

## **Climate Migrants in Bangladesh: An Overview of the Legal Protection Mechanisms**

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**Abstract:** An environmental migrant, often called a climate refugee, has left their home because of sudden or ongoing environmental changes that have negatively impacted their way of life. Because of its large population and relatively flat terrain, Bangladesh is one of the countries that would feel the full force of climate change. Bangladesh is prone to floods, cyclones, river bank erosion, and salt intrusion due to its exceedingly fragile ecosystem. Because of its dense population and high poverty rate, Bangladesh is particularly at risk from the effects of climate change. Coastal, desert, and semi-arid areas of Bangladesh are already feeling the effects of climate change on their way of life and ability to exist. Flooding, storm surges and cyclones caused by climate change may cause a sizable portion of the population in Bangladesh to be displaced. More importantly, climate change and displacement could undermine progress. In essence, the study analyses the exact scenario of climate migrants in Bangladesh and how their rights are being ensured through domestic mechanisms. The study also proposes the potential pathways so that the climate migrant can lead a sustainable standard of life. This study has followed a descriptive, thematic, and doctrinal legal research method with an integrative literature review on legal mechanisms for analyzing overall provisions on environmental refugees and their displacement.

**Keywords:** Climate change; environmental migrant; migration; legal framework; displacement

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### **1. Introduction**

Bangladesh's economy has depended heavily on agriculture since independence in 1971. Most of the nation is located in the fertile floodplains of the Brahmaputra, Ganges, and Meghna rivers. However, due to climate change, periodic flooding and drought events occur more frequently, creating new environmental threats. Sarkar (2020a) presents a new analysis claiming that millions of people in South Asia are being compelled to flee from their homes or move to newer places as a result of climate-related disasters. This figure has the potential to rise threefold within the next three decades unless the countries in the area do something drastic about the most severe consequences of climate change. According to Tushar and Parvin (2024), Government and diverse organisations are collaborating to advance secure migration and enhance the quality of life for migrants. Nevertheless, it is

imperative to establish more robust migration regulations and allocate resources towards climate-resilient infrastructure and education to effectively assist these communities. Seddiky et al. (2024) state that enhancing public knowledge and enacting legislative measures for environmental adaptation are essential to mitigating hazard risks and vulnerabilities in impacted areas. According to Faysal et al. (2023), climate-induced migration caused the displacement of around 7.1 million individuals in Bangladesh in 2022. Projections indicate that this number may increase to 13.3 million by the year 2050. Socio-economic vulnerabilities are the primary drivers of this migration, which disproportionately impacts marginalised communities. Besides, environmental disasters such as cyclones and floods have had a substantial impact on migratory patterns in the coastal districts (Sarker & Farukh, 2023). Specifically, coastal erosion has compelled almost 74.73% of the population to relocate, with the greatest migration documented in the Barishal division.

Moreover, Naser (2013a) postulates that by 2050, between 50 and 200 million people could be internally or externally displaced, according to the UNHCR. By 2050, there will be between 200 million and 1 billion displaced people, according to currently available estimates. Castles (2002) narrates that Environmental refugees are those who are compelled to flee when oppressive forces use ecological damage, such as deforestation or water pollution, as a weapon of war against a particular group. The idea is that 'environmental factors influence movement and migrants alter environments', and it has become a part of the condition of a human being. UNEP researcher El-Hinnawi (1985) defined an "environmental refugee" as a person who has been forced to leave their home, either permanently or temporarily, due to a significant impact on the environment (caused by human activity or a natural disaster) that has endangered their lives or significantly reduced the quality of their lives. According to this concept, an environmental blockage can be defined as any change temporary or permanent in the ecosystem's physical, chemical, or biological components that makes it unsuitable for living beings. Using this definition, El-Hinnawi classified ecological refugees into three groups: those forced to relocate due to slow-but-steady environmental degradation, those uprooted for good by massive environmental projects like dam construction, and those uprooted for a shorter period of time by catastrophic events. Although El-Hinnawi deserves credit for providing the first formal description of an environmental refugee, critics questioned the concept's usefulness, according to Bates (2002a).

## **2. Background and Objective of the Study**

One word that describes those who have fled their homes due to natural disasters is "environmental refugee." There are significant ramifications for the safety of internally displaced individuals due to the fact that the phrase "environmental refugee," although not recognized by international law, has garnered tremendous support and attention from the world community. Kugelman (2020) opines that Cyclone Amphan is merely the most recent illustration of the dangers that climate change effects and migration caused by those effects pose in South Asia. To lessen these risks, the regional governments have developed strategies. They urgently need the international community's help, which is currently

available but insufficient. In the four countries, the problem of population displacement and climate change is evident to varying degrees. The predictions of 2050 or 2100 are even more horrifying than the present displacement estimates, which are already concerning, according to Bonnie and Tyler (2009a). The current estimations usually fall around between 25 million and 1 billion individuals.

However, due to the direct impacts of climate change, which may be felt both within and beyond the country and which are both permanent and temporary, it is generally believed that this number will rise to 200–250 million by the year 2050. Consequently, one out of every forty-five people might have to uproot their lives by 2050 because of climate change. To guarantee that this definition only applies to migration caused by climate change, they limited the type of environmental concerns that qualify as help for refugees to three ‘direct, largely undisputed climate change impacts’. Kartiki (2011) narrates that according to the traditional perspective, communities will be forced to migrate to utilize natural resources and find better livelihoods as a result of how climate change impacts resource availability.

In the aforesaid backdrop, the current study analyses the scenario of environmental migrants in Bangladesh. More specifically, the objectives of the study are: (1) to point out the existing situation of climate migrants in Bangladesh; and (2) to analyze current protection mechanisms of the rights of environmental migrants; and (3) to explore the challenges of ensuring sustainable management for environmental migrants.

### **3. Literature Review**

Bangladesh is among the nations most vulnerable to a worldwide calamity. Due to rural-to-urban migration intended to escape environmentally unsafe regions and take benefit of better living conditions, livelihoods, and employment opportunities, Bangladesh has already experienced fast urban population growth in a number of areas. According to Sarkar (2020b), the principal causes of Bangladesh's problems are the effects of rising inundation caused by climate change. According to the government's assessment, at least 20–30 million people will be displaced by these rapid-onset catastrophes by 2050 as a result of the slow-onset consequences of sea level rise (SLR) and glacial melt, which will end up resulting in increased environmental stresses. In addition to disrupting the rural economy of coastal regions, rising salinity also causes displacement. According to Dewan et al. (2022), prior development buzzwords such as women's empowerment and poverty reduction, which sought to improve an already terrible situation, differ significantly from climate change. According to Sams (2019), moving from rural to urban areas has been suggested as a means of surviving because catastrophic events exacerbated by climate change occur frequently in the southwest coastline region of Bangladesh.

Several variables, including Bangladesh's location, poverty, outdated infrastructure, lack of modern technology, and high population density, make the country notoriously vulnerable to climate change concerns, according to Islam et al. (2021). It is reasonable to presume that female migrants, especially those migrating for environmental reasons, will encounter distinct and potentially tougher challenges than male migrants throughout their migration journey, according to Evertsen and Geest (2020). This is in light

of the fact that disasters disproportionately affect women. If that is the case, we need more studies to figure out why these women are migrating. Government of Bangladesh is reportedly carrying a heavy load following his statement that his country has offered humanitarian sanctuary to a large number of Myanmar residents (UNB, Dhaka, 2019). According to Koubi et al. (2018), environmental variables and climate change might have an impact on migration, which in turn can worsen the complicated relationship between political instability and development. Individuals' decisions to move are impacted by climate change. According to Geun (2019), numerous research has looked into the idea that climate change is the current driving force in vulnerable regions and its previously identified socioeconomic reasons. According to O'Connor et al. (2019), environmental migration and relocation-related issues have dramatically influenced an incalculable number of people. The Internal Displacement Monitoring Centre, natural catastrophes displaced an average of 21.4 million people each year between 2008 and 2017.

Naser et al. (2019) state that Bangladesh's government keeps bringing up the matter in global forums. Climate change and the possible extent of migration from Bangladesh are topics that often appear in the literature. In order to adapt to changing climates and environments, migration is an important strategy (Davis et al., 2018). Factors such as social connections, risk perception, household resources, and the availability of livelihood prospects all play a role in migration decisions. Concerning adaptive behaviour in the face of environmental risks and climatic variability, however, little is understood regarding the final impact of these demographic, political, and economic variables. Adam states in the UNHCR report (2017) that, to ensure the adoption of an integrated strategy, the monitoring of significant events, and contributions to the Task Force on Climate Change, the High Commissioner formed an internal working group on climate change in 2008. Luetz (2018) states that environmental and climatic variability impact human migration in Bangladesh alongside traditional labour and seasonal movement tendencies. This section will provide background on Bangladesh's context before discussing the migratory situation there. It will include pertinent demographic, environmental, and topographical factors and natural disasters. New events with slow and rapid onsets, like thick fog, storms, and unpredictable precipitation, have been noted over the northwest of Bangladesh, according to Islam and Doha (2017). These trends are likely to continue as a result of the predicted 4°C rise in global temperatures in the future.

When disasters grow quickly, they have a greater chance of displacing large numbers of people; when they develop slowly, they affect the local ecosystem, employment possibilities, and environment, which forces individuals to travel for everyday economic reasons before they move permanently. Since we depend on emission scenarios to anticipate the consequences of climate change, Morrissey(2009) argues that we can only ever make broad predictions regarding migration. Zetter (2011) states that Kenya and Ghana have other systems in place to ensure that the basic liberties guaranteed by their constitutions are enforced. Just as Ghana's Commission on Human Rights and Administrative Justice (CHRAJ) was just formed, Kenya's National Commission on Human Rights was established in 2002. Only a handful of skills are available to these guardians. This part investigates the connection between forced migration, environmental changes, and livelihoods, after a discussion of ecologically-induced migration and the challenges in understanding the phenomenon's breadth, as per Boano et al., 2007. It first

examines the long-term environmental impacts vs. acute, episodic, or disaster-related ones, and then it promotes proactive strategies of adaptation, sustainability, and adjustment.

According to Ahmed (2018), historical injustice and oppression were common root causes of socioeconomic instability. When it comes to Bangladesh, the statement is spot on. As a result of decades of socioeconomic injustice, unwanted colonization, and forced wars, Bangladesh has not established national or local emergency plans, built hurricane shelters in coastal areas, educated its citizens on safe cyclone evacuation procedures, or provided them with resources to rebuild their livelihoods following a storm. Afifi et al (2010) raise the question of how receiving governments and the global community should respond to environmental deterioration, which may cause or exacerbate migrant outflows. Any conversation on recognizing people who have been displaced due to environmental reasons must centre on the 1951 United Nations Convention Regarding to the Status of Refugees (the Convention), which is among the most significant international treaties pertaining to migration. Environmental disasters are more likely to strike the Asia and Pacific area, according to a 2009 study by the Asian Development Bank (ADB). In this area, eight of the fifteen countries are most likely to face three or more risks. This chapter will demonstrate that the areas most at risk from these threats are also the ones most at risk from the effects of climate change. According to Betts (2010), in light of climate change and discussions around "environmental displacement," there is an increasing awareness that the present refugee regime will need to be supplemented with new measures to address external displacement. This will be necessary to guarantee sufficient international protection. Caney (2008) argues that the right to basic necessities, a fair standard of health, and subsistence is imperilled by climate change. This privilege should also not be taken lightly, as I have contended. The moral importance of it has not changed over the years. But in doing so, I have only advocated for a simplified perspective on discounting.

A provision in the "Cancun" Agreements, as reported by Mayer et al. (2013), urged "measures that would improve understanding, coordination, and cooperation concerning climate change-induced displacement, migration, and organized relocation, where appropriate, at the local, national, regional, and international levels." The UNFCCC 16th Conference of the Parties to the Climate Change Convention approved these agreements. International agreements would be negotiated about the industrialized world's responsibility towards developing nations, who are least equipped to adapt to climate change but reap the advantages of carbon emissions. Therefore, development in areas likely to experience movement in the future could offer a practical solution to the problem of migration, as stated by Naser (2015a).

Instead of addressing the underlying causes of the problem, current policy discussions centre on providing displaced persons with humanitarian help and legal assistance. The Asian Development Bank (ADB) recently conducted research that framed the problem of human relocation due to climate change within a development agenda and suggested strengthening local capacity. In addition, it suggests that poverty reduction plans consider climate change and environmental degradation since reducing poverty through mitigation efforts could lessen the impact of climate change and the subsequent migration. Mayer (2016) argues that the effort to shield migrant workers from environmental hazards is not unprecedented, noting that arbitrary global governance has occurred before. According to a quick review of the past, arbitrary decisions are the rule rather than

the exception in migration governance. For example, the 1951 Convention on the Status of Refugees established a more systematic approach to protecting refugees, previously limited to a handful of national groupings. In response to the growing recognition of the critical nature of the climate crisis, Bangladesh has emerged as a leading nation in the fight against the phenomenon, as reported by the IMF Press Centre (2019). In an effort to attract investments related to climate change, Bangladesh has lately implemented a number of policies, even though its contribution to global greenhouse gas emissions is less than 0.35 percent. The first and foremost of them should be a budget that specifically allocates greater funds for adaption costs. At the same time, as they create specialized funds, new environmental rules push for green banking and green financing. Foreign grant financing is something that Bangladesh has always been looking for, especially through the Green Climate Fund. The current Rohingya issue, argues Jalais (2021), marks the start of climate-related migration in the area. Both the Myanmar and Bangladeshi administrations are at risk because of the terrain of their respective countries, which is very susceptible to natural disasters. A potential stumbling block in the discussion of environmental movement, according to Best (2019), is the need to differentiate between temporary and permanent migration, as well as between internal and external migration. It seems to depend on the context as well. According to several research, internal and transitory migrations are far more common than exterior ones.

Communities in Pacific Island nations may feel the effects of climate change more acutely, say Boncour and Burson (2009). Significant monetary, social, cultural, and psychological costs will accompany efforts to reduce emissions of greenhouse gases, particularly in cases where migration and relocation are required. It was in 2005 that the Bangladeshi government finalized and disseminated the National Adaptation Programme of Action, as stated by Shakir (2012). A Project Steering Committee, headed by the Ministry of Environment and Forests, was responsible for guiding the planning process. Its members were from many vital ministries, agencies, and organizations, including the Ministry of Finance and Planning. If we want long-term, equitable growth, say Ahsan et al. (2011), we need to include climate migration into traditional planning plans. When it comes to climate change, it is not a linear or autonomous process but rather a web of interrelated occurrences. "Disasters" are defined as sudden shifts in the environment that cause people to relocate without warning in Bates' (2002b) hierarchical classification. As a general rule, such upheavals cause a temporary exodus from a relatively small area. Sometimes the boundary between natural and man-made disasters is blurry, leading to "unnatural" calamities.

Instead of creating new global bureaucracy, Biermann and Boas (2008b) show that a climate refugee protocol should allow current organizations to resettle millions of refugees over the next hundred years. A network of agencies, rather than a single agency, should be mandated to apply the protocol because climate-related flight is complex.

Islam (2022) states that many lawmakers and experts are worried about the consequences of climate change. The potential effects of climate change on internal migration are the focus of this study. According to Beniston (2004), most human activities change the natural world. Adaptive species are more likely to develop, invade, and spread in ecosystems that are already struggling due to climate change. According to Berchin et al. (2017), countries are finding it increasingly challenging to manage their resources

sustainably due to the environmental pressures caused by rapid population and economic expansion. People worldwide are endangered by the effects of climate change, but those most at risk are already experiencing extreme weather events, such as droughts and famine, which force large numbers of people to leave their homes. Farbotko and Lazarus (2012) state that an inevitable consequence of climate change is rising sea levels. What these results mean for other populations, meanwhile, is less clear. There is a narrative and a physical aspect to climate change. One of the most important parts of a health needs assessment is pinpointing places where people are most likely to get sick, said Molla et al. (2014). Neglected slum dwellers in cities foster a wide range of diseases. Currently, environmental migrants make up the majority of slum inhabitants. Living in slums without proper sanitation, safe drinking water, cooking facilities, and medical treatment makes it impossible for them to survive. A term used to describe people forced to flee their homes due to changing weather patterns is "climate refugees." As a result of climate change, Bangladesh is leading the pack of countries experiencing mass migration.

#### **4. Methodology**

This research study is content analysis-based research that was prepared to analyze the situation of environmental refugees in Bangladesh. The method used in this work is primarily based on doctrinal and pure legal research, as stated by Torraco (2005). An integrative literature review has been conducted. The doctrinal legal research approach entails, among other things, attentive reading and comparison of various documents to spot ambiguity, expose inconsistencies between laws and principles, discover discrepancies, and exercise legal analysis. The analysis includes materials from primary and secondary legal sources to learn more about the Constitution's provisions in textbooks, journal articles, and other pertinent online sources. It is based on legal principles in law books and legislation created by judicial decisions. The article focuses on the laws' applicability to environmental refugees and the sustainable management of those refugees. As a distinct and independent discipline, the law has its unique legal analysis, according to Salter and Mason (2007). This article's doctrinal explanation and comments provide authoritative assertions about the nature and applicability of fundamental legal standards and requirements for relevant study-related issues. According to Chatterjee (2000), legal documents are carefully evaluated to evaluate and analyze the laws relating to the rights of climate migrants. This piece uses analytical, critical, explanatory, and descriptive techniques.

Additionally, a method of explanation was used to describe overall policies regarding treating climate migrants. The study employs a critical analysis technique as well to form opinions and make judgments about the limitations of the legal systems in enforcing regional and global legal frameworks on climate migrants. The research methodology also critically assesses pertinent judicial decisions and laws from different jurisdictions. To further the study's goal, numerous relevant arguments and viewpoints put forth by knowledgeable authors of books, journals, newspapers, and international documents like those from the UNFCCC, UNDP, UNHCR, and IPCC are also carefully examined.

## **5. Existing National Legal Frameworks on the Climate Migrants**

Population migration resulting from climate change is a significant and increasing issue in Bangladesh, largely driven by factors such as the rising sea levels, increased frequency of cyclones, and river erosion. While there is no specific and comprehensive legal framework solely dedicated to protecting the rights of climate migrants, some policies, strategies, and frameworks implemented by the state indirectly address the issue. The following is a summary of the pertinent legal frameworks and policies:

- **Bangladesh Climate Change Strategy and Action Plan (BCCSAP) 2009:** The Bangladesh Climate Change Strategy and Action Plan (BCCSAP) 2009 is a comprehensive framework that is designed to address the numerous obstacles presented by climate change in Bangladesh. The BCCSAP is essential for safeguarding communities that are susceptible to the effects of climate change, as it incorporates disaster management strategies. Despite the fact that it does not explicitly address climate migrants, it recognises the necessity of resettling and rehabilitating displaced populations. According to Jihan et al. (2024), Bangladesh is classified among the countries vulnerable to climate change on a global scale, experiencing an increasing frequency and severity of climate-related catastrophes such as cyclones and floods. By giving priority to adaptation measures to safeguard livelihoods and infrastructure, the BCCSAP tackles these vulnerabilities. Additionally, Ainul et al. (2022) opine that future climate projections include substantial rises in temperature and alterations in precipitation patterns, emphasising the urgency of promptly implementing the BCCSAP to alleviate these effects. The approach highlights the need of protecting susceptible populations, especially in rural and coastal regions, from both sudden and gradual intensification of climatic phenomena.
- **The National Adaptation Programme of Action (NAPA) 2005:** By providing a framework for identifying and prioritising urgent adaptation needs, NAPA 2005 plays a vital role in tackling climate change risk in developing countries. The NAPA framework puts significant emphasis on the integration of climate adaptation into national development goals, therefore augmenting resilience and mitigating vulnerability. In their study, Adodoaji and Urban (2023) assert that NAPA promotes the incorporation of climate change factors into national policies, a crucial step in tackling local vulnerabilities. This methodology ensures that adaptation interventions are not only focused on technical aspects, but also tackle the fundamental factors contributing to vulnerability, such as socio-economic disparities. Fuldauer et al. (2022) states the NAPA initiative ensures that climate adaptation contributes to broader development objectives by aligning adaptation activities with the Sustainable Development Goals (SDGs). This alignment enables countries to protect their progress towards achievement of SDG targets while simultaneously mitigating climate concerns.
- **Disaster Management Act 2012:** The Act creates a thorough framework with an emphasis on readiness, response, and recovery for disaster risk management in Bangladesh. It contains clauses for the defence and reconstruction of populations devastated by natural disasters, which may include climate migrants. Kizza (2009) argues that effective disaster management encompasses a comprehensive strategy that

incorporates prevention, mitigation, preparedness, response, and recovery. This process is essential for effectively controlling risks and minimising the impact of disasters on both society and industrial enterprises.

- National Strategy on the Management of Disaster and Climate Induced Internal Displacement 2015: This plan is a big step in the right direction towards mitigating displacement brought on by the environment. It offers recommendations for managing and safeguarding internally displaced people (IDPs) brought on by natural catastrophes and climate change. The plan places a strong emphasis on the necessity of long-term fixes, such as the relocation, rehabilitation, and reintegration of displaced people.
- Draft National Plan for Disaster Management (NPDM) 2021-2025: Bangladesh's Draft National Plan for Disaster Management (NPDM) 2021–2025 intends to improve resilience and disaster risk reduction (DRR) tactics in order to mitigate the nation's susceptibility to climate-related disasters. Bangladesh, one of the most climate-vulnerable nations, frequently experiences floods and cyclones, among other natural catastrophes, making a strong framework for disaster management necessary. Rumpa et al. (2023) states that the NPDM 2021–2025 expands on earlier initiatives to combine cutting-edge technology and neighborhood-based strategies to lessen the effects of disasters and enhance recovery operations. A move from relief-focused measures to comprehensive DRR which aims to lower vulnerabilities and increase community resilience is emphasised by the NPDM.
- The Bangladesh Constitution: The Bangladeshi Constitution ensures basic rights to every citizen, encompassing equal treatment under the law, safeguarding of life and personal freedom, and the entitlement to unrestricted mobility within the nation. Huq and Shafique (2023) states that the aforementioned provisions indirectly contribute to the safeguarding of climate migrants. Moreover, Articles 15 and 18 underscore the responsibility of the state to enhance the material circumstances of life and public health, which are indirectly connected to the resolution of displacement caused by climate change.

## **6. Existing International Legal Frameworks on the Climate Migrants**

The protection of climate migrants continues to be a multifaceted issue in international law, as there is no specific, obligatory international legal framework. Nevertheless, the rights of climate migrants are indirectly addressed by a number of international legal instruments, agreements, and soft law frameworks. The following is a comprehensive summary of the pertinent international legal frameworks:

- 1951 Refugee Convention and its 1967 Protocol: A comprehensive framework for the protection of refugees is established by the 1951 Refugee Convention and its 1967 Protocol, which form the basis of international refugee law. However, Einarsen (2024) argues that they fail to specifically tackle the rights of climate migrants, who are being displaced at an increasing pace due to climate change. The lack of suitable legal safeguards has led to debates on the possibility of extending or altering current frameworks to include displacement caused by climate change.

- UN Guiding Principles on Internal Displacement (1998): The 1998 UN Guiding Principles on Internal Displacement (GPID) provide a specific structure for addressing the rights and needs of internally displaced persons (IDPs), including those who have been forced to leave their homes due to climate change. Lange (2022) opines that however, the principles lack legal force and mostly focus on internal displacement, leading to gaps in safeguarding mechanisms for climate migrants that traverse national boundaries. To guarantee the sufficient protection of climate migrants, it is necessary to adopt a more thorough understanding and implementation of international law.
- International Organisation for Migration (IOM): Despite the ongoing debate regarding its approach and effectiveness, the IOM is instrumental in addressing the rights of climate migrants. As per Hall (2023), the International Organisation for Migration (IOM) has increasingly acknowledged the significance of climate-induced migration; however, the absence of a comprehensive international legal framework for climate migrants continues to pose a challenge. This response investigates the IOM's changing function, its relationship with the UN, and the potential of rights-based litigation to improve the protection of climate migrants.
- Paris Agreement (2015): The Paris Agreement, which falls within the purview of the United Nations Framework Convention on Climate Change (UNFCCC), addresses broader climate change issues, including explicit mentions of the consequences of climate change on communities that are particularly susceptible to its effects. Moreover, according to Nishimura (2015), the agreement formed the Task Force on Displacement, which offers suggestions on managing displacement associated with climate change, but it does not impose enforceable responsibilities on governments to safeguard climate migrants.
- Global Compact for Safe, Orderly and Regular Migration (2018): The 2018 adoption of the Global Compact for Safe, Orderly and Regular Migration (GCM) is a groundbreaking measure aimed at safeguarding the rights of migrants, particularly those who have been forced to leave their homes due to climate change. As per Micinski and Lefebvre, nevertheless, the Gulf Cooperation Mechanism (GCM) and similar frameworks continue to have difficulties in effectively safeguarding climate migrants. This response examines the contribution of the GCM in safeguarding the rights of climate migrants, the current deficiencies in legislation, and the geopolitical factors that shape these frameworks. Although comprehensive, the GCM does not specifically tackle climate migration, therefore exposing a deficiency in global legal frameworks.
- Sendai Framework for Disaster Risk Reduction (2015-2030): The Sendai Framework for Disaster Risk Reduction (2015-2030) is an holistic approach aimed at reducing the magnitude of disaster risks and enhancing disaster resilience. Nevertheless, the degree to which it explicitly addresses the rights of climate migrants is limited, highlighting the need for a more thorough integration of migration issues into catastrophe risk reduction efforts. Maly and Suppasri (2020) narrates that the focus of the framework on reducing the impacts of disasters aligns with the urgent need to address the vulnerabilities of climate migrants. Nevertheless, there is a dearth of all-encompassing approaches that specifically target the protection and assimilation of such individuals into society.

## **7. Findings of the Study**

The comparative analysis of national and international legal principles and documents on environmental migrants in Bangladesh show highlights several critical issues. The following issues outline key areas that require attention developing legal strengths of the condition of environmental refugees in Bangladesh:

- The present national and international legal frameworks pertaining to the rights of climate migrants are insufficient, since they lack specific measures to effectively tackle the distinct difficulties encountered by individuals displaced due to climate change. Although the need for protection is widely acknowledged, the existing frameworks inadequately address the rights and requirements of climate migrants, especially those who engage in cross-border movements. The existence of this gap requires a reassessment and possible modification of current legal frameworks in order to ensure comprehensive protection for climate migrants.
- Bangladesh's geographical position renders it highly vulnerable to the effects of climate change, such as rising sea levels, floods, and cyclones, which are the main catalysts for internal relocation. Moreover, climate migrants frequently encounter significant social and economic challenges in their new destinations, such as inadequate access to essential services, substandard housing, and restricted job prospects, further exacerbating their vulnerability.
- Although the Bangladesh Climate Change Strategy and Action Plan (BCCSAP) and the National Adaptation Programme of Action (NAPA) provide a general approach to adaptation, they lack explicit measures to protect the rights of environmental migrants. Furthermore, international frameworks such as the Paris Agreement and the UN Guiding Principles on Internal Displacement offer broad recommendations but lack binding legal provisions and fail to explicitly tackle the distinct obstacles encountered by climate migrants.
- Although international human rights and environmental laws provide some degree of protection, their implementation is often constrained by the lack of legal mechanisms and the explicit recognition of climate migrants as a distinct group. In addition, the 1951 Refugee Convention fails to recognise climate migrants, which leads to a significant absence of international legal protections for individuals who are relocated as a result of environmental factors.
- The rights and protection of climate migrants in Bangladesh are not now comprehensively addressed by any special legislation. Many policies and strategies are fragmented, focusing mainly on broad issues, such as catastrophe management and social protection.
- Notwithstanding the presence of pertinent frameworks, there are still obstacles in the successful execution of these policies, frequently stemming from limitations in resources, difficulties in coordination, and the complexity of the issues involved.
- In order to address the problems of climate refugees and ecologically displaced people, the current systems of protection for climate migrants are insufficient. Improving the state of climate migration management by the use of current legal frameworks has its limitations.

- There is a lack of action to deal with environmental migrants who cross international borders, as well as inefficient cooperation and coordination among government departments and NGOs in formulating effective plans and policies and putting those plans into action. Furthermore, both technical knowledge and the involvement of civil society actors are lacking, especially in the area of environmental law.

## **8. Recommendations**

In light of the findings that the existing national and international legal frameworks are inadequate for addressing the rights and protection of climate migrants:

- Strengthening the legal frameworks of both national and international level for ensuring the rights of climate migrants. More importantly, Bangladesh ought to take the lead in promoting the inclusion of climate migrants in international legal frameworks, like the 1951 Refugee Convention.
- Bangladesh is supposed to pass laws that expressly acknowledge and protect the rights of climate migrants. This legislation should clearly define climate migrants, outline their rights, and provide safeguards for them, including work, housing, and access to basic services.
- Enhancing the distribution of resources to guarantee the successful execution of existing national programs, including NAPA and BCCSAP. This includes giving local government administrations and agencies in charge of managing climate-related displacement enough money, training, and technical support.
- Bangladesh ought to continue pushing for stronger international accords to protect climate migrants. This includes pushing for the adoption of legally enforceable agreements pertaining to the protection of climate migrants at international fora, like the United Nations.
- Increasing Technical Knowledge of Environmental Law and Climate Change which includes educating legislators, solicitors, and members of civil society on environmental and human rights law as it relates to climate migration in order to help them understand and apply it.
- It is essential to strengthen Social and Economic Integration of Climate Migrants via Access to Services, like social protection, healthcare, and education.
- Expanding programs that provide jobs to climate migrants resettling in both urban and rural locations. This could entail establishing job possibilities through microfinance programs, relationships with businesses in the private sector, and vocational training.
- Promotion of Monetary Assistance and Worldwide Unity to enable the extension of adaptation and resilience-building programs in Bangladesh. The funds must go into initiatives like capacity-building, social protection plans, and infrastructure development that specifically assist climate migrants.
- Developing International and Regional Cooperation Global Advocacy to accelerate the creation of a South Asian regional framework to handle climate migration. This

framework might include cooperative finance for climate adaptation projects, regional disaster response systems, and common protocols for cross-border travel.

- Establishing a comprehensive national strategy for climate migration that addresses all aspects of migration, such as long-term integration, preparedness, reaction, and prevention. This plan should take into account both potential cross-border movements and internal displacement.

## 9. Conclusion

Hence, in Bangladesh, the current provisions for protecting environmental migrants are inadequate and fragmented. Despite the nation's significant progress in the development of laws and strategies for disaster management and climate adaptation, these frameworks frequently fail to provide comprehensive protection to individuals who have been displaced as a result of climate change. The UN Guiding Principles on Internal Displacement and the Global Compact for Migration are legal frameworks that indirectly incorporate the rights of climate migrants at the international level. However, they lack binding force and do not explicitly address displacement caused by climate change. The Paris Agreement, which is being implemented by its Task Force on Displacement, acknowledges the issue; however, it does not impose legal obligations on governments to protect climate migrants. As a result, Bangladesh continues to experience a persistent gap in the protection of climate migrants, as the implementation of both domestic and global legal structures remains restricted. In conclusion, despite the fact that Bangladesh has made strides in addressing the displacement caused by climate change through the implementation of numerous national and international systems, there are still significant challenges in ensuring that climate migrants receive the necessary protection and support. In order to ensure the sustainable management of climate displacement in the country, it is essential to establish a comprehensive and integrated legal framework, alongside improved implementation and coordination structures. Not only will the capacity of climate migrants to withstand and recover from the adverse effects of climate change be strengthened, but also support broader efforts to mitigate the consequences of climate change on vulnerable communities.

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