



PHOTO: PUBLICHEALTHPOST.ORG

LAW VISION

# Addressing climate-induced displacement in Bangladesh

SAKHAWAT SAJJAT SEJAN

Climate change is acknowledged as a critical factor in human migration around the world. It causes a significant amount of displacement in countries like Bangladesh. Bangladesh is situated in a very climate-vulnerable region- very prone to floods, cyclones, river erosion, sea-level rise, drought, and other climate-induced hazards. These environmental disasters cause displacement in our low-lying, and sometimes in high-lying areas too. For instance, in 2024 Feni district of Bangladesh experienced a flood, which displaced around 10,000 coastal people, after almost 5 decades due to climate change. This article will explore the institutional and legal responses to climate-induced migration within Bangladesh, focusing on the gaps and challenges that increase the sufferings of displaced persons.

**The new Climate Displacement Protection Act and other new policies or reforms should provide a legal framework for Bangladesh to protect climate-induced migrants and displaced persons, making Bangladesh a pioneer among South Asian nations in the pursuit. Only through incorporating inclusive, rights-based and sustainable protection mechanisms can Bangladesh reduce the negative impacts of climate-induced displacement to establish a better future for the vulnerable displaced persons or migrants.**

According to the United Nations, by 2050, approximately 13 million people will be displaced due to climate-induced events. The scenario of flood-prone and coastal areas can be a great case study for Bangladesh to measure the impact of climate change and

related displacement in the country. Bangladesh is a frontline victim of climate change, being at the delta of the Bay of Bengal with numerous rivers. The maximum population of Bangladesh live in the disaster-prone areas or in places of environmental degradation, where people are getting displaced for slow-onset events like sea-level rise or salinisation.

Despite this acute vulnerability, Bangladesh has not built a compact legal framework to acknowledge and address the needs of climate-induced displaced persons. The danger and risk of climate change are addressed by some laws and policies, such as the Disaster Management Act 2012 and the Bangladesh Climate Change Strategy and Action Plan 2009 (BCCSAP). Unfortunately, none of the law or policy recognise climate-induced displacement within their provision. Hence, the affected ones by the events of climate change cannot receive proper protection under the legal framework of Bangladesh. Due to this non-recognition by the laws, the displaced persons cannot access basic services as housing, health care, and education.

This lack of law also works as a barrier to providing protection to climate-induced displaced persons through institutional coordination. Without a centralised body and coordination, concerned ministries of environment, housing and disaster management operate independently for the relocation and rehabilitation approaches towards the displaced persons. As an outcome, the displaced persons fall through the cracks by facing complications in getting the support they need. The legal vacuum is not only within the territory of Bangladesh; but it also extends to the broader international legal framework gaps. International refugee law as the 1951 Refugee Convention fails to include the refugees created by the climate-

induced events. Similarly, international human rights law provides very narrow recourse of protection towards climate-induced migrants, displaced persons or refugees. With a light of hope, international environmental law has started to differentiate between climate change and climate change-induced migration or displacement very recently, but it lacks implementation and direct protection mechanisms for the displaced populations.

The displacement that happens through climate change does not only has an environmental dimension; it impacts socio-economic and gendered dimensions too. Several vulnerable groups, such as ethnic minorities, religious minorities, landless families, and women-led households, are disproportionately affected by climate change. Especially, women are at risk of gender-based violence, limited access to reproductive health and child marriage while transitioning into the displaced settings. The International Rescue Committee has found that child marriage has increased by up to 39% in Bangladesh after being affected by climate-induced displacement. In fact, this research further shows that Bangladeshi displaced women are facing 60% more gender-based violence in the displaced areas. Loss of livelihood due to land tenure increases displaced populations' sufferings and vulnerability, as they often lack financial resources to live. These gendered and social vulnerabilities are screaming to focus on the need for designated interventions to safeguard the marginalised groups related to climate change. Policy reforms and legal adoptions must incorporate provisions to acknowledge the specific needs of children, women, the elderly, ethnic communities, and religious minorities. And it must also uphold the dignity and rights of the displaced populations within Bangladesh.

Moreover, to address the pressing challenges of climate-induced displacement and migration, several stakeholders of Bangladesh have suggested some policy responses aimed to protect the climate-induced displaced persons and migrants. The proposal of a Climate Displacement Protection Act is one of them, which would designate the rights and duties of the climate-induced displaced persons and migrants. It also aspires to find a legal framework for their rehabilitation, relocation and integration.

This proposal includes: legal recognition of the Climate Induced Displaced Persons (CIDPs); access to employment, healthcare, housing, and education; approaches for community-based social protection and resettlement; and the establishment of Climate Migration Authority to monitor coordination and planning process of government agencies.

The National Climate Adaptation and Resilience Plan has also been suggested for Bangladesh's long-term scheme to include climate-induced displacement concerns into the national development strategies. Notably, these strategies still fail to include climate-induced migration issues within their frameworks. Compact legislative reformation or amendment is required to acknowledge the problem and solve it accordingly. Regional and international cooperation is required to address climate change-related issues in Bangladesh and South Asia, considering the fact that climate change is a transboundary issue. South Asia shall come forward with the South Asian Compact on Climate Mobility to acknowledge climate-induced migration and foster cross-border coordination and burden sharing for climate-induced migrants or displaced persons.

This approach may: introduce definition for climate-induced migrants

and migration; increase reciprocal acknowledgement of the protection process and displaced persons; introduce burden sharing approaches and early warning mechanisms; and ensure regional insurance and funding plans to accelerate adaptation and migration efforts.

Global forums like the Platform on Disaster Displacement and the UN Global Compact for Migration shall be pursued by Bangladesh to lead the advocacy for stronger international protection for climate-induced migrants. This will also help Bangladesh to get the required support to safeguard the climate-induced migrants in Bangladesh by encouraging regional cooperation and stability. As the climate is changing drastically, Bangladesh will face several displacement crises in the near future, especially in the coastal and flood-prone areas. Hence, it should focus on enacting laws and plan immediate policy reforms to acknowledge the rights of displaced persons by increasing institutional coordination and including climate migration issues into national development strategies. Regional cooperation and international support will be necessary to ensure that climate-induced migration is handled comprehensively, and such populations are treated with rights, dignity and respect. The new Climate Displacement Protection Act and other new policies or reforms should provide a legal framework for Bangladesh to protect climate-induced migrants and displaced persons, making Bangladesh a pioneer among South Asian nations in the pursuit. Only through incorporating inclusive, rights-based and sustainable protection mechanisms can Bangladesh reduce the negative impacts of climate-induced displacement to establish a better future for the vulnerable displaced persons or migrants.

*The writer is Assistant Professor (Law), Bangladesh University.*

RIGHTS WATCH

## The costs of Bangladesh's shipbreaking industry

JOYDEEP CHOWDHURY

The ship-breaking industry in Bangladesh has been a source of national pride for decades, and it has also been potential source of environmental disaster too at the same time. Being one of the world's largest ship-breaking industries, thousands of people, primarily from marginalised communities, are employed to dismantle derelict ships under the open sky. However, the coastline gets contaminated with asbestos, heavy metals, oil waste, and other harmful particles beneath the surface of economic benefit.

Bangladesh became a major shipbreaking centre in the early 1980s, when stricter laws on the environment and workers forced Western yards to close. What started as a means to make money has turned into a deeply rooted enterprise having numerous implications for people and the environment. Even when statistics showed that injury rates were increasing and the shoreline was becoming polluted, successive governments continued to support the sector, as it created jobs and produced steel. The Ship Breaking and Recycling Rules 2011 and the Bangladesh Ship Recycling Act 2018 (BSR Act) both established legal protections intended to mitigate these harms. However, they have not been effective due to lack of enforcement.

The human cost is also significant. A 2023 report by Human Rights Watch details how shipyards consistently compromise safety, discharge hazardous waste onto land, and deny workers equitable wages, rest, or compensation for injuries, exposing

a system that evades international export regulations. Similarly, medical research from Chattogram indicates that shipyard workers experience respiratory diseases and malignancies at an elevated rates compared to national averages. Local inhabitants, especially minors, have elevated blood lead and cadmium concentrations directly associated with metal scrap dust and oil pollution.

Additionally, the mangrove buffer is deteriorating, exacerbating storm surges

**Regulatory agencies also need independent enforcement units empowered to issue immediate stop-work orders and levy substantial fines. Simultaneously, coastal communities must have statutory standing to bring civil actions for ecological and health damages- a model that has succeeded in neighbouring jurisdictions. International partners should also come forward by conditioning technical assistance and loans on demonstrable improvements in health and environmental indicators and requiring third-party audits of the shipyards.**



and diminishing fish populations. These detriments worsen the pre-existing vulnerabilities, poverty, inadequate healthcare, and climate risks, necessitating legal solutions that transcend mere aspirational directions.

Industry proponents, on the other hand, point to thousands of jobs and the supply of scrap steel to mills. However, when a worker loses limbs or contracts a chronic disease, the cost shifts to families and the public health system. These social and environmental externalities are omitted from official economic accounts.

International treaties reinforce

Bangladesh's obligations. As party to the Basel Convention and the Hong Kong Convention on Ship Recycling, we have committed to prohibiting hazardous waste exports for unsafe recycling. Yet vessels continue to arrive on our beaches with toxic inventories intact. National courts have issued orders requiring pre-beaching clean-up and the provision of protective gear, but compliance remains minimal.

In fact, meaningful reform will require both top-down and bottom-up initiatives. Dry-dock recycling facilities, modelled on Turkish and Chinese yards, contain contaminants within sealed docks and

treat waste systematically. While initial investment is high, the long-term benefits- safer employment, healthier ecosystems, compliance with international norms- outweigh the costs. Hence, Parliament must amend the BSR Act 2018, making dry-dock conversion within five years mandatory. At the same time, it should impose criminal sanctions for deliberate non-compliance with such mandate and extend "producer responsibility" to former ship owners.

Regulatory agencies also need independent enforcement units empowered to issue immediate stop-work orders and levy substantial fines. Simultaneously, coastal communities must have statutory standing to bring civil actions for ecological and health damages- a model that has succeeded in neighbouring jurisdictions. International partners should also come forward by conditioning technical assistance and loans on demonstrable improvements in health and environmental indicators and requiring third-party audits of the shipyards.

Indeed, the challenge we face is not solely industrial. The issue is our constitutional obligation to uphold the right to life, health, and a secure environment. Although our supreme law upholds these rights, unrestrained industry undermines them. Citizens, civil society organisations, and the global community must advocate for accountability, ensure enforcement of the existing laws, and uphold our international commitments.

*The writer is Lecturer in law and Assistant Course Coordinator at Sonargaon University, Dhaka.*