Economic and Social Commission for Asia and the Pacific

ESCAP

MUNUC 38

Model United Nations of the University of Chicago

Chair Letters

Dear Delegates,

My name is Joslyn Jenkins and I am excited to serve as one of your Co-Chairs for the ESCAP committee at MUNUC 38! This year, ESCAP will dive into two of the Asia-Pacific region's most urgent challenges: promoting ethical labor and supply chain accountability in the Asia-Pacific fashion industry, and navigating the legal questions posed by climate displacement and the status of sinking nations. I am eager to hear your ideas and debate as you explore how policy can drive real-world impact across the Asia-Pacific.

A little bit about me: I am originally from Phoenix, Arizona and I'm currently a second-year majoring in economics with a minor in race, diaspora, and indigeneity with a desire to lead sustainability initiatives within the corporate social responsibility space. I participated in Model UN all throughout high school and served as the Moderator for MUNUC 37's CSW committee. With every experience, my love for Model UN has grown more and more.

I am of dual ethnic background: African American and Chamorro. My mother was born and raised on the island of Guam, where her community faced severe environmental challenges that ultimately contributed to her migration to the United States. This has inspired me to be involved in sustainability spaces on campus like the Undergraduate Student Government's Committee on Campus Sustainability. Additionally, I am part of Pareto Solutions, a student-run consulting firm. For this reason, the ESCAP topics we will explore this year are particularly close to my heart.

MUNUC is a unique opportunity for you all to not only expand your global knowledge, but also strengthen your skills in diplomacy, collaboration, and public speaking, all while making friendships along the way. My favorite moments of MUNUC have come from watching delegates with diverse perspectives come together to form one resolution to drive change. With that being said, I urge you to approach each topic with passion and sensitivity, as the issues before us touch the lives of real people and communities. Listen carefully, think creatively, and challenge yourself to consider both the immediate and long-term impacts of the solutions you propose.

Please remember that your Chairs are here to support you. If you feel uncertain about how to phrase something in debate, or if you have any questions about the topics or rules of procedure, do not hesitate to ask. Our priority will always be to create a space where every delegate feels comfortable to contribute their voice to the conversation.

I am truly honored to serve as your Co-Chair this year, and I cannot wait to meet you all at the conference. Let's make this a memorable and impactful weekend together!!

Sincerely,

Joslyn Jenkins

JJenkins28@uchicago.edu

Dear Delegates,

My name's Esther Ma, and I'm super excited to serve as one of your co-Chairs of the ESCAP committee for the upcoming session of MUNUC 38! I was involved with Model UN all throughout high school as both a delegate and Chair, and I'm hoping to help provide you all with an experience as great as mine. I'm from Boston originally, and I'm currently in my second year at UChicago pursuing a double major in public policy and economics.

Model UN is really special. I know you will all research, debate, and collaborate to bring this committee to life, and I can't wait to witness your remarkable efforts come February. From what I've learned as a delegate, I encourage you all to put yourselves out there and not worry about seeming too nerdy, passionate, or intense: you'll have the most fun when you fully embrace all these qualities. I hope this is a committee where you can show off your intelligence and hard work, but also learn from each other and be encouraging. I kindly request everyone to have an open mind when engaging in discussion, particularly concerning sensitive matters that could cause discomfort if poorly handled. Empathy is important in MUNUC and beyond, and to be a global citizen is to recognize and embrace each other's differences.

This year's ESCAP committee brings two topics together: one covering the fashion industry, and the other discussing climate change and the environment. These topics differ greatly from each other but are both important and prevalent. I hope that this range of discussion will provide you all with a fulfilling and comprehensive experience with ESCAP. This background guide should be a strong starting point to your research on these topics and lead you to think further about your own solutions!

We are so, so excited to have you all. Please do not hesitate to reach out with any questions — our goal is for every delegate to leave MUNUC with the best experience possible. I hope you all have a fun and rewarding time. It's an honor to be one of your Chairs.

Sincerely,

Esther

estherma@uchicago.edu

History of the Committee

The Economic and Social Commission for Asia and the Pacific (ESCAP) is the oldest and most comprehensive of all the United Nations' five regional Commissions. ESCAP was originally created by the Economic and Social Council (ECOSOC) on March 28, 1947 as the Economic Commission for Asia and the Far East (ECAFE) to help coordinate reconstruction and foster economic cooperation across a region still recovering from the devastation of the Second World War.[1] ESCAP supports 53 member states and 9 associate members, making it the most inclusive platform in the Asia-Pacific. In the late 1940s, ESCAP's headquarters were moved from Shanghai to Bangkok to reflect political realignments and the need for a more central location to serve the member states spanning central, southwest, southeast, and east Asia, as well as the Pacific island states.[2]

During the early 1970s, the Commission's agenda progressed beyond reconstruction and trade to include social development, population policy, and the emerging environmental agenda. To reflect this growth, ECOSOC renamed the body to the Economic and Social Commission for Asia and the Pacific (ESCAP), as it is known today, on August 1, 1974.[3] The new name expanded the acknowledgement of Pacific member states from the far east of Russia to the Cook Islands, making ESCAP the UN's largest regional body in terms of geographic scope.

[1] United Nations, "Economic Commission for Asia and the Far East," 37 United Nations § (1947), https://docs.un.org/en/E/RES/37(IV).
[2] Economic and Social Commission for Asia and the Pacific, "ESCAP History," ESCAP, accessed July 2025, https://www.unescap.org/about/history.
[3] United Nations, "Change of Name from 'Economic Commission for Asia and the Far East' to 'Economic and Social Commission for Asia and the Pacific,'" 1895 United Nations § (1974), https://docs.un.org/en/E/RES/1895(LVII).

ESCAP's most notable achievements include the establishment of the Asian Highway Network in 2003 and the Trans-Asian Railway agreement in 2006, which involve legally binding treaties to connect dozens of economies through standardized infrastructure frameworks.[4,5] Additionally, ESCAP convenes the Asia-Pacific Forum on Sustainable Development (APFSD) every year to review regional progress toward the 2030 Agenda and the UN Sustainable Development Goals. The APFSD ensures that Asia-Pacific perspectives are aligned with the High-level Political Forum in New York.[6]

In the past decade, ESCAP has increasingly questioned the ethical labor practices, climate adaptations, supply chains, and human mobility issues that lie at the heart of this year's committee agenda. Each year, the Economic and Social Survey of the Asia and Pacific reflects how far the commission itself has come. ESCAP is no longer focused on post-war rebuilding, but instead keeps social inclusions and environmental sustainability central to its approach to growth, showing its commitment to building a more fair, climate-resilient future for the entire region.[7]

[4] Economic and Social Commission for Asia and the Pacific, "Intergovernmental Agreement on the Asian Highway Network," 34 United Nations § (2003), https://treaties.un.org/pages/viewdetails.aspx?src=treaty&mtdsg_no=xi-b-34&chapter=11.
[5] Economic and Social Commission for Asia and the Pacific, "Intergovernmental Agreement on the Trans-Asian Railway Network (with Annexes)," 5 United Nations § (2006), https://treaties.un.org/pages/viewdetails.aspx?src=treaty&mtdsg_no=xi-c-5&chapter=11.
[6] Economic and Social Commission for Asia and the Pacific, "Asia-Pacific Forum on Sustainable Development 2025," ESCAP, 2025, https://www.unescap.org/events/apfsd12.
[7] Economic and Social Commission for Asia and the Pacific, "Economic and Social Survey of Asia and the Pacific," *ESCAP*, 2023, https://repository.unescap.org/server/api/core/bitstreams/0d97f898-1879-4514-8978-b585805f419f/content.

Topic A: Ethical Labor and Supply Chain Accountability

Statement of the Problem

Inequities in Fast Fashion

The Asia-Pacific region is the backbone of global fashion production. Countries such as China, Bangladesh, Vietnam, and Indonesia make up over 70% of global textile exports and half of finished garments.[8] These exports have created a $450 billion industry, but it relies on 65 million workers.[9] Many are young migrant women from rural areas who enter factories with no written contracts or even health insurance.[10] According to a survey conducted by the International Labour Organization (ILO), less than one in every five garment employees in Bangladesh and Cambodia can produce proof of their formal employment, which would provide them with severance pay, maternity benefits, and legal recourse in event of injury.[11] Those without formal contracts thus become vulnerable to exploited labor.

[8] World Bank Group, "World Development Indicators," World Bank, accessed July 2025, https://databank.worldbank.org/id/c4511412.
[9] Nancy Cardona, "Global Apparel Industry Statistics: Market Size and Trends (2025)," Uniform Market, accessed July 2025, https://www.uniformmarket.com/statistics/global-apparel-industry-statistics.
[10] International Labour Organization, "Asia-Pacific Employment and Social Outlook," *ILO*, 2024, https://www.ilo.org/sites/default/files/2024-06/Asia-pacific-employment-social-outlook-2024%20%28web%29.pdf.
[11] International Labour Organization, "Global Wage Report 2024–25," *ILO*, 2024, https://www.ilo.org/sites/default/files/2025-02/GWR-2024_Layout_E_RGB_Web.pdf.

Garment factory workers in Thailand, 2006.[12]

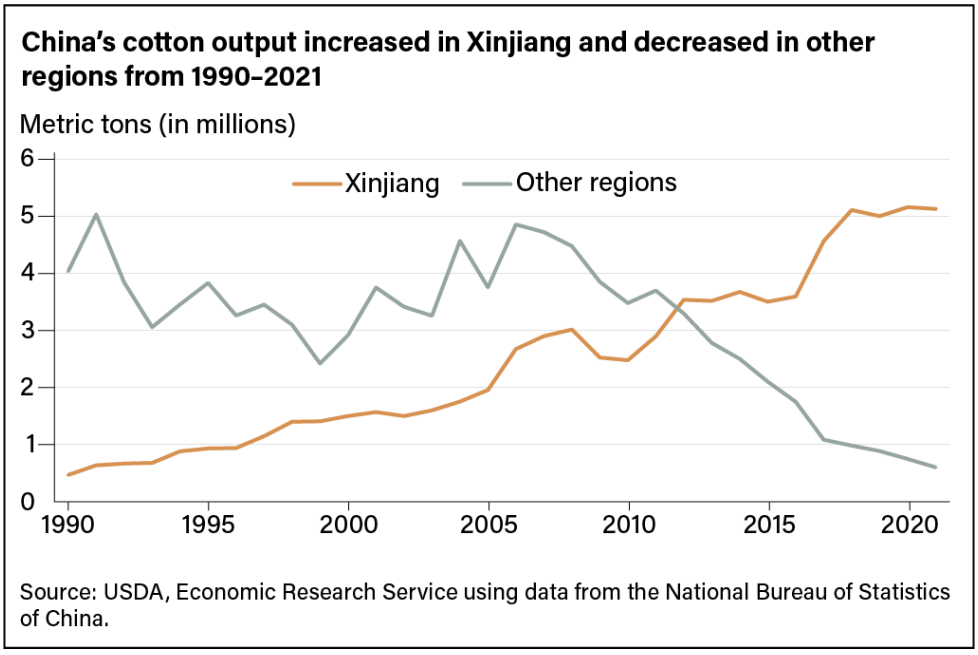
Due to inconsistent payrolls, suppliers often rely on apprenticeships or "training periods," delaying wages for 2-3 months and putting the financial burden on the workers themselves.[13] The garment industry plays a large role in national economies, comprising more than 80% of Bangladesh's exports and over 40% of Cambodia's GDP.[14] This economic weight incentivizes governments to keep minimum wages low and to restrict labor union activity. The result is a workforce that is essential to national growth but trapped in deeply unstable conditions, where

[12] Greg Walters, *Garment Factory Workers in Thailand*, July 20, 2006, Online image, *Wikimedia Commons*, July 20, 2006, https://commons.wikimedia.org/wiki/File:Garment_Factory_Workers_in_Thailand.jpg.
[13] Fair Labor Association, "Guidance on Preventing and Addressing Child Labor in Supply Chains," *Fair Labor*, January 2025, https://www.fairlabor.org/wp-content/uploads/2025/02/FLA_Guidance_on_Preventing_and_Addressing_Child_Labor_in_Supply_Chains.pdf.
[14] World Bank Group, "Bangladesh Country Economic Memorandum: Change of Fabric," *Open Knowledge Repository*, October 31, 2022, http://hdl.handle.net/10986/38229.

low pay, long hours, and limited rights are not exceptions, but the norm. This reality will shape every policy conversation in this committee.

Regional Examples

One notable crisis is the heavy use of cotton and yarn from China's Xinjiang Uyghur Autonomous Region (XUAR), which produces about 20% of the world's cotton and is tied to state-run labor transfers, which are government-organized programs that relocate workers, often coercively, into factories or farms.[15] Even with strict US and EU import restrictions, like the Uyghur Forced Labor Prevention Act (UFLPA), tests on 822 cotton products between 2023 and 2024 found that 19% still carried isotopic markers from XUAR.



Xinjiang cotton output over time.[16]

[15] Bureau of International Labor Affairs, "List of Goods Produced by Child Labor or Forced Labor," United States Department of Labor, accessed July 2025, https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods.
[16] Eric C. Davis and Fred Gale, *China's Cotton Output Increased in Xinjiang and Decreased in Other Regions from 1990–2021*, December 5, 2022, Online image, *United States Department of Agriculture*, December 5, 2022, https://ers.usda.gov/data-products/chart-gallery/chart-detail?chartId=105331.

The issue also extends well beyond Xinjiang. Investigations by non-governmental organizations have revealed that Burmese migrants are forcibly recruited into Thai spinning mills, while Dalit women in the Indian state of Tamil Nadu are trapped into debt bondage at yarn factories.[17] These human rights violations harm more than just workers, posing serious legal, reputational, and trade risks for global brands and the governments that import their goods. Delegates at MUNUC 38 will need to consider these stakes carefully when crafting any enforcement strategies or incentive frameworks.

Causes of Worker Exploitation

Today, a single apparel order passes through four to six layers before reaching store shelves, starting from cotton farms and ginning facilities, to spinning mills, fabric dye houses, and sewing factories, all the way down to informal home-based workers.[18] Yet, when brands audit for labor rights, they often check only the final export factories, ignoring what happens further down the chain. During busy seasons, certified factories in places like Bangladesh and Vietnam outsource up to 30% of their orders to unregistered workshops, where wages can dip below legal minimums and fire exits are sometimes padlocked shut.[19] The place of production has worse working conditions, as according to McKinsey's *State of Fashion 2025*, the average lead time for mass-market clothes dropped below three weeks in 2024.[20] This figure results from

[17] Pauline Overeem, Martje Theuws, and Diewertje Heyl, "Spinning around Workers' Rights," *SOMO*, May 2021, https://www.somo.nl/wp-content/uploads/2021/05/spinning-around-workers-rights.pdf.
[18] Organisation for Economic Co-operation and Development, "Responsible Garment and Footwear Supply Chains," OECD, accessed July 2025, https://www.oecd.org/en/topics/sub-issues/due-diligence-guidance-for-responsible-business-conduct/responsible-garment-and-footwear-supply-chains.html.
[19] Simon Mundy, "Abuses Lurk Deep in Fashion Supply Chain," *Financial Times*, February 12, 2025, https://www.ft.com/content/3fb4043b-19af-4a28-bde6-78d1d7d120eb.
[20] McKinsey & Company, "The State of Fashion," *McKinsey & Company*, 2025, https://www.mckinsey.com/~/media/mckinsey/industries/retail/our%20insights/state%20of%20fashion/2025/the-state-of-fashion-2025-v2.pdf.

economic pressure that rewards factories that move fast and cut costs, often by slashing wages or sending work even further down the supply chain.

The rise of e-commerce giants, like Shein and Temu, adds even more strain. Their real-time algorithm-based ordering systems reduce the risk brands take on for unsold inventory, but they offload that risk onto suppliers who often have little power to negotiate long-term deals.[21] Since workers' wages typically make up just 10-12% of a garment's **free on board (FOB)** price, even small cuts imposed by buyers can cause lower pay for workers or delayed safety upgrades.[22] Delegates should look closely at how purchasing practices can be reformed, such as enforcing "responsible contract" clauses, sharing the cost of wage increases, or pooling resources for safety improvements rather than relying solely on traditional audit-and-certify approaches.

[21] John A. Deighton, "How SHEIN and Temu Conquered Fast Fashion—and Forged a New Business Model," *Harvard Business School*, April 25, 2023, https://www.library.hbs.edu/working-knowledge/how-shein-and-temu-conquered-fast-fashion-and-forged-a-new-business-model.
[22] Anna Bryher et al., "Tailored Wages," *Clean Clothes Campaign*, 2019, https://cleanclothes.org/file-repository/tailoredwages-fp.pdf.

A protest supporting garment factory workers in Bangladesh.[23]

Fighting Back

Voluntary guidelines like the OECD's Due Diligence Guidance, which is backed by fifty governments, encourage brands to take a risk-based approach to labor and environmental issues, but they are not enforceable. Only 38% of brands even share supplier information beyond the first tier of their supply chains.[24] As laws tighten, this situation is starting to change: for instance, the Australian Modern Slavery Act 2018 underwent a major review in 2024, with new proposals

[23] Steve Rhodes, *Protest to Support Garment Workers in Asia*, May 2, 2013, Online image, *Flickr*, May 2, 2013, https://www.flickr.com/photos/ari/8701229656.
[24] Fashion Revolution, "Fashion Transparency Index," Fashion Revolution, accessed July 2025, https://www.fashionrevolution.org/fashion-transparency-index.

calling for mandatory human rights **due diligence** and civil penalties for violations.[25] In the EU, lawmakers negotiated the **Corporate Sustainability Due Diligence Directive (CSDDD)**, which requires large companies selling into Europe to identify, address, and mitigate harms across their full value chains.[26] In the US, enforcement is already underway, with the Uyghur Forced Labor Prevention Act (UFLPA) leading to hundreds of apparel shipments being held each quarter due to suspected links with forced labor in Xinjiang.[27]

The story is more than just governments and brands: workers themselves are pushing for change. In late 2024, mass protests by garment workers in Bangladesh led to a government-mandated minimum wage increase from $75 to $113 a month.[28] Although this is significant progress, the wage is still only about half of what experts say is a basic **living wage**. In Vietnam, unions used the revised 2021 labor code to negotiate factory-level agreements covering 145,000 workers by mid-2025, despite resistance from employers. Still, enforcement on the ground remains a major challenge.[29] According to the ILO, some countries have fewer than one labor inspector for every 200,000 workers, falling far below the recommended one per 10,000.[30] Consequently, even robust laws are rendered ineffective without sufficient enforcement

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[25] John McMillan, "Report of the Statutory Review of the Modern Slavery Act 2018 (Cth)," *Australian Government*, 2023, https://www.ag.gov.au/sites/default/files/2023-05/Report%20-%20Statutory%20Review%20of%20the%20Modern%20Slavery%20Act%202018.PDF.

[26] Claire Brown, "UFLPA Enforcement Trends," Due Diligence Design, July 31, 2025, https://duediligence.design/uflpa-enforcement-trends-2.

[27] Evan Conceicao and Melissa Whalen, "Implementing the Uyghur Forced Labor Prevention Act: A Challenge Worth the Effort," United States Customs and Border Protection, accessed July 2025, https://www.cbp.gov/frontline/implementing-uyghur-forced-labor-prevention-act.

[28] Associated Press, "Bangladesh Raises Monthly Minimum Wage for Garment Workers to $113 Following Weeks of Protests," *AP News*, November 7, 2023, https://apnews.com/article/bangladesh-garment-workers-wage-increase-5d55f9ba52ef2a156069e86dad665662.

[29] Estelle Xiao, "Vietnam Employment Law in 2025: What Businesses and Employees Must Know," Vietnam Briefing, July 25, 2025, https://www.vietnam-briefing.com/news/vietnam-employment-law-in-2025-what-businesses-and-employees-must-know.html.

[30] Economic and Social Commission for Asia and the Pacific, "Asia-Pacific Migration Report," *ILO*, 2024, https://www.ilo.org/sites/default/files/2025-01/25-001_escap-2024-rp-apmr-2024.pdf.

capacity. Unless brands reform purchasing practices and governments allocate greater resources to labor oversight, the burden will continue to fall on workers or production will simply shift to countries with weaker regulatory frameworks.

If changes to purchasing practices, government funding for enforcement, and international complaint systems are not implemented together, new regulations could end up backfiring, either by placing more financial strain on already underpaid workers or by pushing production into countries with even weaker oversight. Delegates should consider a balanced approach, which can better connect how brands buy with real improvements in wages, working conditions, and sustainability.

History of the Problem

Spread of Labor Exploitation

Starting in the 20th century, globalization has reshaped the Asia-Pacific region into the world's garment factory. Multifunctional fashion brands moved production to countries like Bangladesh, Cambodia, Vietnam, Indonesia, and China, drawn by their low wages, weak labor protections, and policies designed to attract foreign investment. By the 2010s, Asia was producing around 60% of all global apparel exports, making it the backbone of the fashion industry's supply chain.[31]

However, this growth came at a cost. Exploitative practices became widespread, as long hours, wages below minimums, lack of union rights, and even child labor were no longer rare.[32] The 2012 fire at Taxreen Fashions and the 2013 Rana Plaza collapse in Bangladesh killed over 1,200 workers and injured thousands more, making these risks devastatingly visible. These disasters jolted the world to attention and made it harder for companies to ignore the inner workings of their supply chains.[33]

For years, these problems were dismissed as isolated incidents or left to voluntary corporate social responsibility programs with little real oversight. More recently, ongoing pressure from local labor movements, international non-governmental organizations, and investigative media has shifted the conversation. What once seemed like atypical failures is now

[31] International Labour Organization, Employment, Wages and Productivity in the Asian Garment Sector, 2022. https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40asia/%40ro-bangkok/documents/publication/wcms_848624.pdf.
[32] Human Rights Watch, Only "Instant Noodle" Unions Survive, 2022. https://www.hrw.org/report/2022/11/21/only-instant-noodle-unions-survive/union-busting-cambodias-garment-and-tourism.
[33] International Labour Organization, "The Rana Plaza Disaster Ten Years On," 2023. https://webapps.ilo.org/infostories/en-GB/Stories/Country-Focus/rana-plaza.

understood as a systemic issue that demands stricter regulation, real transparency, and serious accountability from global brands that benefit from poor working conditions.

Contributing Factors

At the heart of this issue lies a relentless price competition that defines the global fashion industry. Fast fashion depends on moving new styles from imaginations to store shelves at record speeds and constantly refreshing inventory, which pressures suppliers to cut costs wherever possible.[34] One of their most common tactics is subcontracting and outsourcing parts of production to smaller workshops. These arrangements often happen informally and without oversight from either the main suppliers or the brands themselves, making it incredibly difficult to determine whether labor laws are being followed.[35]

In Cambodia, for instance, research from the International Labour Organization (ILO) found that about 80% of garment factories subcontracted to smaller workshops, many of which are clandestine and thus operate beyond any legal protection.[36] These informal facilities rarely follow safety standards or wage laws, putting workers—most of whom are young women who have migrated from rural areas—at serious risk of exploitation.

The COVID-19 pandemic only made these vulnerabilities worse. As brands in the West canceled orders or delayed payments, many factories were unable to pay their workers. The result was a wave of layoffs, often without severance pay. Some suppliers illegally cut wages or

[34] OECD, Due Diligence Guidance for Responsible Supply Chains in the Garment and Footwear Sector, 2017. https://mneguidelines.oecd.org/responsible-supply-chains-textile-garment-sector.htm.
[35] Better Work, "Labour Compliance and Factory Performance: Evidence from the Cambodian Garment Industry," Discussion Paper 23 (2017). https://betterwork.org/wp-content/uploads/DP-23-Final.pdf.
[36] Better Work, "Better Factories Cambodia Programme Overview," accessed July 2, 2025. https://betterwork.org/portfolio/better-factories-cambodia/.

forced workers to take unpaid leave just to stay in business. In the process, many of the workforce's hard-won labor protections were quietly eroded.[37]

International Awareness and Progress

Starting in the 1990s, growing pressure from consumers, investigative journalists, and international labor rights campaigns have pushed global fashion brands to take more responsibility for how their clothes are made. High-profile scandals, such as the exposure of sweatshops in Nike and Adidas supply chains, sparked the creation of voluntary codes of conduct.[38] However, it was the 2013 collapse of Rana Plaza in Bangladesh that truly marked a turning point. In response to the tragedy, which killed over 1,100 garment workers, brands and Bangladeshi labor unions came together to launch legally binding agreements like the Accord on Fire and Building Safety. By 2021, the accord had expanded to include over 1,600 factories and impacted more than 2 million workers in Bangladesh.[39]

On a broader scale, the international community has also taken action. The United Nations introduced the Guiding Principles on Business and Human Rights (UNGPs) in 2011, offering global standards for how businesses should prevent and respond to human rights abuses in their operations.[40] Around the same time, the OECD published its Due Diligence Guidance for the garment and footwear sector, outlining methods for brands to reduce risks of wage theft, forced labor, and workplace discrimination.[41]

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[37] Clean Clothes Campaign, "COVID-19 Crisis Tracker," 2020. https://cleanclothes.org/covid-crisis.
[38] Simon Birch, "How Activism Forced Nike to Change Its Ethical Game," The Guardian, July 6, 2012. https://www.theguardian.com/environment/green-living-blog/2012/jul/06/activism-nike.
[39] Bangladesh Accord, Annual Report, 2023. https://bangladeshaccord.org/.
[40] Office of the High Commissioner for Human Rights, Guiding Principles on Business and Human Rights, 2011. https://www.ohchr.org/en/instruments-mechanisms/instruments/guiding-principles-business-and-human-rights.
[41] OECD, OECD Due Diligence Guidance – Garment & Footwear (full PDF), 2017. https://mneguidelines.oecd.org/oecd-due-diligence-guidance-garment-footwear.pdf.

At the regional level, programs like the ILO's Better Work initiative in countries such as Vietnam and Indonesia have made tangible improvements by conducting factory assessments, facilitating dialogue between workers and management, and publishing their findings to encourage accountability.[42] Unfortunately, these efforts face limits. Participation is usually voluntary and includes mostly factories that export to major brands, meaning the largest portions of domestic markets, where abuses may be even more widespread, remain untouched.

A protest against the environmental effects of fast fashion.[43]

[42] Better Work, "Better Work: Improving Working Conditions Worldwide," accessed July 2, 2025. https://betterwork.org/.
[43] Stefan Müller, *Fast Fashion Killt Das Klima*, September 20, 2019, Online image, *Wikimedia Commons*, September 20, 2019, https://commons.wikimedia.org/wiki/File:Fast_Fashion_killt_das_Klima.jpg.

Persistent Limitations and Modern Developments

Despite all the progress, serious gaps remain. In many Asia-Pacific countries, labor inspection systems are weak or underfunded; in some cases, local politics hinder enforcement of labor laws, especially when factory owners have economic or political power.[44] Even when laws address overtime or a minimum wage, they often lack proper enforcement. The people affected most by this lack of oversight are migrant workers and women, many of whom are unaware of their rights or are powerless to fight for them.

Globally, there is still no legal system that requires multinational companies to protect labor rights across borders. Thus, most current efforts rely on companies choosing to respect their workers out of morality or the fear of bad press. Without strong, binding international laws, brands can simply move their production to places where labor protections are weakest to avoid accountability while maintaining low costs.[45]

At the same time, the rise of digital retail and ultra-fast fashion brands continues to drive prices down. The race to the bottom threatens to undo hard-won improvements in worker protections. Social auditors warn that without full supply chain transparency—achieved through mandatory due diligence, public supplier lists, and stronger systems for workers to report abuse—these unethical practices will continue to be hidden and pushed further down the chain.[46]

[44] International Labour Organization, Asia-Pacific Employment and Social Outlook 2023, 2023. https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40dgreports/%40dcomm/%40publ/documents/publication/wcms_862410.pdf.
[45] Human Rights Watch, "Social Audits Are No Cure for Retail Supply-Chain Labor Abuse," Nov 15, 2022. https://www.hrw.org/news/2022/11/15/social-audits-no-cure-retail-supply-chain-labor-abuse.
[46] Ibid.

ESCAP's Role

The United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) has consistently promoted sustainable, inclusive growth across the region, with a focus on goals like decent work and responsible consumption, as outlined in Sustainable Development Goals 8 and 13.[47] While ESCAP cannot directly regulate supply chains, it plays an important convening role by bringing governments together for regional discussions aimed at strengthening labor protections and tackling international labor issues.

ESCAP has also published important research on social protections and gender equality, emphasizing the need to support informal workers who make up a large share of the garment workforce in the region. These efforts are especially important given the intersecting challenges faced by women and migrant workers, who are often at the greatest risk of exploitation yet remain central to the global fashion industry's daily operations.

[47] UN ESCAP, "Programme on Decent Work and Sustainable Consumption," 2023. https://www.unescap.org/our-work.

Past Actions

ESCAP Initiatives and National Legislation

Over the past decade, countries across the Asia-Pacific have faced growing pressure to address labor exploitation and environmental harm in the fashion supply chain. In response, governments and international bodies alike have taken a mix of reactive and forward-looking steps. ESCAP multilaterally integrated labor rights into its 2024 *Asia and the Pacific SDG Progress Report*, drawing connections between gender equality (SDG 5), decent work (SDG 8), and sustainable consumption (SDG 12). ESCAP has also facilitated regional conversations and supported implementation of labor rights through methods like the Just Transition Toolkit, which has been piloted in Bangladesh, Cambodia, and Viet Nam. These initiatives aim to shift the narrative and present supply chain responsibility not as a regulatory burden, but a way to build more diverse and resilient economies.[48]

One standout example of action is Australia's Modern Slavery Act 2018, which set a precedent across the region.[49] The Act's influence paved the way for similar efforts, including Japan's 2024 legislation that introduced stronger corporate reporting requirements and created an independent Anti-Slavery Commissioner.[50] These kinds of laws have raised the bar for supply chain transparency and accountability, pressuring companies to report on forced labor risks and improve **grievance response systems**. While some of these frameworks technically remain

[48] Economic and Social Commission for Asia and the Pacific, Asian Development Bank, and United Nations Development Programme, "People and Planet: Addressing the Interlinked Challenges of Climate Change, Poverty and Hunger in Asia and the Pacific," *ADB* (Asian Development Bank, February 2024), https://www.adb.org/publications/climate-change-poverty-hunger-asia-pacific.
[49] Parliament of Australia, "Modern Slavery Act 2018, as amended," 42 § (2024), https://www.legislation.gov.au/C2018A00153/latest/text.
[50] Ryohin Keikaku Group, "Modern Slavery Statement," 2024, https://www.ryohin-keikaku.jp/sustainability/supply-chain/code-of-conduct/pdf/mss_2024_en.pdf.

voluntary, the legal and reputational risks they bring to companies doing business in the European Union or United States have made compliance all but essential.

Rescue operation after the Rana Plaza collapse.[51]

International Agreements

The Bangladesh Accord, created in the aftermath of the 2013 Rana Plaza collapse, marked a major turning point in how worker safety and factory conditions are addressed. Unlike previous voluntary corporate social responsibility programs, the accord was legally binding and enforced by independent inspectors, introducing real consequences for non-compliance. In 2023, the agreement evolved into the International Accord, which was extended to Pakistan and expanded its scope to include fire and building safety. It set clear rules requiring factories to undergo regular inspections, follow set timelines for resolving violations, and publicize the corresponding reports. The Accord also gave local unions more power and led to the formation

[51] Animesh Biswas et al., *Rescue at Rana Plaza Collapse*, March 2, 2015, Online image, *Wikimedia Commons*, March 2, 2015, https://commons.wikimedia.org/wiki/File:Rescue-at-Rana-Plaza-collapse.jpg.

of Worker Health and Safety Committees, with potential for even broader impact as other countries consider the model.[52]

Other global initiatives have helped move the needle as well. The Fair Labor Association and the American Apparel & Footwear Association launched their "Responsible Recruitment" commitment in 2018 to stop the practice of charging workers mandatory recruitment fees.[53] By 2025, over 4,500 factories and 130 brands, many based in South and Southwest Asia, had signed on. The agreement has pushed brands to bake ethical recruitment terms into their contracts, encouraging suppliers to eliminate exploitative hiring systems.

Private Sector Progress

On the industry side, collaboration is growing to make supply chain oversight more effective and less duplicative. Everstream Analytics' 2025 *State of Supply Chain* report highlights how brands are working together on shared audits and common standards to reduce **audit fatigue** and align expectations across suppliers. Many companies now use digital platforms to monitor factory performance in real time, including data on wages, working hours, and safety conditions. One especially promising development is the introduction of **digital product passports**, which have started to appear on garments made in Viet Nam and Indonesia. These allow consumers and regulators to trace each item's supply chain, increasing transparency from production to point-of-sale.[54]

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[52] Isatou Ndure, "International Accord Renewal Sees Fashion Brands Pledge Expanded Safety Measures, Territories," *Just Style*, November 8, 2023, https://www.just-style.com/news/international-accord-renewal-sees-fashion-brands-pledge-expanded-safety-measures-territories.
[53] Fair Labor Association, "Apparel & Footwear Industry Commitment to Responsible Recruitment," Fair Labor, accessed July 2025, https://www.fairlabor.org/issues/forced-labor/commitment-responsible-recruitment.
[54] Everstream Analytics, "2025 Risk Report," *Everstream Analytics*, 2025, https://www.everstream.ai/wp-content/uploads/2025/01/EA_2025AnnualRiskReport.pdf.

Labor Investigations

At the same time, public pressure continues to be a powerful force for reform. Investigative journalists and advocacy organizations have uncovered ongoing abuses across the fashion supply chain. A 2025 study by the University of Nottingham found widespread problems in Bangladeshi subcontractor factories, including underpayment, a lack of functioning grievance systems, and the intimidation of workers who tried to speak out.[55] Similar issues have surfaced in Cambodia and China, where reports have revealed forced overtime and gender-based violence. In China specifically, fast fashion giant Shein came under intense scrutiny in 2024 after evidence emerged of hidden labor violations, including child labor and wage withholding.[56] These findings have sparked greater engagement from civil society and have helped strengthen networks focused on holding companies accountable.

[55] Faith Pring and Jamir Munayco, "New Report Highlights the Need for Solutions to Tackle Exploitation of Workers and Children in Bangladesh's Garment Sector," University of Nottingham, February 6, 2025, https://www.nottingham.ac.uk/news/bangladesh-garment-sector.
[56] Sarah Butler, "Fashion Retailer Shein Finds Child Labour in Its Supply Chain," *The Guardian*, August 23, 2024, https://www.theguardian.com/business/article/2024/aug/23/shein-fashion-retailer-child-labour-supply-chain.

Vietnam textile factory workers.[57]

Non-Governmental Organizations

Financial institutions are also becoming more active in pushing for change. Investors Against Slavery and Trafficking Asia-Pacific (IAST APAC), a coalition managing $12 trillion in assets, published a 2023–24 report urging companies to improve supply chain transparency and take responsibility for labor rights abuses. Their advocacy played a key role in Australia's 2024 decision to strengthen its Modern Slavery Act. At the same time, financial rating agencies like Standard & Poor's (S&P) and MSCI are beginning to incorporate labor violations and wage compliance into their ESG (Environmental, Social, and Governance) indexes, putting companies with poor labor records at greater financial risk.[58]

[57] Better Work Programme, *Two Female Garment Employees Are Seen Working in a Textile Factory in Vietnam*, November 17, 2016, Online image, *Wikimedia Commons*, November 17, 2016, https://www.flickr.com/photos/betterwork/30908333432/in/photostream.
[58] Investors Against Slavery and Trafficking Asia-Pacific, "Annual Report 2023–2024," *IAST APAC*, 2024, https://cdn.iastapac.org/content/uploads/2024/11/12001957/IAST-APAC-annual-report-2024.pdf.

Non-governmental organizations are also keeping the spotlight on brand accountability in other ways. For instance, Baptist World Aid and Remake have expanded the reach of their public scorecards, which evaluate brands on issues like living wage adoption, gender protections, and purchasing practices that squeeze supplier margins. Their 2024 reports revealed a troubling pattern: many luxury brands boast about their environmental commitments but remain far less transparent about how they treat their workers, exposing a disconnect between corporate marketing and reality.[59,60]

[59] Gina Snodgrass et al., "Ethical Fashion Report 10th Edition," *Baptist World Aid*, October 2024, https://baptistworldaid.org.au/wp-content/uploads/woocommerce_uploads/2024/10/10th-Edition-Ethical-Fashion-Report-34f877dbbfb40267-duqerf.pdf.

[60] Alden Wicker et al., "Fashion Accountability Report 2024," ed. Chelsey Grasso, *Remake*, March 6, 2024, https://remake.world/wp-content/uploads/2024/03/Remake-Fashion-Accountability-Report-2024-Updated3.18.24.pdf.

Possible Solutions

To move from fragmented progress to meaningful change, ESCAP must lead with solutions that are practical, scalable, and grounded in the realities of the Asia-Pacific region. The focus is not necessarily on creating more tools, but on improving the international accessibility of what already works.

A regional due diligence framework could help align expectations from brands and suppliers without duplicating audits or overwhelming small factories. It would lay out basic requirements, such as identifying labor risks and offering grievance channels, while allowing flexibility depending on company size. By streamlining these efforts, ESCAP could reduce red tape and raise the bar of accountability.[61]

ESCAP could also modernize transparency. Digital product passports, which are already in use in Viet Nam, make it easier to trace where and how clothes are made. ESCAP could help expand the use of these tools, especially if tied to trade perks or customs fast-tracking. When consumers and regulators can view the supply chain, companies are more likely to act responsibly.[62]

Worker protections should be more than a promise. Expanding proven models like the Bangladesh Accord to other high-risk countries would bring enforceable standards to the factory floor, covering safety, harassment protections, and real support for union organizing.[63] Giving workers a stronger voice is ethical and improves supply chain resilience.

[61] European Union, "CSDDD | Updates, Compliance," Corporate Sustainability Due Diligence Directive, accessed July 2025, https://www.corporate-sustainability-due-diligence-directive.com.
[62] Everstream Analytics, "2025 Risk Report."
[63] Ndure, "International Accord Renewal."

Finally, fair wages have to be financially feasible. ESCAP can push brands to include wage guarantees in their contracts, and it can work with lenders to support factories via loans or cost-sharing.[64] With the right support, ethical production need not endanger factory survival.

[64] Action, Collaboration, Transformation Initiative, "The ACT Initiative – a Global Commitment on Living Wages," *ACT*, accessed July 2025, https://actonlivingwages.com/app/uploads/2021/04/ACT-on-Living-Wages-1.pdf.

Bloc Positions

Production-Focused Economies

Some member states, such as Bangladesh, Vietnam, Pakistan, and parts of Indonesia, emphasize the garment sector's role in national development and export growth. In some countries, textiles and apparel can employ millions and account for over 10% of gross domestic product, making the industry a political and economic priority. While many have engaged in initiatives like the Bangladesh Accord or ESCAP's Just Transitional Toolkit, they are cautious of externally imposed regulations that could affect cost competitiveness and push production to lower-cost regions such as Africa or Latin America.[65]

These governments often push for flexibility in compliance, seek cost-sharing for reforms like living wages, and favor regionally coordinated rather than externally enforced mechanisms.[66] In practice, this can mean negotiating for phased implementation timelines, pilot schemes instead of blanket mandates, and public-private partnerships to share compliance costs. Concerns around audit fatigue, supply chain disruptions, and sovereignty remain central to their positions.[67] Domestic debates often play out between export-focused business associations, which warn against rapid reform, and labor unions, which advocate for stronger protections.

[65] Economic and Social Commission for Asia and the Pacific, Asian Development Bank, and United Nations Development Programme, "People and Planet: Addressing the Interlinked Challenges of Climate Change, Poverty and Hunger in Asia and the Pacific," *ADB* (Asian Development Bank, February 2024), https://www.adb.org/publications/climate-change-poverty-hunger-asia-pacific.
[66] Action, Collaboration, Transformation Initiative, "Cambodia," ACT, accessed July 2025, https://actonlivingwages.com/where-we-work/cambodia.
[67] Everstream Analytics, "2025 Risk Report," Everstream Analytics, 2025, https://www.everstream.ai/wp-content/uploads/2025/01/EA_2025AnnualRiskReport.pdf.

Regulatory and Consumer-Driven Economies

Other states, including Japan, South Korea, Australia, and New Zealand, support stronger labor protections, regional transparency tools, and supply chain disclosures that mirror legislation they have already adopted. With rising consumer awareness and environmental, social, and governance investment standards, these countries often advocate for mandatory due diligence, digital product passports, and public scorecards.[68] Many of these measures are already implemented via national law, such as Japan's 2024 due diligence requirements or the amended Australian Modern Slavery Act, and their governments see regional adoption as a way to level the playing field for domestic brands.

While critical of exploitative sourcing practices, they also recognize that exporting countries may need support to implement change without losing trade competitiveness.[69] This may lead to proposals for concessional financing, technical aid, or climate-linked trade incentives. Corporate pressure also plays a role, often influencing large retailers and fusion houses headquartered in these states to lobby for harmonized standards across the region. This way, their global supply chains would operate under one rule book rather than dozens of conflicting ones.

Capacity-Seeking and Transitional States

A third group of member states, such as Laos, Fiji, Nepal, and several Pacific island economies, includes countries with smaller garment industries or limited regulatory resources.

[68] Investors Against Slavery and Trafficking Asia-Pacific, "Annual Report 2023–2024," *IAST APAC*, 2024, https://cdn.iastapac.org/content/uploads/2024/11/12001957/IAST-APAC-annual-report-2024.pdf.
[69] Alden Wicker et al., "Fashion Accountability Report 2024," ed. Chelsey Grasso, *Remake*, March 6, 2024, https://remake.world/wp-content/uploads/2024/03/Remake-Fashion-Accountability-Report-2024-Updated3.18.24.pdf.

For them, the path forward is not about embracing rigid legal frameworks, but about building capacity and learning from what works. ESCAP plays a critical role for these nations, offering technical support, regional pilots, and policy tools that can be scaled over time.[70] This could mean trailing small-scale digital product passports, setting up local worker education programs, or piloting factory-level governance boards. These governments tend to prefer softer, more flexible approaches that emphasize worker education, legal literacy, and locally grounded solutions. Many also see potential in strengthening factory-level governance while avoiding top-down mandates that could disrupt jobs or investment.

Funding remains a hurdle, with many relying on UN grants, regional development banks, or non-governmental organization partnerships to sustain reforms. With support from partners like UN Women, these countries are working to bring more women and informal workers into the conversation, ensuring progress leaves no one behind.[71] In some cases, these states may align with production-focused economies on trade flexibility and with regulatory economies on targeted reforms, positioning themselves as bridge builders in ESCAP negotiations.

[70] Economic and Social Commission for Asia and the Pacific, Asian Development Bank, and United Nations Development Programme, "People and Planet."
[71] Economic and Social Commission for Asia and the Pacific, "Asia-Pacific Ministerial Conference on the Beijing+30 Review," UN Women, 2024, https://asiapacific.unwomen.org/en/news-and-events/events/2024/03/asia-pacific-ministerial-conference-on-the-beijing30-review.

Glossary

Due diligence - A requirement of companies to identify and prevent environmental abuses in their supply chains, as well as address labor rights.

Digital Product Passport (DPP) - This is a QR code linked system that allows tracking of garment origin, wages, factory audits, and environmental inputs.[72]

Living wage - The lowest wage, often higher than the legal minimum wage, that allows a worker to meet their basic needs (food, water, shelter, and clothing).

Grievance response system - A formal system that allows workers to report issues or abuses and receive corresponding remedies without fear of employer retaliation.

Audit fatigue - A situation in which factories face too many overlapping audits from different brands, causing inefficiencies and sometimes contradictory compliance standards.[73]

Corporate Sustainability Due Diligence Directive (CSDDD) - A directive from the European Union requiring companies to identify and prevent human rights abuses and environmental risks throughout their operations and value chains.[74]

Worker-Driven Social Responsibility (WSR) - A model where labor protections are developed and enforced by workers and unions, rather than by brands or third-party monitors.[75]

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[72] European Union, "EU's Digital Product Passport: Advancing Transparency and Sustainability," Europa.eu, September 27, 2024, https://data.europa.eu/en/news-events/news/eus-digital-product-passport-advancing-transparency-and-sustainability.
[73] Linford & Company Staff Auditors, "What Is Audit Fatigue? How to Mitigate Common Stresses from Multiple Audits," Linford & Company LLP, August 10, 2022, https://linfordco.com/blog/audit-fatigue-prevention-mitigation-compliance.
[74] European Union, "CSDDD | Updates, Compliance," Corporate Sustainability Due Diligence Directive, accessed July 2025, https://www.corporate-sustainability-due-diligence-directive.com.
[75] Worker-Driven Social Responsibility Network, "What Is WSR?," WSR, accessed July 2025, https://wsr-network.org/what-is-wsr.

Free on Board (FOB) - A pricing structure where buyers only pay for goods at the point of export, often excluding labor or compliance costs from price negotiations.[76]

[76] Dara-Abasi Ita, "Free on Board (FOB) Explained: Who's Liable for What in Shipping?," Investopedia, accessed July 2025, https://www.investopedia.com/terms/f/fob.asp.

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State of Fashion 2025. McKinsey & Company, www.mckinsey.com/~/media/mckinsey/industries/retail/our%20insights/state%20of%20fashion/2025/the-state-of-fashion-2025-v2.pdf.

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Topic B: Climate Displacement and Sinking Nations

Statement of the Problem

The growing impacts of climate change are forcing states and communities across Asia and the Pacific to confront new challenges. Among the most pressing is climate **displacement**: as sea levels rise and natural disasters increase in frequency, populations are displaced both domestically and across borders. Low-lying island nations are facing existential threats, with their land at risk of becoming uninhabitable. This issue raises complex questions about **sovereignty**, legal status, and the protection of affected populations.

Climate Displacement

The Asia-Pacific region is home to many of the world's most climate-vulnerable populations. Rising sea levels, saltwater intrusion, extreme weather events, and loss of arable land are forcing people to leave their homes. Article 1 of the UN Framework Convention on Climate Change (UNFCCC) defines climate change as a "change of climate which 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."[77] Climate change has diverse effects on people and the environment. Without action, hundreds of millions of people will be displaced due to coastal flooding and land loss by 2100. The majority of those affected are from East, Southeast, and South Asia.[78]

[77] United Nations Framework Convention on Climate Change (opened for signature 9 May 1992, entered into force 21 March 1994). https://unfccc.int/process-and-meetings/united-nations-framework-convention-on-climate-change.
[78] Intergovernmental Panel on Climate Change, Climate Change 2014: Impacts, Adaptation and Vulnerability, Final Draft Report (2014). https://www.ipcc.ch/report/ar5/wg2/.

When the climate changes, people have historically migrated, triggering the abandonment of entire settlements. For example, the Dust Bowl in the United States made farming nearly impossible, as severe droughts, combined with poor farming practices that stripped the land of topsoil, led to massive dust storms across the Great Plains in the 1930s.[79] The conditions prompted thousands of people to leave their homes. The Asia-Pacific region is experiencing similarly dramatic effects as a result of climate change, and many inhabitants of the region are likely to lose their homes as a consequence. This may be caused by sea level rise, which submerges coastal land and salinizes temporarily flooded areas, or by the decline of ecosystems when they can no longer sustain the local population.[80]

As a tiny island nation housing just over 11,000 people, Tuvalu's sinking shores have called for international attention. In 2000, Tuvalu joined the United Nations with the primary goal of raising climate change awareness and convincing other countries to join the Kyoto Protocol.[81] Although the islands have long been celebrated for their unique charm and natural beauty, the outcome of these activities has unfortunately been quite limited. Tuvalu's struggle is a poignant reminder of the wider repercussions of climate change on small island nations, as the archipelago grapples with the prospect of disappearing forever.[82]

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[79] Abraham Parrish, "Climate Migrants of the 1930'S Dust Bowl," Library of Congress, December 1, 2023, https://blogs.loc.gov/maps/2023/12/climate-migrants-of-the-1930s-dust-bowl/.
[80] Gruber, S. (2015). Human Displacement and Climate Change in the Asia-Pacific. *Environmental Law Dimensions of Human Rights (Oxford University Press, 2015)*, 181-200. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2548365.
[81] S. S. Patel, 'Climate Science: A Sinking Feeling', 440 Nature (2006) 734, at 736. https://www.nature.com/articles/440734a.
[82] Prete, Giovanni. "Tuvalu: Why Is the Small Island Nation Sinking?" *Earth.Org*, 28 Oct. 2024, earth.org/tuvalus-sinking-reality-how-climate-change-is-threatening-a-small-island-nation/.

Participant of Tuvalu Climate March, 2015.[83]

Asian River Deltas

River deltas in the Asia-Pacific are another area where settlements are highly threatened by the effects of climate change. These deltas are often heavily populated, as they have very fertile soil, leading to economic prosperity from farming and trade. The land is not usually elevated and is, therefore, highly vulnerable to flooding and increased precipitation. Additionally, sea level rise prevents high water floods inland from draining into the sea, rendering previously fertile land useless by salinization.[84] For example, the expected sea-level rise and increased flooding in Vietnam's Mekong Delta would significantly harm crop

[83] 350.org. Tuvalu Climate March. November 28, 2015. https://www.flickr.com/photos/350org/23259464672.
[84] Gruber (2015). Human Displacement. 181-200.

productivity. The impact would be devastating: around four million people in the area already live in poverty due to landlessness.[85]

Legal Uncertainty

The lack of a consistent legal status leaves many displaced individuals in limbo, with gaps in protection, resettlement, and rights, especially across borders.[86] In addition, there is no uniformly accepted terminology for describing the movement of people due to climate-related crises. Various terms, including climate **refugees**, environmental migrants, eco-refugees, and environmentally displaced persons, are used to refer to such people.[87] There is currently no legal protection for climate migrants. Some legal scholars argue that the international refugee law regime is the appropriate framework to protect the rights of climate migrants. However, the Refugee Convention's definition of "refugee" may not be so flexible. According to the Convention, a refugee leaves their country and is unwilling to return due to a fear of being persecuted for their race, religion, nationality, membership of a particular social group, or political opinion. To extend legal protection to environmental migrants, this definition would need to acknowledge climate change as a form of persecution. Although natural events are dangerous, many do not think they equate to persecution.

Additionally, territorial and resource rights lack many legal guidelines. The Montevideo Convention sets criteria for statehood in the Americas, but does not address territory loss due to

[85] Australian Agency for International Development, "Mekong Delta Poverty Analysis," *Australian Department of Foreign Affairs and Trade*, October 2004, https://www.dfat.gov.au/sites/default/files/mekong_poverty_report_04.pdf.
[86] "No Refuge for 'Climate Refugees' in International Law - Tyler Bergeron. https://law.lclark.edu/live/blogs/200-no-refuge-for-climate-refugees-in-international.
[87] Rohmah, M., & Hatta, A. A. (2024). Navigating the Legal Framework of Sinking Countries and Climate Migrants in International Law. *in-prolegurit*, *3*(1), 89-103. https://in-prolegurit.upnjatim.ac.id/index.php/in-prolegurit/article/view/48.

environmental change.[88] It is unclear how states would defend their existing territories and marine resources in accordance with international law and whether statehood could continue if a nation were to become uninhabitable.[89] International law recognizes the principle of continuity in the existence of a state. Once an entity is recognized as a state, the rights and obligations of that state must continue, even in the face of territorial changes.

Some nations are adopting domestic constitutional provisions to cement perpetual statehood and maritime rights despite rising seas. For instance, Tuvalu passed an amendment in 2023 recognizing "perpetual statehood" regardless of physical land loss.[90] Such actions attempt to transcend the impacts of climate change on a country's physical territory, and they reaffirm the principle that statehood should persist regardless of seemingly existential threats.

Human Rights and Cultural Identity

The climate crisis is already impacting many essential human rights, including the rights to education, an adequate standard of living, and quality healthcare. Populations of climate-vulnerable countries often have few resources to adapt to increasingly hostile environments.[91] When maintaining a population is a state's main concern, other human rights are neglected.

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[88] Montevideo Convention on the rights and duties of States. Accessed September 15, 2025. https://www.ilsa.org/Jessup/Jessup15/Montevideo%20Convention.pdf.
[89] World Bank Group. "Legal Implications of Sea Level Rise for Small Island States Explored in New World Bank Study." World Bank, October 5, 2021. https://www.worldbank.org/en/news/press-release/2021/10/05/legal-implications-of-sea-level-rise-for-small-island-states-explored-in-new-world-bank-study.
[90] Islands Business, "A Significant Contribution to International Law on Statehood: Former Tuvalu Foreign Minister," IB, November 14, 2023, https://islandsbusiness.com/news-break/tuvalu-statehood.
[91] United Nations High Commissioner for Refugees, "Climate Change, Displacement and Human Rights," *UNHCR*, March 2022, https://www.unhcr.org/sites/default/files/legacy-pdf/6242ea7c4.pdf.

Displacement threatens not only territory, but also the cultures, languages, and traditions of communities, often Indigenous, that are tethered to geographical locations. International human rights law is essential for addressing climate-induced displacement. It sets minimum care standards that states must provide for their residents and offers mechanisms to evaluate violations of rights disrupted by climate change. Additionally, international law can serve as a legal foundation for **complementary protection**.[92] In theory, all climate migrants have rights under international human rights law, but there is no institutional mechanism to ensure these rights are upheld in practice.

International calls have grown for recognizing the tie between climate change and human rights.[93]

[92] Rohmah and Hatta. Navigating Legal Framework. 89-103.
[93] Fred Murphy, *Community Members Gather Together in Protest against Climate and Social Injustices*, 2021, Online image, *Western Washington University*, 2021, https://wp.wwu.edu/ejatwestern/2021/06/11/possible-actions-to-fight-against-environmental-toxins-and-racism/.

International Responsibility

Despite these developments, the international response to people displaced by climate change has been slow to non-existent. This is possibly because many people are, or will be, internally displaced and will only migrate within the borders of their own country. Additionally, it will be very difficult to distinguish between forced and economically motivated migration, since displaced people usually fall into both categories.[94] Therefore, it is challenging to estimate the number of people displaced by climate change. Despite such obstacles and uncertainties, it is clear that international organizations must implement mechanisms to assist climate refugees.

[94] Mitota P. Omolere, "Climate Migration: A Multidimensional Challenge Requiring Global Action," Earth.org, January 27, 2025, https://earth.org/climate-migration-a-multidimensional-challenge-requiring-global-action.

History of the Problem

From early conceptual efforts to label and understand climate displacement in the late twentieth century, the issue has evolved into a tangible crisis, especially in the Asia-Pacific region. In 2020, 30.7 million people were displaced by natural disasters.[95] In Asia and the Pacific alone, 21.3 million people were displaced, making it the region most impacted by natural disasters and climate change. Human mobility due to environmental drivers is not new, but global climate change is triggering more internal and international migration. As climate change makes livelihoods harder and disasters more severe, displacement will likely increase and become more unpredictable; however, government cooperation can help individuals remain in place or move more safely.[96]

Environmental Displacement and Climate Change

Although human mobility in response to environmental pressures is an ancient phenomenon, scholarly and policy attention on climate-induced displacement only gained traction in the late twentieth century. In the 1970s and 1980s, terms like "environmental refugees" emerged to describe communities forced to move by climate-related disasters, such as droughts, sea level rise, or desertification. In the 2000s, climate change entered mainstream discourse as a primary driver of displacement, prompting international agencies to treat it as a policy and humanitarian concern.

[95] United Nations Educational, Scientific and Cultural Organization, "Climate Change, Displacement and the Right to Education: Asia-Pacific Regional Synthesis," UNESCO, April 23, 2023, https://www.unesco.org/en/articles/climate-change-displacement-and-right-education-asia-pacific-regional-synthesis .

[96] Lawrence Huang, "Climate Migration 101: An Explainer," Migration Policy Institute, November 16, 2023, https://www.migrationpolicy.org/article/climate-migration-101-explainer.

Environmental change has driven human mobility throughout history, from prehistoric settlement patterns, to the contemporary desertification of the Sahel region in West Africa, and even natural disasters like the 1755 Lisbon earthquake. The geographical distribution of Earth's population has largely been shaped by environmental and climatic conditions.[97]

Some examples of human mobility associated with environmental events are difficult to separate from their broader socio-economic context. For example, in the Dust Bowl of the 1930s, severe droughts combined with poor agricultural techniques that depleted the soils of Oklahoma, Texas, and Arkansas forced thousands of farmers to sell all their farms and most westward to California. Similarly, after World War II, the people on an island of Tuvalu in the west-central Pacific Ocean purchased the island of Kioa, in Fiji, because they were concerned about the depletion of resources on their own island.[98] These events reflect a key challenge in understanding how climate change affects migration. Environmental factors clearly play a role, but economic or social factors may drive migration to a larger extent.

Since the Industrial Revolution, human activities have released large amounts of carbon dioxide and other **greenhouse gases** into the atmosphere, which has changed the earth's climate. Some natural processes, such as volcanic eruptions and changes in the sun's energy, also affect the earth's climate.[99] However, they do not explain the warming that scientists have observed over the last century, with most of the cause for climate change coming from humans. Climate change leads to sea level rise due to melting of glaciers and ice sheets, and thermal expansion of

[97] François Gemenne et al., *People Forced to Flee: History, Change and Challenge* (Oxford University Press, 2021), 3, https://www.unhcr.org/people-forced-to-flee-book/wp-content/uploads/sites/137/2021/10/Franc%CC%A7ois-Gemenne-et-al_Forced-displacement-related-to-the-impacts-of-climate-change-and-disasters.pdf.
[98] Serafina Silaitoga, "Tale of Kioa, Tuvalu," *The Fiji Times*, October 31, 2022, https://www.fijitimes.com.fj/tale-of-kioa-tuvalu.
[99] United States Environmental Protection Agency, "Causes of Climate Change," EPA, accessed July 2025, https://www.epa.gov/climatechange-science/causes-climate-change.

seawater. Since 1880, the global average sea level has risen 8–9 inches, or 21–24 centimeters. The rate of this rise is accelerating: it has more than doubled from 0.06 inches per year throughout most of the twentieth century to 0.14 inches per year from 2006–2015.[100]

About 40% of the world lives within 62 miles of a coast, where sea level rise plays a role in flooding, shoreline erosion, and hazards from storms. Many of the world's largest cities are near a coast: Tokyo, Shanghai, Dhaka (inland but close to sea level and adjacent to an Indian Ocean delta), São Paulo, Mumbai, and Osaka, to name a few.[101,102] In urban settings along coastlines around the world, rising seas threaten the **infrastructure** necessary for local jobs and regional industries. Such infrastructure includes roads, bridges, subways, water supplies, oil and gas wells, and power plants.

In Asia and the Pacific, 44.1 million people live less than one meter above sea level, and 112.3 million people live less than three meters above sea level.[103] Rising sea levels and flooding are especially concerning for residents in the low-lying deltas of Bangladesh and Vietnam. The cost of disasters in the Asia-Pacific region is estimated at several hundred billion dollars each year, even before including the economic impact of displacement itself. Climate change, combined with rapid urbanization of the region and other factors, may significantly heighten future displacement risk and related costs.

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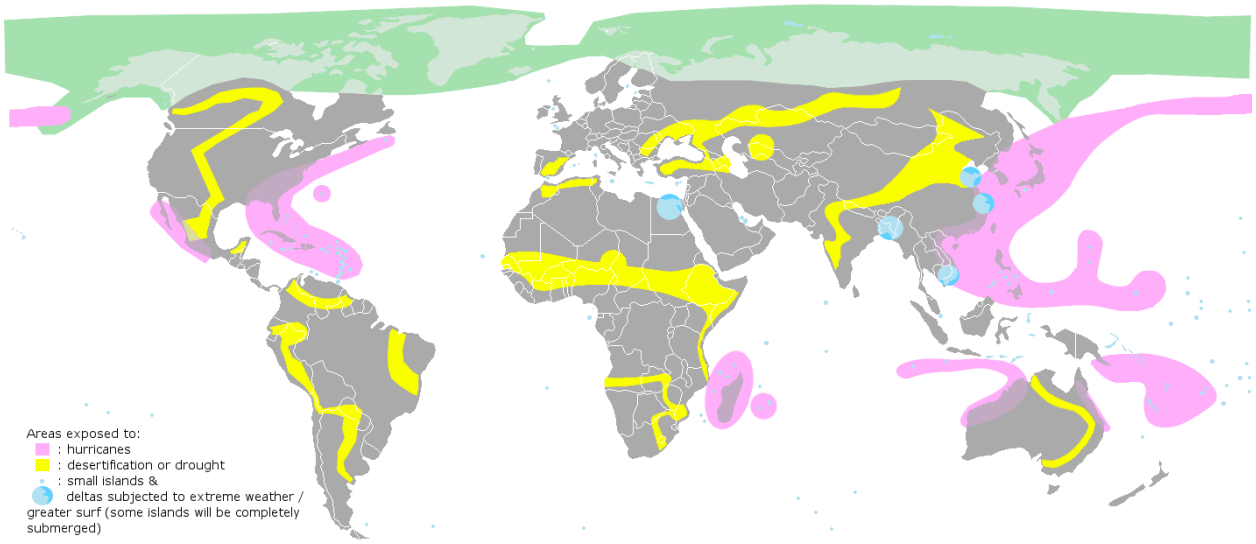
[100] Rebecca Lindsey, "Climate Change: Global Sea Level," Climate.gov (National Oceanic and Atmospheric Administration, August 22, 2023), https://www.climate.gov/news-features/understanding-climate/climate-change-global-sea-level.
[101] World Population Review, "Largest Cities by Population," World Population Review, accessed July 2025, https://worldpopulationreview.com/cities.
[102] Economist Impact and UN-Habitat, "How Dhaka Is Reclaiming Its Waterways," Economist Impact, accessed July 2025, https://impact.economist.com/sustainability/urbanperformanceindex/dhaka/.
[103] Alessio Giardino and Michalis I. Vousdoukas, "Rising Seas: Building Resilience against Coastal Flooding in Asia and the Pacific," Development Asia, August 7, 2024, https://development.asia/insight/rising-seas-building-resilience-against-coastal-flooding-asia-and-pacific.



Regions of the world frequently exposed to various natural disasters.[104]

Increasing Awareness and Action

Since the 1990s, projections have warned that climate change could create millions of environmental or climate refugees globally by 2050.[105] This has pressured governments to create policies that address the effects of climate change. More people have begun to believe that climate change is a global emergency that transcends national borders and requires international cooperation on coordinated solutions. In this way, discourse on climate change has become more visible on a global scale.

The United Nations Framework Convention on Climate Change (UNFCCC) adopted the Kyoto Protocol in December of 1997. This protocol operationalizes the UNFCCC by committing

[104] KVDP, *Natural Disasters Caused by Climate Change*, July 19, 2011, Online image, *Wikimedia Commons*, July 19, 2011, https://commons.wikimedia.org/wiki/File:Natural_disasters_caused_by_climate_change.png.
[105] Ayesha Tandon, "In-Depth Q&A: How Does Climate Change Drive Human Migration?" CarbonBrief, April 10, 2024, https://interactive.carbonbrief.org/climate-migration/index.html.

countries to limit or reduce greenhouse gas emissions in accordance with agreed individual targets. It only binds developed countries and places a heavier burden on them under the principle of "common but differentiated responsibility and respective capabilities," recognizing that they are largely responsible for the current high levels of atmospheric greenhouse gases.[106]

Adoption of the Paris Climate Accords.[107]

[106] United Nations Framework Convention on Climate Change, "The Kyoto Protocol," United Nations Climate Change, accessed July 2025, https://unfccc.int/kyoto_protocol.
[107] Arnaud Bouissou, *Plenary Session of the COP21 for the Adoption of the Paris Accord, United Nations Climate Change Conference (Paris, Le Bourget)*, December 12, 2015, Online image, *Wikimedia Commons*, December 12, 2015, https://commons.wikimedia.org/wiki/File:S%C3%A9ance_pleini%C3%A8re_de_la_COP21_pour_l%E2%80%99adoption_de_l%E2%80%99accord_de_Paris_2015.jpg.

Following this, the UN Climate Change Conference in Paris (COP21) reached a breakthrough in December of 2015, creating the historic Paris Agreement, a legally binding **international treaty**. The Agreement sets long-term goals for all nations to substantially reduce greenhouse gas emissions to hold global temperature increase below 2ºC above pre-industrial levels. It additionally provides financing for developing countries to mitigate climate change, strengthen resilience, and enhance their abilities to adapt to climate impacts. The Agreement differs from the Kyoto Protocol, as it emphasizes voluntary, nationally determined contributions from all participating countries, both developed and developing. Today, 195 parties have joined the Paris Agreement, signifying the commitment from all countries to reduce their emissions and work together to adapt to the impacts of climate change. The Paris Agreement provides a durable framework to guide the future of a net-zero-emissions world.[108]

Additionally, the United Nations High Commissioner for Refugees (UNHCR) advocates for and provides advice on international protection in the context of climate change and the inclusion of displaced people in climate policies and plans at national and international levels. They have recognized that climate change compels people to move, stating that climate change "adds fuel to poor governance, inequity, and inequality, and contributes to the conditions for conflict, violence, and persecution that displace people, including across borders."[109] Internationally, the UNHCR advocates for the inclusion and protection of displaced people. The UNHCR is an advisory group member to the Platform on Disaster Displacement, a state-led initiative that works towards better protection for people at risk of or experiencing displacement

[108] United Nations, "The Paris Agreement," United Nations, accessed July 2025, https://www.un.org/en/climatechange/paris-agreement.
[109] Jennifer Pagonis, "Vietnamese in Cambodia Torn between Going on Exile and Returning Home," *UNHCR*, November 11, 2004, https://www.unhcr.org/us/what-we-do/build-better-futures/climate-change-and-displacement/law-and-policy-protection.

due to disasters and climate change.[110] The UNHCR is also a member of the Warsaw International Mechanism for Loss and Damage's Task Force on Displacement under the UNFCCC.

Legal Gaps

Despite its efforts to address displacement, international refugee law remains quiet on climate-displaced persons. Article 1 of the 1951 Refugee Convention, the resulting legal document from an internal convention in Geneva, Switzerland, explicitly excludes environmental factors. As a result, people displaced by climate-related impacts remain largely unprotected under existing legal frameworks. The Convention involved 146 state parties and was created due to an influx of refugees at the end of World War II.[111] Some important outcomes of the convention were a definition of the term "refugee," an outline of refugee rights, and an explanation of the legal obligations of states to protect those rights.

The Convention's definition of a refugee notably does not include environmental circumstances. There is no clear definition of a "climate refugee," nor are climate refugees covered by the 1951 Refugee Convention. Thus, climate cannot legally be cited under international law as a reason for seeking asylum or refugee status, even though many reports have cited climate change as a potential cause of migration.

Some regional legal instruments, such as the African Union's Kampala Convention, address internally displaced persons broadly, including those displaced by natural disasters. This

[110] Platform on Disaster Displacement, "About Us," Platform on Disaster Displacement, accessed July 2025, https://disasterdisplacement.org/about-us/.
[111] International Catholic Migration Commission, "What Is the 1951 Refugee Convention and Who Does It Protect?," ICMC, accessed July 2025, https://connect.icmc.net/what-is-the-1951-refugee-convention-and-who-does-it-protect.

convention was adopted in October 2009 and built on the UN's Guiding Principles on Internal Displacement and the experiences, laws, and policies of African states.[112] The Kampala Convention explicitly outlines a role for civil society organizations in protecting and assisting internally displaced persons. Currently, no equivalent binding treaty exists in the Asia-Pacific to cover climate induced displacement.

The concept of statelessness adds further complexity to the situation. Sinking islands may lose habitable territory but still retain contractual agreements and maritime rights. Statehood in international law refers to a state with a territory (a defined land area with clear boundaries) and a population (a group of people who live within the defined territory).[113] However, as rising sea levels threaten to submerge entire nations, such as Tuvalu, Kiribati, and the Marshall Islands, questions arise about whether these countries can maintain their statehood if their physical territory becomes uninhabitable or disappears entirely.

Some legal scholars and Pacific leaders are advocating for a reinterpretation of sovereignty. They argue that a nation should retain its legal identity, diplomatic recognition, and maritime claims even in the absence of physical land.[114] For example, Tuvalu has launched a campaign to digitally preserve its nationhood on a virtual Internet platform.[115] Without legal recognition, there is a danger that citizens of these nations could become stateless, losing their political and legal identities, as well as their land, in the international system.

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[112] Economic, Social, and Cultural Council of the African Union, "Making the Kampala Convention Work for IDPs," *IDMC*, July 2010, https://api.internal-displacement.org/sites/default/files/publications/documents/2010-making-the-kampala-convention-work-thematic-en.pdf.
[113] LSD Law, "Legal Definitions - Statehood (International Law)," LSD.Law, accessed July 2025, https://lsd.law/define/statehood-international-law.
[114] Alex Green, "Three Reconstructions of 'Effectiveness': Some Implications for State Continuity and Sea-Level Rise," *Oxford Journal of Legal Studies* 44, no. 2 (February 21, 2024), https://doi.org/10.1093/ojls/gqae003.
[115] Kirsty Needham, "Sinking Tuvalu Fights to Keep Maritime Boundaries as Sea Levels Rise," *Reuters*, September 24, 2024, https://www.reuters.com/investigations/sinking-tuvalu-fights-keep-maritime-boundaries-sea-levels-rise-2024-09-24/.

ESCAP's Regional Mandate and Responses

From 2013 to 2016, ESCAP led the Pacific Climate Change and Migration (PCCM) project, which enabled Kiribati, Nauru, and Tuvalu to establish migration data, strengthen adaptation strategies, and explore labor mobility as a protective mechanism. The project aims to increase protection of individuals and communities that are vulnerable to climate change displacement and migration through targeted national and regional policies.[116]

Additionally, ESCAP has addressed climate displacement in its Asia-Pacific Disaster Reports.[117] These are flagship reports that have underscored the magnitude of climate-related displacement. They have recognized that around 90% of displacement occurs due to natural hazards and that displacement is likely to increase as a result of climate change. ESCAP has also acknowledged the need to integrate voluntary immigration, acknowledgement of forced displacement, and planned relocation into national adaptation systems and domestic legislation across the Asia-Pacific region.

[116] Economic and Social Commission for Asia and the Pacific, "Pacific Climate Change and Migration Project," ESCAP, accessed July 2025, https://www.unescap.org/subregional-office/pacific/pacific-climate-change-and-migration-project.
[117] Armida Salsiah Alisjahbana, Kaveh Zahedi, and Tiziana Bonapace, "Resilience in a Riskier World," *ESCAP*, 2021, https://www.unescap.org/sites/default/d8files/knowledge-products/Asia-Pacific%20Disaster%20Report%202021-Full%20report.pdf.

Past Actions

Over the past two decades, the international community has become increasingly aware of the threat climate change poses to low-lying island nations in the Asia-Pacific region, particularly in terms of displacement and legal recognition. In response, both global and regional actors have initiated various frameworks and proposals to address these challenges.

Global Action

At the international level, the United Nations Framework Convention on Climate Change (UNFCCC) and the Paris Agreement (2015) have laid broad foundations for addressing the impacts of climate change, including references to migration and displacement.

The Cancún Agreements, formally known as the decisions adopted at the 2010 United Nations Climate Change Conference (COP16) in Cancún, Mexico, represent a significant step forward in addressing climate change. These decisions built upon previous agreements like the UNFCCC and the Copenhagen Accord, a political agreement reached the year before. The Cancún Agreements form the pillars of the largest collective effort to reduce emissions in a mutually accountable way. They included the most comprehensive package ever agreed to by governments to help developing nations deal with climate change, encompassing finance, technology, and capacity. The Agreements aimed to build support for countries to meet urgent needs for climate change adaptation, and to accelerate their plans to adopt sustainable paths to low-emission economies that could also resist the negative impacts of climate change.[118]

[118] United Nations Framework Convention on Climate Change, "Intro to Cancun Agreements," United Nations Climate Change, accessed July 2025, https://unfccc.int/process/conferences/the-big-picture/milestones/the-cancun-agreements.

Additionally, the UNFCCC oversees the Executive Committee of the Warsaw International Mechanism for Loss and Damage (WIM), whose current five-year plan focuses on enhancing cooperation and facilitation of human mobility, including migration, displacement, and planned relocation.[119] In 2013, COP19 established the WIM associated with climate change impacts to address the corresponding loss and damage. This committee encompasses both extreme and slow onset events, particularly in developing countries that are vulnerable to the adverse effects of climate change.[120] In its first decade, the WIM has played a pivotal role in driving the loss and damage agenda, culminating in the implementation of complementary provisions for in-country support that focus on technical assistance and finance. The Task Force on Displacement (TFD) helps execute the work of the WIM Executive Committee by guiding the latter's implementation in an advisory role.

[119] United Nations Framework Convention on Climate Change, "Human Mobility, Including Migration, Displacement and Planned Relocation," United Nations Climate Change, accessed July 2025, https://unfccc.int/process/bodies/constituted-bodies/WIMExCom/TFD.
[120] United Nations Framework Convention on Climate Change, "Warsaw International Mechanism for Loss and Damage Associated with Climate Change Impacts," United Nations Climate Change, accessed July 2025, https://unfccc.int/topics/adaptation-and-resilience/workstreams/loss-and-damage/warsaw-international-mechanism.

The opening ceremony of COP19, where the WIM was established.[121]

Regional Action

Regionally, ESCAP has played a key role in fostering dialogue surrounding climate displacement and the legal recognition of sinking nations. In 2019, ESCAP launched the Pacific Climate Change Migration and Human Security (PCCMHS) Programme, which aims to ensure safe, dignified, and well-governed migration outcomes for vulnerable communities. Its key goals are: for governments to cooperate at the regional and sub-regional level to manage climate mobility; for governments to develop and implement national policies to address climate change; and for civil society actors, worker's organizations, and employer and business membership organizations to actively engage in national, regional, and global processes to manage climate mobility. PCCMHS believes an enabling policy environment will achieve these outcomes. This

[121] Mateusz Włodarczyk, *COP19 at National Stadium*, November 11, 2013, Online image, *Wikimedia Commons*, November 11, 2013, https://commons.wikimedia.org/wiki/File:COP19_opening_%2822%29.JPG.

means contributing to the availability of relevant data and evidence, increasing knowledge and skills of stakeholders, and improving access to services.[122] Specifically, Phase II will continue to promote action to comprehensively address climate mobility, including labor migration and voluntary movements, as well as displacement and planned relocation efforts.[123]

Legal recognition of states whose land is at risk of becoming uninhabitable remains largely unresolved in the Asia-Pacific. While international law, including the Montevideo Convention of 1933, defines the criteria for statehood (permanent population, defined territory, a government, and the capacity for international relations), it does not address what happens when physical territory is submerged.[124] The Asia-Pacific region has recently tried to fill this gap. Pacific leaders signed the 2021 Declaration on Preserving Maritime Zones in the Face of Climate Change-Related Sea Level Rise to affirm, in accordance with the United Nations Convention on the Law of the Sea, that maritime zones would be maintained without reduction, despite climate change-related sea level rise.[125] However, it is primarily efforts by individual countries like Tuvalu that have reflected both the growing concern of statelessness from sinking nations and the absence of a legal precedent.

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[122] International Labour Organization, "Pacific Climate Change Migration and Human Security – Phase II," ILO, accessed July 2025, https://www.ilo.org/projects-and-partnerships/projects/pacific-climate-change-migration-and-human-security-%E2%80%93-phase-ii.

[123] International Organization for Migration, "Pacific Climate Change Migration and Human Security Programme (Phase II)," United Nations Department of Economic and Social Affairs, accessed July 2025, https://sdgs.un.org/partnerships/pacific-climate-change-migration-and-human-security-programme-phase-ii.

[124] International Conference of American States, "Montevideo Convention on the Rights and Duties of States," Colombo & Hurd, PL § (1933), https://www.colombohurdlaw.com/montevideo-convention-on-the-rights-and-duties-of-states.

[125] Pacific Islands Forum, "Declaration on Preserving Maritime Zones in the Face of Climate Change-Related Sea-Level Rise," *Pacific Islands Forum*, August 6, 2021, https://forumsec.org/sites/default/files/2024-03/2021%20Declaration%20on%20Preserving%20Maritime%20Zones%20in%20the%20face%20of%20Climate%20Change-related%20Sea-level%20rise.pdf.

Tuvalu is among the most vulnerable nations, with its mean elevation less than three meters above sea level.[126] 40% of the central district of Funafuti, Tuvalu's capital, is already below sea level at the highest tide, and the United Nations Development Programme predicts that 95% of Tuvalu's land will be flooded in routine high tides by 2100.[127] Its territory will be uninhabitable by the end of the century, along with that of Kiribati, the Maldives, the Marshall Islands, and the Solomon Islands, forcing Tuvalu's 11,500 residents to migrate elsewhere for safety.

Rather than leaving the decision to the international system, Tuvaluan officials are exercising their agency by proactively working with other Pacific Island leaders towards permanent recognition of their statehood and **maritime boundaries**. They have launched the Future Now project, which aims to retain the statehood, sovereignty, government administrative framework, culture, and heritage of Tuvalu, even in the case that its land territory is compromised.[128] Initiative 2 of the project comprises efforts to secure international recognition of Tuvalu's statehood as permanent and its existing maritime boundaries as fixed. Some activities under this initiative include establishing new diplomatic relations that provide for **bilateral recognition** of Tuvalu's statehood and maritime boundaries, overseeing work to amend Tuvaluan law, and supporting Pacific regional and international efforts that align with national actions.[129]

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[126] World Bank Group, "Tuvalu," World Bank Group Climate Change Knowledge Portal, accessed July 2025, https://climateknowledgeportal.worldbank.org/country/tuvalu.
[127] Arthur Webb et al., "Notes from Tuvalu: Leading the Way in Adapting to Sea-Level Rise," UNDP, July 19, 2023, https://www.undp.org/blog/notes-tuvalu-leading-way-adapting-sea-level-rise.
[128] Indo-Pacific Defense Forum, "Tuvalu's Future Now Project Includes Virtual Backup for Nation," *Indo-Pacific Defense Forum*, August 29, 2023, https://ipdefenseforum.com/2023/08/tuvalus-future-now-project-includes-virtual-backup-for-nation.
[129] Simon Kofe, "Sinking Islands": Preserving Tuvaluan Statehood in the Face of a Total Loss of Territorial Sovereignty, interview by Cody Fritz, *Medium*, November 12, 2024, https://medium.com/@ch_commonfutures/sinking-islands-preserving-tuvaluan-statehood-in-the-face-of-a-total-loss-of-territorial-0306170d19cd.

Twelve nations have signed joint communiques recognizing Tuvalu's permanent sovereignty, including nine other islands in the Pacific and Caribbean, as well as Venezuela, Taiwan, and Kosovo.[130] In addition, the eighteen nations which make up the Pacific Island Forum declared the permanence of their statehood and sovereignty in 2023, notwithstanding the impacts of climate change.[131]

Tuvalu's initiative incorporates a "Digital Tuvalu," which uses innovative tools and platforms to build a digital nation. This would involve creating a digital government administrative system that would allow Tuvalu to shift its government operations to another location and to continue functioning as a sovereign state.[132] Tuvalu has been using **metaverse** and **blockchain** technology to accomplish this.

[130] Government of Tuvalu, "About," Tuvalu | The first digital nation, accessed July 2025, https://www.tuvalu.tv/about.
[131] Pacific Islands Forum, "Declaration on the Continuity of Statehood and the Protection of Persons in the Face of Climate Change-Related Sea-Level Rise," Pacific Islands Forum, 2023, https://forumsec.org/publications/2023-declaration-continuity-statehood-and-protection-persons-face-climate-change.
[132] Sophie Yeo, "Tuvalu: The Disappearing Island Nation Recreating Itself in the Metaverse," *BBC*, November 21, 2024, https://www.bbc.com/future/article/20241121-tuvalu-the-pacific-islands-creating-a-digital-nation-in-the-metaverse-due-to-climate-change.

Tuvalu's shrinking land area has prompted their government to pursue a digital immortalization of the country.[133]

[133] Lily-Anne Homasi, *Aerial View of Tuvalu's Capital, Funafuti, 2011. Tuvalu Is a Remote Country of Low Lying Atolls, Making It Vulnerable to Climate Change*, August 4, 2011, Online image, *Wikimedia Commons*, August 4, 2011, https://commons.wikimedia.org/wiki/File:Aerial_view_of_Tuvalu%E2%80%99s_capital,_Funafuti,_2011._Tuvalu_is_a_remote_country_of_low_lying_atolls,_making_it_vulnerable_to_climate_change._Photo-_Lily-Anne_Homasi_-_DFAT_%2812779656093%29.jpg.

Possible Solutions

The following solutions are presented as potential examples for debate and a starting point for delegates' research, not necessarily as a correct or complete way to address climate displacement and the legal status of sinking nations.

Regional Legal Framework

A regional legal framework under ESCAP may provide temporary or permanent legal protections for climate-displaced persons, including pathways to residency or citizenship in host countries. ESCAP is uniquely positioned to lead such an initiative, given its regional scope and mandate to promote social and economic development among member states. The framework could establish clear legal pathways for temporary, long-term, or even permanent residency for individuals and communities displaced by climate-related events. This would provide important legal certainty and dignity to displaced persons while reducing the burden on individual states to negotiate ad hoc agreements.

The work of individual countries and other regions might inspire an ESCAP framework. For example, Tuvaluan citizens have historically migrated to New Zealand through the Pacific Access Category (PAC) visa system, which provides annual quotas for citizens of certain Pacific island countries to settle in New Zealand.[134] Even though the system is not explicitly framed as climate migration, it provides a legal example that could be expanded or formalized to address environmental displacement. Additionally, inspiration can be drawn from the Comprehensive Regional Protection and Solutions Framework implemented by UNHCR in Central America and Mexico. This framework provides a regional approach to displacement driven by violence and

[134] New Zealand Immigration, "Pacific Access Category Resident Visa," New Zealand Immigration, accessed July 2025, https://www.immigration.govt.nz/visas/pacific-access-category-resident-visa.

instability.[135] While the regional context is different, the responsibility to ensure its residents' welfare is highly applicable to the climate displacement challenge in Asia and the Pacific.

Ex Situ Nationhood

An ex situ nationhood is one where governments in exile or cloud-based governance models can maintain a state's legal continuity without physical land. This idea emphasizes that a state can maintain its sovereignty, international recognition, and legal identity even after its territory becomes uninhabitable or disappears entirely.[136] This concept has not yet been properly tested in international law, but it draws on historical precedents where governments or nation-states have functioned without control over their territory.

For example, during World War II, several European governments operated in exile from London after their homelands faced hostile occupation.[137] The governments of Poland, Norway, and the Netherlands retained diplomatic recognition, engaged in international relations, and even signed treaties, despite the lack of territorial control. These ex situ governments were maintained through legal institutions and international partnerships. This experience supports the idea that a government can continue to function even when its territory is transformed. If applied to Asia and the Pacific, it could allow island nations to preserve their statehood, maritime rights, and UN membership, even if relocation becomes necessary.

[135] Comprehensive Regional Protection and Solutions Framework, "What Is the MIRPS?," MIRPS, accessed July 2025, https://mirps-platform.org/en/what-is-the-mirps.
[136] Maxine Burkett, "The Nation *Ex-Situ*: On Climate Change, Deterritorialized Nationhood and the Post-Climate Era," *Climate Law* 2 (2011): 345–74, https://doi.org/10.3233/CL-2011-040.
[137] Julia Eichenberg, "Crossroads in London on the Road to Nuremberg: The London International Assembly, Exile Governments and War Crimes," *Journal of the History of International Law* 24, no. 3 (July 13, 2022): 334–53, https://doi.org/10.1163/15718050-bja10071.

Climate Resilience

ESCAP could also choose to start from the source. One of the most immediate and intuitive responses to the threat of climate-induced displacement is to invest in measures that reduce vulnerability and prolong the habitability of threatened areas. By strengthening climate resilience within existing territories, countries can delay or even prevent the need for forced relocation. This approach emphasizes in-place adaptation through a combination of infrastructure and community-led initiatives. Several countries in the Asia-Pacific region have already undertaken innovative resilience-building efforts that could serve as models for further action across ESCAP member states.

For example, as one of the world's lowest-lying nations, the Maldives has constructed an extensive sea wall around its capital, Malé. The wall is three meters high and was completed in the 1990s after a storm surge flooded much of the city. Since then, it has protected the area from rising seas and wave surges. Funding for this project came largely from Japan, which has been instrumental in providing various kinds of assistance to the Maldives.[138] Sea walls are expensive, which may degrade their feasibility as a solution.

[138] Ritika V. Kapoor, "Sea Wall in the Maldives and Its Sustainability," National Maritime Foundation, September 4, 2020, https://maritimeindia.org/sea-wall-in-the-maldives-and-its-sustainability.

The breakwall protecting Malé from storm surges.[139]

As a regional body, ESCAP can play a leading role in scaling up and coordinating the efforts of individual countries, including the Maldives. This could be accomplished by facilitating technology transfer and infrastructure financing between member states, creating a regional database of best practices, and encouraging donor states and international institutions to contribute to a regional climate adaptation and resilience fund.

[139] Mark Fischer, *A View of the Breakwall on the Western Side of Malé*, April 16, 2012, Online image, *Wikimedia Commons*, April 16, 2012, https://commons.wikimedia.org/wiki/File:A_view_of_the_breakwall_on_the_Western_side_of_Mal%C3%A9.jpg.

Bloc Positions

Highly Vulnerable Islands and Coastal Nations

The geography of the Asia-Pacific is very diverse, with countries experiencing climate change and displacement to different extents. This bloc includes small island developing states and low-lying coastal nations most immediately threatened by sea level rise. Countries such as Tuvalu, Kiribati, the Maldives, and the Marshall Islands face existential risks, with some already experiencing forced internal and external displacement. Additionally, the amount of damage done may vary. Some countries are better positioned economically to combat rising sea levels but house millions of people who could be affected. For example, China and Indonesia are the two countries most vulnerable to permanent inundation. 32,000 square kilometers of China's coastal area and more than 23 million people are at risk if sea levels rise by one meter. With a three-meter rise, these estimates increase to more than 71,000 square kilometers and 52 million people.[140]

The primary concerns of this bloc may include urgent international legal recognition of climate-displaced persons, retention of maritime rights and exclusive economic zones despite potential land loss, and financial support for climate adaptation, relocation, and infrastructure.

Economically Developed Countries

There are vast differences between the economies of various ESCAP states. From Singapore, which was ranked the richest country in Southeast Asia by gross domestic product

[140] Susmita Dasgupta, "Risk of Sea-Level Rise: High Stakes for East Asia & Pacific Region Countries," World Bank Blogs, March 9, 2018, https://blogs.worldbank.org/en/eastasiapacific/risk-of-sea-level-rise-high-stakes-for-east-asia-pacific-region-countries.

per capita in 2025, to Laos, one of East Asia's poorest countries, each nation is positioned differently to respond to climate change.[141,142] This means that resources are distributed unevenly, with climate change often having worse effects on less economically developed countries. Additionally, climate change may impact the global economy by disrupting trade, harming agricultural economies, and worsening debt.[143] Climate change additionally could set already economically fragile countries further back, as the World Bank estimates that the effects of climate change could push another 100 million people below the poverty line by 2030. The impact of extreme weather also results in billions of dollars of annual consumption losses.[144] A Standard University study found that climate change has increased economic inequality between developed and developing nations by 25% since 1960.[145]

This bloc includes wealthier ESCAP members, such as Australia, Japan, South Korea, China, Singapore, and New Zealand. If the region promotes shared responsibility, these wealthier nations may be expected to provide financial and technical assistance, migration support programs, or legal innovation and policy leadership.

Major Emitters and Resource-Dependent Economies

As every country has differences in geography and economy, they also differ widely in greenhouse gas emissions and natural resource usage. ESCAP countries with some of the most

[141] Pallavi Rao, "Ranked: Southeast Asian Countries by the Numbers," Visual Capitalist, July 24, 2025, https://www.visualcapitalist.com/ranked-southeast-asian-countries-by-the-numbers/.
[142] Alastair McCready, "'I Feel Hopeless': Living in Laos on the Brink," *BBC*, October 8, 2023, sec. Asia, https://www.bbc.com/news/world-asia-66924300.
[143] Ibid.
[144] United States Global Leadership Coalition, "Climate Change and the Developing World: A Disproportionate Impact," USGLC, March 2021, https://www.usglc.org/blog/climate-change-and-the-developing-world-a-disproportionate-impact/.
[145] Josie Garthwaite, "Climate Change Has Worsened Global Economic Inequality, Stanford Study Shows," *Stanford Report*, April 22, 2019, https://news.stanford.edu/stories/2019/04/climate-change-worsened-global-economic-inequality.

influential economies, notably China, India, and Indonesia, are characterized by their significant greenhouse gas emissions, large populations, and heavy dependence on industries such as coal, oil, manufacturing, or extractive resources. For example, China and India are the first- and third-largest global carbon dioxide emitters, respectively.[146] Among the various economic sectors of India, the power sector accounts for the largest share of the country's greenhouse gas emissions, followed by agriculture. One of the main reasons for India's high emissions is its reliance on coal, the most polluting fossil fuel.[147]

These countries have substantial influence in the region, and their approach to climate change, displacement, and legal reform is shaped by a combination of domestic priorities, geopolitical strategy, and economic motives. China is the second-largest economy in the world, which encourages high emissions and usage of natural resources.[148] Other blocs may motivate this bloc to balance economic growth with climate commitments by investing in renewable energy and green infrastructure, among other methods.

[146] Worldometer, "CO2 Emissions by Country," Worldometer, accessed July 2025, https://www.worldometers.info/co2-emissions/co2-emissions-by-country/.
[147] United States Environmental Protection Agency, "Emissions from Coal Mining in India," EPA, accessed July 2025, https://www.epa.gov/cmop/emissions-coal-mining-india.
[148] Pallavi Rao, "Mapped: The World's Largest Economies, Including U.S. States," Visual Capitalist, May 16, 2025, https://www.visualcapitalist.com/mapped-the-worlds-largest-economies-including-u-s-states/.

Glossary

Infrastructure: the basic physical and organizational structures (e.g. buildings, roads, power supplies, etc.) needed for a society to operate.

River deltas: landforms created where the mouth of a river flows into a larger body of water.

Displacement: the migration of people who have been forced or obliged to leave their homes.

Refugee: someone who leaves their country and is unwilling to return due to a fear of being persecuted for race, religion, nationality, political opinion, or membership of a particular social group.

Greenhouse gas: a gas that contributes to the greenhouse effect (and thus global warming) by absorbing infrared radiation or heat energy emitted from the planet's surface. Greenhouse gases may remain in Earth's atmosphere for thousands of years.[149]

International treaty: a formal agreement between states that is governed by international law.

Sovereignty: the power of a country to control its own government and affairs.

Maritime boundaries: conceptual lines that divide areas of the sea, often defining the extent of a nation's sovereignty and rights over maritime resources and activities.

[149] United States Environmental Protection Agency, "Overview of Greenhouse Gases," EPA, accessed July 2025, https://www.epa.gov/ghgemissions/overview-greenhouse-gases.

Bilateral recognition: the relationship formed when states recognize one another as sovereign states and agree to pursue diplomatic relations.

Metaverse: a shared virtual reality space in which users can interact with each other and digital content. Not to be confused with the Facebook Metaverse, which is a specific example of a metaverse.[150]

Blockchain: a system that records transactions, especially those made in a cryptocurrency, in a way that makes them secure and transparent.[151]

[150] Georg David Ritterbusch and Malte Rolf Teichmann, "Defining the Metaverse: A Systematic Literature Review," *IEEE Access* 11 (February 2, 2023): 12368–77, https://doi.org/10.1109/access.2023.3241809.
[151] Stephanie Susnjara and Ian Smalley, "What Is Blockchain?," IBM, accessed July 2025, https://www.ibm.com/think/topics/blockchain.

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