**Input from Center for Spatial Justice related to the Report on Addressing the Human Rights Implications of Climate Change Displacement**

1. What experiences and examples are you aware of, of individuals or communities, displaced by climate change?

Türkiye faced massive wildfires during the summer of 2021. The estimated burned area was 7 times higher than the average and 8 people died. Many villages, settlements, thermal power plants, and hotels were evacuated in the region. Currently, we have been trying to specify the settlements encompassed in the burned areas in the Mediterranean region for increasing the visibility of the displacement effect of wildfires. A [report](https://wwftr.awsassets.panda.org/downloads/ormanyangnlarweb.pdf) about the ecological and socio-economic effects of these wildfires was published in Turkish by WWF-TR. It is also noteworthy to mention that after a short period of time massive wildfires started in the eastern parts of Türkiye as well.

Bozkurt, a town in the mid-north of Türkiye was exposed to a flood disaster that killed 82 people, ten days after the wildfires in 2021. 2.472 people were evacuated. A report titled [Bozkurt: Field Notes on Climate Justice](https://www.yesildusunce.org/wp-content/uploads/2022/02/BOZKURTI%CC%87KLI%CC%87M-ADALETI%CC%87-U%CC%88ZERI%CC%87NE-SAHA-NOTLARI.pdf) was published in Turkish by Green Thought Association. Also, a paper titled [On-Site Investigation of the Flood Disaster that Occurred on 11.08.2021 in The Bozkurt District Of Kastamonu](https://dergipark.org.tr/en/download/article-file/2254802) was published. The rainfall which caused the flooding in Bozkurt has also severely affected several other towns in the region such as Ayancık. There was another flood disaster in Giresun, a city in the north-east of Türkiye, in the summer of 2020 which caused the death of 10 people. 19 buildings were destroyed, and 361 buildings were damaged. A [paper](https://dergipark.org.tr/tr/download/article-file/1488756) and a civil society [report](https://www.ormancilardernegi.org/dosyalar/files/TOD%20Giresun-Sel%20Felaketi%20Teknik%20Raporu%20%2811.09.2020%29%282%29.pdf) about this incident were published as well.

Apart from these climatic disasters, mega projects as the symbols of growth-oriented developmentalism which mostly have exacerbating effects on the climate crisis have also been causing the displacement of many people around Türkiye. Canal Istanbul, coal mines in Muğla, small and big hydroelectric power plants in the northeast part of Türkiye, polluting industries in Thrace, the Great Garuda project in Indonesia, the coal industry in Chhattisgarh, India, EACOP in Uganda and Tanzania are examples of these projects which fall under the scope of our working area. We want to bring these subjects to your attention since we value the interrelation between climate change, mobility, and the mega projects championed by the economy of growth.

1. Do you think there are differences between the notion of climate change migrants and people displaced by climate change? If yes, what are these differences?

Climate change migrants refer to vulnerable communities/people who are exposed to climate change hazards such as droughts, wildfires, and extreme weather events and consequently change their area of settlement permanently since they lose their houses, livelihood, and health. Climate change migration mostly refers to the mobility of people across national borders. On the other hand, people displaced by climate change refers to temporary or permanent moves of people mostly taking place within the boundaries of a nation-state due to the loss of houses, livelihoods, and health caused by climate hazards.

1. What legislation, policies and practices are you aware of that are in place to give protection to the rights of individual and communities displaced by climate change.

In our report titled [Displacements within the Framework of Environmental and Climate Justice: Concepts, Debates and Cases](https://mekandaadalet.org/wp-content/uploads/2022/10/MADdisplacements_202208.pdf), we identified the importance of bottom-up policies, the distributive, procedural and recognition justice dimensions of climate justice, and legislations that empower the local society in decision-making and prioritize the rights of indigenous people. Specifically, The Act of Land Acquisition, Rehabilitation and Fair Compensation in Displacements and Transparency (LARR), Panchayat (Extension of the Scheduled Areas) Act (PESA), The Act of Preventing Atrocity Towards Protected Castes and Protected Communities, The Forest Rights Act from India and regulations of Brazil which gave legal protection for indigenous people can be given as examples. Besides, regulations related to the environmental impact assessments or other sorts of assessment regimes (health, strategic, climate etc.) can be found elsewhere. On the other hand, most of the time the implementation of these legal instruments is weak and can easily be bypassed with the help of other legal instruments or loopholes.

Kampala Convention, Cancun Adaptation Framework, Nansen Initiative, Warsaw International Mechanism for Loss and Damage, Sendai Framework for Disaster Risk Reduction 2015-2030, Paris Agreement, Task Force on Displacement, Platform on Disaster Displacement (replacing the Nansen Initiative), Global Compact for Safe, Orderly and Regular Migration are the international legal or policy documents identified in our report.

1. Please provide examples of policies, practices and legal remedies and concepts of how States, business enterprises, civil society and intergovernmental organizations can provide protection for people and communities displaced by climate change.

Macro (global capitalism, national state model, patriarchy etc.), meso (institutional and legal regulations, etc.) and micro (age, gender, class affiliation, education status, etc.) factors that affect the displacement and mobility/immobility should be taken into account. Context-sensitive, decentralized/bottom-up, interdisciplinary, integrated approaches, climate justice-oriented, dynamic, multi-scale/multi-centered and multi-dimensional processes that involve diverse actors are needed. Recognition, distribution and participation as the fundamental dimensions of climate and environmental justice must be incorporated.

Collecting long-term data in field research, considering mobility as a dynamic process spreading over time and space, interpreting mobility as a strategy used for adapting to environmental changes, having flexibility and dynamism that allows adaptation to local conditions and changes in time are also important practices.

1. What international, regional and national policies and legal approaches are necessary to protect people and communities displaced by climate change

Policies and regulations which are built on top-down approaches and vertical processes with technocratic attitudes are neither useful nor contributing to the fair solutions. The priority must be given to the:

1- Recognition, distribution and procedural justice dimensions of climate justice.

2- Meaningful participation of local groups/communities by identifying their role as central to the process.

Specifically, policies and regulations focused on precautionary measures by empowering the participation of different actors, for example Aarhus Convention, are important.

1. Please provide separate considerations for people or communities internally displaced and those displaced across international borders

Displacements caused or exacerbated by the climate crisis are mostly taking place internally according to recent studies. On the other hand, main-stream media and right-wing political actors have been trying to pose this mobility as a threat to national security to consolidate their protectionist policies and improve their visibility with the huge image of mass people moving over the borders of the states. This perception makes this critical issue analytically incomprehensible and politically unsolvable. Consequently, separate consideration of these two categories is important but the suggestions included in the other answers can benefit the solutions of both.

1. What do you understand by the concept of “climate change refugee”? Do you think that the UN Refugee Convention should include a separate category for climate change refugees? How do you think this would work? What other legal options may be possible?

It is important and necessary to put the concept of climate change refugee on a legal basis and to recognize various rights on an international scale. On the other hand, there are some caveats linked with the regulation of this concept:

1- The type of mobility called climate migration is not caused only by climate change.

2- Most of the states have been approaching the concept with the attitude of maximizing their national interests instead of an objective and justice centered approach.

3- Despite the perception that climate migration is mostly international, permanent and intentional; recent studies show that it is internal, temporary and forced. Also, it is noteworthy to mention that most of the negatively affected people by climate change do not have the resources to migrate even though they are displaced. In this context, immobility must also be considered.

Efforts to regulate this subject should be coordinated between the different policy areas. Apart from the UN Refugee Convention, regulations related to the adaptation and loss and damage under the scope of the UN Framework Convention on Climate Change should be taken into account. Also specific international instruments, for example The UN Convention on the Rights of the Child, should not be overlooked.

1. Should separate and particular considerations be given to indigenous peoples with respect to climate change displacement? What are these particular considerations?

Separate and particular consideration should be given to indigenous peoples because they are among the most vulnerable groups. These particular considerations can include their cultural bonds with the land they are living on and in some cases their autonomy for the decision-making on the spatial planning of that land.

Different groups/communities around the world can be counted as indigenous even though they do not have a legal statute because of the different local conditions and context. Their right to life and cultural identity have been threatened by the displacement stemming from growth-oriented development policies and climate crisis. For example Sarıkeçililer from Türkiye is a nomadic community which has cultural and historical bonds with lands in the mid-south of Türkiye. Their lifestyle, basically their habit of moving between the lands according to the seasons, have been obstructed by the state. Their temporary living space which is closer to the mountains and forests of mid-south is under the risk of forest fires because of climate change and lack of protection and adaptation.