. Several villages near those rivers in rural Bangladesh already felt the destruction due to floods. Moreover, another cause of the increase in the volumes of water in the mentioned rivers is the monsoon. According to Margareth Alston, "Monsoonal rainfall will be affected, becoming more intense, and the times when rain falls may vary" (Alston, 2017). Due to that, flooding may occur more frequently in the future.

The rise of the sea level can also cause floods, and according to the SAARC Meteorological Research Council (SMRC), based on 22 years of research in three different coastal stations, Bangladesh has a higher rate for the sea level rise than the average global rate (Rahman & Alam, 2003). This process, highly influenced by human induced climate change, can increase coastal and riverine floods; which may affect up to 30 million people (Alston, 2017).

The coastal region of Bangladesh, due to its low sea level, is also one of the most susceptible to the impacts of climate change. The rising sea level has caused the seawater to get into the freshwater sources. The contamination of the freshwater in coastal areas with saline water has worsened the scarcity of drinking water, especially during the drought. Besides that, the higher temperatures will also cause other consequences to the climate, such as the increase of cyclones/storm surges and the increase of drought periods. Higher cyclone-related disasters have already been found to be directly linked to higher sea surface temperature (European Parliament, 2008). Therefore, this process can aggravate the occurrence of cyclones in coastal areas but with a higher intensity and with smaller time periods. Along with this, the higher temperatures caused by climate change will also aggravate the frequency and intensity of drought periods in Bangladesh.

Although climate change is often associated only with global warming, the increase in temperature extremes, both in summer and winter, is also one of its biggest consequences. The greater extremes of precipitation, for example, result in less rainfall during the dry season, a process that leads to water stress (when the demand for water exceeds the available amount during a period of time) in areas that are already water-scarce. In regions where glacial water is an important source of water, the dry season will bring scarcity as glaciers retreat with rising temperatures.

2.1 Security Issues

2.1.1 Food Security

The climate disasters that have hit Bangladesh in the last decade have worsened food security problems in the country. Disasters have caused huge losses of infrastructure, crops, forestation, freshwater, and losses in agriculture - all directly impacting the lives of Bangladeshi citizens. Due to the periods of drought, saltwater intrusion, and temperature extremes, there has been a decrease in crop yields in Bangladesh (European Parliament, 2008). According to the UN Division for Sustainable Development, the “Loss of crop due to flood, storm surge, cyclone, and drought is increasing every year.” (UN, n.d.). As mentioned before, Bangladesh is a country dependent on its agricultural sector, and such losses could cause a severe crisis on the food security of the country, increasing vulnerability and difficulty in accessing healthy food in rural populations.

According to the “Climate Change Country Study Bangladesh”, under the United States Climate Change Study Programme, a rise in temperature will cause a severe impact on the production of foodgrain. An increase of 4°C would be responsible for a 28% decrease in rice production and 68% in wheat production (Rahman & Alam, 2003). Besides that, the saltwater intrusion is causing a decrease in the soil quality due to salinity. This could compromise the rice production in the country. The seawater intrusion is also affecting the fishing sector. The changes in the climate and the salinity of the water can cause a harmful impact on fishing, which is the main source of protein in the country.

2.1.2 Environment

The Sundarbans, one of the world's largest mangrove forests, considered a World Heritage site, lies on the delta of the Bangladeshi river of the Ganges, Brahmaputra and Meghna. Holder of one of the richest and most diversified biodiversity, the Bangladesh mangrove forest is one of the areas most affected by climate change. It is susceptible to inundations, saltwater intrusion, droughts and storm surges (Rahman & Alam, 2003). In addition to that, the rich biodiversity could decline due to the changes in temperature and the higher rainfall patterns that could cause erosion (European Parliament, 2008).

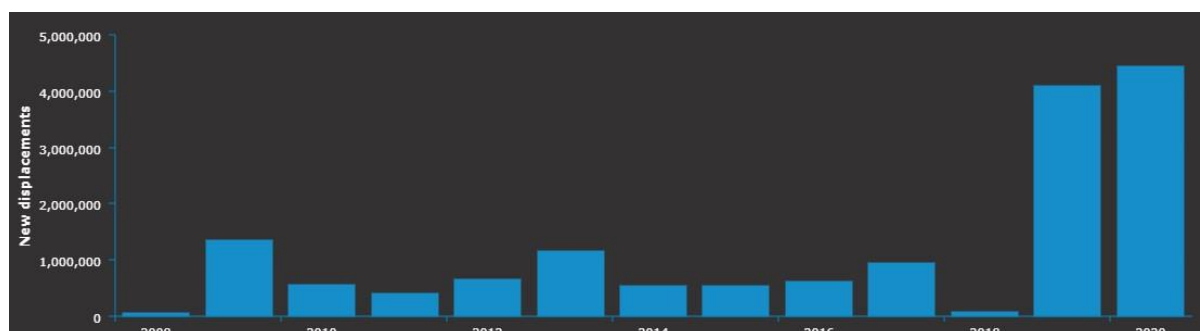
The Sundarbans has an important role for the coastal communities, given that the forest “offers subsistence to around 3.5 million inhabitants who live within and around the forest boundary” (European Parliament, 2008). One Bangladeshi named Mohammed Sabud Ali said in an interview with the Guardian that “We are dependent on the river and the forests. Everyone now goes to the forests. For honey, fish, crabs,” (Ahmed, 2022). However, his life and the lives of several communities are now at risk due to climate change disasters. The forest is often the main source of income for these communities, therefore, these disasters. According to the World Bank, approximately 50% of those nearby communities are below the poverty line, and climate change will increase the number (WorldBank, 2014). The Cyclone Amphan in 2020, for instance, caused the loss of livelihoods of more than two million people. The disaster occurred due to the intrusion of saltwater into the mangrove forest.

“Severe flooding and cyclones make access to agricultural land difficult, and agricultural work less obtainable for landless labourers. As roads and waterways become unusable, household income and food security diminish, access to markets is limited and fishing opportunities more risky and costly.” (Anti-Slavery International, 2021)

Furthermore, cyclones have constantly been affecting the region and increasing the migration of Bangladeshi people. This causes another problem, which is human trafficking. Many illiterate citizens, who rely on trafficking networks to cross a border, ended up being victims of human trafficking, which is a form of modern-day slavery, according to the Anti-Slavery International. Most of them are vulnerable people, such as women and children.

2.1.3 Displacements

Migration has always been a way for Bangladeshi people to escape from the climate disasters caused by the country's natural susceptibility to extreme weather. In that regard, climate change and the worsening of climate disasters in the country have caused the increase of displaced people. According to the EJF (Environmental Justice Foundation), by 2050, approximately one in every seven people could be displaced due to climate change in Bangladesh, while 18 million might have to move due to the sea level rise (EJF, 2021). Also, according to the EJF, with an estimated 50cm increase in water levels, 11% of Bangladesh's total territory would be covered, affecting approximately 15 million people (EJF, 2021).



Source: (iDMC, 2021)

Above it's noticeable the high amount of displacement numbers throughout the years. Only in 2020 there were 4,443,000 millions of new displacement only in Bangladesh, this high number happened due to cyclone Amphan (iDMC, 2021). The Internal Displacement Monitoring Centre calculate an average of expected displacements in Bangladesh during a year of 1,214,715 among which 37,930 would be caused by Earthquakes, 1,055,616 would be caused by floods, 9,035 for storm surges, 2,185 for tsunamis and 109,949 for cyclonic winds (iDMC, 2021).

The image above illustrates the high number of displacements throughout the years. In 2020 alone, there were 4,443,000 million people displaced in Bangladesh; this high number happened due to cyclone Amphan (iDMC, 2021). The Internal Displacement Monitoring Centre (iDMC) calculates an average of 1,214,715 displacements per year in Bangladesh. Among which 37,930 would be caused by earthquakes, 1,055,616 would be caused by floods, 9,035 by storms, 2,185 by tsunamis and 109,949 by cyclonic winds (iDMC, 2021).

3. Climate Change Legal Framework

3.1 International climate change legal framework

It has been long known that climate change and its adverse effects are a matter of common concern to humankind. In 1992, the United Nations Framework Convention on Climate Change (UNFCCC or the Convention) also recognised and acknowledged the fact that human-led activities contribute in a most notable manner to the greenhouse effect, adding to the general climate warming that the Earth is experiencing. Moreover, the Convention ascertained that the largest share of global emissions could be attributed to developed countries while noting that the share of emissions in developing countries will continue to increase as they meet their social and developmental needs. The Convention even makes a distinction between countries that are industrialised or that are undergoing a transition to a market economy (Annex I) and countries that are not included in that list (non-Annex parties) (United Nations, 1992). As such, the UNFCCC called for international cooperation in addressing climate change, urging States to enact “effective environmental legislation”.

The UNFCCC was the first time that an agreement regarding climate legislation was reached, with the State parties coming together on a list of definitions crucial to the impact of the later-enacted legislation. According to the Convention, climate change is “*attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods*” (United Nations, 1992). Based on this definition, the Convention requires the State Parties to stabilise the level of greenhouse concentrations in the atmosphere at a level that would prevent dangerous interference with the climate system. Therefore, the Convention binds its parties to “*formulate, implement, publish and regularly update national [and] regional programmes containing measures to mitigate climate change*”. Five years after the UNFCCC came into effect, in 1997, the Kyoto Protocol was enacted. However, due to a lengthy and complex ratification process, it did not enter into force until 2005. The Kyoto Protocol operationalises the UNFCCC, being the first international legal instrument that reflects commitments of industrialised countries and economies in transition to limit and reduce their greenhouse gases (GHG) emissions, in accordance with agreed individual targets. The main characteristic of the Kyoto Protocol is its respect and abidance of the Annex-based structure of the Convention. Therefore, the Protocol only binds developed countries, and places a heavier burden on them than on developing countries, basing itself on the principle of “common but differentiated responsibility and respective capabilities”. Under the Protocol, countries must meet their individual targets mainly through national measures.

Ten years after the Kyoto Protocol entered into force, at the Conference of the Parties (COP) 21, the Paris Agreement was adopted by 196 Parties (UNFCCC, 2015). The Paris Agreement is a legally binding international treaty on climate change, which was also adopted under the framework of the UNFCCC. This treaty brought almost all nations together into a common cause to undertake the effort of limiting global warming to below 2, preferably 1.5 degrees Celsius, in comparison to pre-industrial levels. The Paris

Agreement is innovative because it works on a five-year cycle basis, where increasingly ambitious climate change measures are to be taken by the countries. In order to ensure this, each Party to the agreement shall successively submit “nationally determined contributions” (NDCs), which shall entail progress in relation to the previously submitted NDC. In their NDCs, countries shall communicate the different actions they commit to take in order to reduce their GHG emissions, which will then help them reach the goals stated in the Agreement. In order to make it more feasible for the State Parties, the Agreement requests them to submit their “long-term low greenhouse gas emission development strategies” (LT – LEDS). While LT – LEDS are not mandatory, they place NDCs into the context of the different countries’ long-term planning and development priorities (UNFCCC, 2015).

The Paris Agreement is the latest legal instrument under the UNFCCC, but will it be the last? It is the opinion of many that the last COP, that took place in Glasgow, as well as the UNFCCC in the broader sense, have failed to acknowledge many impacts of climate change on minorities. They have also yet to address the importance of linking climate action to human rights measures to achieve true global justice (Centre for International Environmental Law, 2021).

The United Nations Office of the High Commissioner for Human Rights (OHCHR) and the Human Rights Council (HRC) have worked together to highlight the correlation between climate change and human rights. They have also made calls for a human-rights based approach to be implemented into the framework of climate action (OHCHR, 2021). Since 2018, the HRC has adopted a series of Resolutions on human rights and climate change. Among these Resolutions, the most relevant one might be Resolution 10/4, where the HRC noted that “*climate change-related impacts have a range of implications, both direct and indirect, for the effective enjoyment of human rights*” and that such effects “*will be felt most acutely by those segments of the population who are already in a vulnerable situation*” (HRC, 2009). Later in 2017, the HRC noted: “*the urgency of protecting and promoting the human rights of migrants and persons displaced across international borders in the context of the adverse impact of climate change*” (HRC, 2017).

It is true that both the Preamble of the Paris Agreement and the UNFCCC’s decision on the outcome of the work of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention (Decision 1/CP.16) made reference to human rights. The first one calls on Parties to “*respect, promote and consider their respective obligations on human rights*” when taking action to address climate change, while the latter makes direct reference to HRC’s Resolution 10/4 (UNFCCC, 2011). However, the OHCHR sees that the inclusions are still not enough to integrate human rights within the UNFCCC. The OHCHR advocated for the integration of human rights in the implementation guidelines of the Paris Agreement so that State Parties could take a human rights-based approach when adopting their NDCs (OHCHR, 2017). The OHCHR itself recognises the briefing note prepared by the Human Rights and Climate Action Working Group as a useful analysis of the key points for human rights in the Paris Agreement implementation guidelines (Human Rights & Climate Change Working Group, 2018).

3.2 National climate change legal framework

Given the frightening impact of climate change on the territory of the country, Bangladeshi institutions have increased efforts to deal with this issue, culminating in the adoption of a large number of climate-related laws and policies (Huq & Rabbani, 2011). Bearing in mind that the Bangladeshi environmental law framework stems from the interlinkage amongst formal sources, namely the Constitution, statutory laws and bylaws, and informal sources on, such as customs and traditional practices (Naser, 2015)-, this Report will engage exclusively with the main examples of the former category.

The initial version of the *Constitution of the People's Republic of Bangladesh* of 1972 had not enshrined any provision regarding the environment. However, the *Fifteenth Amendment* enacted in 2011 inserted Article 18A in Part II of the Constitution, establishing the State's obligation to “endeavour to protect and improve the environment and to preserve and safeguard the natural resources, biodiversity, wetlands, forests and wildlife for the present and future citizens” (Government of the People's Republic of Bangladesh, 1972). Although this new article represents a step forward in acknowledging the importance of the climate change discourse, its limited scope leaves room for criticism and dissatisfaction. The Constitution does not recognise the existence of the right to a safe environment, –nor does it address any other human rights that can be affected by environmental degradation. The protection of the environment merely falls within the *Fundamental Principles of State Policy* which informs and inspires the interpretation of the other provisions of the Constitution and of the other laws of Bangladesh (Naser, 2015). Against this backdrop, it is *a fortiori* worth clarifying that all the articles imbued in Part II of the Constitution are not legally-enforceable, meaning that citizens are not entitled to issue claims before tribunals in order to obtain adequate legal protection from climate-induced risks (Khan, 2019).

In addition, it is paramount to remember that the Bangladeshi legal system has been long characterised by the excessive complexity and onerousness of the litigation procedures, as well as the endemic corruption of legal practitioners (Khan, 2019). These persistent flaws cut through the entire judicial framework, strongly hindering the full achievement of social and climate justice.

In regards to the concerning scenario, the government of Bangladesh –through the Ministry of Environment and Forests (hereinafter MoEF)- has been very active in the fight against climate change during the last decades, perceiving it as one of the main priorities on its working agenda. The ministry has been taking several measures intended to mitigate the impact of natural hazards and promote people's resilience (Huq & Rabbani, 2011). Upon this premise, the MoEF finalised, in November 2005, the *National Adaptation Programme of Action (NAPA)*, whereby the government identified fifteen immediate actions to be taken in order to adapt to the consequences of climate change. The government committed to strengthening the populations' capacity building and subsequently reduce their vulnerability (Ministry of Environment and Forest Government of the People's Republic of Bangladesh, 2005), following the Seventh Session of the Conference of the Parties held in 2001 in Marrakech, Morocco (COP 7) and in line with the country's sustainable development goals.

Following the commendable path traced by the *NAPA*, the Bangladesh government adopted in 2008 the *Bangladesh Climate Change Strategy and Action Plan (BCCSAP)*, a policy pointing out ten-year measures (until 2018), with an aim to cope with the multifaceted climate-induced hazards –such as floods, droughts, salinity intrusion, coastal erosion, violent storms and temperature variations (Government of the People’s Republic of Bangladesh, 2008). The various responses conceived in the *BCCSAP* are all categorised under the following six major thematic domains of intervention, namely food security, social protection and health; comprehensive disaster management; infrastructure; research and knowledge management; mitigation and low carbon development; and capacity building and institutional strengthening (Government of the People’s Republic of Bangladesh, 2008).

Moreover, the Climate Change Trust Fund Act of 2010 created the Climate Change Trust Fund, wherein state budget, foreign aid, and private donations converge to sustain the country’s initiatives addressing the climate-related risks (World Bank, 2020). In order to facilitate the proper and effective stationing of the collected funds, the government established the Climate Change Unit (CCU), an organ under the MoEF charged with the management and the optimisation of the economic resources to be invested into the implementation of the adaptation measures and actions discussed above (Huq & Rabbani, 2011).

Eventually, it is worth recalling the robust and consistent work of Bangladesh within the framework of the *Paris Agreement (PA)* (United Nations, 2015). One of the main instruments that the State Parties have to formalise is the Nationally Determined Contributions (NDCs), which was referred to as Intended Nationally Determined Contributions (INDCs) before ratification (Ministry of Environment and Forest Government of the People’s Republic of Bangladesh, 2021). In line with its duty, Bangladesh, in its initial INDC in 2015, committed to taking measures to achieve “12 million tons (5%) unconditional reduction in GHG emission from Business as Usual scenario by 2030 and a further 24 million tons (10%) conditional reduction in GHG emission with support from the international community taking the base year 2011”

(Ministry of Environment and Forest Government of the People’s Republic of Bangladesh, 2021).

Such a proposal was limited to the Power, Industry, and Transport sectors and, in line with the aims declared, the Bangladesh government drew the NDCs Implementation Roadmap and Action Plan in 2018 (Ministry of Environment and Forest Government of the People’s Republic of Bangladesh, 2021). In 2021, Bangladesh updated the NDCs and expanded the scope by including Energy, Industrial Processes and Product Use, Agriculture, Forestry and other Land use, and Waste Sectors t, with the purpose of boosting the attempts to reduce its GHG emissions and strengthen its domestic contribution to the overall global efforts taken to fight climate change (Ministry of Environment and Forest Government of the People’s Republic of Bangladesh, 2021).

3.3 Bridging the gap between the Bangladeshi and the international framework

Having outlined the main features of the national and the international legal climate change frameworks, it is now helpful to identify how the two can reconcile with each other. The previous section has highlighted the absence of a clear link between climate change and human rights in Bangladesh law instruments, thus overlooking the recommendations championed by the OHCHR and the HRC (Naser, 2015).

The narrow and short-sighted lens deployed so far by Bangladeshi institutions turn out to be particularly detrimental to the Internally Displaced Persons (IDPs). IDPs are people who are forced to move away from their houses within the borders of their own country of origin to avoid climate-related risks (Naser *et al.*, 2019). In this context, it is widely accepted that migration is not portrayed as a human rights violation in Bangladesh, leaving IDPs without any adequate protection (Naser *et al.*, 2019). Climate migrants are constantly exposed to the frustration of a wide spectrum of economic, social and cultural rights, such as the lack of potable water, food, shelters, healthcare services, and education (Naser *et al.*, 2019). The Bangladeshi Constitution does not provide any line of defence against violations of this category of rights yet, being conversely limited to the defence of civil and political rights (Naser *et al.*, 2019). As a result, climate-induced internal migration does not trigger any practical law and policy responses. This lacuna leads to the glaring infringement of the governmental duties and responsibilities of protection and assistance proclaimed by the United Nations *Guiding Principles on Internal Displacement* (United Nations, 2004).

In light of this, it is urgent to advocate for a shift of approach of the Bangladeshi domestic system in order to include a human rights-oriented perspective into the climate change discourse. The Inter Agency Standing Committee (IASC) *Operational Guidelines on Human Rights and Natural Disasters* have stressed how human rights violations are oftentimes the result of insufficient human rights-based planning rather than the outcome of intentional illegal acts (Inter-Agency Standing Committee, 2006). This turning point would ensure the amelioration of thousands of people's living conditions, which is necessary to respect and promote their intrinsic and inherent dignity (Zetter, 2008).

4. Impacts on social/ethnic minorities

4.1 Women's rights

Whereas different implications of climate-related risks have been discussed, this section will address the vulnerability of women in regards to gender discrimination and how climate change is expected to jeopardise more of their rights. Vulnerability has been defined by the IPCC as “the degree to which a system is susceptible to and unable to cope with, adverse effects of climate change” (IPCC, 2007). Thus, vulnerabilities are context-specific, and although climate change touches everyone regardless of class, race, age, its impacts are more significant to “those segments of the population that are already in vulnerable situations owing to factors such as geography, poverty, gender, age, [...] or minority status” (Human Rights Council Resolution 5 July 2018; Special Report IPCC, 2012).

As far as gender is concerned, according to the Human Rights Council, gender refers “to a relational concept that denotes the manner in which women and men are differentiated in a given sociocultural context [...] because of the sexualisation of inequality between men and women” (Mbote, 2013). Undoubtedly, climate change tends to magnify existing inequalities within societies in which gender discrimination is already present, given the fact that the majority of the world's poor and disadvantaged people are women. The correlation between women and poverty was discovered in 1970, on the side-lines of the Fourth World Conference Women, when many scholars introduced the concept of “the feminization of poverty” (Jonsson, 2011). The expression returned to prominence in the second half of the 1990s, with numerous United Nations reports confirming the correlation between climate change and poverty with the need to solve both issues simultaneously (Moriggi, 2016). The crux of the matter is that climate change affects men and women differently, according to the degree of marginalisation and vulnerability in which they live, due to inequalities in power (Jonsson, 2011). Thus, the concept of gender vulnerability refers to “the way economic activities and lives of women are affected due to climate change-induced natural hazards” (Jonsson, 2011). In particular, “the gender–climate change nexus is usually conceptualised as the negative consequences of such event aggravate gender inequalities that translate in harsh experiences for women during natural disasters [...]” (Mbote, 2013). Furthermore, when the socioeconomic status of women is low, more women than men die during natural disasters (Neumayer and Plümper, 2007). Indeed, on such occasions, women lack preparedness and access to information. In this way, they are not able to face such adversities. This is also translated into women's inaccessibility to shelter facilities that contribute to mortality. Several data and studies, among which the work conducted by E. Neumayer and T. Plümper presented how disaster mortality affected more women than men in hazardous events during the period 1981–2002. In simple terms, the stronger the disaster, the more it brings detrimental impacts on women. The researchers also recognised that women are effectively disadvantaged due to cultural norms and behavioural restrictions (Neumayer and Plümper, 2007).

Bangladesh is an emblematic case from a cultural perspective because social gender vulnerability is visible from a lack of education and decision-making power (Garaj, 2016). In the rural parts of Bangladesh, women are expected to wear a *sari*, traditional

clothing that hampers women's movements during such emergencies. Moreover, as women need to remain in the *bari*, typically the houses of the family, they have no direct access to information about climate hazards. This aspect is especially significant for Indigenous women who greatly depend on their environment for their family's survival, maintaining their cultural identity, exercising medical practices, and collecting food resources such as plants and seeds (Stloukal et al, 2013/2). According to scholars, these aspects seem to be the outcome of the interconnection between poverty, underdevelopment, and social stereotypes that drives an "environmental degradation spiral" where women are perceived as "forgotten casualties" or "latecomers" to climate change (Cutter, 2017).

4.2 Female harassment in natural disasters: the case of Bangladesh

When dealing with women's vulnerability, a fundamental aspect to be taken into account is the issue concerning female harassment in the aftermath or during a natural disaster, especially in developing countries where State intervention is less consistent.

Several studies did not consider the focus on violence against women when dealing with climate change. After natural disasters, women are more likely to become victims of domestic and sexual violence. Some data, provided by the Consortium on Gender, Security & Human Rights, underlines:

Adolescent girls are forced into early marriage (55.63%), their educational activities (89.43%) are disrupted; lactating mothers are severely affected with the lack of balanced nutrition (92.25%), and pregnant women don't get proper health care services (75.35%) in the aftermath of a disaster. (Syed Monibul, Md.Be-Nozir, 2019)

This happens since they slip deeper into poverty, economic marginalisation, and social stress (Open Global Rights, November 6, 2017). These issues have defined the phenomenon as climate change-induced violence against women (Memon, 2020).

Post-traumatic stress increases after natural disasters, especially when families are displaced and women have to live in temporary housing in overcrowded conditions with no privacy and limited livelihoods. The World Health Organization (WHO) says that women are the most vulnerable during disasters. Women often become victims of sexual and domestic violence, causing serious and injurious repercussions to their reproductive and sexual health (WHO, 2014). The United Nations General Assembly Declaration on Elimination of Violence Against Women in its Resolution 48/104 of 20 December 1993 defines violence against women in Article 1 as "any act of gender-based violence that results in physical, sexual or physiological harm or suffering to women including threats of such acts, coercion or arbitrary deprivation of liberty and needs in public and private life".

Much of the evidence regarding the vulnerable position of women in climate change-related disasters comes from Bangladesh (NAPA, UNFCCC, 2009). Women are more susceptible to sexual harassment in the wake of a flood, considering the long-existing gender disparities due to the patriarchal nature that shapes the society (Azad, 2013). Women in Bangladesh are burdened by the *purdah* system, a code of conduct that

restricts women's behaviour and places a burden on their lives. A study conducted by Azad, Hossain, and Nasreen showed that 35% of the women surveyed were harassed in the aftermath of flooding due to increased stress and social disruption (WEDO, 2016).

Moreover, some families rushed to marry off their daughters to prevent the loss of their homes in case of natural hazards. As reported by Human Rights Watch, decisions about marriage were made directly related to natural disasters. Child marriage was often seen as the best option to "save" the reputation of the family and protect children because families are too poor to feed them (Girls not Brides, 2015). Besides, social pressures also influenced families' decision to marry off their daughters because the dowry for young brides is lower.

Although the Bangladeshi government has responded to the harms linked to child marriage through the Child Marriage Restraint Act (CMRA) in 1929, the law has not been translated into adequate action (HRW, 2015). Bangladesh has the fourth-highest rate of child marriage in the world, according to UNICEF (UNICEF, 2014).

According to the OHCHR, early marriage or child marriage constitutes a form of "violation of women's sexual and reproductive health and rights" (UNHR, 2014; CEDAW Committee, 2014).

These situations yearn for a solution since, as pointed out by the UNCEDAW Committee, "gender-based violence is a critical health issue for women in particular to their rights to health and reproductive health" (UN GA Declaration on the Elimination of Violence against Women). A step further would be the real application of all the Sustainable Development Goals established in 2015 by the United Nations, in particular,

SDG 5 that seeks to achieve gender equality and women empowerment. This goal considers gender equality not only as a fundamental human right but also as a necessary foundation for a peaceful, prosperous and sustainable world.

4.3 Climate change effects on children

It is widely known that the effects of climate change are visible in many parts of the Global South, especially in Bangladesh, the Philippines and Indonesia. As in the words of Saleemul Huq, director of the International Centre for Climate Change and Development, in developing countries, "we don't need IPCC reports, we look outside our windows, and we see the impacts of climate change" (Aljazeera The Take, 2021).

Climate change has been considered as a stress multiplier, putting pressure on systems, populations, and entire regions. Among the most vulnerable social strata, there are children. As defined by the last UNICEF report, "*the climate crisis is a child rights crisis*" (UNICEF, 2021). This report shows a new Children's Climate Risk Index (CCRI) to highlight how many children are currently exposed to hazardous climate events. The CCRI analysed the child vulnerability and the exposure of children to climate catastrophes. The body found that children are the most affected by disastrous events, especially in Bangladesh. In 2019, UNICEF pointed out that nearly 20 million children,

belonging to several Bangladesh's districts, are victims of environmental shocks. If years ago, children's lives were menaced by poverty and bad health conditions, now climate change compromises every aspect of their lives, worsening the violations of their rights. For these reasons, many children end up in city slums or in exploitative child labour situation and girls are most of the time sold in child marriages or involved in sex trafficking.

It is very common to see Bangladeshi children living in poor families. Such families are often unable to provide them with essential needs, like food, clean water, and education. With the advent of cyclones, periods of drought and changing seasons, such basic needs are even more put at risk (UNICEF, 2019). According to the UNICEF Bangladesh Chief of Nutrition, Piyali Mustaphi, "a reduction in farm production often results in an increase in food prices" (UNICEF, 2019). This can cause a decline in food security, which can cause malnutrition or undernutrition among children. Moreover, when families live in slums, these conditions are aggravated by poor hygienic facilities: they lack toilets and clean water. Children living in the slums of Dhaka have to face water pollution because of toxic chemicals and industrial processes. Many times, the phenomenon of water pollution is connected to contaminated air: it is already known that cities such as Dhaka are considered "urban heat islands" due to high temperatures, severe traffic congestion, and, of course, climate change.

It seems a paradox, but it is a vicious cycle that links cause-effect phenomena spread around Bangladesh. Thus, it is acknowledged that climate change exacerbates healthy conditions directly and indirectly, altering weather patterns and hitting communities inequitably (EBI, 2021). A confirmation of that is given by the UNICEF report, which highlights: "by early September 2017, the government of Bangladesh reported 12,370 cases of acute watery diarrhoea and 659 cases of respiratory infection in flood-stricken areas" (UNICEF, 2019). In these rural areas, health is endangered by salted and brackish water, which contaminates rivers, crops and rural communities' drinking water supplies. This is an essential element, considering that rural families depend on natural resources during the entire year: many women and children work in the agricultural sector and spend a lot of time in activities such as collecting water, herbs, and seeds.

As far as education is concerned, Bangladeshi children are also affected. With the advent of climate change, children's schooling has decreased (UNICEF, 2019). In the rural northwest of Bangladesh, schools have been damaged by the changing weather, which is extremely severe during monsoons. In 2017, the major floods that affected large areas of Bangladesh drove many families off their houses and lands in search of safer places. This situation pushed the phenomenon of internal displacement towards the capital Dhaka. These situations strongly affect children's learning because they miss classes and, sometimes, they are even taken out of school for good (UNICEF, 2019). The longer they stay out of school, the less likely they are to return, given that in order to help the families, children are forced to work. The phenomenon of child labour is strongly present in Bangladesh in both rural and urban areas. Children are employed in several fields without taking into account the risks faced by the children. Some children collect discarded plastic bottles from the streets of Dhaka's Bola slum district, others are occupied in the bustling shipyards that occupy part of Dhaka's riverfront, and other children are hired in farms, small businesses or agricultural activities such as fishing.

However, a worse future is reserved for girls. When families decide to move to other cities to escape climate damages, they live in the slums of large cities which are barely habitable. Then, as parents look for work, children are left alone for hours. When parents understand that they cannot afford to send children to school, they send their daughters to work in the garment sector of the city. Most of the time, girls of 10 or 14 years old are directly sold by their parents as child brides. The connection between the changing climate and child marriages is significant, as the level of poverty increases and families have no alternatives. Another phenomenon still common in Bangladesh is selling underage girls as sex workers or involving them in sex trafficking. In these cases, girls have to leave the house to become someone's property. According to UNICEF and several NGOs, the number of children working in Bangladesh's sex industry is unknown, as many girls in urban slums are forced into prostitution.

One important step to bring children's voices out loud was the inauguration of the Children's Climate Summit in November 2020. During Children's Day, Bangladeshi children put together all their ideas and realities to show politicians and the rest of the world. The virtual Summit was hosted by UNICEF, engaging over one million Bangladeshi children involved in the UNICEF-supported Generation Parliament initiative by Bangladesh Debate Federation (BDF). The aim was to debate climate issues, policies, and actions from a child's perspective. The result of the Summit was the adoption of the Children's Climate Declaration in order to set out their needs: they asked politicians to invest in education, training, and health, so they could feel safe from climate change impacts. The Summit was chaired by Mr. Shamsul Hoque Tuku, Member of Parliament (MP), President of the Parliamentary Caucus on Child Rights, and attended by members of Bangladesh's delegation to COP26 as well as by the government (UNICEF, 27 October 2021). With this event, UNICEF wanted to show how children and vulnerable people face the phenomenon of climate change and how they can contribute to make a change. Children want to be part of a biocentric turn, and to confirm that, there are now several organisations and youth groups who are involved in activities to mitigate climate change impacts, such as by cleaning public places and recycling (UNICEF, 2021). One such famous group is YouthNet for Climate Justice, set up in 2016, aimed to raise awareness among people and prepare citizens to be more climate-resilient.

In conclusion, children have to be considered not only as passive players in society, but as active actors who can promote substantial change if considered in decision-making processes. The government of Bangladesh should give even more recognition to vulnerable groups, as already mentioned in the Climate Change Strategy and Action Plan in 2009. Children have to be seen as a priority in all planned actions to have a safe and better future.

4.4 Social impact on refugees in Bangladesh

The Rohingya people, a Muslim ethnic minority living in Myanmar, a predominantly Buddhist country, have suffered decades of violence, discrimination and persecution, which has forced them to flee in successive exodus. The largest exodus occurred in late 2017 when more than 740,000 Rohingyas sought refuge in Bangladesh (UNHCR, 2022). According to UNHCR, Bangladesh has ever since become host to the vast majority of Rohingya refugees, with nearly 890,000 Rohingyas having settled in Kutupalong and Nayapara refugee camps in the region of Cox's Bazar. These people live in precarious conditions, and since the beginning of the crisis, more than 50,000 shelters have been erected using mainly bamboo, rope and tarpaulins. According to UNHCR, in 2018, 93% of the population lives below the UNHCR emergency standard of 45 square metres per person. A 2018 World Bank report stated that:

Since Cox's Bazar lags behind the national average in key development indicators such as education, access to electricity, water availability, market access and has a greater share of agricultural households, it may therefore become more vulnerable to the effects of temperature rise.

The living standard in the region could indeed fall by 20 per cent by 2050, making it the worst affected area in South Asia as temperatures rise and the rainfall becomes more disruptive (World Bank, 2018).

In addition to this, the monsoon season causes a severe impact in Bangladesh. It runs from June to October each year, bringing heavy rainfall and strong winds to Bangladesh, increasing the risk of floods and landslides (UNHCRa, 2021). The rainy season also increases the risk of different diseases (i.e. hepatitis, malaria, cholera, dengue or chikungunya), due to the fact that refugee camps are crowded and do not have proper water and sanitation facilities. According to UNHCR, a cholera risk assessment conducted in September 2017 found a high risk of a large outbreak. The major risk factors are population density, access to safe water, sanitation and hygiene, as well as possible flooding (UNHCR, 2018). Furthermore, toilet pits are mainly constructed close to clean water sources. As a consequence, water samples from over 70 percent of wells were contaminated by E. coli, increasing the possibility of contracting Hepatitis E (Aljazeera, 19 December 2018). For these reasons, the same UNEP defines those camps as "a precarious environment for the Rohingya refugees" (UNEP, 14 May 2018).

In late July 2021, deadly monsoon rains devastated the Cox's Bazar region, leaving six Rohingya victims and more than 21,000 others affected (UNHCRb, 2021). The United Nations High Commissioner for Refugees (UNHCR) has estimated that around 3,800 shelters have been either damaged or destroyed by the heavy rainfall, and around 13,000 refugees have been forced to relocate to other camps (UNHCRa, 2021). UNHCR recognises that this situation is only further exacerbated by the COVID-19 pandemic, with Bangladesh imposing a strict national lockdown. Thus, if the Government and international organisations do not act in the right direction, there is the possibility that these migrants will become the new climate migrants of the future.

In addition to all of the existing challenges that can be attributed to climate change, the construction conditions of the refugee camps have proved to also put Rohingya refugees at risk. As of 10th January 2022, two massive fires have already broken out throughout Rohingya refugee camps (UN News, 2022). According to local authorities, over 3,600 Rohingyas have lost their homes, with almost 600 shelters having burnt (Norwegian Refugee Council, 2022). These fires come within less than a year after a bigger fire left around 45,000 Rohingyas without shelter back in March 2021 (UNHCRb, 2021). UNHCR has deployed Emergency Response Teams to assess all the damage that has been made, as well as to provide immediate assistance. Around 1,600 trained volunteers have been assisting throughout the camps (UNHCRa, 2021).

The conditions in which refugees are forced to live in the overcrowded refugee camps do not contribute to making things easier. Refugees and displaced communities have been categorised by the United Nations as one of the populations who are most drastically affected by climate change and its adverse impacts (UNHCRc, 2021).

Additionally, the refugee influx into Cox's Bazar district has caused a significant impact on local ecosystems. Paradoxically, not only these groups are affected by climate change but also, they provoke environmental degradation. Overcrowding and the lack of viable energy alternatives in camps make energy sources in high demand. This led to deforestation and firewood collection. Moreover, the extensive loss of ground cover vegetation in the camps has led to significant erosion. Low-growing shrubs and grasses previously served to protect waterways, reduce surface heat, and slow the runoff of rainwater. All these actions would lead to the worsening of the climatic conditions. (UNEP, 14 May 2018).

UNHCR has been working with the government of Bangladesh and humanitarian actors to address the logistical challenges of providing large amounts of food, shelter materials and clean water. Thus, several actions have been taken in order to guarantee longer-term sanitation solutions, together with hydrogeological and geophysical studies, to protect both people and the environment (UNHCR, 2018). In this way, they believe a more effective and integrated approach would take over, leading to wider international responses to climate change (Environmental Justice Foundation, 2021).

5. “Climate refugees”

5.1 International Refugee Law framework

In 1948, the United Nations’ General Assembly proclaimed the Universal Declaration of Human Rights (UDHR), a milestone document in the history of human rights. Although not legally binding, the UDHR became somewhat of a “catalyst” to other international treaties legislating on matters interrelated to human rights. The Declaration was considered as a common standard for all peoples and nations to look up to. Article 14 of the UDHR established the right to asylum. According to this article, “*everyone has the right to seek asylum in other countries and to enjoy in other countries asylum from persecution*” (United Nations, 1948). It was under the umbrella of Article 14 that the 1951 Geneva Convention was adopted. The Geneva Convention and the 1967 Protocol to the Convention are the modern embodiment of the traditional practice of providing sanctuary to those who are in danger or at risk (Feller *et al.*, 2003). The definition of who qualifies as a refugee is given under Article 1A (2) of the Convention. A refugee is defined as a person who, as a result of “certain events” and:

Owing to a 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 (United Nations, 1951).

In order to be qualified as a refugee, an individual should fall under at least one of the different five listed categories. As such, everyone falling under the definition is entitled to the different rights and protections granted by the Convention.

It might be clear, from the definition laid out above, that climate change is not one of the reasons someone can qualify as a refugee. However, with the constant increase of such reasons, some have argued that the protection of what has been named as “climate refugees” is a pressing issue (Biermann and Boas, 2008, at 11). However, who is in charge of deciding who qualifies as a refugee and who does not?

In 1950, the United Nations High Commissioner for Refugees (UNHCR) was created in order to help millions of Europeans who had fled their homes in the aftermath of the Second World War. As such, UNHCR became the United Nations agency trusted with the task of protecting refugees. UNHCR’s views on “climate refugees” are therefore of utmost importance to the debate.

5.2 “Climate refugees” (UNHCR’s position)

UNHCR recognises “disaster displacement” as one of the most devastating consequences of climate change, with refugees, internally displaced persons (IDPs) and stateless persons being on the frontline of this crisis (UNHCRd, 2021). As UNHCR recalls, there is no such thing as a legal concept of “climate refugees”. However, it is acknowledged that people may have a valid claim for refugee status in cases where the effects of climate

change interact with other life-threatening circumstances, such as armed conflict or violence. In order to put forward its views on whether “climate refugees” should indeed qualify as refugees under the Convention definition, in 2020, it issued its “Legal considerations regarding claims for international protection made in the context of the adverse effects of climate change and disasters” (UNHCR, 2020). Nevertheless, the term “climate refugee” is not endorsed by UNHCR, with the agency referring to the more accurate term of “persons displaced in the context of disasters and climate change” (UNHCRd, 2021).

In its legal considerations, UNHCR recalls that the relationship between climate change and human rights has been increasingly recognised by using the example of the Human Rights Committee’s decision on the case of *Teitiota v. New Zealand* (UN Human Rights Committee, 2020), which will be further discussed in the next section. Based on this precedent, UNHCR sets out the key legal considerations to be applied under the frameworks of both national and international refugee law when cross-border displacement takes place due to “the adverse effects of climate change and disasters” (UNHCRd, 2021, at 2). While the document addresses such situations, it also recognises that not all people who are displaced in such contexts will be considered refugees (at 3).

5.3 *Teitiota* case

In January 2020, the United Nations Human Rights Committee issued a landmark decision in the case of *Teitiota v. New Zealand*, which can have potential ground-breaking impacts on the framework of the international protection of people experiencing climate-induced displacement (United Nations Refugee Agency, 2020).

Ioane Teitiota, a national of the Republic of Kiribati (an island in the central Pacific Ocean), applied for refugee status in New Zealand, claiming that the sea-level rise caused by global warming had forced him to migrate from Kiribati to New Zealand (United Nations Human Rights Committee, 2020). He claimed that the living conditions on the island had become untenable, with the scarcity of fresh water and habitable lands culminating in several land disputes. The disputes, according to him, had gravely endangered his and his family’s lives (United Nations Human Rights Committee, 2020). Although not ruling out *a priori* that climate-related risks may in the future trigger the application of the *Refugee Convention* of 1951 or of other systems of individual protection, the Immigration and Protection Tribunal rejected Teitiota’s claim (United Nations Human Rights Committee, 2020). The Court ruled against him because the Court did not see a real risk of the claimant being persecuted once returning to Kiribati. The New Zealand judges found that Teitiota failed to provide substantial evidence that he would face “*serious physical harm from violence linked to housing/land/property disputes*” if he was deported back to his homeland (United Nations Human Rights Committee, 2020).

Furthermore, the Tribunal added that the claimant and his family would be able to find adequate accommodation, space to grow crops, and access potable water (United Nations Human Rights Committee, 2020). Eventually, the Immigration and Protection Tribunal judges evaluated the steps stated in the 2007 National Adaptation Programme of Action submitted by Kiribati under the United Nations Framework Convention on Climate

Change (Republic of Kiribati, 2007). The judges observed that the government of the Republic of Kiribati had not failed to take proper actions in order to provide its nationals with basic necessities of life (Republic of Kiribati, 2007). Upon these premises, the Court decided not to grant Teitiota refugee status.

As a reaction to the content of this ruling, Ioane Teitiota filed a communication to the United Nations Human Rights Committee, pleading that, by rejecting his application for refugee status, New Zealand had infringed his right to life under the scope of Article 6 of the International Covenant on Civil and Political Rights (the Covenant).

Albeit assessing that the New Zealand Immigration and Protection Tribunal's judgement had taken into account all the manifold aspects of the case and that its outcome did not constitute a violation of the claimant's right to life (United Nations Human Rights Committee, 2020), the Committee provided some interesting insights on the future pathways regarding the protection of individuals in need of support and protection from climate-related harms.

Firstly, the Committee reiterated that “*both sudden-onset events (such as intense storms and flooding) and slow-onset processes (such as sea level rise, salinization, and land degradation)*” can give rise to cross-border flows of subjects whose lives are severely impacted by climate change (United Nations Human Rights Committee, 2018). Additionally, the Committee remarked how, without adequate countermeasures taken at both domestic and international level, these climate-induced threats will be likely in the future to trigger the *non-refoulement* obligations of the sending States arising out of Articles 6 and 7 of the *Covenant* (United Nations Human Rights Committee, 2020). Despite the fact that this passage of the decision appears to make explicit reference to refugee status –as the *non-refoulement* principle is generally associated to the international refugee law- (United Nations Human Rights Committee, 2020), the Committee nonetheless widens the scope of its decision. The Committee says that State Parties shall grant all asylum seekers claiming a real risk of an infringement of their right to life in the State of origin the refugee or any other individualised or group status that could defend them against extradition, deportation or transfer of similar nature (United Nations Human Rights Committee, 2020).

Looking at the Committee's decision, it is clear that the refugee framework can be helpful to the enjoyment of the right to life of people displaced because of climate change-induced harms. However, the Committee itself appears to be fully aware that the refugee paradigm cannot represent the panacea to the pressing challenges intertwined with these constantly increasing movements of individuals. Hopefully, by shedding light on the limitations of the refugee-based approach in the next section, it will be possible to delineate feasible recommendations for the future.

5.4 Problematic issues and recommendations for the future

In recent years, calls for the inclusion of other reasons determining a well-founded fear of being persecuted shall be owed have been increasing (e.g. Climate Refugees and World Economic Forum). In reaction to this sharp distinction between refugees falling under the Refugee Convention definition and persons displaced in the context of disasters and

climate change, calls for an adequate and lasting solution have been increasing. Some experts argue that the protection of climate refugees is essentially a development issue that requires large-scale, long-term planned resettlement programs, which should mostly take place at the national level. Meanwhile, others suggest that other actors, such as the United Nations Development Programme or the World Bank, might even be better equipped to deal with this issue (Biermann and Boas, 2008).

Some problematic issues in relation to the current Convention definition have been found and will be now outlined, followed by recommendations that have been drafted or suggested by different experts in several institutions and organisations.

The first issue is related to the circumstances giving rise to climatic displacement, which are completely different from those causing political displacement (Lange, 2010). The definition of “refugee” contained in Article 1 of the *Convention Relating to the Status of Refugees* of 1951 is built around the concept of crossing international frontiers due to a well-founded fear of facing persecution (United Nations General Assembly, 1951). The definition historically accorded to the term “persecution” highlights how complicated it can be to extend the scope of this provision to individuals displaced by climate change induced threats. The term was designated for a category of people whose lives and freedom were in extreme danger (United Nations High Commissioner for Refugees, 1979). Upon this premise, some scholars argue that only violence committed by State actors can amount to persecution, while governments tend to embrace acts committed by non-State actors too in this category (Grahl-Madsen, 1966). Conversely, it is evident that human rights violations triggered by climate change can hardly fall within this scope, it is difficult to conceive how activities causing environmental harms can be purposefully directed against a specific social group, considering that the consequences of climate change tend to spread like wildfire rather than being limited in time and space.

Secondly, in order to fall within the scope of the aforementioned *Convention Relating to the Status of the Refugees*, it is required of the individual who fled outside the country of his nationality to be unable or, due to the fear of persecution, unwilling, to avail himself of the protection of that country (United Nations General Assembly, 1951). Therefore, the protection of the country of nationality plays a focal role in terms of the possibility of acquiring refugee status. This approach was indeed applied by the New Zealand Immigration and Protection Tribunal in the *Teitiota* case described above. The judges affirmed that the government of Kiribati, through the *2007 National Adaptation Programme of Action*, had taken steps to guarantee access to the fundamental necessities of life (United Nations Human Rights Committee, 2020). This consideration may well be applied to future potential law cases involving Bangladeshi nationals demanding refugee status, as the Bangladesh government has well adopted instruments enshrining strategic measures to tackle the effects of climate change in the country. However, the exclusive focus on domestic protection does not appear fully justifiable when it comes to climate displacement. Climate change-related discourses are peculiar because, oftentimes, countries (and, subsequently, its nationals) that suffer the most from climate-induced harms are the least liable for causing them (Ahmed, 2017). Bangladesh, unfortunately, represents a neat example of this dismaying reality, as it is one of the greatest victims of climate change, albeit being responsible for a minor part of total world CO₂ emissions (Ahmed, 2017).

In light of this, it is evident that the criterion related to the mere domestic protection of the country of origin is not sufficient when it comes to cases of displacement determined by climate change-induced threats. Indeed, only coordinated international efforts can build an effective line of defence against harms of this nature, given that national strategies alone are insufficient to provide victims with an adequate and far-reaching protection of their basic human rights.

Upon this premise, in order to make sure that people threatened by the climate-related risks receive effective and immediate protection, it would be helpful to not restrict the discourse to refugee status only. On the contrary, it is widely recommended to adopt a climate-oriented lens while examining the requests for any other type of permit enabling individuals to acquire residence in a foreign country. Such a ground-breaking approach has already been deployed by the Bordeaux Court of Appeals, in a ground-breaking law case involving one Bangladeshi man.

In 2011, a Bangladeshi man fled his country of origin and arrived in France. In 2015, he managed to obtain a special category of residence permit granted to foreign individuals in need of medical treatment (Louarn, 2021). He suffered from a grave form of respiratory disease which required daily professional assistance that, according to the initial evaluation of the characteristics of the Bangladeshi healthcare system, could not have been adequately provided in his country of origin (Tower & Plano, 2021). Nevertheless, two years later, the French government was advised by doctors that the patient could have actually received proper medication in his country of origin too. This information made the renewal of the permit impossible and therefore triggered the deportation process (Tower & Plano, 2021). However, the administrative Tribunal of Toulouse, dissented with the doctors' viewpoint and overturned the deportation order (Peacock, 2021). In response to that, the government filed an appeal, bringing the case before the Bordeaux Court of Appeals. The Court confirmed the illegitimate nature of the deportation order and renewed the permit of residence of the Bangladeshi man. The Court built a statement on an innovative and previously unheard ground: the environmental degradation of the country to which the petitioner would have been reported. The Bordeaux Court of Appeals assessed that, in the case of repatriation, the individual –given his respiratory disease- would be exposed to a real and effective risk of death (Tower & Plano, 2021).

Several experts in migration matters state that this judgement is probably not enough to establish a legal precedent that can pave the way to future recognitions of climate refugee status (Tower & Plano, 2021). However, the French Tribunal shed light on the absolute importance of taking climate issues into consideration while evaluating whether or not to send foreign individuals back to their country of origin. This new legal sensibility offers hope for the future, in terms of the international commitment to the protection of the fundamental human rights threatened by the ongoing climate change.

After having outlined the possible pathways for the future, it is relevant to stress the importance of the adoption of a “Protocol on the Recognition, Protection and Resettlement of ‘Climate Refugees’” to the UNFCCC (Biermann and Boas, 2008). The Protocol would be based on five main principles: (i) the objective would, at all times, be the planned and voluntary resettlement of the affected populations over longer periods of

time; (ii) ‘climate refugees’ should be treated as permanent immigrants, since they effectively cannot return home; (iii) such a legal regime must not be an individualised one but rather one that adapts to the needs of entire groups of people (i.e. populations, villages, cities); (iv) the international regime should aim at supporting governments and local communities rather than at protecting individual persons outside their States; and (v) the protection of ‘climate refugees’ should be seen as a global issue and a global responsibility (Biermann and Boas, 2008).

The challenges faced by displaced people in the context of climate change disasters are indeed still very much present, and therefore, a greater level of international cooperation is urgently needed to better tackle this issue.

6. COP26: Bangladesh Towards a Greener Future

In almost all international climate conferences, Bangladesh has been an active participant due to its high climatic vulnerability. Even though Bangladesh is not a significant carbonemitting country, its capability to cope with future climatic events is still limited due to the constant effects and some ongoing illicit activities such as river and water body grabbing, and the killing of wildlife (The Financial Express, 2021).

Among different actions to fight climate change, Bangladesh established a Climate Change Trust Fund for climate adaptation in 2009 and so far, has allocated more than 480 million dollars. Later on, in 2013, the Government embarked on the Coastal Embankment Improvement Project (CEIP) to mitigate cyclones, flooding, and their impacts on the population: the project calculated more than 184,000 impacted citizens, among which the majority was women. Then, on 22nd April 2016, the government of Bangladesh signed the Paris Climate Accord to join the race to contain global warming within 1.5 - 2 degrees Celsius. The key elements of the Accord were the Nationally Determined Contributions (NDCs): Each member country had to communicate the climate efforts to limit the GHG emissions. Bangladesh submitted its first NDC to UNFCCC on 25 September 2015 for three sectors: Power, Industry, and Transport. Subsequently, Bangladesh prepared the NDC Implementation Roadmap and Action Plan in 2018 and during 2021, Bangladesh updated its NDCs. The main projects were the Industrial processes & Product Use (IPPU) and the Agriculture, Forestry, and Other Land Use (AFOLU) to develop the Forest Reference Level (FRL). To reduce carbon emission, the Country put into action the Bangladesh National REDD+ Strategy (BNRS) and established a National Forest Monitoring System (NFMS) for periodical monitoring of tree and forest cover (Centre for Governance Study, 4 November 2021).

All these new achievements were mentioned during COP26, on the 1st of November 2021 in Glasgow, when Bangladesh Prime Minister Sheikh Hasina described the actions taken by the Country. She informed the conference about Bangladesh's closure of 10 plants run on fossil fuel and she described the ongoing Annual Development Plan which doubled the allocation for climate adaptation and resilience-building through the creation of sea dykes, cyclone shelters, and coastal plantation. She referred to the housing project for people displaced by impacts of climate change in Cox's Bazar Sadar Upazila to construct several multi-storied buildings to shelter more than 5,000 climate change families. Moreover, the Government has adopted the Bangladesh Delta Plan 2100, a comprehensive 100-year strategic plan aimed at gradual sustainable development through

adaptive delta management processes. She presented also the new National Adaptation Plan considered as the main tool to address adaptation at the national level and mainly based on domestic solar energy programmes. This Plan wants to champion nature-based climate solutions which involve planting 30 million tree saplings across the country this year. As far as adaptation measures are concerned, the Project (SUFAL) supported by World Bank, wants to improve forest management to reduce the degradation of ecosystems engaging people who live in the same forest.

The Prime Minister also underlined Bangladesh's effort to respect the green transition towards renewable energy. Indeed, the Government has prepared some key strategic policies to tackle climate change mixing both adaptation and mitigation actions. Among the most relevant there is the Mujib Climate Prosperity Plan, launched by 2021, which is an investment framework to mobilize financing, through international cooperation, for implementing climate resilience initiatives based on renewable energies. Indeed, Bangladesh drafted a National Solar Energy Roadmap to set specific measures in order to have 40% of the energy from renewable sources by 2041. Then, through the Climate Vulnerable Forum (CVF), presided by Bangladesh up to 2030, the aim is establishing a global partnership (the Climate Emergency Pact) to limit the rise of temperature, address climate finance for more ambitious adaptation and mitigation actions and, in so doing, help displaced people. Other adaptation measures involve disaster management; Water Resources Management; Surface Water Use and Rainwater Harvesting (Ministry of Environment, Forest and Climate Change, Government of the People's Republic of Bangladesh, 2021).

However, despite the abovementioned actions and concrete steps towards climate resilience, there are still challenges and barriers to be taken into account. There is still a lack of knowledge about NDCs and mitigation actions by sector officials. Also, there is not enough basic data collection for industries, transport, and waste. Furthermore, food security is still a significant issue, above all concerning rice fields, and activities such as illegal logging and land grabbing are still perpetrated by industries because of the growing need for land. This underlines an ongoing lack of capacity to implement forestry-related management, policies, and law enforcement.

In conclusion, in Bangladesh, the path towards carbon neutrality and climate resilience is still long and harsh because of these conflicts of interests. Awareness needs to be spread through campaigns in order to involve civil society and to settle new mitigation policies. Then, further research and technology transfer is required to enhance emission reduction and foster renewable resources. All the projects and plans abovementioned are the starting point to build a better future and push concrete actions, however, good intentions and empty promises are no more admissible. As in the words of the Prime Minister H. E. Sheikh Hasina, "we need a common global commitment for leaving a healthier planet for our future generation" (COP26, 2021).

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Assessing Climate Change Social Impacts

